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**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

1.1

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|--|--------------------------------|
| Subject Agency Role | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 1.1.1 – 1.1.2 |
| Comments: | |

I. INDEX

1.1.1 MISSION STATEMENT

1.1.2 GOALS AND OBJECTIVES

II. PURPOSE

The UW-La Crosse Police Department shall establish and maintain an atmosphere that allows persons within the community to safely conduct a variety of activities that are in furtherance of the Mission of the University of Wisconsin-La Crosse. This policy is to make all UW-La Crosse Police personnel aware of the department’s Mission Statement and the general responsibilities of all members of the police department in continuance of the department’s mission.

III. POLICY STATEMENT

It is the policy of the UW-La Crosse Police Department to honor and uphold its law enforcement activities in accordance with the department’s mission statement.

In addition to our legal and administrative requirements, the UW- La Crosse Police Department is directed by core values that guide our department and the behavior of our employees.

IV. DEFINITIONS

“Mission” refers to a statement that refers to the goals and core values of an organization.

“Core Values” refers to guiding principles that dictate our behavior.

“Goals” refers to a broad statement of intended result. Goals should be stated in ways that permit measurement of achievement.

“Objectives” refers to an end or result that one intends to attain in order to achieve partial fulfillment of a goal. An objective is a “sub-goal” or element of a goal and therefore requires a shorter time to accomplish than does the complete goal.

V. PROCEDURES

MISSION STATEMENT [1.1.1]

Mission Statement

Our mission is to serve the University of Wisconsin-La Crosse and the surrounding community where education can thrive, by upholding the constitution, the community, and the agency we serve. We also support the University of Wisconsin-La Crosse's academic, research, and public service missions with professionalism, integrity, and impartiality.

A. The Department Mission and Vision shall be issued by the Chief of Police and modified as deemed necessary.

B. To fulfill its Mission, the Department shall be dedicated to providing a quality work environment. The professional development of its members shall be ensured through effective training and leadership.

C. The primary goal of the Department shall be to provide an appropriate level of safety, security, and service. All persons shall be served with respect and compassion. The Department shall nurture public trust by holding its members to the highest possible standards of performance and ethics.

D. The professional responsibilities of Department members shall include the following: protecting life, safeguarding property, establishing crime prevention methods, investigating crime, apprehending offenders, preserving the peace and maintaining order, enforcing laws, responding to emergencies, advancing cooperative relationships with students, faculty, and staff, creating a sense of safety and security, accomplishing objectives within ethical and constitutional guidelines, and performing other services as required by the Chief of Police.

E. The Department shall recognize and support the philosophy of community policing and service. Actions shall be driven by goals to enhance the quality of life, investigating problems as well as incidents, seeking solutions, and fostering a sense of security throughout the campus.

F. To ensure the best delivery of service, the Department shall commit itself to continuous review, evaluation, and if necessary, modification of existing Departmental programs, operations, and policies.

Core Values

Professionalism – We will treat the public and our colleagues with courtesy and respect. We understand that our appearance, words, and demeanor contribute to the public's confidence in us. We are responsive to the community's needs and will deliver services promptly and efficiently.

Integrity – We are committed to the enforcement of laws and the preservation of order and property. We are honest, truthful, and consistent in our words and actions, and therefore worthy of the public's trust. We exercise discretion in a manner that is beyond approach. We will always accept responsibility for our actions.

Transparency – We will operate in a manner that is open and straightforward. Ensuring all operations are performed at a high level, delivering superior service to the University and surrounding community.

Impartiality – We will strive to treat everyone in a consistent manner and without favoritism. Decisions and actions will be based on objective criteria, free from the influence of bias, prejudice, or personal feelings.

GOALS AND OBJECTIVES [1.1.2]

A. To ensure direction and unity of purpose and to serve as a basis for measuring progress, goals and objectives shall be established for the Department and each major organizational component. These goals shall be reviewed and updated annually.

B. During the strategic planning phase, the Chief of Police or designee shall formulate a comprehensive statement of department goals and objectives. The timing shall allow for the development of division-level goals and objectives.

1. Subsequent to the Chief of Police or designee issuing goals and objectives for the Department, division managers shall formulate written statements of goals and objectives for their respective divisions and each organization component within it. This process shall include the solicitation of input from all employees to whom the goals and objectives apply.
2. At the conclusion of the formulation process, the Department goals and objectives as well as those of the divisions, shall be made available to all employees.

BY ORDER OF



**Allen Hill
CHIEF OF POLICE**

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

1.2

| | |
|--|---|
| Subject Employee Conduct | Statute 968.075(1)(A), 230.34, 175.22 |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 1.2.1 – 1.2.5 |
| Comments: | |

I. INDEX

1.2.1 OATH OF OFFICE

1.2.2 CODE OF ETHICS

1.2.3 CODE OF CONDUCT

1.2.4 HARASSMENT IN THE WORKPLACE

1.2.5 LOCKER ROOM PRIVACY

II. PURPOSE

The purpose of this policy is to acknowledge the requirement of all sworn personnel to take an oath of office to enforce the law and of uphold the Constitution of the United States of America and the State of Wisconsin, and to faithfully carry out the duties of a police officer as provided by Wisconsin State Statute. This policy outlines the requirement for sworn personnel to be aware of their ethical responsibilities set forth by the code of ethics in accordance with the IACP. It provides direction regarding code of conduct and appearance while prohibiting harassment in the workplace. Finally, it addresses privacy in the locker rooms located inside the UW-La Crosse Police Department

III. POLICY

The UW-La Crosse Police Department shall establish and maintain an atmosphere that allows persons within the community to safely conduct a variety of activities that are in furtherance of the Mission of the University of Wisconsin La Crosse. In addition, the UW-La Crosse Police Department shall establish a code of conduct and appearance.

IV. DEFINITIONS

Domestic Abuse as defined in Wisconsin State Statute 968.075 (1)(A) refers to any of the following engaged in by an adult person against his or her spouse, former spouse, against an adult with whom the person resides or formerly resided; or against an adult with whom the person has a child in common.

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of law amounting to first, second or third degree sexual assault.
4. A physical act, or a threat in conjunction with a physical act, which may cause the other person to reasonably fear imminent engagement in the conduct described above.

Sexual Harassment as defined by University of Wisconsin-La Crosse policy includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience or their participation in a University program or activity, (2) submission to or rejection of such conduct by an

individual is used as the basis for employment, academic, or program-related decisions affecting such an individual, or (3) creates a hostile environment.

Unlawful Harassment means conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Such conduct may include racial or ethnic harassment. Racial or ethnic harassment may include threats, physical contact, pranks, vandalism, verbal, graphic, or written conduct directed at an individual or individuals because of their race or origin. Even if actions are not directed at specific persons, a hostile environment is created when the conduct is sufficiently severe, pervasive, or persistent so as to unreasonably interfere with or limit the ability of an individual to work, study, or otherwise participate in the activities of the University.

V. PROCEDURES:

OATH OF OFFICE [1.2.1]

- A. All officers shall take the "Oath of Office" prior to assuming sworn status. Sworn personnel shall abide by the "Oath of Office." The "Oath of Office" is a pledge to enforce the law and uphold the Constitution of the United States and the State of Wisconsin.
- B. The "Oath of Office" ceremony shall consist of:
 1. A formal "swearing-in", which is administered by the Chief of Police.
 2. A written oath signed by the employee. The signed oath shall be kept in the employee's personnel file.

CODE OF ETHICS – IACP "OATH OF HONOR" [1.2.2]

All personnel must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional policing. The following shall govern the administration of a code of ethics to sworn personnel:

- A. The Department adopts the International Association of Chiefs of Police "Oath of Honor" as a guideline for all personnel in the performance of their duties. All personnel shall abide by the "Oath of Honor."

The "Oath of Honor" is as follows:

On my honor, I will never betray my profession, my integrity, my character or the public trust.

I will always have the courage to hold myself and others accountable for our actions.

I will always uphold the constitution, my community, and the agency I serve.

- B. Ethics training for all personnel shall be conducted, at minimum, biennially.

CODE OF CONDUCT [1.2.3]

- A. The University of Wisconsin – La Crosse provides rules relating to conduct considered unacceptable (see Appendix C). These rules are established so the University can attain its objectives in an orderly and efficient manner and are not intended to restrict the rights of employees, but rather to advise employees of prohibited conduct. These rules are created pursuant to Wisconsin Statute 230.34 and

Wisconsin Administrative Code section ER-46. Other rules are provided by statute, by administrative code, and by administrative procedures established by management. Additional work rules have also been established to meet special requirements of the Department. These work rules are as follows:

1. Employees shall maintain a high level of moral conduct in their personal and business affairs and shall act, both on and off duty, in a manner that reflects favorably upon the Department. Conduct unbecoming an employee shall include behavior that brings the Department into disrepute, reflects discredit upon the employee or the Department, impairs the operation or efficiency of the employee or the Department, or impairs the ability to perform as a law enforcement employee. Employees shall obey all applicable oaths of office and codes of ethics. Employees shall be courteous, civil, and respectful of their supervisors, associates, and University community members while on- and off-duty.
 2. Employees shall not commit or omit any acts that constitute a violation of any Departmental or University rule, regulation, policy, procedure, directive, or order. Employees shall be thoroughly familiar with state statutes and directives that deal specifically and generally with their assigned duties. Employees shall immediately report to their supervisors any member who does not obey any order, directive, or law.
 3. Employees shall not knowingly issue any order that violates any law, statute, University policy, or directive. Employees shall obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank. Except as otherwise provided in this directive, defiance of lawful authority or disobedience to lawful orders shall constitute insubordination. Employees shall take the following action when issued an unlawful order: advise the supervisor that the order is unlawful; advise the supervisor that the unlawful order cannot be obeyed; and file a written report of the incident with the supervisor's next level of command.
 4. Employees shall follow orders given by superiors. Employees who receive conflicting orders shall promptly and respectfully notify the appropriate supervisor. If the supervisor does not change the order to resolve such conflict, the last order given shall prevail.
 5. Employees shall avoid regular associations or dealings with persons whom they know, or should know, are under criminal investigation or have a reputation for being involved in criminal behavior, except in the performance of duty or where unavoidable because of other personal relationships
 6. Employees shall not consume intoxicating beverages while on duty except in the performance of duty and while acting under proper and specific orders from a supervisor. Employees shall not report for duty, or be on-duty, while under the influence of intoxicants to any degree whatsoever, or with an odor of intoxicants about their person, except in the performance of duty and while acting under proper and specific orders from a supervisor. Employees shall report to their supervisor any known adverse side effects of prescription drugs that they are taking. Department of Administration (DOA) policy directs the investigation of the circumstances surrounding OWI driver's license suspensions to determine whether the employee was operating a state vehicle and/or conducting state business. The findings of this investigation shall be reported to DOA.
 7. Employees shall not make false or untrue statements during the course of their duties except as required during undercover assignments or as necessary while conducting an interview or interrogation.
- B. Employees are not allowed to conduct a private business while on duty. Employees are not authorized to use their uniform or position to influence any personal business transactions.

- C. During their on-duty time, employees are not permitted to collect discarded materials on University property. Permission is required to collect material while off duty. The removal of surplus equipment or materials from university buildings or grounds requires advance written approval of UWL Purchasing Services or a receipt from UWL Surplus Property and must be done on the employee's off-duty time.
- D. Employees who are on duty are expected to perform their work duties and shall not engage in prolonged periods of non-business activities such as personal reading, watching movies or shows or sporting events, streaming media, gaming, or using personal electronic devices for entertainment. Employees shall not sleep while on duty.
- E. Employees operating department vehicles shall not use personal electronic devices in a manner which distracts them from the safe operation of a department vehicle.
- F. Employees are not permitted to engage in political activities while on duty. Employees are permitted to hold elective or appointive public office provided it does not interfere with their employment.
- G. An employee may not record another employee without the knowledge of that employee outside of the scope of official duties. For the purpose of investigations, the Department may video and/or audio record without notice to employees.
- H. Acceptance of cash or any other item, given to an employee for the purpose of compromising an employee's position, is not permitted. Acceptance of gifts where there is no attempt to influence an employee's official position, such as a gift from a visiting dignitary, may be allowed but only with permission from the Chief of Police.
- I. Employees shall submit all necessary reports on time and in accordance with established Department procedures. Reports submitted by employees shall be truthful and complete, and no employee shall knowingly enter, or cause to be entered, any inaccurate, false, or improper information. Employees shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established Department procedures. Employees shall not divulge the identity of persons giving confidential information, except as authorized by proper authority.
- J. A uniformed or plainclothes officer shall provide name, radio number and agency, upon request if the request does not interfere with an investigation or jeopardize the officer's safety. Plainclothes officers should present a badge prior to taking police action. Plainclothes officers should wear a visible form of identification when interacting with other police officers in tactical situations and special events. When a plainclothes officer is challenged by a uniformed police officer, the responsibility lies with the plainclothes officer to establish his or her identification and to have it acknowledged by the uniformed officer.
- K. During the Pledge of Allegiance and the National Anthem, the United States flag shall be honored with a military salute by uniformed personnel. Personnel not in uniform are to stand at attention and place their right hand over their heart. Personnel should face the flag during the Pledge of Allegiance and/or National Anthem. If there is no flag displayed, personnel should face the music.

CODE OF CONDUCT – REQUIRED NOTIFICATIONS

- A. All employees are required to provide current home addresses and telephone numbers and to immediately report any changes to their supervisor. Employees shall provide a cellular phone number or other valid phone number where they can be contacted at if they do not have a home phone number.
- B. Employees shall report to their supervisor any time they are contacted by a law enforcement officer in an official capacity, except when they are the victim of a crime. Supervisors shall report all such notifications to the Chief of Police or designee for tracking in the agency's personnel early warning system.
- C. Employees who operate Department vehicles as part of their duties are required to have a valid driver's license that meets UW-La Crosse Risk Management standards. Employees shall immediately report the suspension, revocation, or cancellation of their driver's license to their supervisor. Supervisors shall report all such notifications to the Chief of Police or designee for tracking in the agency's personnel early warning system. The Chief of Police or designee shall notify UWL Risk Management when an employee is prohibited from legally operating a Department vehicle in the performance of duties shall and shall ensure the department conduct an annual driver's license and criminal records check on each employee.
- D. Employees who have an illness or injury occurring on duty that may affect their job performance shall report such information to their supervisor. If their supervisor is not available, they shall notify the OIC. The supervisor or OIC shall report all such notifications to the Chief of Police or designee for tracking in the agency's personnel early warning system.
- E. All property damage or injuries to other persons that occurred during or resulted from the performance of duties shall be reported using established reporting procedures.
- F. Employees shall complete an Emergency Notification form and forward it to the Chief of Police or designee. This information should be reviewed, at minimum, annually and updated as needed.

CODE OF CONDUCT – DOMESTIC ABUSE

- A. Sworn personnel are required to be eligible to carry firearms as a condition of their employment. Persons convicted of a felony, or a crime of domestic abuse are prohibited by state and federal law from possessing a firearm and are ineligible to hold a position as a sworn law enforcement officer.
- B. Personnel aware of another employee who may be engaging in a crime(s) of domestic abuse must notify their supervisor. Supervisors who become aware of an employee who may be engaging in a crime(s) of domestic abuse must notify the Chief of Police who shall determine whether an internal investigation should be started.
- C. If the Department becomes aware that an employee is the subject of an order of protection (restraining order), the Chief of Police must be informed, and an internal investigation shall be started. If a department member is the subject of an order of protection (restraining order), the employee must immediately surrender all personal and Department firearms pending the outcome of an internal investigation.

CODE OF CONDUCT – COURT ATTENDANCE

- A. An officer shall appear for court after receiving a subpoena or verbal notification from the District Attorney's Office.
- B. Officers required to attend court shall appear promptly at the time and place set for court action. Officers shall immediately notify the District Attorney's Office if an emergency or other circumstance shall detain them.
- C. If an officer believes the case is no longer scheduled, the officer should verify the status of the case with the District Attorney's Office.
- D. The officer shall be dressed appropriately for court.

CODE OF APPEARANCE – UNIFORM

This section provides guidelines for the wearing of uniforms and civilian clothing while on duty. While these guidelines provide specific parameters and restrictions, no appearance protocol can cover all contingencies or opinions as to whether or not one's particular personal appearance is "professional". Final discretionary authority as to what is allowable or prohibited under these appearance guidelines rests with the Chief of Police:

- A. The uniform is to be worn as issued, except for necessary alterations to ensure proper fit. No modifications, additions, or deletions of any uniform articles are allowed without the permission of the Chief or designee.
- B. Employees shall keep an extra uniform available in their locker.
- C. Unless instructed otherwise, uniformed employees are granted discretion as to what authorized uniform shirt, uniform trousers, and outerwear to wear. Shorts will only be worn by bicycle officers while on bike patrol. Except for identification and uniformity purposes when designated, the wearing of a department-approved hat is the individual officer's option.
- D. The police officer uniform includes:
 - 1. An optional navy-blue tie
 - 2. An optional navy or black turtleneck or t-shirt (mandatory if visible under the uniform shirt)
 - 3. Dark socks and black footwear.
- E. The police officer dress uniform includes:
 - 1. Dress pants
 - 2. Long sleeve shirt
 - 3. Navy blue tie
 - 4. Dark socks and black footwear
 - 5. Command staff shall receive command staff coat and white long sleeve shirt
- F. Insignia authorized for regular duty uniforms are listed below. Employees may be permitted to wear other insignia with the permission of the Chief or designee. See the photos in Appendix G for guidance in the placement of items on the uniform. All items must be placed on the uniform as pictured. If the items do not all fit in the location as pictured, optional items should not be worn so that there is enough space for required items.

1. Tie tack or clasp (required when wearing tie)
 2. Collar emblems (required at all times)
 3. Name bar (required at all times)
 4. Metal or embroidered badge (required at all times)
 5. UW Police photo ID badge (required for personnel at the HSC)
 6. American flag pin (optional)
 7. Years of service sleeve stripes (optional with one stripe for each 4 years of sworn law enforcement service with any law enforcement agency)
 8. Badge cover in honor of officers killed in the line of duty (required when authorized and during the time frame designated by the Chief of Police or designee)
 9. Up to two approved specialized unit's insignia (optional).
- F. When uniformed personnel are assigned to wear civilian clothing, clothing shall be appropriate to that assignment. Clerical, management and administrative personnel shall wear business attire unless other attire is approved by their supervisor. Detective personnel shall be allowed to wear civilian clothing appropriate to their assignments, which shall normally be business attire. Plainclothes officers shall be required to have a uniform at the Department at all times.
- G. A list of all items and identification issued to each employee is maintained. The Department shall provide each employee with all items currently issued and available. Issued items remain the property of the Department. Unserviceable items (i.e., badges, uniforms, patches) should be disposed of in a manner that limits their potential for being misused.
- H. Each person is responsible for his or her issued radio. Problems experienced with the radio should be reported to the person's supervisor.

CODE OF CONDUCT – APPEARANCE STANDARDS [1.2.3]

All members of the department are visible representatives of the University of Wisconsin-La Crosse and its Police Department. A neat, clean, and well-groomed appearance is required of all employees during work hours. The following shall govern general appearance standards:

- A. Hair should be groomed and present a professional appearance. Uniformed personnel with hair that is long enough to obstruct their vision should secure their hair in such a way so as not to interfere with their line of sight. Facial hair may be worn, provided the appearance is neat and well groomed, and does not prevent or interfere with issued safety equipment.
- B. The uniform shall be well maintained, clean, and unwrinkled. Shoes and equipment shall be well maintained.
- C. Tattoos may be required to be kept covered if they are political, have a potential negative impact to the Department, or have potentially offensive words, terms, logos, pictures, cartoons, or slogans. Visible tattoos on the ears, head, or face are prohibited. Visible tattoos on the neck area are prohibited unless approved by the Chief of Police.
- D. Fingernails shall be professional in appearance and not be of a length that interferes with the safe and successful performance of one's job responsibilities.
- E. Jewelry:

1. Jewelry worn shall be professional and may not have potentially offensive words, terms, logos, pictures, cartoons, or slogans. Any thin blue line jewelry is prohibited.
 2. Earlobe hoops or plugs that are used to enlarge piercing holes in excess of 5mm in the earlobes are not allowed.
 3. Officers and uniformed civilians shall not wear more than two earrings on each ear. They shall not be larger than 10mm each.
- F. All personnel may wear one piece of visible body piercing jewelry (other than previously allowed earrings), no larger than 5mm that is professional in appearance, does not pose a safety risk, and does not interfere with the employee's job performance.

HARASSMENT IN THE WORKPLACE [1.2.4]

- A. It is the policy of the Board of Regents of the University of Wisconsin System, consistent with its efforts to foster an environment of respect for the dignity and worth of all students and staff of the University of Wisconsin-La Crosse, that unlawful harassment, to include sexual harassment, of students and employees of the University of Wisconsin System is unacceptable and impermissible conduct that shall not be tolerated.
- B. The department shall comply with University of Wisconsin-La Crosse's Sexual Violence and Harassment policy, which includes reporting and training requirements and is referenced here: <https://www.uwlax.edu/title-ix/policies/>
- C. Persons who feel that they have been sexually harassed and wish further information or assistance in filing a complaint are encouraged to contact a member of the Command Staff or a Title IX Coordinator.
- D. The University provides several means by which other forms of unlawful harassment can be reported, including means by which such behavior can be reported if the offending party is in the complainant's chain of command. Persons believing they have been subjected to unlawful harassment may elect to proceed informally by bringing the complaint directly to the attention of their supervisor (if not the offending party) or by filing a formal complaint with the Title IX Coordinator.
- E. Immediate and thorough investigations shall be conducted of any allegations of harassment in the workplace. Effective and appropriate disciplinary action may be issued in any case in which such allegations can be substantiated. Retaliation against persons who file complaints, who provide information related to a complaint, or who otherwise participate in an informal or formal complaint process is a violation of University policy. Such action is cause for disciplinary action.
- F. The department shall comply with the provisions regarding sexual violence and sexual harassment investigatory outcomes for current or former employees, which have been created by the State of Wisconsin, the Board of Regents of the UW System, and Institutional Policies. These are referenced on the UWL Human Resource website and can be found here: <https://www.uwlax.edu/human-resources/faculty-and-staff/policies-and-procedures/>
- G. Harassment training shall be conducted with all department personnel at initial hire and the department shall provide training updates at a minimum, biennially, thereafter.

LOCKER ROOM PRIVACY [1.2.5]

- A. In accordance with Wisconsin Statute 175.22, the Department shall act to protect the privacy of individuals who use Department locker rooms. Only Department personnel may enter and remain in a Department locker room to interview or seek information from any individual in the locker room. Cameras, video recorders, or other devices intended to record or transfer images may only be used in a department locker room during personnel or criminal investigations and only with specific approval from the Chief of Police. No person may use a recording device to capture, record, or transfer a representation of a nude or partially nude person in a Department locker room.

BY ORDER OF

A handwritten signature in black ink, appearing to read "Allen Hill", is written over a horizontal line.

**Allen Hill
CHIEF OF POLICE**

UNIVERSITY OF WISCONSIN SYSTEM CLASSIFIED EMPLOYEES WORK RULES

Recent collective bargaining agreements with several employee associations provide that the employer establish reasonable work rules defined as and limited to "rules promulgated by the employer within its discretion which regulate the personal conduct of employees." The following work rules relating to personal conduct are issued by the University of Wisconsin System as part of its responsibility under law to inform all classified employees of personal conduct considered unacceptable as a University of Wisconsin employee. These rules are established so the University can attain its objectives in an orderly and efficient manner and are not intended to restrict the rights of employees, but rather to advise employees of prohibited conduct.

Engaging in one or more of the following forms of prohibited conduct by a classified employee of the University of Wisconsin System may result in disciplinary action ranging from a reprimand to immediate discharge, depending upon the specific form of conduct and/or the number of infractions, pursuant to Sec. 16.28(1), Wis. Stats, and Wis. Adm. Code section Pers 23, or pursuant to existing collective bargaining agreements.

PROHIBITED CONDUCT

I. WORK PERFORMANCE

- a. Insubordination, including disobedience, or failure or refusal to carry out assignments or instructions.
- b. Loafing, loitering, sleeping or engaging in unauthorized personal business.
- c. Unauthorized disclosure of confidential information or records.
- d. Falsifying records or giving false information to other state agencies or to employees responsible for record keeping.
- e. Failure to provide accurate and complete information whenever such information is required by an authorized person.
- f. Failure to comply with health, safety and sanitation requirements, rules and regulations.
- g. Negligence in performance of assigned duties.

II. ATTENDANCE AND PUNCTUALITY

- a. Failure to report promptly at the starting time of a shift or leaving before the scheduled quitting time of a shift without the specific approval of the supervisor.
- b. Unexcused or excessive absenteeism.
- c. Failure to observe the time limits and scheduling of lunch, rest or wash-up periods.
- d. Failure to notify the supervisor promptly of unanticipated absence or tardiness.

III. USE OF PROPERTY

- a. Unauthorized or improper use of University property or equipment including vehicles, telephone or mail service.
- b. Unauthorized possession or removal of University or another person's private property.
- c. Unauthorized posting or removing of notices or signs from bulletin boards.
- d. Unauthorized use, lending, borrowing or duplicating of University keys.
- e. Unauthorized entry to University property, including unauthorized entry outside of assigned hours of work or entry to restricted areas.

Appendix C

IV. PERSONAL ACTIONS AND APPEARANCE

- a. Threatening, attempting, or doing bodily harm to another person.
- b. Threatening, intimidating, interfering with, or using abusive language towards others.
- c. Unauthorized possession of weapons.
- d. Making false or malicious statements concerning other employees, supervisors, students or the University.
- e. Use of alcoholic beverages or illegal drugs during working hours.
- f. Reporting for work under the influence of alcoholic beverages or illegal drugs.
- g. Unauthorized solicitation for any purpose.
- h. Inappropriate dress or lack of personal hygiene which adversely affects proper performance of duties or constitutes a health or safety hazard.
- i. Unauthorized or improper use or possession of uniforms, identification cards, badges, or permits.
- j. Failure to exercise good judgment, or being discourteous, in dealing with fellow employees, students or the general public.

These work rules do not constitute the entire list of violations for which employees may be disciplined. Other rules are provided by statute, by Administrative Code, and by administrative procedures established by management. Violations of these rules can also result in appropriate disciplinary action. Additional work rules may be established by management to meet special requirements of departments or work units or as circumstances require.

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

1.3

| | |
|--|--------------------------------|
| Subject Structure and Accountability | Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 1.3.1 – 1.3.6 |
| Comments | |

I. INDEX:

- 1.3.1 ORGANIZATIONAL STRUCTURE**
- 1.3.2 DIVISION RESPONSIBILITIES**
- 1.3.3 ACCOUNTABILITY FOR AUTHORITY**
- 1.3.4 SUPERVISOR ACCOUNTABILITY**
- 1.3.5 ADMINISTRATIVE REPORTING PROGRAM**
- 1.3.6 LEGAL ADVICE**

II. POLICY STATEMENT

The University of Wisconsin–La Crosse Police Department organizational structure shall be designed to provide the most effective and efficient delivery of service possible.

III. DEFINITIONS

“Subdivision” refers to a primary operational area of the Department. A subdivision has a department-wide function either for general police service or for specialized activity.

“Function” is the expected activity of a person or organizational component.

“Organizational component” is any organizational entity (i.e., unit, subdivision) that is staffed on a full-time basis to provide a specific function.

“Unit” refers to a functional component within a subdivision.

IV. PROCEDURES:

ORGANIZATIONAL STRUCTURE [1.3.1]

The following shall define procedures pertaining to organizational charts:

A. All employees of the University of Wisconsin–La Crosse Police Department work under the authority of the Chief of Police. The Chief of Police is the administrative head of the Police Department. Under normal operations, the Chief of Police reports directly to the Vice-Chancellor for Finance and Administration and is responsible for the overall planning, organizing, and directing of the Police Department. During times of crisis, the Chief of Police may report directly to the Chancellor for the University or the President of the UW System.

B. The University of Wisconsin-La Crosse Police Department is organized into four subdivisions:

- a. Patrol
- b. Investigations

- c. Dispatch
 - d. Parking
- C. The Chief of Police maintains coordination between the four subdivisions.
- D. The subdivisions within the personal span of control of the Chief of Police are grouped by function. Three Sergeants over patrol, one Detective in Investigations, one Dispatch Supervisor, and one Director of Parking.
- E. The day shift patrol consists of sworn officers who are managed by the Day Shift Sergeant. The second shift patrol consists of sworn officers who are managed by the Second Shift Sergeant. The third shift patrol consist of sworn officers who are managed by the Third Shift Sergeant.

DIVISION RESPONSIBILITIES [1.3.2]

- F. The responsibilities of the sworn officers on patrol shifts include providing 24-hour patrol coverage, responding to calls for service, preventing crime, solving community problems, making arrests, transporting and processing prisoners, conducting preliminary criminal investigations, testifying in court, responding to medical emergencies, performing crime prevention and community involvement activities, searching for missing persons, assisting motorists, responding to unusual occurrences, preparing incident reports, providing assistance to victims and witnesses, reporting crimes and accidents, performing traffic direction and control, and providing building security services.
- G. Investigations consists of one sworn officer. The Detective reports to the Chief of Police. The responsibilities of Investigations include conducting follow-up investigations, testifying in court, collecting and disseminating criminal intelligence information, conducting background investigations, collecting and preserving evidence, managing criminal case files, assessing and managing threats, providing assistance to victims and witnesses, interacting with local, state, and federal criminal justice authorities, conducting University investigations, and facilitating crime prevention and community involvement activities.
- H. Special Events are managed by the Day and Night Shift Sergeants, who are functionally responsible for the following: all aspects of planning, managing, and resource allocation of all “special events” that require utilization of sworn personnel.
- I. The Communications Center consists of non-sworn personnel. It is overseen by the Dispatch Supervisor. Responsibilities of the Communications Center include providing 24-hour operation of the UW–La Crosse Police Department Communications Center, evaluating and acting upon information and requests concerning public safety, law enforcement for the University in general, and coordinating activities between police and security units, other law enforcement agencies, fire departments, emergency medical units, and other governmental agencies.
- J. Records is overseen by the Dispatch Supervisor. Records is responsible for entering data into the records system, ensuring the accuracy of the information in the system, and responding to request for information contained in the records system, including Open Records requests.
- K. Emergency Management consists of sworn and non-sworn personnel. This Unit is managed by the Detective. The responsibilities of this Unit include facilitating and managing the development of plans for crisis, emergency response, continuity of operations, continuity of government, evacuation, logistics, pandemic, large population events, and other emergency response plans.

L. The Training Unit consists of sworn personnel. Training is managed by the Day and Night Shift Sergeants. The responsibilities of the unit include planning and coordinating all Department in-service training, coordinating the training of all Department personnel, maintaining training records for all personnel, coordinating training brought into the department for external providers, and coordination of in-house training provided in the classroom, briefing or electronic settings.

M. The following provides general guidelines for organizational charts:

- a. The organizational structure of the Department is depicted graphically on an organizational chart, which is reviewed and updated as necessary. The chart reflects the functional responsibility, the chain of command, and the lines of authority and communication for each organizational component and/or subdivision thereof.
- b. The organizational chart shall be made accessible to all personnel and the public, upon request.

ACCOUNTABILITY FOR AUTHORITY [1.3.3]

The following establishes procedures pertaining to the authority and responsibility of each employee:

- A. Responsibility shall be accompanied by commensurate authority. At every level within the Department, personnel shall be given the authority to make decisions necessary for the effective execution of their responsibilities.
- B. Each employee shall be accountable for the use of delegated authority. Any gross improper use of authority or failure to accept authority shall be reported through the chain of command as soon as possible.
- C. Employees who have questions concerning delegated authority should consult supervisory personnel through the chain of command for prompt resolution.

SUPERVISOR ACCOUNTABILITY [1.3.4]

The following establishes guidelines for supervisory accountability of those under a supervisor's immediate control:

- A. To achieve effective direction, coordination, and control, supervisory personnel shall be accountable for the performance of employees under their immediate control.
- B. Supervisors are responsible for providing guidance, leadership, mentoring, and assistance to their subordinates.
Supervisors should also aid employees in establishing both short-term and long-term goals.

ADMINISTRATIVE REPORTING PROGRAM [1.3.5]

- A. Daily Log – The Daily Log lists all calls for service including dispatch information and call disposition.
- B. Clery Crime and Fire Log – The Clery Crime and Fire Log is a listing of all crimes that are reported, in the past 60 calendar days, to UWLPD that occur on Clery geography and in UWLPD's patrol jurisdiction, and all UW-La Crosse residential housing fires. The Log contains the UWLPD event

ID if applicable, report number if applicable, date and time reported, date and time occurred, location of offense, offense reported, and disposition if known. The Log is updated at least every 2 business days, excluding holidays, by the Detective, Dispatch Supervisor or designee, and is posted on the Department web page. Case disposition changes, if known are updated within 1 business day of the change.

- C. Case Assignments will be tracked in the Records Management System (RMS) which is designed to track which detective or officer is assigned follow up on a particular case and the status of that follow-up.
- D. Incident Based Report (IBR) – The IBR is completed monthly for submission to Wisconsin Department of Justice (DOJ). The Detective generates and submits the reports to the DOJ.
- E. Diversion Data Report – This report is compiled monthly by the officer that oversees alcohol, drug, and traffic diversion program and is provided to the Chief of Police.
- F. Traffic Stop Report – Annually, records staff generates traffic stop reports. These reports include the race, gender, and ethnicity of all traffic contacts. These reports are made available to department staff members.
- G. Intelligence Briefings – These briefings are compiled by the Detective on an as-needed basis. The purpose is to convey specific information on animal rights, protests, terrorism, or any other topic of concern. The briefings are disseminated to all Department managers.

LEGAL ADVICE [1.3.6]

This section establishes access to legal advice and the assumption of such responsibility by both the office of UW Office of General Counsel and the District Attorney.

- A. UW Office of General Counsel is the legal counsel for UWLPD and as such may be consulted for question or concerns regarding:
 - a. State statutes
 - b. UWL operations and departments
 - c. UWL liability issues
- B. This office represents UWL and its officers as the prosecuting attorney for state statutory violations.
- C. The La Crosse County District Attorney's Office may be consulted for questions or concerns regarding:
 - a. Requesting State Attorney Generals opinions.
 - b. State statutes
 - c. Intake Court related matters.
 - d. Warrant (search or person) request.
- D. The DA's office represents UWL and its officers as the prosecuting attorney for statutory offenses.
- E. Both attorney offices are available for consultation either through normal office phones or, after hours, at their homes. Such numbers are available in the Chief of Police or designee's office. Calls to attorney's homes must be pre-approved by the Chief of Police or designee prior to calling.

BY ORDER OF

A handwritten signature in black ink, appearing to read "Allen Hill", is positioned above a horizontal line.

Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

1.4

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| Subject Command Authority | Statute 36.11(2)(b), 939.22(22), 18.03(1) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 1.4.1 – 1.4.4 |
| Comments: | |

I. INDEX

1.4.1 Chief Executive Officer Authority

1.4.2 Command Protocol

1.4.3 Duty to Obey Lawful Orders

1.4.4 Written Directives

II. POLICY

The UW-La Crosse Police Department shall establish clear guidelines for the delegation of authority, command protocol, and the assignment of accountability.

III. DEFINITIONS

Chain of Command refers to lines of communication going downward or upward within the organizational hierarchy through each successive level of command.

Order for this directive refers to a command or mandate to perform a given task.

Organizational Component is any organizational entity (i.e., unit, division) that is staffed on a full-time basis to provide a specific function.

Unity of Command refers to the concept that each individual in the organization is accountable to only one supervisor at any given time.

IV. PROCEDURES

CHIEF EXECUTIVE OFFICER [1.4.1]

The following establishes the authority and legal responsibility of the Chief of Police:

- A. According to Wisconsin Statute 36.11(2)(b), the Board of Regents for the University of Wisconsin “may employ police for the institutions and chiefs to head such police, or contract for police, all of whom shall be deemed peace officers under Wisconsin State Statute 939.22(22) under the supervision and control of the appropriate chancellor or the chancellor’s designees.”
- B. University of Wisconsin System Administrative Code 18.03(1) indicates “the Board [of Regents] may designate peace officers who are authorized to enforce these rules and regulations and to police all lands under control of the Board.”

COMMAND PROTOCOL [1.4.2]

The following establishes command protocol and provides for uninterrupted leadership:

- A. The Chief of Police shall appoint an acting Chief of Police during periods of scheduled absences. This individual may be any member of the Department command staff.
- B. In the event that the Chief of Police is not able to appoint an acting Chief of Police, the following order of precedence is designated:
 1. Day Shift Sergeant
 2. Night Shift Sergeant
 3. Detective
- C. In situations involving personnel of different functions engaged in a single operation, the ranking supervisor or manager present from the organizational component responsible for the event may assume command of the event.
- D. Seniority is established first by rank and second by aggregate time served in rank on a regularly assigned basis.
- E. During patrol operations, a field supervisor may designate any non-probationary police officer as the officer in charge (OIC) in their absence.
- F. The Chief of Police has the authority to designate command and authority in any situation as needed.

DUTY TO OBEY LAWFUL ORDERS [1.4.3]

The following describes the need to obey lawful orders:

- A. Department employees are required to obey any lawful order of a superior, including any orders relayed from a superior by an employee of the same or lesser rank.
- B. Any employee who willfully disobeys or disregards a direct order, verbal or written, of a superior shall be considered insubordinate. Failure to comply with a lawful order or directive is a serious breach of organizational discipline. Such violations shall subject the employee to disciplinary action, which may include termination of employment.
- C. No employee shall be required to obey any order that is unlawful or requires that an unlawful act be committed.
- D. If any employee receives a conflicting order or directive, the employee shall respectfully call the conflict to the attention of the supervisor issuing the order. If the conflict is not resolved, the receiving employee shall notify an employee of higher rank than the employee that issued the order, as soon as practical.
- E. If an order conflicts with a prior order, the employee shall notify the supervisor giving the conflicting order and follow the second order. The supervisor shall resolve the conflict as soon as practical and follow-up in writing within 72 hours. The supervisor giving the second order shall be responsible for consequences arising from the conflict.

- F. Many actions which are required in the performance of duties of law enforcement personnel have severe consequences, including the loss of life, if they are not carried forward in a timely manner. If an order is unlawful and shall cause harm to the officer or another, the order shall not be followed. If an order is perceived as unlawful, it is the receiving employee's responsibility to justify why the order was challenged. An employee who fails to comply with a lawful order is insubordinate and the formal disciplinary process shall be followed. The employee could face civil action for failing to perform required duties. If the order is confirmed as unlawful, the employee shall suffer no adverse action for not following the unlawful order. An investigation shall determine why the unlawful order was given. Results may include changes in training or discipline of the employee issuing the order.

WRITTEN DIRECTIVES [1.4.4]

- A. The Department's written directive system encompasses a wide range of directives from temporary to permanent and from mandatory instructions to instructional memoranda.
- B. Written Directives stored electronically consist of the agency Mission, Vision, and Core Values statements, policies, and procedures for carrying out agency activities.
- C. All issued Department Written Directives shall be organized, codified, and maintained through the department's shared drive, which is accessible to all department employees via electronic means.
- D. Written directives shall be reviewed on an annual basis. Subject Matter Experts (SME) shall be consulted for review of the written directives to ensure they are current. When applicable, the SME's proposed revisions shall be submitted to the policy committee for review in a timely manner. The policy committee shall review the proposed revisions and ensure they do not contradict other department directives, are applicable to law(s), and are in compliance with accreditation standards. The recommended changes from the policy committee will be presented and reviewed at the management and executive level for approval and dissemination.
- E. All department policies shall be formatted and indexed in the following manner:
- a. Each policy shall include a header with the agency's formal title, the policy number, a policy statement, and the effective date.
 - b. Each policy shall include an index.
 - c. Policies shall follow a standard outline format.
- F. The Chief of Police maintains the authority to issue, modify, or approve all agency written directives and maintains the sole authority for issuance of a policy. Supervisors and command staff are authorized to issue or revise special orders, personnel orders, and instructional memoranda.
- G. Written directives should not conflict with established policies or procedures unless short-term extenuating circumstances exist, or the directive constitutes a revision or replacement of an existing policy or procedure.
- H. All proposed formal written directives, or formal written directives that change existing directives, shall be approved by the Chief of Police prior to implementation.
- I. Purging, updating, indexing, and revising of written directives shall be done on a continual basis at the direction of the Chief of Police.
- J. Proposed policies, procedures, rules, or changes to directives shall be coordinated and distributed through the Chief of Police, who shall ensure consistency with existing authority, compliance with

accreditation and legal standards, and correct formatting. All proposals shall be reviewed for the purpose of gauging the impact on operations.

STORAGE AND DISSEMINATION OF WRITTEN DIRECTIVES

- A. Written Directives (existing, new, or newly revised) shall be disseminated electronically, and, if needed, training shall be conducted.
- B. After employees have read the material, each employee shall acknowledge receipt by means of a signed directive receipt. Employees shall sign for the documents within the allotted time frame provided by the Chief of Police or designee, absent exigent circumstances. The Chief of Police shall maintain the records indicating receipt of directives.
- C. If a written directive is purged, the obsolete directive shall be removed from circulation.
- D. Special orders shall be distributed electronically to all personnel affected by the order and to the respective supervisors and managers in the chain of command. All special orders shall be assigned a unique number and shall be stored electronically by the Chief of Police.
- E. Personnel orders shall be distributed electronically to the affected employee, to the appropriate chain of command, and to the employee's personnel file. All personnel orders shall be assigned a unique number and shall be stored electronically by the Chief of Police.
- F. Hard copies of current written directives shall be maintained by the Chief of Police.
- G. If personnel have questions regarding directives, supervisors are responsible for explaining and/or clarifying.

BY ORDER OF



Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

1.5

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|---|--|
| Subject Fiscal Management/Agency Owned Property | WI Statute 36.09(1)(h), 36.09(2)(a), 36.09(3)(a), 13.94(1) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 1.5.1 – 1.5.5 |
| Comments: | |

I. INDEX

1.5.1 PURCHASING

1.5.2 ACCOUNTING SYSTEM

1.5.3 CASH

1.5.4 AUDITS

1.5.5 INVENTORY CONTROL

II. POLICY

The Chief of Police maintains the authority and responsibility for fiscal management of the UW–La Crosse Police Department. There are provisions for obtaining input from organizational components during budget deliberation processes. Provisions shall be implemented for managing the purchasing process consistent with authorized budget approvals and for making purchasing as effective and efficient as possible.

III. DEFINITIONS

Encumbrance refers to a commitment in the form of an order, contract, salary, or similar item that shall become payable when goods are delivered, or services rendered.

Fiscal Year refers to the period of time between July 1 of a year and June 30 of the following year.

Line Item refers to an individual account or budget section as it appears on a separate line in a fiscal budget.

Requisition refers to a written request or order for supplies.

Unencumbered Balance refers to that part of an appropriation or allotment that has not been committed and is thus available for expenditure.

IV. PROCEDURES

FISCAL AUTHORITY AND RESPONSIBILITY

A. The Chief of Police is designated as having the authority and responsibility for the fiscal management of the Department. The duties associated with the fiscal management function include supervising, planning, coordinating, prioritizing and evaluating activities related to state-appropriated Departmental funds. Authority for fiscal management is derived from the Department directives manual and the Wisconsin State Statutes.

- B. The Board of Regents, as authorized by Wisconsin State Statute 36.09(1)(h), “shall allocate funds and adopt budgets for respective institutions giving consideration to the principles of comparable budgetary support for similar programs and equitable compensation for faculty and academic staff with comparable training, experience and responsibilities and recognizing competitive ability to recruit and retain qualified faculty and academic staff.” According to Wis. Stat. 36.09(2)(a), the President of the University System is vested with the responsibility of monitoring, reviewing, and evaluating policies that affect operating budgets. The Chancellor, as denoted by Wis. Stat. 36.09(3)(a), administers all funds. The Chancellor’s designee for budgetary purposes, the Vice Chancellor for Administration, maintains the budget for the University of Wisconsin–La Crosse. The budget for the University of Wisconsin-La Crosse Police Department is a portion of the total budget for the University of Wisconsin–La Crosse. The Vice Chancellor for Administration appropriates the budget for the University of Wisconsin–La Crosse Police Department annually.
- C. University of Wisconsin System Administrative Code 18.03(1) indicates “the Board [of Regents] may designate peace officers who are authorized to enforce these rules and regulations and to police all lands under control of the Board.” According to the University of Wisconsin – La Crosse procedures, the Chancellors maintains a list of “Contracting Personnel” that have signature authority for procurement contracts and agreements for the UW–La Crosse. The list is updated yearly and can be found [here](#).
- D. The Department budget may not include all of the funding for public safety on campus. The Chief or designee has the authority to review and coordinate expenditures for any law enforcement expenses accounted for within the budgets of other operating departments.

BUDGET PREPARATION

- A. The responsibility for final budget preparation and management is assigned to the Budget Analyst. Related activities include preparing divisional budgets, submitting formal budget requests, authorizing and monitoring expenditures, preparing charging statements for services rendered, submitting payroll information, receiving payments for records-related services, reporting financial information to university personnel, and participating in periodic audits.
- B. The Department utilizes a line-item approach for budget preparation and maintenance. The Budget Analyst manages this line item approach. The analyst works in consultation with the Chief, Dispatch Supervisor, and Director of Parking Services.
- C. To ensure uniformity and clarity, all budget-related activities shall be conducted in accordance with University of Wisconsin-La Crosse policy, applicable state statutes, and regulations as established by the Vice Chancellor for Administration & Finance.
- D. The University sets the budget submission date each fiscal year. All budget submissions to the University are done electronically through established University budget programs. The initial budget planning allocations are based upon the appropriate year of the Governor’s biennial budget recommendations to the legislature. All spending authority is conditional pending the adoption of the annual budget of the Board of Regents and final approval of the state budget by the legislature and Governor. Calculations take into account current positions, rates, pending personnel actions, allocated position authority, prior-year expenses and income, known new-year fiscal income agreements, and Department priorities to allocate monies and income between salary, supplies, expenses, capital, and income categories.

REQUISITIONING AND PURCHASING PROCEDURES [1.5.1]

- A. The Department shall comply with all established purchase and requisition procedures as contained in the University of Wisconsin-La Crosse Purchasing Policies and Procedures Manual. Such procedures include specification for items requiring standardized purchases, bidding procedures, criteria for the selection of vendors, procedures for emergency purchasing or rental agreements for equipment, and procedures for making emergency purchases. The UW-La Crosse Purchasing Services Purchasing Policies and Procedures draw on interpretation of Wisconsin Statutes and State Department of Administration Administrative Rules. The series constitute official University policy and shall be reviewed by departments for reference in purchasing goods and services.
- B. A centralized University purchasing office is responsible for administering policies and procedures related to the requisition and purchase of University equipment and supplies.
- C. Institutional forms shall be used to document all purchasing-related transactions. The Chief of Police shall be responsible for requesting fund transfers and supplemental or emergency appropriations from the Vice Chancellor for Administration if deemed necessary.
- D. Each division is responsible for tangible property acquisition through its budget requests and subsequent approvals.

ACCOUNTING SYSTEM [1.5.2]

- A. The Department utilizes the University of Wisconsin-La Crosse accounting system.
- B. The University of Wisconsin-La Crosse updates the University accounting system daily. The Police Department has online access to this budgeting system. The system maintains the following information:
 - a. The initial appropriation;
 - b. The balance at the commencement of the period;
 - c. Expenditures and encumbrances made; and
 - d. Unencumbered balance.
- C. The UW-La Crosse Police Department Budget Analyst reviews the detailed budget reports and submits a monthly summary report to designated line-item managers. The account managers verify expenditures and encumbrances made during the monthly period. Purchases are also approved by the Chief of Police, Dispatch Supervisor, and Director of Parking.

CASH [1.5.3]

The following provides procedures for agency personnel permitted to receive, maintain, or disburse cash and governs the maintenance of those accounts:

- A. All cash funds or accounts within which Department personnel are permitted to receive, maintain, or disburse cash must maintain:
 - a. A balance sheet, ledger, or other system that identifies initial balance, credits (cash received), cash disbursed, and balance on hand.
 - b. Receipts or documentation for cash received.
 - c. Authorization for cash disbursements according to the following:
 - 1. Disbursements over \$200 must have the approval of the Chief of Police;
 - 2. Confidential funds disbursed must have the approval of the Chief of Police.
 - d. Records, documentation, or invoices for cash expenditures.

- e. Sworn personnel are authorized to accept cash bond. Records personnel are authorized to accept or disburse cash related to records. Communications personnel and Department program associates are authorized to accept cash related to records services.
 - f. Quarterly accounting of agency cash activities, at a minimum.
- B. This directive applies to records related fees, fingerprinting fees, and video, photo and/or audio disks.

CREDIT CARDS

- A. The department shall comply with UW-La Crosse policies regarding credit card handling procedures, which are located at the following link:
<https://www.uwlax.edu/cashiers/faculty-and-staff/credit-card-machines/>
- B. All operators shall be trained on and shall adhere to PCI–Data Security Standards.
- C. The accountant is the Department Business Representative (DBR) for PCI data compliance. The Infrastructure Security Sergeant acts as the Project Site Manager. Only assigned personnel approved by the DBR and/or Project Site Manager as PCI operators are authorized to use the University of Wisconsin approved PCI compliant device to process credit card payments. Operators shall handle credit card transactions of the following types:
- a. Fingerprints or Access Control Cards
 - b. Fees charged for records related purposes.
 - c. Invoices for various UWLPD services to other campus departments or outside entities.
- D. The Department shall only accept the following major credit card brands: Discover, Master Card, Visa, and American Express.
- E. Debit cards shall only be accepted if the card presented represents one of three major brands accepted. Debit cards should not be accepted over the telephone if the customer is required to enter a pin code.
- F. The PCI–Data Security Standards provide the following regulations:
- a. Credit cards can only be accepted in person or by telephone.
 - b. Operators who take orders via phone or in person shall use a University of Wisconsin approved PCI compliant device and dial up line.
 - c. Credit card information cannot be accepted via email and should never be e-mailed from the department.
 - d. E-mails containing credit card information should be immediately deleted from the computer and Project Site Manager or Business DBR advised.
 - e. Credit card merchants cannot store credit card information on a local computer or server.
 - f. Under no circumstances should the Card Identification Number (CID) be stored electronically or on paper. The CID number is the three digit security code on the back of the credit card.
 - g. Credit card receipts may only show the last four digits of the credit card number.
 - h. Copies of receipts issued must be stored in a locked room or file cabinet. Access to the storage area(s) must be limited to the authorized personnel only. Records must be stored for 1 year.
 - i. The DBR is responsible for reconciliation which shall occur at minimum monthly.

- G. Under no circumstances should cardholder data be maintained in an electronic format, this includes saved on a computer, CD, removable drive, or any other form of electronic media. All transactions should be processed within the business day. Under no circumstances should the CVV code be stored or recorded on paper.
- H. Whenever possible cards should be swiped through the POS (Point of Sale) Device. If the terminal fails to scan after the card is swiped the operator should key in the transaction same as a telephone transaction. Should the terminal fail to read by swipe or key, operators shall revert to cash and/or check sales and contact the DBR/Site Manager.
- I. Operators must compare the signature on the transaction receipt to the signature on the card. If operators are unable to tell whether the signatures are similar, ask for an alternate form of identification. If the operator does not feel the signatures match, the credit card shall not be accepted.
- J. The following needs to be collected from a cardholder for a telephone transaction:
 - a. Cardholder account number
 - b. Card expiration date
 - c. Cardholder's billing and shipping address
 - d. Cardholder's telephone number
 - e. CVV2 /CVC2/ CID number (security code)
 - f. Follow instructions on POS device to ensure a card not present transaction is being initiated.
 - g. Receipts produced over phone need to be signed "phone" in signature field with operator's initials and filed same as card present transactions.
- K. Refunds are performed when a transaction needs to be reversed after transactions have been settled. If a refund is appropriate, credits should only be processed to the card on which the original charge was made. Operators shall not issue the cardholder cash (or a check) if the original purchase was made on a card. Operators should not credit a card for purchases originally made by cash or check.
- L. Sales are non-negotiable. The University of Wisconsin La Crosse approved terminal shall be located at UW-La Crosse Police Department. The department shall make the refund policy available to the community if requested.
- M. A void can be performed if the transaction is run incorrectly or a customer changes their mind after a transaction has been run. Void transactions shall be run on the same POS Device that the sale was run on and can only be performed if the transaction has not already been settled.
- N. If informed that the card has been reported lost, stolen, or otherwise invalid, the operator shall not complete the transaction. The operator shall request the cardholder provide an alternative credit card, if available. If instructed to retain the card, the DBR and/or Project Site Manager should be contacted.
- O. Transactions shall be settled at the end of each business day. The terminals shall be set to auto settle each day. Operators are required to perform the following steps at the end of each business day:

- a. Total the day's transaction receipts and verify that the transaction receipts equal the POS device totals. A totals report may be printed from the POS device to assist with balancing.
 - b. If applicable, cross check the RMS (Record Management System) Receipt Module should be performed to ensure totals listed equal that entered into records. Should totals not balance, then transaction receipts need to be compared against individual entries in the POS device and operators need to make any necessary adjustments before closing the batch. If totals match, the batch remains same until auto-settled at the end of each business day.
- P. PCI Operator training shall be renewed annually. The Project Site Manager and DBR shall be responsible for attending required Merchant Card Processing training offered through the Office of Human Resources (OHR). The assigned Project Site Manager shall manage and document training for operators on an annual basis.

AUDITS [1.5.4]

- A. According to Wisconsin Statute 13.94(1), the Legislative Audit Bureau shall audit the fiscal concerns of the state. The Legislative Audit Bureau shall audit the records of every state department, board, commission, and independent agency or authority at least once each 5 years. The Legislative Audit Bureau may also audit the records of other departments when the state auditor deems it advisable or when he or she is so directed.
- B. The University of Wisconsin Internal Audit conducts audits of various business practices of the Department at least once every 2 years.

INVENTORY CONTROL [1.5.5]

The UW-La Crosse Police Department shall maintain an inventory of existing capital assets, procedures for adding and replacing assets and equipment, and maintaining equipment in a state of operational readiness.

DEFINITIONS:

Expendable Property refers to general operating supplies such as office supplies, ammunition, and batteries.

Fixed-Assets refers to capital outlay purchases including vehicles, furniture, cameras, special weapons and computers.

Major Items refers to vehicles, firearms, conducted electrical weapons (CEW), and other items with a value over \$5,000.00.

Operational Readiness refers to the care and cleaning, preventive maintenance, repair, workability, and responsiveness of agency property and equipment.

Personal Equipment refers to Department-issued items including uniforms, jackets, batons, and handguns.

INVENTORY CONTROL

The following shall govern and describe inventory control procedures associated with Department-owned property:

- A. The Department shall adhere to established University inventory purchase and control guidelines. These guidelines are provided through Business Services Purchasing Policies and Procedures. Such measures are designed to prevent losses, unauthorized uses of property, inventory excesses, and shortages.
- B. The University of Wisconsin System is responsible for maintaining accountability for capital equipment.
- C. Issued personal equipment remains the property of the Department and must be returned upon termination of employment:
 - a. It is the responsibility of the Sergeant, Dispatch Supervisor, or Director or Parking to ensure that all personal equipment is returned.
 - b. Returned uniforms and equipment shall then be forwarded to the Day Shift Sergeant.
- D. The Day Shift Sergeant or designee shall maintain a log indicating the names of each individual with the date of item issuance and return.
- E. The Day Shift Sergeant shall maintain an inventory of all major items of stored equipment.
- F. All supplies and equipment delivered to the Department shall be received and verified by the Day Shift Sergeant or the on-duty dispatcher.
 - a. A notification of delivery via e-mail shall be completed for items that cannot be turned over directly to the person anticipating the delivery.
 - b. All delivery paperwork shall be forwarded to the Day Shift Sergeant.

ISSUING AND RE-ISSUING PROPERTY – ACCOUNTABILITY

- A. Agency-owned property shall only be issued and reissued to authorized users by the Day Shift Sergeant or designee.
- B. The Day Shift Sergeant or designee is responsible for the administration of equipment procurement and distribution.
- C. The Day Shift Sergeant or designee shall maintain the Keywatcher system for key checkout, which includes department vehicle keys.
 - a. Vehicles shall be checked out at the beginning of the tour of duty and checked back in at the conclusion unless exigent circumstances exist.
 - b. Computerized records of the Keywatcher system shall be maintained by the UWL Locksmith for 3 years.

OPERATIONAL READINESS

- A. Department personnel are responsible for all items that have been issued to them and for maintaining these items in a state of operational readiness.
- B. To ensure that agency-owned equipment is in proper working order, ongoing inspections shall be conducted. These inspections shall be conducted at random and in conjunction with regularly scheduled line and staff inspections.
- C. Employees shall report missing and/or defective equipment to their respective supervisor. Such equipment shall be repaired or replaced as soon as practical.
- D. Supervisors are required to report, in writing, to the Chief of Police or designee whenever any Department property or equipment is lost, stolen, or destroyed or becomes inoperable. An official police report shall be filed in the department's records management system by an employee to document the loss of any department owned weapon or badge. Uniform replacement is excluded from this requirement.

BY ORDER OF



**Allen Hill
CHIEF OF POLICE**

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

1.6

| | |
|---|---|
| Subject Jurisdiction | WI Statute 175.40, 66.0313(2), 36.11(2)(a), 59.28(2), 895.35, 895.46 |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 1.6.1-1.6.2 |
| Comments: | |

I. INDEX

1.6.1 AGENCY JURISDICTION

1.6.2 MUTUAL AID

II. PURPOSE

State the purpose of this policy.

III. POLICY STATEMENT

The UW-La Crosse Police Department clearly delineates its specific geographic boundaries and concurrent jurisdictional responsibilities to ensure the efficient and effective delivery of service. Jurisdictional authority shall be extended when established interagency or mutual aid agreements are properly placed into effect.

IV. DEFINITIONS

Concurrent jurisdiction refers to the sharing of, or having equal authority within, the same jurisdictional boundaries by two or more governmental entities.

Mutual aid refers to a statute by which a law enforcement agency may render assistance to or request assistance from another agency in law enforcement emergencies.

V. PROCEDURES:

AGENCY JURISDICTION [1.6.1]

A. According to Wisconsin statute 36.11(2)(a), “the Board [of Regents] shall have concurrent police power, with other authorized peace officers, over all property subject to its jurisdiction. Such concurrent police authority shall not be construed to reduce or lessen the authority of the police power of the community or communities in which a campus may be located.”

B. The UW-La Crosse Police Department shall be the primary agency providing law enforcement services to the University of Wisconsin–La Crosse.

C. Properties owned or leased by the University of Wisconsin-La Crosse that lay in close proximity to other law enforcement jurisdictions may receive law enforcement services from the other jurisdiction. However, the primary investigative responsibility for occurrences on those properties rests with the University of Wisconsin-La Crosse Police Department.

D. The UW-La Crosse Police Department shall have concurrent jurisdiction primarily with the City of La Crosse Police Department and La Crosse County Sheriff’s Office.

E. There are other federal, state, county, and local agencies that may, on occasion, perform a police function within the city. The origin of their office (federal, state, etc.) shall define the scope of their authority.

F. Any interagency agreements entered into by the Department shall outline agency responsibilities regarding concurrent jurisdiction, to include identification of the agency responding to a call for service by type, communication linkages between agencies to ensure prompt and appropriate response, provisions for backup support between jurisdictions, reporting responsibilities, and policies concerning the jurisdiction of prosecutors and courts.

MUTUAL AID [1.6.2]

A. According to Wisconsin Statute 66.0313(2), "Upon the request of any law enforcement agency, including county law enforcement agencies as provided in statute 59.28(2), the law enforcement personnel of any other law enforcement agency may assist the requesting agency within the latter's jurisdiction, notwithstanding any other jurisdictional provision. For purposes of Statute 895.35 and Statute 895.46, law enforcement personnel, while acting in response to a request for assistance, shall be deemed employees of the requesting agency." Officers temporarily transferred shall have all the rights, privileges, and authority of an officer employed by the UW-La Crosse Police Department for the duration of the transfer.

B. Department non-emergency requests for mutual aid shall be directed to the Chief of Police or designee. The Chief or designee shall evaluate the request and decide what resources, if any, shall be required and requested. The Chief shall develop and maintain liaisons with other agencies in order to enhance the Department's ability to cooperatively and effectively respond to any field situation or emergency. Particular circumstances of cooperation may involve criminal investigations in overlapping or multiple jurisdictions or other events.

C. The Department shall lend or borrow personnel as necessary during emergencies. To the extent practical, the integrity of working units shall be maintained and instructions to outside units shall be relayed from a Department supervisor to a supervisor of the cooperating agency. Replies to requests for assistance shall be made by the chief executive officer of the responding agency or designee. If the request is granted, the requesting law enforcement agency shall be informed of the number of officers to be transferred and their identities, if that information is available. Requests for local resources may be handled through the La Crosse County Communications Center or through the OIC's office of the Department requested to assist.

D. Interagency agreements may be executed at the direction of the Chief of Police or designee.

E. Resources permitting, all requests for police services within the University of Wisconsin-La Crosse jurisdiction shall initially be assigned to employees of the Department (unless prior agreements with other law enforcement agencies exist).

F. Requests for temporary assistance shall be made by the head law enforcement official of the requesting agency or designee. The designee shall usually be the ranking officer on duty at the requesting agency. The request shall include, where feasible, a description of the situation creating the need for assistance, the number of officers requested, the location to which they are to be dispatched, and the officer-in-charge at that location. The request and the accompanying information may be transmitted by radio communication, telephone or by other means.

G. City, county, state, and federal agencies shall maintain concurrent jurisdiction within the Department when conducting investigations and taking enforcement action, as guaranteed by state and federal statutes.

H. Officers assigned to respond to another agency request for mutual aid should report to the requesting agency staging area, if established, and make contact with the appropriate person (i.e., staging manager, liaison officer, incident commander, etc.). If no staging area is established, the officer shall report to the officer-in-charge of the requesting agency at the designated location and shall be subject to the lawful

orders and commands of that officer. Where such reporting is not feasible, the officer may report to the officer-in-charge by radio communication, telephone, or other method of communication.

I. Radio communications between the requesting agency officers and transferred officers shall be maintained by use of a mutually shared radio channel or the state regional repeater channel, if necessary.

J. When taking law enforcement action at the scene of the emergency, including the use of force, officers shall adhere to the policies and procedures of the UW–La Crosse Police Department and utilize only those weapons and tactics with which they have qualified.

K. Officers responding to mutual aid requests shall regularly inform the officer in charge (OIC) of the continued status of the incident, officer injuries, and the need for relief. Officers shall conclude their assisting role when:

1. Designated to do so by the incident commander;
2. Relieved by another officer under the direction of the senior operations supervisor;
3. Recalled to the UW–La Crosse Police Department by the OIC or a supervisor. If an officer is recalled to the University of Wisconsin, the officer shall notify the incident commander prior to leaving the scene.

L. In the event that there is an imminent threat to life or property occurring on the University of Wisconsin campus and the resources immediately available at the time of the emergency are not adequate, the on-scene incident commander shall be responsible for requesting or directing contact with specific law enforcement agencies for assistance. Certain situations may require the assistance of a federal or state agency.

1. Absent the University Response Plan activation, the on-scene incident commander shall be responsible for approving requests for non-routine emergency mutual aid from state and federal agencies.
2. An incident exceeding the capability of the initial on-scene or on-duty personnel and equipment, requiring resources from multiple response agencies may require either full or partial activation of the University Response Plan.

BY ORDER OF



Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

1.7

| | |
|--|---|
| Subject Law Enforcement Authority | WI Statute 968.075(3), 968.255 (1)(b), 36.11(2)(b), 939.22(22), 968.07(1), 29.941, 175.40, Chapter 29, 66.0313, 62.09(13), 968.073(2), 938.195(2)(a), 968.07, 165.83(2), 165.84(7)(ah), 165.765(2)(bm), 943.14, 968.255(7)(c), 302.043(4), 165.83(1) |
| Effective Date October 1, 2023 | Revised Date |
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| Comments: | |

I. INDEX

- 1.7.1 LEGAL AUTHORITY**
- 1.7.2 CONSTITUTIONAL REQUIREMENTS**
- 1.7.3 SEARCH AND SEIZURE**
- 1.7.4 ARREST PROCEDURES**
- 1.7.5 ALTERNATIVES TO ARREST**
- 1.7.6 USE OF DISCRETION**
- 1.7.7 STRIP SEARCHES**
- 1.7.8 BIAS-BASED POLICING**

II. PURPOSE

This order establishes guidelines concerning domestic related incidents. It is our policy to comply with all mandates in WI State Statute 968.075(3) and judicial orders relative to domestic situations. This policy applies to all sworn personnel.

III. POLICY STATEMENT

The University of Wisconsin–La Crosse Police Department shall take active measures to ensure that officers exercise their authority within constitutional and statutory limitations.

IV. DEFINITIONS

Bias Profiling refers to any police-initiated action that relies on the race, ethnicity, national origin, religion, sexual orientation, gender, or physical ability of an individual rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity. Two corollary principles follow from this definition:

1. Police may not use race, ethnicity, national origin, religion, sexual orientation, gender, or physical abilities as factors in selecting whom to contact, whom to stop, and whom to search; and;

2. Police may use any of the above to determine whether a person matches a specific description of a particular suspect.

Gender Expression refers to the physical manifestation of one's gender identity through clothing, hairstyle, voice, mannerisms, etc. (typically referred to as masculine or feminine). Gender expression will generally correspond with gender identity, but not exclusively.

Gender Identity refers to one's internal sense of being a man, a woman, neither, both, or another gender identity (e.g. non-binary).

Interrogation refers to the questioning of suspects and hostile witnesses from whom officers attempt to obtain crime-related facts, admissions, or confessions.

Interview refers to the planned questioning of the following: witnesses, victims, confidential informants, cooperating individuals, and / or others who have information regarding an accident, crime, or other incident.

Preferred Name refers to the non-birth name/pronouns that a transgender, gender non-conforming, or other individual uses in self-reference (this may or may not correspond to the individual's legal name.)

Racial Profiling includes any law enforcement-initiated action that relies upon the race, ethnicity or national origin of an individual rather than the behavior of that individual.

Sexual Orientation refers to having or being perceived as having an emotional, physical, sexual or other attraction to another person(s) of a specific sex(s) and/or gender identity(s).

Strip Search according to Wisconsin statute 968.255 (1)(b) means a search in which a detained person's genitals, pubic area, buttock or anus, or a detained female's breast, is uncovered and

1. Exposed to view; or
2. Touched by a person conducting the search.

TGNC refers to Transgender/Gender Non-Conforming

Transgender Individual refers to the term used both as an umbrella term and as an identity. Broadly, refers to those who do not identify with or are uncomfortable with their assigned gender and gender roles. As an identity, the term often refers to anyone who transgresses traditional sex and gender categories. Trans people may or may not choose to alter their bodies hormonally and/or surgically.

Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. A snowmobile or electric personal assistive mobility device shall not be considered a vehicle except for purposes made specifically applicable by statute.

III. PROCEDURES

LEGAL AUTHORITY [1.7.1]

A. The U.S. Constitution, the Wisconsin Constitution, and the Wisconsin Statutes define the scope and limits of law enforcement authority as it pertains to the enforcement of laws, statutes,

ordinances, and arrests.

1. Wisconsin Statute 36.11(2)(b) grants the Board of Regents of the University of Wisconsin authority to employ police chiefs and police officers at system institutions.
2. Employed police officers shall be considered peace officers under Wisconsin Statute 939.22(22). Such police officers shall meet the minimum standards established for police officers by the law enforcement standards board.
3. Police officers shall meet the minimum standards established for police officers by the law enforcement training and standards board.
4. University of Wisconsin System Administrative Code 18.03(1) grants authority for police officers to accept concurrent appointments as deputy sheriffs.

B. On duty authority and responsibilities shall include:

1. As provided by Wisconsin Statute 968.07(1), UW-La Crosse Police Department sworn personnel have full arrest authority. This statute permits a law enforcement officer to make an arrest when
 - a. The law enforcement officer has a warrant commanding that such a person be arrested; or
 - b. The law enforcement officer believes, on reasonable grounds, that a warrant for the person's arrest has been issued in this state; or
 - c. The law enforcement officer believes, on reasonable grounds, that a felony warrant has been issued in this state; or
 - d. There are reasonable grounds to believe that the person is committing or has committed a crime.
2. As provided by Wisconsin Statute 36.11(2)(b), UW-La Crosse Police Department sworn officers shall preserve the peace on all university property and enforce all rules promulgated and all other laws, and for that purpose the Chancellor or the Chancellor's designee may call for aid from such other persons as is deemed necessary.
3. As provided by Wisconsin Statute 29.941, all police officers are deputy conservation wardens and shall assist the Department of Natural Resources and its wardens in enforcement of Chapter 29 of the Wisconsin Statutes whenever notice of a violation is given to them by the DNR or its wardens.
4. As provided by 18 U.S. Code 3041, police officers may make arrests for Federal crimes; however, such action shall only be taken upon direction of a supervisor.

C. On-duty arrest authority outside territorial jurisdiction, as authorized under Wisconsin Statute 175.40, exists only if an agency adopts and implements written policy regarding the authority and the officer complies with the policy. Under Wis. Stat. 175.40, a police officer outside of their territorial jurisdiction may arrest a person or provide aid or assistance anywhere in the state if the following criteria are met:

1. The police officer must be on duty and on official business.
2. The police officer is taking action that he or she would be authorized by the Department to take under the same circumstances in their jurisdiction.

3. The police officer is acting to respond to any of the following:
 - a. An emergency situation that poses a significant threat to life or of bodily harm or
 - b. An act that the police officer believes, on reasonable grounds, to be a felony.

D. Authority and responsibilities while off-duty shall include the following:

1. UW-La Crosse police officers have the same authority off duty as they have on duty, while within jurisdictional limits or while exercising the statutory authority afforded under Wisconsin Statutes 66.0313, 175.40(2), or 175.40(4).
2. UW-La Crosse police officers who are off duty, outside of the jurisdictional limits, and not engaged in police action authorized under Wisconsin Statutes 66.0313, 175.40(2), or 175.40(4) are authorized to act under the authority granted by Wisconsin Statute 175.40(6m)(a), to include making an arrest and providing aid or assistance anywhere in the state of Wisconsin if the following conditions are met:
 - a. The officer is responding to an emergency situation that poses a significant threat to life or bodily harm.
 - b. If circumstances compel intervention, the officer should take action only after considering the tactical situation with regard to their own safety and the safety of others. The officer shall notify the appropriate jurisdiction at the earliest opportunity.
 - c. Responses made by off-duty plainclothes officers to armed threats are generally without adequate back up, and issues such as inadequate identification, body armor, and communications make the response potentially very dangerous. The Department discourages off-duty personnel from becoming involved in armed confrontations.
 - d. The officer should provide a statement and cooperate in the investigation by the law enforcement agency with primary jurisdiction. If an arrest is made, then the arrestee shall be turned over to the primary law enforcement agency for disposition.
 - e. For the purposes of civil and criminal liability, an off-duty police officer acting under this policy is acting in an official capacity and within the scope of their employment for workers compensation purposes.
 - f. Personnel taking action under this policy should immediately notify a supervisor unless unable to, due to injury or other extenuating circumstances.
 - g. Nothing in this section should be construed in a manner that compels an officer to intervene while off duty and outside of the jurisdiction of the agency.

AUTHORITY TO CARRY AND USE WEAPONS

- A. The authority granted peace officers by Wisconsin Statute 62.09(13) and broadened by Wisconsin Statute 968.07 provides the legal authority to carry and use weapons by agency personnel in the performance of their duties.
- B. 18 U.S. Code 926B permits qualified active law enforcement officers to carry concealed firearms anywhere in the United States. UW-La Crosse Police Department officers electing

to carry a concealed weapon under the authority granted by 18 U.S.C. 926B must, by law, be in possession of their UW–La Crosse Police Department photo identification card and must not be under the influence of an intoxicant. Furthermore, 18 U.S.C. 926B does not speak to a broadened police authority. Officers remain bound by Department policy in matters related to the exercise of police authority.

- C. Additional direction in the carry and use of weapons by agency personnel in the performance of their duties is located in the Department Use of Force policy.

CONSTITUTIONAL REQUIREMENTS [1.7.2]

The following describes applicable constitutional requirements during interviews and interrogations and shall govern procedures for ensuring compliance with all applicable constitutional requirements associated with a person's access to counsel:

- A. Interrogations shall be conducted in accordance with all applicable constitutional requirements, state statutes, and Departmental directives.
1. Any custodial interrogation of a juvenile shall be audio and video recorded per Wisconsin State Statute 938.195(2)(a),
 2. Any interview of an adult felony suspect shall be at least audio recorded per Wisconsin State Statute 968.073(2)
 3. Information obtained from interrogations should be documented via one or more of the following approved methods: handwritten notes recorded by an officer, handwritten or typed voluntary statements, audio/and or video recording.
 4. Due process definitions exclude confessions and any evidence obtained thereof, when physical force, threats, promises, or coercive tactics are used; such methods shall not be used during interrogations.
 5. Factors affecting the voluntariness and admissibility of statement(s) include suspect age, mentality, education, nationality, criminal experience, reasons for arrest, rights advisories, whether basic necessities were provided during questioning, and general interrogation methods.
 6. Generally, no more than two officers should conduct an interrogation. However, certain circumstances and officer discretion could dictate otherwise.
 7. The officers conducting the interrogation should be attentive to any undue stress or feelings of intimidation caused by the number of officers present and/or other related conditions.
 8. Restroom and refreshment needs shall not be denied or unduly delayed.
 9. The Miranda Warning shall be provided to suspects when the elements of custody and interrogation are both present. Custody shall exist when persons are under arrest or when they believe their freedom of movement is significantly curtailed. For purposes of this directive, interrogation shall mean asking incriminating questions.
 10. *Miranda v. Arizona* (1966) established the following due process protections: that the suspect has the right to remain silent; that if the suspect gives up the right to remain silent, anything the suspect says can and will be used against him or her in a court of law; that the suspect has a right to speak to an attorney and have an attorney present when being questioned by law enforcement officers; and that if the suspect cannot afford an attorney, one will be appointed to represent the suspect before any questioning occurs.

11. Officers should ensure that suspects understand each of the foregoing rights have been read to them.
 12. Translators should be provided in a timely manner when deemed necessary. A translator may be available through the city of La Crosse Police Department, or from the University of Wisconsin-La Crosse International Student Services.
 13. Officers shall obtain verbal and/or signed waivers before beginning custodial interrogations.
 14. Waivers should be recorded on Departmentally-approved forms whenever possible.
 15. *Maryland v. Shatzer*, (2010) established that once a suspect invokes silence during a custodial interrogation, then they may not be re-approached unless they re-initiate contact or after they've been released from custody or back into general population for 2 weeks.
 16. *Massiah v. United States* (1964) established that once criminal prosecution has been initiated, the government may not deliberately elicit statements from a defendant without a waiver. The Massiah Rule does not require custody and is purely crime specific. Before interrogation may commence for an offense already charged, the defendant must have been advised of, and voluntarily waived, the right to counsel.
- B. Field interviews may be conducted when one or more of the following conditions are present:
1. The officer has reasonable suspicion that the subject may have committed, may be committing, or may be about to commit a crime;
 2. The officer believes the subject may be a hazard to self or others;
 3. The officer believes the interview may have a preventive effect.
- C. Defendants shall be informed of access to counsel in accordance with applicable constitutional requirements, state statutes, and Departmental directives.
1. *Escobedo v. Illinois* (1964) established that when a person accused of committing a crime is being interrogated, such a person has a right to have an attorney present.
 2. Officers must cease an interrogation once an individual has expressed a desire to speak with an attorney or have an attorney present during questioning. This shall not preclude an interrogation from being conducted while an attorney is present.
 3. Officers shall bring arrested persons, unless they have been released on bond or their own recognizance, before a magistrate or other judicial official without delay, to file formal charges or complaints. Judicial officials shall then ensure that accused persons are guaranteed the right to court-appointed or private counsel.
 4. Occasionally, persons who have been charged will not request or receive the assistance of counsel until after the time of their initial court appearance and the filing of formal charges. Officers shall work with prosecutorial officials to determine whether such persons have obtained counsel and whether notice to counsel is required before having any further contact.

5. Safety concerns require that a prisoner's right to communicate with attorneys shall not normally be exercised during the period that the prisoner is being transported. Supervisory approval shall be required before any such communication is allowed.
- D. The decision to waive a Constitutional protection belongs with the accused individual. Officers shall not attempt to coerce or unduly influence a suspect in the decision of whether or not to exercise any right.
 - E. When a suspect invokes their right to counsel, all interrogation shall cease immediately. A request for counsel must be articulated clearly enough that a reasonable officer in the circumstances would understand the statement to be a request for an attorney. The suspect may not again be interrogated about the crime for which he or she is charged, other crimes, or by other officers (from this or another agency) unless:
 1. The suspect's attorney is present at the questioning; or
 2. The suspect initiates new contact with the police. In this later case, Miranda rights must again be administered and a waiver obtained before any questioning may take place. Officers shall also document and, if possible, obtain written verification that the suspect initiated the communication.
 - F. Upon request, a telephone shall be provided for access to counsel. Audio recording of attorney client conversation is prohibited.

SEARCHES & SEIZURES [1.7.3]

The following shall govern procedures associated with warrantless search and seizure by agency personnel:

- A. Officers shall document any warrantless search that is conducted. Officers shall document any stop and frisk that occurs.
- B. Officers shall not stop, detain, frisk or search a person in whole or in part for the purposes of determining that person's gender or in order to call attention to the person's gender expression.
- C. Persons should be searched as soon as possible when taken into custody. As a safety precaution, everyone in police custody who is placed in a police facility shall be searched immediately upon entry to the facility. This search is mandatory even though a preliminary search has been conducted in the field prior to transport. This search can include, but is not limited to
 1. A pat down of clothing and the emptying of all pockets;
 2. Inspection of all packages, luggage, book bags, wallets or purses; and
 3. Removal of boots and shoes for inspection.
- D. Any item that may be used as a weapon by the person in custody shall be seized. Evidentiary material shall be seized and held.
- E. All persons in custody who are left unattended in a temporary detention room shall have their shoes, belts, and other items that could be used for self-harm or as a weapon removed from their person and clothing.

- F. Officer discretion shall prevail as to whether any of these items are returned when, and if, the person is released from custody. Contraband shall be destroyed in the presence of another officer and documented if not used for evidence. If held and used for evidence, it shall be destroyed at the completion of the trial unless ordered otherwise by the court.
- G. Officers may search property or persons when voluntary consent has been given by a person who has the authority to do so; no threats or coercion may be used by officers to obtain such permission. The consent may be withdrawn by the authorizing person at any time during the search. Consent to search forms should be utilized by officers whenever possible.
- H. *Terry v. Ohio* (1968) established that officers may stop and frisk an individual under circumstances in which officers are able to articulate reasons to fear for their safety. Officers performing this type of action shall limit their scope to a protective pat-down search for weapons. *Michigan v. Long* (1983) extended this same principle to the search of a vehicle's passenger compartment.
- I. *Carroll v. United States* (1925) established that officers may search a vehicle without a warrant under a movable vehicle exception. A motor vehicle, including the trunk and other containers, may be searched without a warrant if officers have probable cause to believe they contain evidence. *California v. Carney* (1985) declared that this exception also applies to motor homes or mobile campers.
- J. *Mincey v. Arizona* (1978) established that there is no crime scene exception to the search warrant requirement. In this decision, the Supreme Court held that the seriousness of the offense under investigation does not in and of itself create exigent circumstances of the kind that would justify a warrantless search.
- K. Officers may search a person or property without a warrant under exigent circumstances, such as where public safety is endangered. An exigent circumstance occurs when an emergency exists and there is no time for officers to obtain a search warrant. That is, the evidence could be destroyed or displaced by the time a search warrant is obtained. Generally, the more serious the crime or greater the threat to public safety, the more likely it is that the courts shall recognize the situation as a true emergency justifying a search based on exigent circumstances.
- L. Officers shall conduct inventory searches of seized vehicles or other seized property without a warrant based on the following justifications: an inventory protects the property of the owner; an inventory protects the law enforcement agency against claims that property in its possession has been lost or stolen; and an inventory allows officers to discover any potential danger that may exist because of property in their possession.
- M. Officers may search a suspect's residence to execute an arrest warrant if they have probable cause to believe the suspect is present. Officers may not conduct a search of any other residence or location even though they possess an arrest warrant. For other locations, a search warrant must be obtained.
- N. *Chimel v. California* (1969) established that officers may search a person for weapons and evidence incident to arrest. This search must be limited to the area within the arrestee's immediate control. The entire interior of a motor vehicle may be searched if the person was an occupant at the time of arrest.

- O. *Arizona v. Gant* (2009) established that a police officer may perform a search incident arrest of a defendant's vehicle if one of two factors is present:
 - 1. The arrestee is within reaching distance of the vehicle's passenger compartment at the time of the search.
 - 2. The police have "reason to believe" that the vehicle contains evidence supporting the arrest.
- P. Officers may seize evidence in plain view, provided they have a legal right to be at the location where the evidence was observed.
- Q. *Oliver v. United States* (1984) established that officers may search open fields without a warrant. However, residences and their respective curtilage are generally protected from unreasonable or warrantless searches.
- R. Officers may search abandoned property, including bags or purses discarded while being chased, without a warrant. Garbage that has already been placed for collection may be searched, provided that it is located where the actual pickup is normally performed.
- S. When reasonable, a search of a suspect that goes beyond a frisk/pat down should be conducted by an officer of the gender requested by the suspect. If possible, a second officer should be present for these searches.

ARREST PROCEDURES [1.7.4]

The following shall specify procedures for any arrest, made with or without a warrant:

- A. Wisconsin statute 968.07(1) permits a law enforcement officer to make an arrest when
 - 1. The law enforcement officer has a warrant commanding that such person be arrested;
 - 2. The law enforcement officer believes, on reasonable grounds, that a warrant for the person's arrest has been issued in this state;
 - 3. The law enforcement officer believes, on reasonable grounds, that a felony warrant for the person's arrest has been issued in another state;
 - 4. There are reasonable grounds to believe that the person is committing or has committed a crime.
- B. Wisconsin statute 62.09(13) expands an officer's authority to arrest for violations of noncriminal state law and municipal ordinance when it states that an officer "shall arrest with or without process...any person violating any law of the state or ordinance of the city."
- C. Wisconsin statute 968.07(2) provides that "a law enforcement officer making a lawful arrest may command the aid of any person, and such person shall have the same power as that of the law enforcement officer."
- D. In addition to statutory requirements, officers shall abide by all federal laws and court decisions pertaining to the following: use of authority, arrests, searches, seizures, interrogations, and due process.
- E. An incident report is required for any arrest, with or without a warrant.

- F. In accordance with Wisconsin statute 165.83(2), officers shall book the offender into jail where fingerprints and photographs are collected by jail staff for the offenses listed below.
1. An offense, which is a felony.
 2. An offense which a misdemeanor involving:
 - a. burglary tools
 - b. commercial gambling
 - c. dealing in gambling devices
 - d. contributing to the delinquency of a child
 - e. dealing in stolen property
 - f. controlled substances under Chapter 961
 - g. firearms
 - h. dangerous weapons
 - i. explosives
 - j. pandering
 - k. prostitution
 - l. sex offenses where children are victims
 - m. worthless checks
 - n. a fugitive from justice
 - o. An offense charged as disorderly conduct, but which relates to an act connected with one or more of the offenses listed in the preceding section.
 - p. For any other offense designated by the attorney general
- G. Per department policy, officers shall book the offender into jail where fingerprints and photographs are collected by jail staff for the offenses listed below:
1. Domestic abuse arrests;
 2. Operating while intoxicated arrests in which a responsible person cannot be located;
 3. Body only or probation warrants;
 4. Felony charges unless a book and release procedure is appropriate.
 5. Stalking
 6. Harassment
- H. Wisconsin law requires law enforcement agencies to obtain a DNA specimen at arrest from an adult or any juvenile taken into custody for specific violent crimes as defined in SS. 165.84(7)(ab) unless it is verified a valid sample is on file with the Databank. In addition, certain misdemeanor convictions by an adult or juvenile offender require submission of a DNA specimen – see Appendix L.
1. Upon arrest, officers shall use the E-TIME system to check whether a DNA sample is required or not. Upon entering the offender information and potential charges, E-TIME shall provide the officer with information on whether a specimen is required or not or if the specimen required is for a previous conviction.
 2. Officers may use reasonable force to obtain a specimen but should consult with the District Attorney's office prior to forcing a specimen.

3. Officers are immune from civil and criminal liability if the specimen is obtained in good faith and is reasonable as described in ss. 165.765 (2)(bm).
4. This immunity applies to medical staff and facilities unless they are negligent in the collection of the specimen.
5. Collection of the biological specimens from subjects or offenders taken for the University of Wisconsin-La Crosse Police Department shall be taken as directed by the Wisconsin State Crime Lab using the kit provided by them.
6. Biological specimen kits shall be handled in accordance with current Department property and evidence collection procedures.
7. Best practice includes obtaining a court order and blood draw for those resisting to give a DNA specimen.
8. The La Crosse County Sheriff's office has arranged to collect DNA samples from adults arrested for violent crimes at the time of booking into the La Crosse County Jail.
9. In cases of convictions where jail time is not required, the individual shall be assigned a report date and time for DNA submission at their sentencing hearing and may be found in contempt or charged with a Class A misdemeanor for Failure to Produce a Biological Specimen if they do not appear.
10. The La Crosse County Juvenile Reception Center (JRC) shall be unable to collect DNA samples. Officers shall obtain a biological sample prior to transport or at JRC.

ARREST PROCEDURES, SPECIFICALLY WITHOUT A WARRANT

- A. An arrest on the strength of a warrant is preferable to a warrantless arrest; however, the immediacy of many police arrest situations makes it impractical to delay matters while a warrant is obtained.
- B. The decision to make a custodial arrest shall be based on the gravity of the offense, likelihood of flight, safety of the public, and the need to collect and preserve evidence essential to prosecution.
- C. The alternative to a custodial arrest is to complete an offense report documenting the alleged criminal activity and refer the report to the district attorney for review and the issuance of a criminal complaint and warrant or summons to appear.
- D. When circumstances permit an officer to effect an arrest without a warrant, and the arrest shall be made at a private residence, officers shall be required to knock, state their identity and purpose, and await permission to enter. Without permission to enter, warrantless entries are generally considered unreasonable unless the following circumstances exist:
 1. Probable cause exists to make a felony arrest and the officer has a reasonable belief the suspect is engaged in the destruction of evidence.
 2. Probable cause exists to make a felony arrest and the officer has a reasonable belief the suspect is attempting to escape.
 3. Probable cause exists for making an arrest and officers are justified in the belief that they, or the persons within, are in imminent peril of bodily harm.
 4. Officers with probable cause to make an arrest for a criminal offense are in fresh pursuit of a defendant.

- E. When forcible entry is required, officers shall perform the following:
 - 1. Locate and control all persons on the premises and any property that might potentially serve as a weapon.
 - 2. Photograph any damage occurring as a result of the forcible entry and describe in the offense report how the damage occurred.

ARREST PROCEDURES, SPECIFICALLY WITH A WARRANT

- A. An arrest warrant provides for independent prosecutorial or judicial review of an incident. Whenever time and circumstances allow, the warrant process should be used for an arrest.
- B. In situations in which the arresting officer is not in possession of the warrant, the officer shall be responsible for confirming the validity of the warrant. Foreign warrants shall require teletype confirmation; however, telephone confirmation shall be acceptable pending its receipt.
- C. Temporary detention of an individual for the purpose of verifying warrant status is permissible.
- D. Upon making an arrest on the strength of a warrant, the arresting officer shall inform the defendant as soon as practicable of the nature of the crime with which the defendant is charged. If available, a copy of the warrant shall be provided to the defendant.
- E. An arrest warrant may be lawfully served at any time, though certain restrictions shall apply to the service of warrants for minor forfeiture actions, i.e., violations of administrative codes, municipal ordinances, and non-criminal traffic statutes. These warrants may be served at any time when the person named on the warrant is contacted during the course of a lawful stop or observed in a public place. The preferred time for service of these warrants is between 07:00 and 22:00 hours. This does not, however, preclude officers from serving such warrants outside of these hours if circumstances are reasonable.
- F. Upon execution of a warrant, officers shall notify the Communications Center and request that the warrant be removed from the TIME System.
- G. Outstanding warrants issued as a result of Department contact are filed alphabetically in the Communication Center. Active warrants shall not be removed from the Department. An officer may copy a warrant for service. The copy must be destroyed if the attempt was unsuccessful.
 - 1. Served warrants shall be signed by the officer and returned to the Court Officer with a note indicating the court date assigned or other disposition.
 - 2. The officer making an attempt at warrant service requires a new case number and disposition regardless of the outcome. Outside agency warrants require report completion under the UW-La Crosse Police Department case number. In addition, successful service of a Department warrant requires a supplemental report to the original case number.
- H. When serving an arrest warrant at a residence, officers shall be required to knock, state their identity and purpose, and await permission to enter, with the following exceptions:

1. When executing a warrant for a felony and, after announcement of identity and purpose, entry is refused;
2. When those within, upon being made aware of the presence of someone outside, engage in activity that justifies officers in the belief that destruction of evidence is being attempted;
3. When those within, upon being made aware of the presence of someone outside, engage in activity that justifies officers in the belief that escape is being attempted;
4. When officers are justified in the belief that they, or the persons within, are in imminent peril of bodily harm.

I. When forcible entry is required, officers shall perform the following:

1. Locate and control all persons on the premises and any property that might potentially serve as a weapon.
2. Photograph any damage occurring as a result of the forcible entry and describe in the offense report how the damage occurred.

ARREST PROCEDURES, SPECIFICALLY FOR A TEMPORARY FELONY WANT

The following shall specify procedures for obtaining temporary felony wants:

- A. An arrest on the strength of a warrant is preferable to a temporary want; however, the immediacy of many police arrest situations makes it impractical to delay matters while a warrant is obtained.
- B. The entry of a temporary felony want should be considered when probable cause exists that a serious felony was committed and there is a known suspect, but the suspect was not located. It is important to remember that a temporary felony want does not take the place of a warrant. It does allow the police to get a want entered into the TIME system soon after the crime was committed. This may increase the likelihood that the suspect shall be quickly apprehended and decrease the danger to the public.
- C. The investigating officer must notify an on-duty supervisor and receive approval for the entry based on the following required elements being met:
 1. Probable cause that a serious felony was committed;
 2. Probable cause that a known suspect committed the felony; and
 3. The need to immediately apprehend the suspect.
- D. The officer or supervisor must call the District Attorney's office of jurisdiction. If the office is closed, notify the on-call DA and provide the details of the incident and the intent to enter the temporary felony want.
- E. As soon as possible (prior to the 48-hour expiration time), the officer shall attempt to secure a warrant through the District Attorney's office of jurisdiction.
- F. The investigating officer(s) shall complete the required offense reports.
- G. If a warrant is not issued, the temporary felony want shall not be reentered after the 48 hours has expired.

If the suspect is taken into custody by another agency on a temporary felony want, a supervisor shall make the decision to send on-duty officers or a transport team to take custody of the suspect. Once the suspect is in custody, the on-duty LED shall cancel the warrant.

ACCEPTANCE OF BOND MONEY

- A. Sworn officers shall not accept cash bond at any time.

ALTERNATIVES TO ARREST [1.7.5]

- A. Officers may elect to exercise alternatives to arrest, pre-arraignment confinement, and/or pre-trial release when deemed appropriate. Such alternatives may include the following: issuing verbal and written warnings, referring persons to social service agencies and counseling organizations, issuing citations in lieu of arrest, and releasing persons after posting bond.
- B. The use of verbal and written warnings may provide a satisfactory solution to many cases. When determining whether a warning should be issued, officers should consider the following: the seriousness of the offense, the circumstances surrounding the violation, the likelihood that the violator shall heed the warning, and the offense history of the violator. All warnings should be documented via CAD records and/or approved forms.
- C. If a warrantless arrest has already been made for a non-criminal or criminal misdemeanor offense, a citation may be issued in lieu of continuing custody.

USE OF DISCRETION [1.7.6]

- A. Officers shall use discretion in furtherance of established Department goals and objectives but only when in compliance with applicable laws and the law enforcement code of ethics.
- B. The exercise of discretion shall be guided by a combination of written enforcement policies, training, and supervision.
- C. Reasonableness and probable cause shall vary with each situation, and different facts may justify investigation, detention, search, arrest, warning, or no action at all. In each case, officers shall act reasonably and within the limits of authority as defined by statute and judicial interpretation.
- D. Arrests or other enforcement actions should generally be taken or effected when there is probable cause to believe that a person has committed a serious crime.
- E. For minor offenses, officers should consider the action that would most likely deter future violations. Such actions may include the following: physical arrest, citation, written warning, or verbal warning.
- F. The degree of enforcement action or inaction used by officers shall not be influenced by malice, vengeance, or prejudice based on race, gender, gender identity, ethnic background, religious belief, economic status, sexual orientation, physical ability, or political affiliation.
- G. Enforcement action shall not be more severe than can be reasonably and objectively justified. Officer contact shall not be extended unnecessarily for the purpose of delaying the release or inhibiting the free movement of any person.

EMERGENCY CONTACT OF STUDENTS

The following shall govern the situations where sworn officers may enter a classroom when class is in progress:

- A. Officers may enter a classroom when class is in progress for any active emergency involving threats of violence or actual violence, medical emergencies or other crimes in progress.
- B. Officers may enter classrooms when class is in progress in response to 911 calls or other summons for help or assistance.
- C. Officers may enter a classroom when class is in progress upon invitation of the professor, instructor or students.
- D. Officers may make notifications to students in an active classroom setting to deliver emergency messages that involve a death, illness, injury, accident, or a threat to a student's livelihood or property.
- E. Classroom interruptions when class is in progress for all other than emergency situations should be avoided.

MANDATORY REMOVAL FOR CRIMINAL TRESPASS TO DWELLING

The following shall define the requirement for sworn officers to remove a subject from the premises if probable cause exists to arrest for a violation of Wisconsin State Statute 943.14:

- A. If probable cause of a violation to 943.14 exists, there is no mandatory arrest provision, however the subject must be removed from the dwelling.
- B. Whoever intentionally enters or remains in the dwelling of another without the consent of some person lawfully upon the premises or, if no person is lawfully upon the premises, without the consent of the owner of the property that includes the dwelling, under circumstances tending to create or provoke a breach of the peace is to be considered in violation of 943.14.

STRIP AND BODY CAVITY SEARCHES [1.7.7]

- A. UWL Police Officers shall not conduct strip or body cavity searches.

PATIENT DISROBEMENT AT HOSPITALS AND CLINICS

- A. Pursuant to Wisconsin statute 968.255(7)(c), the "strip search" statute "does not apply to any person who...is committed, transferred or admitted under Ch. 51 (Mental Health), 971 or 975." Officers responding to a request under this section shall be acting at the direction of medical personnel.
- B. Officers may be directed by on-scene medical personnel to assist in disrobing a patient to remove anything that may be used by the patient to harm him- or herself or someone else.
- C. Custody for all such seized property shall remain with the hospital unless it is a weapon or contraband. Such items may be turned over to the officer for disposition.
- D. In all instances in which officers are called upon to assist hospital personnel with the physical control of a patient, a report shall be completed. If officers are asked to assist in disrobing a patient, this should be noted in the report along with the name of the person making the request.

- E. Officers may be called to assist medical personnel in disrobing a patient in the course of the patient's medical treatment in other areas of the Health Sciences Center. This is not intended to be a search; however, the above sections apply.
- F. Whenever it appears that any of the foregoing rules should be modified or suspended because of special circumstances, specific authorization to do so should be obtained from the district attorney's office.

BIAS-FREE POLICING [1.7.8]

- A. The purpose of this directive is to reaffirm the long-standing position against bias-based policing or any other type of discriminatory practice, including racial profiling or race-based decision-making. The Department has not tolerated, and shall not tolerate, discrimination against any person based on race, color, ethnic background, gender, gender identity, cultural group, sexual orientation, religion, economic status, age, physical ability or other identifiable group.
- B. Bias-based profiling constitutes discrimination. Such activities alienate a significant percentage of the population and foster a distrust of law enforcement by the community. Related practices invite corruption, judicial/legislative intervention, disciplinary action, and media scrutiny.
- C. Employees shall be strictly prohibited from engaging in bias-based profiling when conducting any law enforcement activity, to include traffic and field contacts, searches, investigatory detentions, asset seizure, and forfeiture proceedings. Such actions shall be based on a standard of reasonable suspicion or probable cause as required by federal laws, state statutes, and Department directives.
- D. Department personnel may not use racial or ethnic stereotypes as factors in selecting whom they stop and whom to search. Department personnel may use race or ethnicity in selecting whom they stop and whom they search when a person matches the specific description of an individual who is suspected of engaging in criminal behavior.
- E. Officers shall use approved interview techniques when contacting and detaining all individuals. Officers shall maintain professional objectivity through constant self-examination, evaluation, and awareness of personal prejudices. Accepted community and problem-oriented policing practices shall be utilized to identify problems and reduce crime.
- F. In addition, all vehicle traffic stops shall be documented with a Department case number at the time of the stop. The time, date and location of the stop are captured by the computer system upon initiation of the case number process; the following additional data must be collected and noted in the case number disposition or report:
 - 1. Name of vehicle operator;
 - 2. Sex/ Race;
 - 3. Date of birth;
 - 4. Reason for the stop;
 - 5. Disposition of stop (I=cited, J=Ordinance, K=Parking, R=Written Report V=Verbal, warning=Warning, X=Diversion); and
 - 6. UWL Affiliation.
- G. For bicycle or pedestrian education initiatives, a single case number may be generated. Group education projects do not require identification of individuals.

- H. Affected agency personnel shall receive initial training upon hire and annually thereafter in bias based policing issues, including legal aspects. Training should be used to address the following: cultural diversity; constitutional requirements; department directives; and other agency practices.
- I. Corrective measures shall be immediately implemented if bias-based profiling occurs. Remedial training and employee counseling may be conducted when deemed appropriate for the situation. Any officer found to be involved in such activity may also be subject to disciplinary action, to include written warning, suspension, demotion, or termination.
- J. The Chief of Police or designee shall be responsible for conducting a documented annual administrative review of agency practices, including citizen concerns, as they relate to bias-based profiling. The review should be disseminated to all personnel and at a minimum include: an analysis of citizen complaints, concerns and comments; a summary of pertinent statistical data; an overview of any training conducted; any corrective actions taken; and procedural or policy recommendations, if any.
- K. Bias-based profiling should not be confused with criminal profiling, which is recognized as a legitimate law enforcement tool. Criminal profiling is an investigative method in which officers, through observation of activities and the environment, identify suspicious people and develop a legal basis to stop them for questioning. Bias-based profiling refers to the decision by officers to stop and question people when their physical characteristics and/or surroundings are used as indicators of suspicious activity or criminal tendency.

ENFORCEMENT OF IMMIGRATION LAWS

- A. The UW-La Crosse Police Department is committed to community policing. Therefore, the department shall continue to provide exceptional police service to all members of our community. An individual's immigration status is immaterial to the mission of the UW-La Crosse Police Department and shall only be relevant if the individual is involved in serious crimes as outlined below.
- B. The UW-La Crosse Police Department shall refrain from entering into voluntary agreements to enforce The United States Immigration and Customs Enforcement Agency (ICE) laws. The UW-La Crosse Police Department shall only participate in immigration-related investigations if the operation involves an individual who has committed serious crimes which impact the University of Wisconsin-La Crosse Campus.
- C. Officers shall not detain or arrest an individual solely based on a suspected violation of immigration law. The UW- La Crosse Police Department shall only cooperate with a lawful request for immigration related enforcement from ICE under the following circumstances:
 - 1. The individual is engaged in or is suspected of terrorism or espionage; or
 - 2. The individual is reasonably suspected of participating in a criminal street gang; or
 - 3. The individual is arrested for any violent felony (eg. Homicide or Attempt, Sexual Assault, Kidnapping, Armed Robbery, Substantial Battery, etc.); or
 - 4. The individual is a previously deported felon.
- D. When time and circumstances permit, an officer should obtain approval from a supervisor or OIC prior to detaining any individual for the above-outlined reasons.

- E. An individual's immigration status has no bearing on the individual's ability to file a police report with the UW-La Crosse Police Department. Therefore, officers should not routinely inquire to an individual's immigration status.
- F. Officers shall not ask for a passport, Alien Registration Card (Green Card) or any other immigration documentation in the normal course of business. This does not prohibit an officer from considering these documents as appropriate forms of identification when voluntarily provided by the individual.

INTERACTIONS WITH TRANSGENDER, AND/OR GENDER NON-CONFORMING (TGNC)

- A. Officers shall not consider a person's gender identity and/or sexual orientation as reasonable suspicion or prima facie evidence that an individual is or has engaged in a criminal act.
- B. Absent illegal, indecent, or otherwise problematic behavior, officers shall not use an individual's perceived gender and the restroom they are utilizing as a basis for a police contact.
- C. Employees should address TGNC individuals by the individual's preferred name, even if the individual has not received legal recognition of the preferred name, and/or it is different than the name listed on their government-issued identification.
- D. In addressing or discussing a TGNC individual, employees should use the pronouns appropriate for that person's gender identity (e.g. she/her/hers, he/him/his, they/them/theirs, etc.) If an employee is uncertain about which pronouns are appropriate, the employee should respectfully ask the individual.
- E. Employees shall not use language that a reasonable person would consider demeaning or derogatory; in particular, language aimed at a person's actual or perceived gender identity, gender expression and/or sexual orientation.
- F. Employees shall not disclose an individual's TGNC identity and/or sexual orientation to any other person or group, absent a proper law enforcement purpose and/or to comply with open records requests.
- G. LGBTQ+ specific training shall be provided to all personnel.

BY ORDER OF



Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

1.9

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|--|---|
| Subject Citizen Complaints | WI Statute 66.0511(3), 946.66, 111.37 |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 1.9.1-1.9.6 |
| Comments: | |

I. INDEX

1.9.1 AGENCY INVESTIGATION OF COMPLAINTS

1.9.2 RESPONSIBLE INDIVIDUAL OR POSITION

1.9.3 COMPLAINANT NOTIFICATION

1.9.4 EMPLOYEE NOTIFICATION

1.9.5 MAINTENANCE OF RECORDS

1.9.6 ANNUAL REVIEW

II. PURPOSE

The purpose of this policy is to develop a specific procedure for processing and resolving complaints by any person regarding the conduct of a Law Enforcement Officer of the Department. This procedure and policy compliments but does not supersede any specific UW-System or UW-La Crosse policy on investigations or discipline. This policy also does not usurp any other channel or mechanism for the university to receive a complaint from a campus community member or external stakeholder.

III. POLICY STATEMENT

The UW-La Crosse Police Department will implement objective and fair procedures for conducting citizen complaint investigations, internal investigations and carrying out corrective actions of its employees. All department investigations will be conducted in order to ensure prompt corrective action is taken when deemed appropriate, training needs associated with the delivery of services are identified, and personnel are shielded to the degree possible from unwarranted criticism pursuant to the discharge of official duties. Any corrective actions taken towards its employees should be fair and unbiased and comply with existing laws and UW-La Crosse policies. All complaints, investigations, and corrective actions will be documented in an organized manner so regular reviews and analysis can be conducted and the department can comply with accreditation standards and open records laws.

IV. DEFINITIONS

Corrective Action refers to actions taken by the department to address an employee's performance or behavior. Such actions may include informal training and coaching or may be formal discipline such as letters of reprimand, suspension, demotion or termination.

Misconduct refers to wrongful actions by an employee, intentionally or unintentionally, which result from erroneous judgment or a disregard for established policies or procedures.

Citizen Complaint refers to an allegation by an individual that any Department employee has misused authority, acted illegally or unethically or acted in violation of UWL PD policy, or UW-La Crosse work rules.

Formal Discipline refers to actions taken by the department to address a significant problem with an employee's conduct. Such actions may include letters of reprimand, suspensions, demotions, or terminations.

Internal Investigation refers to the department's investigation of an employee's conduct in response to a citizen complaint, a complaint from another department employee, or supervisor observations.

Misconduct refers to wrongful actions by an employee, intentionally or unintentionally, which result from erroneous judgment or a disregard for established policies or procedures.

V. PROCEDURES

AGENCY INVESTIGATION OF COMPLAINTS [1.9.1]

The following specifies the necessity of investigating citizen complaints against the Department or its employees:

A. Receipt of Complaints:

1. All citizen complaints against the Department or its employees will be investigated, including those that are anonymous. All citizen complaints will be reviewed by the supervisor and processed in a thorough and expeditious manner.
2. Citizen complaints may be lodged in person, by mail, email, or by telephone. Anonymous citizen complaints will be accepted and investigated to the extent possible. Complainants who wish to file a citizen complaint in person or via telephone should be referred to any supervisor unless the complaint involves that employee. If no supervisor is available, the Chief of Police or designee will be notified.
3. Supervisors are encouraged to resolve minor complaints through discussion. If a minor complaint can be resolved to the satisfaction of all persons, the details of the complaint and its resolution will be passed on to the Chief of Police or designee.
4. If a citizen complaint cannot be resolved through informal discussion with a supervisor or is of a serious nature, the supervisor will complete one of the following or a combination thereof;
 - a. If the complaint is received in-person or via telephone, the supervisor will complete the complaint form on behalf of the complainant with as much detail as the complainant provides and forward the form to the Chief of Police or designee.
 - b. If the citizen complaint is received by fax, electronically or in writing, the complaint will be forwarded to the Chief of Police or designee for investigation.
5. When review of citizen complaints shows solely a difference of opinion regarding guilt or innocence of the complainant in the case of a citation or criminal charge, the complainant will be advised that the court system is the proper venue for a decision.
6. Supervisors will notify the Chief of Police or designee in writing of any citizen complaint, even if the complaint is resolved at the supervisor level without a formal complaint form completed. The Chief of Police or designee will be responsible for entering and tracking all citizen complaints.

RESPONSIBLE INDIVIDUAL OR POSITION FOR INTERNAL AFFAIRS [1.9.2]

A. Internal Investigation(s) Procedures:

1. An internal investigation can be initiated for the following reasons, including but not limited to;
 - a. Citizen Complaint - it is determined that the citizen complaint is significant in nature and may result in formal discipline
 - b. Complaint(s) from department employee(s)
 - c. Supervisor/Chain of Command
2. All complaints against the Department or its employees will be investigated, including those that are anonymous. Anonymous complaints will be accepted and investigated to the extent possible.
3. The supervisor of the employee's work unit will be responsible for determining if a formal internal investigation is necessary, and if so, forward the complaint to the Chief of Police or designee.
4. The Chief of Police or designee will assign the investigation or investigate it themselves.
5. All complaints assigned for investigation will be completed within 90 days of assignment unless specific circumstances prevent this from occurring. Extensions must be requested by the investigator and may only be granted upon direct order of the Chief of Police, or a designee.
6. If, during the course of the internal investigation, the investigator reasonably believes the complaint involves a serious policy or procedure violation, use of excessive force, violation of law, violation of a court order or civil rights, the investigator will notify the Chief of Police or designee immediately.
7. The sensitivity and impact of various complaints on the direction and control of an agency require that the Chief of Police receive all pertinent information in a manner that is direct and timely.

COMPLAINANT NOTIFICATION[1.9.3]:

A. Investigation of citizen complaints

1. All complaints assigned for investigation will be completed within 45 days of receipt unless specific circumstances prevent this from occurring. Exceptions may only be granted upon direct order of the Chief of Police, or a designee.
2. Upon receipt of the complaint, the supervisor of the employee's work will investigate the complaint.
3. The assigned supervisor will notify the employee in writing they are the subject of a citizen complaint and the general nature of the complaint.
4. The supervisor will reply to the complainant in writing, advising the complainant that the Department has received the complaint and they will be notified within 45 days as to the outcome of the investigation of their complaint. The supervisor will provide periodic status reports to the complainant when the case extends beyond 45 days.
5. In the event the alleged behavior may warrant criminal prosecution, two investigations will be initiated, a criminal investigation and an internal investigation. The complaint will be forwarded immediately to the Chief of Police for assignment. The two investigations will be kept separate and the criminal investigation will be conducted by an outside agency determined by the Chief of Police or designee.

6. The Chief of Police or designee will inform the complainant in writing of the results of the Department's investigation, upon conclusion.
 7. The Chief of Police or designee will advise the employee in writing of the outcome of the investigation of the complaint upon its conclusion.
 8. The Chief of Police or designee will forward all formal decisions in writing to Office of Human Resources.
- B. Conclusion of Fact Findings: a conclusion of fact will be made by the assigned investigator for each citizen complaint of alleged misconduct. The conclusion of fact is the final result of an analysis of the information. Completed citizen complaint investigations will be classified as follows:
1. Unfounded – when the investigation reveals that the alleged action did not occur.
 2. Inconclusive – where the investigation fails to uncover conclusive evidence in support or denial of the alleged action.
 3. Exonerated – where investigation reveals that the alleged action did occur and was within Department policy and state law and was appropriate.
 4. Founded – when the investigation reveals that the alleged action did occur and was not within Department policy or state law or was inappropriate.

EMPLOYEE NOTIFICATION [1.9.4]

- A. The following identifies when an employee should become notified if subject to a citizen complaint
1. When an employee is notified that he or she has become the subject of an internal affairs investigation, the assigned investigator or designee will issue the employee a written statement of the allegations and the employee's rights and responsibilities relative to the investigation.
 2. Employees who are the focus of an investigation are entitled to representation. Employees who are interviewed as part of a complaint investigation, but are not the focus of the investigation, are not entitled to representation.
 3. All special procedures and examinations will be conducted in accordance with applicable state and federal laws, university policies and regulations, and Department directives, where appropriate.
 4. An employee may be required to submit to medical and/or laboratory examination(s) at the expense of the Department when the examination is specifically directed and narrowly related to a particular internal affairs investigation. Medical, psychiatric, or psychological examinations may be ordered at Department expense and in consultation with Office of Human Resources, if a question exists concerning fitness for duty.
 5. An employee suspected of drug or alcohol use while on duty may be required to undergo breath, blood, and/or urine tests.
 6. An employee under investigation may request, at their expense, a breath, blood, urine, psychological, or truth verification.
 7. Photographs may be taken of an employee for use during the course of an investigation. An employee may be required to participate in a line-up for viewing by citizens for the purpose of identification.
 8. An employee may be required to submit financial disclosure statements when such documents are relevant to a particular internal affairs investigation.
 9. An employee may be required to submit to being audio or video recorded.

10. Property belonging to the agency is subject to inspection at any time. Such property includes, but is not limited to paper and electronic files, desk, vehicles, and lockers.
11. Deception detection devices will only be used in accordance with [Wisconsin State Statute 111.37](#). An employee may request truth verification or other testing, at their expense, if it is believed such an examination would be beneficial to the employee's defense.

B. Disposition and Conclusion of Fact Findings

1. The assigned investigator will review all information and evidence collected during the investigation and will determine whether a possible violation has occurred. The investigator will complete a written report with their findings and forward to the Chief of Police or designee.
2. The Chief of Police or designee will review the report for completeness, and if necessary, return to the assigned investigator for further investigation. The Chief of Police or designee will evaluate the investigator's findings and determine if any corrective action should be taken. The Chief of Police or designee will be responsible for notifying the employee in writing of a pre-disciplinary hearing.
3. At the conclusion of the investigation, the Chief or Police or designee will inform the employee in writing the outcome of the investigation, including any corrective action. This written notification will be completed even when no corrective action is taken towards the employee.
4. When the investigation reveals a violation that requires corrective action, the supervisor of the employee's work unit will confer with the Chief of Police or designee and will begin the process of corrective action. Corrective action will follow University of Wisconsin-La Crosse personnel guidelines.
5. Any corrective action will be conducted in accordance with just cause and the progressive discipline system used by the University of Wisconsin-La Crosse. Consideration will be given to the seriousness of the violation, the extent of injury to the victim, if any, the employee's service record, and the number of or nature of any prior sustained complaints.

MAINTENANCE OF FORMAL DISCIPLINE RECORDS [1.9.5]

1. Copies of all formal written documents regarding the employee's formal discipline will be given to the Chief of Police or designee immediately upon issuing of the discipline. Such documents include but are not limited to: Investigatory Meeting Letters, Pre-disciplinary Meeting Letters, Investigation Reports and Final Discipline Letters.
2. The Chief of Police or designee will maintain written records of all formal discipline in secure personnel files. Access to such files will be restricted to authorized persons.
3. Reviews of disciplinary-related records will be conducted in accordance with all applicable University procedures.
4. The following records will be entered in the employee personnel files: written reprimand, suspension, demotion, and dismissal. Letters of formal discipline up to demotion may be purged from non-supervisory personnel files after five years, provided that no similar performance concerns have occurred during that time. Notation letters document verbal counseling may be purged from all personnel files after one year, provided that no similar performance concerns have occurred during that time.
5. Copies of formal discipline, citizen complaint investigation and/or internal investigation files will only be prepared at the direction of the Chief of Police or designee. The Chief of Police or designee will maintain a record of all copies. Formal discipline, citizen complaint

investigation and/or internal investigation files are confidential and will not be released without the approval of the Chief of Police or designee.

6. In circumstances where a court order or open records request requires a disclosure of formal discipline, citizen complaint investigation and/or internal investigation files to an outside party, the Chief of Police or designee will notify and provide current employees all materials that were ordered by the Court or open records request, that will be disclosed and be given an opportunity to contest the release. No materials will be released without first conferring and receiving the approval of the Chief of Police or designee. Those materials being released will be done so in accordance with open records laws.

ANNUAL REVIEW[1.9.6]

A. Record of complaints

1. The Department will make information available to the public regarding procedures to be followed in registering citizen complaints or commendations towards the Department or its employees. Contact information for registering or filing a citizen complaint or commendation will be listed on the Department website.
2. Any employee receiving a request from the public on procedures to be followed in registering citizen complaints or commendations will provide that person with the information. An employee not familiar with such procedures will refer the requesting individual to a supervisor for an explanation of the procedures.
3. The Chief of Police or designee will manage the citizen complaint process. Any designee will have direct access to notify the Chief of Police of complaints against the department or its employees.
4. When complainants send written materials, the Chief of Police or designee will maintain records of all written materials involving citizen complaints. These files will be securely maintained
5. Copies of citizen complaint investigation files will only be prepared at the direction of the Chief of Police. The Chief of Police or designee will maintain a record of all copies. Citizen complaint investigation files are confidential and will not be released without the approval of the Chief of Police.
6. The Chief of Police or designee will compile annual statistics based upon records of citizen complaint investigations and commendations. These statistics will be made available to the public and Department employees on the Department website.
7. Annual statistical information on all citizen complaints investigations will consist of statistics only; names or other specific details will not be included in the compilation of statistics. This statistical information will include the number of citizen complaint investigations and the conclusion of facts.

B. Internal Investigation Records

1. The Chief of Police or designee will maintain records of all internal investigation files. These files will be securely maintained. If an open records request is made or court order issued, copies of internal investigation files will only be prepared at the direction of the Chief of Police or designee. The Chief of Police or designee will maintain a record of all copies. Internal investigation files are confidential and will not be released without the approval of the Chief of Police or designee.

2. The Chief of Police or designee will compile annual statistics based upon records of internal investigations. These statistics will be made available to the public and Department employees on the Department website.
3. Annual statistical information on all internal affairs investigations will consist of statistics only; names or other specific details will not be included in the compilation of statistics. This statistical information will include the number of internal investigations and any corrective actions taken.

CORRECTIVE ACTIONS AND FORMAL DISCIPLINE

- A. The necessity and authority of management to enact appropriate corrective action for its employees is recognized pursuant to federal and state laws, including the Wisconsin State Statute's Law Enforcement Officers' Bill of Rights, department policies, rules, and regulations. Emphasis should be placed on preventing situations requiring formal disciplinary actions through effective employee-management relations. The system of corrective actions is based upon the determination of whether or not employee behavior considered for corrective action was the result of an accident, a mistake, or an intentional act of wrongdoing. University employees may be disciplined for violation of Work Rules for University Employees if there is just cause. In most instances, a progression of corrective actions will be applied in an effort to reinforce appropriate behaviors with an employee.
- B. Department Corrective Action and Discipline:
 1. Remedial training may be employed by itself or in conjunction with one or more of the other components of the corrective action system. Remedial training as a function of corrective action strengthens an employee's performance by improving employee productivity and effectiveness using positive and constructive methods. Employees are required to diligently maintain an acceptable level of competence in the performance of their duties. Employees' acts that are committed because the employees either misunderstood procedures or were never made aware of the correct action are indicators of training needs. These needs may be corrected by remedial training programs. Supervisors are required to identify any shortcomings, deficiencies, or lack of sufficient knowledge in their employees' job performance. When appropriate, training recommendations will be made based on those areas identified.
 2. The purpose of coaching is to allow the supervisor the opportunity to bring to the employee's attention to the need for the employee to improve his or her performance, work habits, behavior, or attitude and to serve as education against further unsatisfactory conduct. The supervisor should use the occasion to identify and define the area needing improvement and inform the employee as to how much improvement can be realistically achieved. The supervisor involved will record in the employee's performance evaluation instances when coaching rises to the level of a performance improvement plan or formal letter of work expectations.
 3. Formal discipline beyond coaching as a component of the department's corrective action system may be employed in conjunction with the remedial training. In all cases in which formal discipline is employed, the coaching component will also be employed. Formal discipline generally will be imposed in a progressive manner from minimum to maximum. Depending upon the seriousness of the infraction, formal discipline may be imposed up to the maximum. In all formal discipline actions, the following criteria will be used to determine the appropriate level of disciplinary action: the seriousness of the incident, the circumstances surrounding the incident, the employee's disciplinary records, the employee's work performance, the overall negative impact on the Department caused by the incident, the probability that future similar problems will occur, and the length of the employee's employment. Formal discipline may include the following:

- a. A written reprimand. A formal letter to an employee concerning misconduct, unacceptable performance, or repeated lesser infractions. The reprimand is placed in the employee's personnel file. Written reprimands can be issued by the supervisor, Chief of Police or designee.
- b. Suspension. A temporary enforced absence from duty in a non-pay status imposed for significant misconduct or repeated lesser infractions. This action cannot be taken without prior notification and approval from the Chief of Police or designee. Only the Chief of Police or designee may issue an order of suspension.
- c. Demotion. A reduction in rank, job classification, or pay grade and/or step. Demotion is only exceeded by termination in its severity. Demotion is categorized as voluntary or involuntary. Voluntary demotion is a voluntary reduction in pay, or a requested transfer that is accompanied by a signed statement. Involuntary demotion may be utilized in circumstances in which a member exhibits unsatisfactory performance or personal conduct in one position but shows potential for becoming a productive member in another position. It may be used as an alternative to dismissal. Only the Chief of Police or designee may issue an order of demotion.
- d. Dismissal. Termination of employment for conduct clearly demonstrating an unwillingness or refusal to perform to Department standards or other employee acts of a nature that would warrant dismissal. This action cannot be taken without prior notification and approval from the Chief of Police or designee. Only the Chief of Police or designee may issue an order of termination.
- e. Any employee subjected to formal discipline beyond coaching will receive the following information in a timely manner:
 - i. The reason for the disciplinary action.
 - ii. The scope or type of disciplinary action.
 - iii. The effective date of the disciplinary action.
 - iv. Employee appeal and hearing rights.

C. Supervisor Role(s) in Corrective Actions:

1. Initiating corrective action is primarily the responsibility of the first line supervisor.
2. All types of formal discipline will be documented and involve the employee's chain of command.
3. Supervisors will provide complete information and associated documentation to the Chief of Police or designee as soon as the formal disciplinary investigation is initiated and when it is completed.
4. The Chief of Police or designee will document formal discipline in the employee's personnel file. The Chief of Police or designee will maintain the official department discipline record and ensure documentation of written reprimands, suspensions, and terminations are copied to the appropriate chain of command and to Workforce Relations in the Office of Human Resources.
5. Supervisors will also follow UW-La Crosse Policy regarding discipline which is located in UW-La Crosse Workplace Expectation and Disciplinary Guidelines Policy.

6. Supervisory and administrative personnel should understand and appreciate the crucial role they possess in the corrective action process. As leaders within the organization, such persons are responsible for documenting work-related behavior.
7. Supervisory and administrative personnel will observe the conduct and appearance of subordinates and determine when corrective action is warranted. Early detection of poor habits, attitudes, and actions by subordinates may reduce or eliminate the need for any subsequent formal discipline.
8. Supervisory and administrative responsibilities will include the following: training, coaching, and counseling employees; communicating expected standards of performance; developing and implementing policies, procedures, rules and regulations; identifying, rewarding, and correcting performance; documenting pertinent facts in a timely manner; and maintaining secure records systems.

D. Relief from Duty

1. Only the Chief of Police or designee may suspend, demote, or discharge a subordinate. Such action will be in accordance with applicable state and federal laws, university policies and procedures, and department directives, where appropriate.
2. An employee may be temporarily relieved from duty with pay where there is an issue as to his or her physical or psychological fitness for duty or pending the disposition of a citizen complaint investigation and/or internal investigation. When this action is taken, all members of the command staff will be informed.
3. A supervisor will have the authority to relieve a subordinate of duty for the remainder of the work day on paid status when it appears that the employee's continued presence on the job poses a substantial or immediate threat to the welfare of the Department or to the public. Circumstances in which an employee may be relieved for duty for the remainder of the work day may include being under the influence of alcohol or drugs, acting in an insubordinate manner, being mentally and/or emotionally unstable, or neglecting duties. Being relieved for the remainder of the work day will not constitute a suspension, demotion, or discharge.
4. An employee who is relieved of duty will be advised to report to the Chief of Police or designee the following business day. A supervisor who temporarily relieves an employee from duty will immediately notify the Chief of Police or designee and then complete a detailed report by the end of their tour of duty.

E. Appeal Procedures:

1. Appeals of formal discipline actions will be conducted in accordance with the established UW-La Crosse grievance policy. Such appeals will be processed according to employment classification through established grievance procedures.
2. Detailed grievance procedures regarding discipline are outlined in University policies and Office Human Resources references. These references contain detailed information regarding initiation procedures, time limits, recording methods, hearing authorities, and scope of the appeal process.

F. Dismissal Notification:

1. If employee misconduct results in dismissal, the following information will be provided to the employee: a written statement citing the reason for dismissal; the effective date of the dismissal; and a statement of the status of fringe and retirement benefits after dismissal.
2. This directive will apply to all full-time permanent and project employees, including those who are at the entry level in probationary status.

BY ORDER OF

A handwritten signature in black ink, appearing to read "Allen Hill", is positioned above a horizontal line.

Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

2.2

| | |
|--|--------------------------------|
| Subject Grievance Procedures | WI Statute 36.115(4) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 2.2.1-2.2.2 |
| Comments: | |

I. INDEX

2.2.1 GRIEVANCE PROCEDURE

2.2.2 GRIEVANCE COORDINATION AND CONTROL

II. POLICY

The UW- La Crosse Police Department shall develop policies to ensure that personnel actions are fair and that open lines of communication exist. Employees are encouraged to promptly discuss with their supervisor any work-related problems. Once identified, most problems can be resolved in a direct and open manner.

III. DEFINITIONS

Grievance refers to a written complaint filed against the employer by an employee regarding disciplinary action taken against the employee, dismissal of the employee or perceived unfair application of policy or procedure towards the employee.

IV. PROCEDURE:

GRIEVANCE PROCEDURE [2.2.1]

A. The following shall describe and govern Department grievance procedures:

1. Supervisors and employees are expected to resolve problems as they arise and should work to informally resolve grievances, if possible. However, it is recognized that there may be grievances that may only be resolved after a formal review and appeal.
2. An employee or group of employees may file a grievance through the department's grievance procedure. Criteria for permanent and project employees to file a complaint are detailed in the University of Wisconsin-La Crosse's Grievance Policy.
3. Grievances shall be initiated using the appropriate grievance form(s) designated by the University of Wisconsin-La Crosse's Office of Human Resources.
4. Grievances shall be processed according to employee classification, with procedures outlined in respective manuals and/or agreements. Detailed grievance procedures are contained in the University of Wisconsin-La Crosse's Grievance Policy. Controlling procedural language establishes a grievance procedure that includes identification of the matters that are grievable (scope) and the levels in the agency or government to which grievances may be filed and/or

appealed; establishment of time limitations for filing or appealing a grievance to the next level; a description of the type of information to be submitted when filing grievances; establishment of procedural steps and time limitations at each level in responding to the grievances or appeals; and establishment of criteria for employee representation.

GRIEVANCE PROCEDURE COORDINATION AND CONTROL [2.2.2]

- A. The following shall describe who within the agency has responsibility of grievance procedures
1. The Chief Human Resources Officer or designee shall be responsible for the coordination of all grievance procedures.
 2. The sensitivity of grievance records dictates additional precautions in controlling access to those records. Human Resources personnel shall therefore maintain and control all grievance records in a secure area. Access to such records shall be limited to those persons who possess a legal or vested interest.
 3. Grievance records are confidential and shall not be released without the approval of the Chief Human Resources Officer. Supervisors shall have access to review employee grievance records involving employees under their supervision.
- B. Grievance analysis
1. Department grievances shall be analyzed on an annual basis.
 2. The Chief Human Resources Officer or designee shall be responsible for analyzing grievances, policies and practices. The analysis shall be reviewed by managerial staff, including the Chief of Police.

APPENDIX

- A. Link to the UW- La Crosse grievance form: <https://kb.uwlax.edu/page.php?id=104096>

BY ORDER OF



**Allen Hill
CHIEF OF POLICE**

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

2.3

| | |
|--|-----------------------------------|
| Subject Job Classification | WI Statute 230.09(2)(b) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 2.3.1 |
| Comments: | |

I. INDEX

2.3.1 PERSONNEL RESPONSIBILITIES

II. POLICY

The UW-La Crosse Police Department, in coordination with the University of Wisconsin-La Crosse's Office of Human Resources, shall establish and maintain written job task analyses. The Department shall maintain a job classification plan and written position descriptions for every position. Position descriptions shall be made available to all personnel.

III. DEFINITIONS

Class specification refers to an official statement or guideline about the general duties, responsibilities, and qualifications involved in the kinds of jobs included in the same class. Classification specification defines the nature and character of the work of the class through the use of any or all of the following: definition statements; listings of areas of specialization; representative examples of work performed; allocation patterns of representative positions; job evaluation guide charts, standards, or factors; statements of inclusion and exclusion; and such other information necessary to facilitate the assignment of positions to the appropriate classification.

Job classification refers to the grouping of positions or jobs for which duties, responsibilities, qualification requirements, and conditions of employment are sufficiently alike to justify the same treatment with respect to personnel practices and salary.

Job task analysis refers to the systematic examination of all positions with the Department, taking into consideration the duties, responsibilities, and tasks of each position; the frequency with which each task is performed; and the minimal level of proficiency required in the job-related skills, knowledge, abilities, and behaviors.

Position refers to the duties and responsibilities, or work, assignable to one employee. A position may be filled or vacant.

Position description refers to the official statement of general duties, responsibilities, knowledge, abilities, skills, and the functional objective of a job assignment.

IV. PROCEDURE

PERSONNEL RESPONSIBILITIES [2.3.1]

Task responsibilities

- A. The following shall provide guidelines for task analysis:
1. University of Wisconsin-La Crosse's Office of Human Resources staff, in coordination with police management, conducts and maintains task analyses on all University Staff positions within the Police Department. These analyses ensure that accurate and appropriate position descriptions are available and reflective of the job duties, knowledge, skills, and abilities required to effectively perform the work behaviors for the position(s). Task analysis defines the nature and character of the work.
 2. Key elements of the job task analysis include, but are not limited to
 - a. Work behaviors (duties, responsibilities, functions, tasks, etc.) of each position;
 - b. Frequency with which work behavior occurs; and
 - c. Criticality of the job-related skills, knowledge, and abilities.
 3. When evaluating positions, the University of Wisconsin-La Crosse's Office of Human Resources may look at a variety of factors, such as former incumbent's duties, other positions that perform similar duties, and other positions within state agencies. The final classification decision is based on the majority (51% or more) of duties performed and the resulting "best fit" within the existing class structure.

Classification plan

- A. The University of Wisconsin-La Crosse has developed a written classification plan that includes, at a minimum, the following elements:
1. Categorization of every job by class on the basis of similarities, duties, responsibilities, and qualification requirements;
 2. Class specifications;
 3. Provisions for relating compensation to classes; and
 4. Provisions for reclassification.
- B. The University of Wisconsin-La Crosse's Office of Human Resources maintains the written classification plan for the Department. This plan facilitates efficient administration, compensation, and equitable treatment of personnel. The classification plan for all positions in the University Staff service is made up of classes described in class specifications and assigned to pay rates or ranges in accordance with the provisions of Wisconsin Statute 230.09(2)(b). Each established classification shall include all positions that are comparable with respect to authority, responsibility and nature of work required. Employment classifications are located on the University of Wisconsin-La Crosse's Office of Human Resources Website.
- C. The provisions for reclassifying or reallocating an employee are found with the University of Wisconsin-La Crosse's Office of Human Resources. Reclassification for classified state government positions are considered a personnel transaction used to allocate or assign a filled position to a different classification when the position has experienced logical and gradual changes to the point at which a different classification becomes more appropriate or when the incumbent has attained the specified education or experience required in a formally defined progression series. Reallocation is another personnel transaction used to allocate or assign a filled position to a different classification based on a number of reasons that are specifically described in the Wisconsin Administrative Code.

Position description maintenance and availability

- A. A written position description of each position in the Department is available to all employees. These position descriptions are made up of several sections that are an end result of a task analysis.

- B. Position descriptions are maintained and made available to all employees by the University of Wisconsin-La Crosse's Office of Human Resources. Position descriptions shall be updated with significant changes in job responsibilities; if there are no significant changes in job responsibilities, there will be a documented review of position descriptions of all employees at a minimum of every four (4) years. The Chief of Police in conjunction with the Office of Human Resources is responsible for ensuring the continued accuracy of position descriptions.

BY ORDER OF



**Allen Hill
CHIEF OF POLICE**

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

2.4

| | |
|---|--|
| Subject Compensation, Benefits, and Conditions of Work | WI Statute 895.46(1), 7.33(4) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 2.4.1-2.4.7 |
| Comments: | |

I. INDEX

2.4.1 COMPENSATION

2.4.2 LEAVE POLICIES

2.4.3 INSURANCE, RETIREMENT, AND OTHER BENEFITS

2.4.4 UNIFORMS/ EQUIPMENTS

2.4.5 MEDICAL EXAMINATIONS

2.4.7 SECONDARY EMPLOYMENT

II. POLICY

The UW-La Crosse Police Department shall document, disseminate, and equitably apply, policies relating to wages. The Department shall also document, disseminate, and equitably apply, policies relating to leave and benefits.

The UW-La Crosse Police Department shall implement procedures for conducting effective candidate screening processes.

III. DEFINITIONS

Disability is defined as the inability “to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment that can be expected to result in death or to be of long - continued and indefinite duration.”

Election official is defined as an individual who is charged with any duties relating to the conduct of an election. This includes poll workers.

Line-of-duty death is defined as the death of an active-duty employee by felonious or accidental means during the course of performing their duties while on or off duty.

Pay range refers to a minimum and maximum dollar amount; pay ranges are expressed in hourly amounts based on official hourly rate rounding for University Staff. Academic Staff pay ranges are expressed in annual salary.

Pay schedule refers to a set of pay ranges to which a set of classifications are assigned.

Survivors refer to the immediate family members of the deceased personnel, to include spouse or partner, children, parents, siblings, fiancée, and/or significant others.

Candidate refers to one who has submitted an application, meets the minimum criteria for the position, and either has been interviewed for the position or been contacted by the personnel office for follow-up after the application.

Emotional stability/psychological fitness examination refers to a professional screening designed to identify candidate behavior patterns and/or personality traits that may prove either harmful to or advantageous for successful job performance.

Probationary period refers to a phase of the selection process represented by some form of conditional employment.

IV. PROCEDURE:

COMPENSATION [2.4.1]

- A. The University of Wisconsin – La Crosse employs a compensation strategy that ensures that the overall compensation program, consisting of both pay and benefits, supports the mission, goals, and business objectives of the state.
- B. The wages program addresses the following areas:
 1. Entry level salaries;
 2. Wage differential within ranks;
 3. Wage differential between ranks;
 4. Wage levels for those with special skills, if any, are referenced in the personnel compensation plan. Special skills are also recognized on the employee performance evaluation, which is considered during the distribution of merit pay increases (if the position is part of the merit pay system);
 5. Compensatory time policy;
 6. Overtime policy;
 7. Provisions of wages augmentation;
 8. Standby/on-call pay.
- C. Each position within the Department is assigned a pay range. Each classification is assigned to a pay range by Relations University of Wisconsin – La Crosse Office of Human Resources. Refer to University of Wisconsin – La Crosse Office of Human Resources Policies which can be found here: <https://kb.uwlax.edu/105772>
- D. Pay provisions are also outlined in the following:
 1. Policy bulletins;
 2. UW-La Crosse Human Resources Policies
 3. UW-System Human Resources Policies
 4. UW–La Crosse Human Resources – Payroll and Benefits.
- E. The department shall comply with the University of Wisconsin–La Crosse Office of Human Resources policy regarding compensatory time and overtime policy referenced here: <https://kb.uwlax.edu/105772>
- F. The Fair Labor Standards Act (FLSA) determines whether a position is eligible for overtime pay. All nonexempt employees shall be granted overtime pay for working more than 40 hours in a week. Within Department practice, non-exempt employees may elect to earn compensatory time instead of overtime pay for working more than forty (40) hours in a week.
- G. Pay rates for University Staff employees are processed on an hourly basis. Increases are governed by the UW-La Crosse Human Resources Policies.
- H. Most employees regularly scheduled to work the hours between 6 p.m. and 6 a.m. or on a weekend may be eligible for shift and/or weekend differential compensation in addition to base wages. To find current shift and weekend differential rates, refer to the UW-La Crosse Human Resources Policies
- I. Pay rates for Academic Staff are processed on an annual basis. Increases are governed by UW-La Crosse’s Office of Human Resources Policies.

LEAVE POLICIES [2.4.2]

- A. Administrative leave applicable to all employees may include but is not limited to military leave, jury and court service leave, or leave pending the outcome of some internal investigations. Current definitions, pay status, and requisite conditions for each provision are addressed in UW-La Crosse Human Resources Policies.
- B. Wisconsin Statute 7.33(4) provides that state employees may act as “election officials” without loss of pay when their election duties occur on a scheduled workday.
- C. University staff employees may request and be granted leaves of absence without pay. The terms and conditions for granting leaves of absence without pay are contained in UW-La Crosse Human Resources Policies are referenced here: <https://kb.uwlax.edu/105772>

- D. Academic staff employees may request and be granted leaves of absence without pay. The terms and conditions for granting leaves of absence without pay are contained in UW-La Crosse Human Resources Policies are referenced here: <https://kb.uwlax.edu/105772>
- E. The University of Wisconsin -La Crosse provides leave time benefits, which includes legal and personal holidays. Provisions are covered in the UW-La Crosse Human Resources Policies which are referenced here
- F. Employees are to report daily before the start of their shift to a supervisor whenever sick leave must be used, unless other mutually agreeable arrangements have been made due to an extended illness or recovery from injury. If no supervisor is available, employees are to report to the officer in charge (OIC).
- G. Employees are subject to UW-La Crosse Sick Leave policies which are referenced here: <https://kb.uwlax.edu/105772>
- H. Employees are subject to UW-La Crosse Vacation leave policies which are referenced here: <https://kb.uwlax.edu/105772>
- I. UWL-PD employees who are classified as University Staff may only carry over 40 vacation hours from the previous calendar year, unless granted approval by the Chief or designee. University staff shall utilize all carry over vacation hours by June 30 of the following year. UWL-PD employees who are classified as Academic Staff may only carry over 40 hours from the previous fiscal year, unless granted approval by the Chief or designee. Academic staff shall utilize all carry over vacation hours by December 31 of the following fiscal year.
- J. Family and Medical leave benefits are made available to department employees if certain criteria is met. Policies and provisions are referenced here: <https://kb.uwlax.edu/105772>
- K. Military leave benefits are made available to department employees, if applicable. Policies and provisions are referenced here: <https://kb.uwlax.edu/105772>

INSURANCE, RETIREMENT, AND OTHER BENEFITS [2.4.3]

- A. UW-La Crosse participates in the State of Wisconsin Retirement System (WRS) managed by The Department of Employee Trust Funds. All permanent employees are required to participate in WRS. Retirement benefits and policies are referenced here:
- B. Insurance plans are made available to employees based upon job classification. Specific details regarding such plans are provided by the University of Wisconsin-La Crosse Human Resources Payroll and Benefits Services. Health benefits and policies are referenced here: <https://kb.uwlax.edu/105772>
- C. UW-La Crosse policies related to the following disability benefits include: Long-term disability (LTDI), Income Continuation Insurance (ICI), Duty Disability, Wisconsin Retirement System (WRS) Disability Retirement, Worker's Compensation and Social Security. Disability benefits and policies are referenced here: <https://kb.uwlax.edu/105772>
- D. Personnel should refer to the University of Wisconsin – La Crosse Human Resources Payroll and Benefits Services for additional information.
- E. UW-La Crosse employees generally have liability protection in accordance with Wis. Statute 895.46(1). The state plan protects employees from liability resulting from their conduct while engaging in their duties as employees, regardless of where the incident occurs, if the employee is acting within the scope of their employment activities and notifies the University immediately of the incident. Legal defense, judgments, or negotiated settlements then become the state's obligation.
- F. Employees receive tuition reimbursement benefits at the discretion of the Department only if there is sufficient budgeted educational reimbursement money. The procedure for tuition reimbursement is as follows:
 - 1. The Department shall accept requests for educational reimbursement during the month of April for classes that would be taken during the following fiscal year. Requests should be turned in to the Personnel Sergeant and must be received prior to the class start date. Requests shall either be approved or denied before the course term starts.

2. Reimbursement monies that were approved but not used during a particular fiscal year shall not be carried over or allowed to be held in standby by any employee. Educational reimbursement money budgeted is for that specific fiscal year only and is subject to change on a yearly basis.
3. University and Academic staff with at least a permanent half-time appointment or greater may take up to up to 18 career-related credits in a calendar year. University and Academic Staff may be reimbursed for up to 100% of tuition and fees upon successful completion of the course at the discretion of the Division. Successful completion of courses graded using the traditional grading scale is defined as earning a grade of C or greater. Accredited institutions of higher education available for reimbursement shall be determined by the employing unit. Career-related coursework is undergraduate or graduate level courses and professional development courses which shall qualify an employee for development within their current position or for advancement within the profession in which the employee is currently working, the current classification or classification series. Exceptions to this requirement may be made at the employing unit's discretion on a case by case basis. Courses for personal enrichment do not qualify for reimbursement. The training or course is generally taken on the employee's own time, using either leave without pay or accrued compensatory time off. Annual leave or make-up time within the same work week may be arranged if the supervisor or chairperson can show that the unit's work shall not be affected adversely.
4. The UW-La Crosse Employee Coursework and Training Assistance Policy describes the request procedure to be completed prior to starting any courses for which reimbursement shall be requested.
5. Tuition reimbursements totaling \$5,250 or more in one calendar year shall be subject to Federal and State tax withholding and reporting regulations.
6. The UW-La Crosse tuition reimbursement policy can be found at <https://kb.uwlax.edu/103684>.

Personnel Support Services

- A. The Department shall provide assistance services to personnel and their families following serious injury to an employee or serious injury or death to an employee's family member. These services may include but are not limited to
 1. Family notifications;
 2. Assisting the family at the hospital;
 3. Supporting the family at the funeral or burial;
 4. Assisting with legal and benefits information;
 5. Providing counseling referrals;
 6. Supporting the family during suspect criminal procedures, if any; and
 7. Maintaining long-term support contact with the family and keeping informed of their needs.
- B. The Chief or designee shall be responsible for initiating contact with an employee or the employee's family following serious injury to an employee or serious injury or death to an employee's family member. The Chief or designee or designee shall provide specific information regarding benefits and services provided by the Department.

Line-of-Duty Deaths

- A. In the event of a line of duty death, the Chief or designee shall be appointed. This assignment works closely with Department Human Resources Personnel and is responsible for
 1. Filing workers' compensation claims and related paperwork;
 2. Presenting information on benefits available to the family;
 3. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions, as appropriate;
 4. Preparing all documentation of benefits and payments due to survivors, to include the nature and amount of benefits to be received and the name of a contact person at each benefit office; and

5. Filing all benefits paperwork and maintaining contact with the family in order to ensure that benefits are being received.
- B. For policies and procedures related to Officer Involved Deaths (OID) and Other Officer Involved Critical Incident (OICI) refer to department directive 6.3.8

Employee Assistance Programs

The University of Wisconsin–La Crosse makes available to employees an Employee Assistance program housed through the Human Resources Office designed to assist in the identification and resolution of concerns or problems (personal or job related) that may adversely affect an employee’s personal or professional well-being or job performance. These personal concerns may include, but are not limited to, health, marital status, family, financial, substance abuse, emotional/stress, and other personal matters. The Employee Assistance Office provides short-term counseling and problem solving for employees.

- A. The University of Wisconsin–La Crosse Employee Assistance Office maintains
1. Written directives describing program services;
 2. Procedures for obtaining program services;
 3. Confidential, appropriate, and timely problem-assessment services;
 4. Referrals to services, either workplace or community resources for appropriate diagnosis, treatment, and follow-up; and
 5. Written procedures and guidelines for referral to and/or mandatory participation.
- B. Supervisors and managers are trained in the following employee assistance services during the State-mandated, University-sponsored supervisor training:
1. Supervisor’s roles and responsibilities; and
 2. Identification of employee behaviors which would indicate the existence of employee concerns, problems, and/or issues that could impact job performance.

Employee Identification

Department personnel shall be issued unique photo identification cards (also containing name and title) that will allow access to University buildings. In addition, vetted employees, full-time, part-time, and temporary, are granted access to the Department via key fobs. These key fobs are individually numbered and programmed to open certain facility doors depending on the person’s position and function. This ID is to be carried or worn at all times during working hours (except by those working undercover), as well as when in the Department facility.

Long-term Military Deployment and Reintegration

The following outlines procedures for employees’ military deployment exceeding 180 days

- A. Employees requiring leave of absence for active military service shall provide the Department advance notice of their intent to take military leave unless advance notice is precluded by military necessity or is otherwise unreasonable considering circumstances.
- B. The employee shall submit a copy of their military orders to their supervisor as soon as reasonably possible along with written notification to include:
1. Anticipated date(s) of mobilization
 2. Commanding Officer’s name and contact information
 3. Name of military ombudsman (or equivalent) and contact information
- C. Department Human Resources Personnel shall serve as the Department and University’s point of contact for the employee.
- D. Out processing of the employee shall be completed by the Department Human Resources Personnel prior to deployment. Out processing shall include an exit interview with information regarding:
1. Employee benefits
 2. Salary continuation
 3. Reintegration procedures upon return
 4. Any other relevant information
- E. The employee shall be responsible for storage of Department owned equipment during deployment.

- F. During the employee's absence, the Department shall provide support to the employee and their family through the Department point of contact.
- G. The Department point of contact shall:
 1. Keep up-to-date status on the employee
 2. Share agency significant events and promotion opportunities with the employee
 3. Keep track of any email and address updates
- H. Prior to returning to full duty, the employee shall meet with Department Human Resources Personnel and the employee's immediate supervisor for a reintegration interview. The interview shall include:
 1. Any updates to the employee's benefits or compensation
 2. Information regarding the employee's work schedule
 3. Information regarding required training, including weapons proficiency, that must be completed, if applicable
- I. Upon return to work, the employee must provide appropriate documentation regarding the amount of military pay received during the leave.

Background Investigations

The following shall govern procedures associated with background investigations:

- A. A background investigation of each candidate for all positions shall be conducted prior to appointment to probationary status. This shall include
 1. Verification of qualifying credentials including education and employment history;
 2. A review of criminal history (to include any investigations or claims regarding sexual assault and/or sexual harassment);
 3. Verification of personal and professional references; and
 4. Review of relevant national or state decertification resources, if available.
- B. The investigation process should routinely involve a home visit with the candidate and his or her family, as well as interviews with neighbors. Interviews with law enforcement authorities, landlords, school officials, financial representatives, and business personnel should be conducted when necessary.

Personnel Conducting Background Investigations

The following outlines the minimum training for background investigators:

- A. Background investigation shall be conducted by the UW-La Crosse Detective or designee. The Detective is responsible for providing the initial training or coordinating the initial training, for a background investigator.
- B. Prior to conducting a background investigation, a background investigator shall be trained in the format of the background investigation report, the required databases to be searched, the work history and educational references to be checked, and organizations or other information determined to be or deemed important.

Background Investigation Records

The following shall govern procedures associated with background investigation records:

- A. Records regarding criminal background checks shall be securely maintained for a period of 7 years after a position has been filled in accordance with Regent Policy 20-19
- B. Criminal background investigation records may be destroyed after 7 years from the time of the position being filled, including the records of the applicant who was hired.
- C. Background records for current employees shall be maintained during their entire employment with the Department.

Deception Detection Devices

The following outlines the prohibition on the use of polygraph or deception detection device testing during the employment process:

- A. The University of Wisconsin-La Crosse Police Department shall not require a polygraph examination or other instrument for the detection of deception during the selection process of candidates.

B. The Department does not utilize any deception detection devices.

UNIFORMS/EQUIPMENT [2.4.4]

- A. All officers must wear, when on duty, the established and approved Department uniform. The uniform shall be supplied by the Department but will be maintained by the officer at the officer's expense. When on duty the uniform shall be maintained and worn properly to display a professional and clean appearance. Excessively worn out or stained uniforms will not be worn and should be presented to the Chief or his designee to be replaced at the Department's expense.
1. All undershirts or t-shirts visible when wearing the department uniform shall have sleeve length no greater than the uniform shirt being worn. The only approved undershirts are un-monogrammed (those parts that are visible) in the color of black, navy blue or white.
 2. Shoes worn on duty shall be a polished black in color.
 3. Proper badges, collar brass and nametags shall be worn on duty at all times. A duty belt (including only approved equipment/accessories) shall be considered part of the uniform and worn when on duty.
 4. When summoned to appear in court, the prescribed uniform of the day shall be worn.
 5. Officers assigned to patrol will wear the Department assigned bullet-resistant vests at all times when on duty.
 6. The Chief may approve special uniform days in which he mandates/directs officers to wear specific types and colors of uniforms to be worn.
 7. Uniform polo shirts maybe worn during training (either by instructors or by trainees) or presentations.
 8. Any hat issued by the Department (with or without) insignia will be considered uniform. Faded, frayed or discolored uniform hats and non-Department issued hats will not be worn on duty.

Disposal of Uniforms:

- A. All uniforms are Department property. They may not be worn when off duty unless coming immediately to and from work. Old worn uniforms that are no longer deemed serviceable for on duty work will be disposed of as follows:
1. Pants and shorts may be thrown away.
 2. All Hats or Shirts with any Department insignia or patches shall have said insignia or patches removed then destroyed. The remainder of the shirts may be thrown away.
 3. Under no circumstances are hats, shirts, or patches to be given, donated or thrown away with Department insignia still attached without approval by the Chief or his designee.

B. Plain clothes

1. Detectives and Command Staff
Shall wear appropriate uniforms for the day or presentable casual business as directed by the Chief or designee. They shall be approved to wear concealed firearms and/or modified duty belts and firearms if they have qualified with them.
2. Officers on Special Duty
May be directed by the Chief or his designee to wear personal plainclothes for special duty. Officers shall be approved to wear concealed firearms and may be directed by the Chief or his designee to wear a selection of duty gear such as vests, radios, and intermediate weapons.

MEDICAL EXAMINATIONS [2.4.5]

The following outlines the necessity for medical examinations for personnel:

- A. Appointment to probationary status is partially made contingent on a police officer or security officer candidate's successful completion of a comprehensive medical examination that employs testing procedures that are valid, useful, job-related, and nondiscriminatory.

- B. The examination to certify the general health of a police officer and a security officer candidate is conducted by a licensed physician associated with a certified organization and designated by the UW-La Crosse Police Department.
- C. Appointment to probationary status for non-sworn personnel, excluding security officers and law enforcement dispatcher, is partially made contingent to a candidate successfully completing a drug screen.
- D. Appointment to probationary status for law enforcement dispatcher is partially made contingent to a candidate successfully completing a drug screen and a hearing examination.

Personnel Record Retention

The following shall govern procedures associated with the retention of medical examinations and emotional stability and psychological fitness testing records:

- A. The Department maintains a report of each examination to ensure that proper procedures are followed and to provide data for research and legal defense. All such records are secured and maintained in accordance with federal, state, and local requirements for privacy, security, and Freedom of Information Act access.
- B. Access to medical records shall be restricted to those persons legally entitled to review the records. These files or records are maintained by the department's HR Advanced Assistant.

Emotional Stability and Psychological Examinations

The following shall govern procedures associated with psychological examinations of candidates for positions:

- A. An emotional stability and psychological fitness examination of each candidate for positions shall be conducted and assessed by a qualified professional prior to appointment to initial hire. The evaluation is conducted by a licensed psychological testing service. The testing service uses procedures that are determined valid, useful, and non-discriminatory.
- B. An interview with a licensed psychologist or other qualified health professional shall be conducted in conjunction with the administration of emotional stability and psychological fitness testing. Such interviews shall be used to determine the emotional stability and psychological fitness of the candidate, as well as to clarify test results.

Sworn Personnel and Probationary Period

The following shall govern procedures associated with probationary periods for sworn personnel:

- A. Permanent status as a police officer requires completion of an 18-month probationary period, during which time performance shall be evaluated. Permanent status may then be granted if performance has been determined to be satisfactory.
- B. The term of probation shall commence on the date of the appointee's original appointment to the Department and shall continue for the period of 18 continuous months.
- C. The probationary period may be extended by the Chief of Police or designee.

Non-sworn Personnel and Probationary Period

The following shall govern procedures associated with probationary periods for non-sworn personnel:

- A. Non-sworn personnel probationary periods shall be in accordance with standards set forth by the University of Wisconsin-La Crosse's Office of Human Resources.
- B. Permanent status to a non-sworn position requires completion of a 12-month probationary period, during which time performance shall be evaluated. Permanent status may then be granted if performance has been determined to be satisfactory.
- C. The term of probation shall commence on the date of the appointee's original appointment to the Department and shall continue for the period of 12 continuous months.
- D. The probationary period may be extended by the Chief of Police or designee.

SECONDARY EMPLOYMENT [2.4.7]

The following shall govern procedures associated with secondary employment:

- A. All personnel are permitted to engage in a secondary employment in addition to their employment at UW-La Crosse Police Department.
- B. All sworn personnel must secure prior agency permission.
- C. All officers must comply with the Department's policies on behavior and activities.
- D. All sworn personnel must receive approval from the Chief of Police before engaging in any secondary employment. Additionally, the Chief has the right to revoke approval at any time if an interference occurs or job performance declines.
- E. All personnel are required to comply with agency policies and processes.

BY ORDER OF



**Allen Hill
CHIEF OF POLICE**

| | | |
|---|------------------------------|------------|
| University of Wisconsin-La Crosse Police Department Policy and Procedure | | 2.5 |
| Subject Performance Evaluations | WI Statute | |
| Effective Date October 1, 2023 | Revised Date | |
| Review Date | WILEAG 2.5.1-2.5.8 | |
| Comments: | | |

I. INDEX

- 2.5.1 ANNUAL PERFORMANCE EVALUATIONS**
- 2.5.2 PERFORMANCE EVALUATION TRAINING**
- 2.5.3 SWORN PROBATIONARY EMPLOYEES**
- 2.5.4 PERFORMANCE EVALUATION COUNSELING**
- 2.5.5 REQUIRED SIGNATURES AND COPIES OF PERFORMANCE EVALUATIONS**
- 2.5.6 CONTESTED EVALUATION REPORTS**
- 2.5.7 RETENTION PERIOD**
- 2.5.8 EARLY INTERVENTION SYSTEMS**

II. POLICY

The UW-La Crosse Police Department recognizes that effective job performance from all employees is essential to achieving its goals and objectives. In order to monitor and measure job performance, the Department shall employ fair and reliable performance evaluation methods.

III. DEFINITIONS

Evaluation refers to determining the value and measure of an employee’s work performance.

Performance refers to actions taken or omitted with regard to specific tasks, assignments, or evaluation criteria.

Rater refers to the supervisor who evaluates the performance of a subordinate employee.

IV. PROCEDURE:

Performance evaluation system

- A. Measurement definitions shall be clearly defined on prescribed rating forms. Key measurement terms and concepts should be addressed during supervisory training sessions.
- B. The Department shall utilize internally developed evaluation forms. Such forms shall be completed in a timely manner, forwarded to appropriate personnel, and stored in secure files.
- C. Raters shall be responsible for evaluating employee performance in an impartial and accurate manner; completing forms in a timely fashion; counseling employees regarding performance expectations, goals, and career development; determining training needs; eliciting input; obtaining

employee and supervisory signatures; providing report copies to employees; and forwarding reports for appropriate filing.

- D. Rater training shall be provided during supervisory training sessions and regularly scheduled supervisory meetings. Such training should include a review of the following: applicable Department and University directives, interview techniques, measurement definitions, form usage, rater responsibilities, confidentiality concerns, and career development opportunities.

ANNUAL PERFORMANCE EVALUATIONS [2.5.1]

- A. A performance evaluation of each employee, with the exception of the Chief of Police, shall be completed and documented at least annually.
- B. Employees should be rated by their immediate supervisors. Annual evaluations shall be based upon the fiscal year.

PERFORMANCE EVALUATION CRITERIA [2.5.2]

- A. Criteria used for performance evaluation shall be specific to the assignment of the employee during the rating period. Tasks of the position, as set forth in the job description, should form the basis for the evaluation. Criteria used to define the quality of work should be descriptive and measurable and provide a characterization of how the work was performed.
- B. The performance evaluation report shall reflect ratings only for job performance observed during the rating period.

SWORN PROBATIONARY EMPLOYEES [2.5.3]

- A. During employment with the UW-La Crosse, performance on the job shall be reviewed and evaluated on a regular basis. Each supervisor is required by State Statute to conduct at minimum an annual performance evaluation for each employee.
- B. Probationary officers shall be rated by supervisory and line personnel in conjunction with established Department field training program procedures.

PERFORMANCE EVALUATION COUNSELING [2.5.4]

- A. Each employee shall receive guidance at the conclusion of the rating period. This guidance shall include results of the performance evaluation just completed, the level of performance expected, rating criteria or goals for the new reporting period, and career counseling relative to such topics as advancement, specialization, or training appropriate for the employee's position.
- B. The immediate supervisor of each employee should provide feedback regarding employee performance. It is critical that counseling of this type include both a review of performance over the prior rating period and, as a matter of fairness to the employee, an indication of the expectations for the upcoming reporting period. However, nothing in this directive should be interpreted as requiring that these items be completed in one single session by the same supervisor.
- C. Raters shall be evaluated by their supervisors regarding the quality of ratings given employees. Such ratings shall be documented through established performance evaluation instruments.
- D. Supervisors should evaluate raters regarding the following: fairness and impartiality of ratings given; uniform application of ratings; participation in counseling rated employees; and ability to implement or apply their respective role in the performance evaluation system.

REQUIRED SIGNATURES AND COPIES OF PERFORMANCE EVALUATIONS [2.5.5]

- A. The rating period for performance evaluations is July 1st to June 30th.
- B. Raters are to make explanatory comments when performance ratings are unsatisfactory or outstanding by providing comments on the narrative portion of the evaluation form.

- C. Each performance evaluation report must be reviewed and signed by the rater's supervisor.
- D. Each employee shall be provided the opportunity to sign and make written comments to supplement the completed performance evaluation report. The signature shall indicate only that the employee has read the report and does not imply agreement or disagreement with the contents. The supervisor shall document an employee's reluctance to sign the evaluation and indicate the reason(s) provided.
- E. A copy of the completed evaluation report shall be provided to each employee.

CONTESTED EVALUATION REPORTS [2.5.6]

- A. An employee may appeal a performance evaluation through discussion with supervisory or administrative personnel. Such a process permits review of the ratings given when protested by the employee. Evaluation documents may only be revised with rater or higher authority approval.
- B. All performance evaluation reports shall become a permanent record in the employee's personnel file.

Notice of unsatisfactory performance

- A. All department employees shall be advised in writing whenever their performance is deemed to be unsatisfactory.
- B. Written notification of unsatisfactory performance shall be provided to employees in a timely manner.

RETENTION PERIOD [2.5.7]

- A. A copy of all university police performance evaluations shall be retained for seven (7) years after leaving the Department.
- B. All copies are housed with the Chief of Police and in the university Human Resources office.

EARLY INTERVENTION SYSTEM [2.5.8]

- A. The following describes the Department early intervention system:
 - 1. The Department has a responsibility to identify and provide assistance to employees whose conduct or behavior adversely affects work performance. The Department shall maintain an Early Intervention System to assist in identifying employees whose conduct or behaviors require intervention.
 - 2. If a supervisor is made aware of any of the following behaviors, it is the responsibility of the supervisor to forward the information to the involved employee's immediate supervisor and the Chief of Police. The supervisor shall advise the Chief of Police the details of the incident in writing before the end of their shift. Such written notification can be by email so long as the necessary information is contained in the email in written form. Behaviors 1 – 5 listed below also require an entry into the Records Management System (RMS) Internal Affairs (IA) module. The RMS form shall be filled out by the Chief of Police or designee.
 - a. Employee injury reports
 - b. Preventable Department vehicle crashes
 - c. Significant or repeated policy violations;
 - d. Founded or repetitive internal or external complaint investigations;
 - e. Use of force incidents wherein the administrative review recommends further review by the chain of command beyond basic coaching;

- f. Unexcused absences (the employee's direct supervisor must review the employee's timesheet prior to or after submittal and be perceptive of patterns);
 - g. Substandard annual or probationary performance reports.
3. The RMS IA module is set to "flag" any employee that receives more than three early warning reports, as listed in 1 – 5 above, within 12 months. If a supervisor is completing an IA module form and a warning "flag" is received, the supervisor filling out the form shall provide the "flag" information to the employee's direct supervisor and second line supervisor for further review.
4. When a supervisor learns of a circumstance or behavior that he or she believes requires intervention, it is the responsibility of the supervisor to notify a manager in his or her chain of command. The manager shall facilitate the Department intervention effort by notifying the work unit's chain of command and the Professional Standards Lieutenant.
5. When conduct or behavior results in a decision by the manager and supervisor to intervene, an intervention strategy must be formulated and documented per appropriate policy (discipline, performance action plan, etc.) One or more of the following strategies shall be utilized:
 - a. Coaching or Counseling;
 - b. Weekly performance reviews with the immediate supervisor.
 - c. Remedial action, from retraining to discipline. (Refer to training or discipline-related directives as appropriate for details);
 - d. Performance action plans;
 - e. Participation in the Employee Assistance Program;
 - f. Medical or family medical leave;
 - g. Fitness for duty evaluation.
6. Once the early intervention system has been initiated, a review of the identified employees shall be submitted to the Chief or Designee for approval.
7. After each review or investigation, the investigating manager shall forward a summary of the incident and all formal documents related to the investigation to Chief of Police for use in the annual evaluation of the department's Personnel Early Warning System.
8. The Chief of Police or designee shall conduct a documented evaluation of the Department Personnel Early Warning System review it annually.

BY ORDER OF



Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

2.6

| | |
|--|------------------------------|
| Subject Promotional Processes | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 2.6.1-2.6.3 |
| Comments: | |

I. INDEX:

2.6.1 PROMOTIONAL ADMINISTRATION

2.6.2 PROMOTION PROCEDURES

2.6.3 ANNOUNCEMENT OF PROMOTIONAL OPPORTUNITIES

II. POLICY:

The UW-La Crosse Police Department shall ensure that all promotion-related activities are conducted in accordance with applicable federal laws, state statutes, and University regulations.

III. DEFINITIONS:

Assessment center refers to a standardized evaluation of behavior based upon multiple sources of input and using trained assessors and multiple techniques. Judgments about behavior are made from specifically developed assessment exercises designed to measure the participant’s performance in specific job-related tasks and situations.

Command level interview refers to a portion of the interview process in which a member or members of the Department’s command staff are present interviewing the promotional applicant.

Eligibility list refers to an inventory of prequalified candidates (in rank order) who have been assessed in a staffing action and are qualified to fill future vacancies.

IV. PROCEDURE:

PROMOTION ADMINISTRATION [2.6.1]

- A. The Department encourages its employees to seek advancement in position and rank, consistent with qualification and experience. The Department shall document the basis for each promotion decision.
- B. The authority and responsibility for employee promotions shall be shared by the Department and University of Wisconsin–La Crosse Office of Human Resources (OHR.) Activities associated with promotion shall be conducted in accordance with applicable federal laws, state statutes, and University policies.
- C. The Directors of Diversity, Equity, and Inclusion assists and consult the Department during promotional process. The Chief of Police retains the right to assist in all phases of the promotional process as well as development of the measurement instruments that are used in determining the skills, knowledge, and abilities of employees for the position. The Chief of Police or designee has primary responsibility of selecting assessors, when used, to oversee oral interviews and has final approval for candidates recommended.

Department Authority and Responsibility

- A. The Directors of Diversity, Equity, and Inclusion are responsible for coordinating personnel processes, including the promotional process. Duties associated with this responsibility include but are not limited to identifying specific department needs, overseeing promotional activities, and

serving as a liaison with outside agency personnel, communicating with applicants, and maintaining secure records.

- B. The Chief of Police or designee is responsible for coordinating the selection process for Management level positions.
- C. The Chief of Police is ultimately responsible for promotional process-approval and promotion decisions. At the conclusion of a promotional process, the Chief or designee may select an individual for promotion based upon their leadership ability, performance record, knowledge, and skills. However, nothing in this section shall be so interpreted as to indicate that a position must be filled at the conclusion of the promotional process.

PROMOTION PROCEDURES [2.6.2]

- A. The promotional process for personnel may include but is not limited to the following:
 - 1. The method of application;
 - 2. Application material screening based on pre-determined criteria.
 - 3. A written examination administered by Department personnel. The content of this examination shall be designed to measure knowledge regarding constitutional law, assigned readings, and other job-pertinent measures;
 - 4. An assessment center used to identify the candidate's knowledge of applicable laws, rules, policies, procedures, etc.;
 - 5. An oral interview to be conducted by a diverse panel that may be comprised of Department employees and/or representatives from the community or an outside agency;
 - 6. A command-level interview, which shall be conducted prior to an appointment to probationary status;
 - 7. A presentation on a job related topic; and/or
 - 8. A review of employment history by the Chief of Police or designee. This review may include an analysis of performance evaluations, letters of commendation, memos, letters of counseling and reprimand, education training records, and other pertinent information. The review will consider the area of supervisory ability, job performance, productivity, work history, attendance, disciplinary action, and other relevant information.
- B. The evaluation and selection of personnel for promotion includes the identification of employees who possess the strongest knowledge, skills, and abilities relevant to the position. During the promotional process, supervisors and management team members may perform a written evaluation of each candidate based upon his or her promotional potential. Evaluations are based upon an assessment of the individual's skills, knowledge, and ability in relation to the position for which he or she is applying. The evaluations shall be compiled and forwarded to the Chief of Police for inclusion in the process.
- C. The Chief of Police shall make promotional results available upon request to applicants by personal appointment, advising each candidate as to their standing, and counseling each as to appropriate career development needs and means to improve potential for promotion.
- D. The Department shall encourage and provide support to unsuccessful candidates in developing their leadership knowledge, skills, and abilities through mentoring, broadening career experience opportunities, and training when reasonable staffing and funding exists.
- E. Candidates may review and appeal their respective results for each promotional element. Such requests shall be made in a timely manner. Candidates may informally review their respective results for any promotional element with the Chief of Police and/or the designee. Candidates may also formally appeal their respective results for any promotional element through established University procedures. At a minimum, the following may be part of an appeal process:
 - 1. A review of the written examination relevance;
 - 2. A review of the written results of score elements of the selection process; and
 - 3. A review of promotion-potential reports used in the selection decision.

- F. Unsuccessful candidates may reapply, be retested and/or be reevaluated for any subsequent promotional opportunities. Candidates interested in reapplication shall follow the established procedures for the promotional process.
- G. The Chief of Police shall determine eligibility for vacancies for which lateral entry is permitted. To be considered eligible, such candidates shall possess at least the minimum experience and education requirements outlined in the applicable job description.
- H. Promotional testing materials are stored in a secure area when not being used. Only those persons authorized by the Chief of Police shall have access to the materials.
- I. Sergeants will be appointed and will serve at the discretion of the Chief of Police.

Job-related and Non-discriminatory Practices

- A. The promotional process provides an equal opportunity for personnel to be considered for promotion based upon testing components and procedures tailored to meet the needs of the Department. The testing components shall be job-related and nondiscriminatory.
- B. Written tests used in sworn promotional examinations are constructed based on police texts, which are deemed job-related for the position.
- C. Oral interviews are conducted to elicit information and responses that are specifically job-related. Assessment centers are conducted based on job-related tasks for the promotional position. The OHR may conduct a validation of the testing elements during a process review.

ANNOUNCEMENT OF PROMOTIONAL OPPORTUNITIES [2.6.3]

- A. The Department shall provide employees with a written electronic announcement of the promotional process. Announcements shall be posted prominently and in a timely fashion.
- B. Written electronic announcements should include a description of the position or job classification for which the job vacancy exists, including the salary range and duties, responsibilities, skills, knowledge, and abilities required. In addition, written announcements should also include a description of the promotional process, which should include the expected duration of the entire process; the format, length, and duration of the written examination, if any; a summary of the role of the oral interview; and a description of the assessment center, if any. Eligible top-rated candidates shall be moved on in the promotional process.

Eligibility Lists

- A. At the discretion of the Chief of Police, the Department can request approval from OHR to utilize an established applicant pool for an eligibility list. The use of the eligibility list shall be dictated by the number of candidates available, the time elapsed since the process was completed and the number of vacancies.
- B. Once all eligible personnel have successfully completed all phases of testing, the Chief of Police or designee may establish a list of eligible candidates. The standard eligibility list is six (6) months, and the department has the discretion and ability to request to extend this list to up to a year, per OHR approval. Criteria and procedures for the development and use of eligibility lists include the following:
 1. Qualified applicants compete in the selection process and are rated during each phase based upon performance score.
 2. An eligibility list for the position is prepared by the Directors of Diversity, Equity, and Inclusion after the process has been concluded. Candidates on the eligibility list are ranked in order of performance;
 3. The Chief of Police or designee may select the candidate to be promoted from the eligibility list for the duration of the list; and
 4. Promotions are announced by the Chief of Police or designee. The selected candidate shall receive a letter stating an effective date for the promotion and starting wage.

Initial Review Period Required

The following shall govern procedures associated with probationary periods for newly promoted personnel:

- A. Probationary periods for employees in supervisory or management positions at the UW-La Crosse Police Department are for up to a duration of 1 year as approved by the OHR. These positions include sergeants or the Detective.
- B. Probationary periods may be extended due to inability to fully evaluate performance, due to absence, disability, or modified duty, or as approved by OHR and provided in writing to the employee with the extension and justification.
- C. During the probationary period, the supervisor has a responsibility to provide the newly promoted employee with performance expectations, feedback, resources, and support in order to assist the employee in meeting the goals and expectations of the position. Progress towards these goals should be reviewed during discussions between the supervisor and employee. Managers/supervisors should, at a minimum, conduct a mid-point feedback and coaching conversation approximately midway through a new employee's probationary period.
- D. The probationary period for a newly promoted employee may be ended early, based on performance, at the discretion of the Chief of Police or designee. However, newly promoted employees must serve a minimum of a 6-month probationary period as required by OHR.

BY ORDER OF



**Allen Hill
CHIEF OF POLICE**

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

3.1

| | |
|--|------------------------------|
| Subject Recruitment | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 3.1.1-3.1.2 |
| Comments: | |

I. INDEX:

3.1.1 EQUAL EMPLOYMENT OPPORTUNITY

3.1.2 JOB ANNOUNCEMENTS

II. POLICY:

The UW-La Crosse Police Department shall develop and maintain a recruitment program in an effort to recruit the highest quality candidates. Personnel who conduct recruitment activities shall be trained in the various personnel components of the recruitment effort.

III. DEFINITIONS:

Applicant refers to any person who applies or makes a formal application for employment.

Equal employment opportunity refers to the provision of equitable opportunities for employment and conditions of employment to all employees regardless of race, creed, color, sexual orientation, age, gender, religion, national origin, or physical impairment.

Recruitment activities refer to a systematic method of seeking potentially qualified job applicants.

Recruitment plan refers to a written plan for actively recruiting underrepresented populations. A recruitment plan assumes that the agency is doing more than just fairly implementing its selection procedures and instruments.

Selection criteria refers to rules, standards, procedures, or directives upon which a judgment or decision concerning employment can be based.

IV. PROCEDURE:

EQUAL EMPLOYMENT OPPORTUNITY [3.1.1]

- A. The Department shall actively recruit with the purpose of establishing eligibility for filling sworn and non-sworn positions as they become available.
- B. Suggestions regarding possible candidates shall be forwarded to the Chief of Police. Recruitment announcements should be posted. Personnel should encourage qualified candidates to apply.
- C. The Chief of Police is responsible for working in conjunction with the University of Wisconsin-La Crosse's Office of Human Resources to perform the following activities to support the agency's recruitment goals:
 1. Conducting personal interviews with and providing information to potential candidates;
 2. Notifying civic organizations of vacancies;
 3. Participating in job fairs and/or career days;
 4. Working with community organizations and key community leaders;
 5. Maintaining liaison with the faculty of the University of Wisconsin-La Crosse and other colleges that are involved in criminal justice education;
 6. Making presentations to local schools and organizations that express an interest in the criminal justice field; and
 7. Posting application information on the Internet.

Assignment/Recruitment

Individuals assigned to recruitment activities shall be informed of position vacancies and hiring processes and shall be trained in equal opportunity as it affects the management and operations of the agency. Personnel who represent a diverse workforce shall be actively included in recruitment activities, whenever possible.

- A. Employees involved in recruitment activities shall receive training as it relates to recruitment objectives; such training shall provide knowledge and skills in the following areas: department recruitment needs and commitments; career opportunities, salaries, benefits and training; federal and state compliance guidelines; the community and its needs; cultural awareness; techniques of formal record-keeping systems for candidate tracking; the selection process; recruitment programs of other jurisdictions; characteristics that disqualify candidates; and medical requirements.

Workforce Analysis

- A. The Department prohibits discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline, specialized assignment, religious choice, religious affiliation, race, color, national origin, sexual orientation, gender or gender identity.
- B. The strategy of the Department is to have ethnic and gender composition in the sworn law enforcement ranks in approximate proportion to the makeup of the available workforce in the service community. This goal of achieving demographic representation should be developed using statistical information on the available workforce ethnic and gender composition.

Recruitment Plan

- A. The Chief of Police shall be responsible for developing and maintaining the recruitment plan for the Department. This document shall be reviewed annually or more frequently and updated as needed.
- B. The Department recruitment plan for personnel shall contain the following elements:
 1. A statement of objectives, a plan of action designed to achieve identified objectives, and procedures to periodically evaluate the progress toward objectives and revise or reissue the plan.
 2. Objectives contained within the recruitment plan should be measurable, reasonable, obtainable, and directed toward the goal of achieving a workforce that is representative of the available workforce composition.
 3. Action steps that might be identified in the recruitment plan include, but are not limited to, conducting career-related activities for targeted populations, conducting recruitment activities outside the Department's jurisdiction, and utilizing personnel who are aware of the cultural environment to enhance recruiting efforts.
- C. The analysis shall include the following: progress towards above stated objectives, revisions to the plan as needed, and the demographic data of sworn personnel. The analysis shall be submitted to the Chief of Police for review.

Equal Employment Opportunity Plan

- A. The department shall fully comply with the University of Wisconsin La Crosse's Equal Employment Opportunity Plan and complaint/resolution processes:
<https://www.uwlax.edu/globalassets/offices-services/equity--affirmative-action/uw-lhandbook2015.pdf>

JOB ANNOUNCEMENTS [3.1.2]

- A. Job announcement and recruitment notices for all personnel shall provide a description of the duties, responsibilities, requisite skills, educational level, and other minimum qualifications or requirements.
- B. The Department advertises job announcements and recruitment notices for all job vacancies. The Department job announcements and recruitment notices for entry-level job vacancies shall be posted through electronic, print, or other sources.

- C. The Department shall be advertised as an equal opportunity employer on all applications and recruitment advertisements. The agency should ensure that job announcements do not set standards or criteria that even unintentionally screen out, or tend to screen out, an individual with a disability or class of individuals with a disability, unless the criteria are job-related and consistent with business necessity. Job announcements should not set standards that cannot be specifically supported and should avoid generalities.
- D. Official application filing deadlines shall be advertised on job announcements and recruitment notices.

Posting Locations

- A. The Department shall post job announcements for all personnel with community service organizations and/or seek cooperative assistance from community organization key leaders during recruitment efforts.
- B. To achieve broader dissemination of recruitment material and greater exposure, recruitment information and job announcements should be delivered to organizations that are in regular contact with likely candidates for recruitment.

Contact with Applicants

- A. The University of Wisconsin-La Crosse's Office of Human Resources sends notifications of the receipt of applications to applicants for all positions.
- B. The Department maintains contact with applicants during initial application until their final employment disposition. The Chief of Police or designee sends either hard copy or electronic letters to applicants during the interview process and upon decision of their final employment disposition. Copies of such letters shall be saved in the Personnel records for the corresponding hiring process.

Application Rejection

- A. Applications for all positions shall not be rejected because of minor omissions or deficiencies that can be corrected prior to the testing or interview process. This shall not prohibit the use of a pattern of deficiencies as a basis for rejection.

BY ORDER OF



**Allen Hill
CHIEF OF POLICE**

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

3.2

| | |
|--|--|
| Subject Selection | WI Statute |
| Effective Date <p style="text-align: center;">October 1, 2023</p> | Revised Date |
| Review Date | WILEAG <p style="text-align: right;">3.2.1-3.2.6</p> |
| Comments: | |

I. INDEX:

- 3.2.1 APPLICANT SELECTION AND JOB RELATEDNESS**
- 3.2.2 RECORDS MAINTENANCE/STORAGE**
- 3.2.3 BACKGROUND INVESTIGATIONS**
- 3.2.4 PRE-EMPLOYMENT POLYGRAPH EXAMS**
- 3.2.5 MEDICAL EXAMS**
- 3.2.6 PSYCHOLOGICAL EXAMS**

II. POLICY:

The UW-La Crosse Police Department shall ensure that selection-related activities are conducted in accordance with applicable federal laws, state statutes, and University regulations.

III. DEFINITIONS:

Candidate refers to one who has submitted an application, meets the minimum criteria for the position, and either has been interviewed for the position or been contacted by the personnel office for follow-up after the application.

Job-related refers to a procedure, test, or requirement either predictive of job performance or indicative of the work behavior expected or necessary in the position.

Selection criteria refers to rules, standards, procedures, or directives upon which a judgment or decision concerning employment can be based.

Selection materials refer to all written tests, test scores, answer sheets, study materials, evaluations, ratings, questionnaires, reports, and forms used in the selection process that have a bearing upon the employment decision.

Selection procedures refers to any established method or combination of methods used in any way as the basis for an employment decision.

Selection process refers to the combined effect of components and procedures leading to the final employment decision, including minimum qualifications, education, experience, physical attributes, citizenship, residency, written tests, performance tests, interviews, background investigations, medical exams, polygraph tests, personality inventories, psychological evaluations, veterans' preference, minimum scores, and ranking procedures.

Utility or usefulness refers to an assessment of the practical value of a component of the selection process based upon considerations of validity, selection/appointment ratio, the number of candidates to be selected, and the nature of the job.

Validity refers to proof through statistical data that a given component of the selection process is job-related, either by predicting a candidate's job performance or by detecting important aspects of the work behavior related to the position.

IV. PROCEDURE:

APPLICANT SELECTION AND JOB RELATEDNESS [3.2.1]

The following shall govern procedures regarding elements of the selection process for all full-time permanent personnel:

- A. The Office of Human Resources (OHR) shall provide guidance during the employment selection process. Activities associated with the selection process shall be conducted in accordance with applicable federal laws, state statutes, and University policies. OHR is responsible for administering the University's role in the selection process. Duties associated with this responsibility may include receiving and screening applications, advertising openings with area media, ensuring compliance with University policies, and providing input to the UW-La Crosse Police Department as necessary.
- B. The Chief of Police shall be responsible for administering the Department's role in the selection process. OHR's policies provides guidance in the selection process of interested candidates. The elements and activities of the selection process are determined by the Chief of Police and are subject to change independent of policy.
- C. The UW-La Crosse Police Department Chief of Police or designee administers and coordinates the selection process. This process includes, but is not limited to:
 1. Job posting and advertising;
 2. Review and screening of applicants; following final filing deadline. OHR shall provide an applicant list in accordance with University policy.
 3. Initial level of pre-employment testing; those applicants who have passed the application/examination process and scored within the pre-established guidelines as set forth by the Chief of Police or designee shall be scheduled for a panel interview. Those who have not passed may reapply during the next announcement. The panel members shall be comprised of personnel designated by the Chief of Police or designee and shall conduct formal interviews utilizing questions compiled from job related criteria.
 4. Upon completion of the initial interview process, those receiving a passing score shall be invited to the second level of pre-employment testing. At a minimum, non-sworn candidates shall be scheduled for an interview with a panel comprised of the Chief of Police and/or designee(s). Sworn candidates shall complete an assessment center with simulation exercises. The assessment center is designed to measure dimensions, attributes, characteristics, qualities, skills, abilities, or knowledge specified in the position description. Those receiving a passing score shall be scheduled for an interview with a panel comprised of the Chief of Police and/or designee(s).
 5. Upon recommendation of the Chief of Police or designee, a conditional job offer shall be extended to selected candidate(s.) Offers are extended by telephone or electronic mail, with follow-up letters of confirmation.
 6. A background investigation shall be conducted on each candidate prior to appointment to probationary status to include review of criminal history checks, at least three personal interviews, reference checks, verification of information, financial data, and other requirements.
 7. Pre-employment drug screens shall be conducted prior to initial hire.
 8. Psychological assessment; a psychological screening designed to assess the emotional stability and psychological fitness of each candidate shall be conducted by a qualified psychologist prior to initial hire using valid, useful, and nondiscriminatory procedures.

RECORDS MAINTENANCE/STORAGE [3.2.2]

- A. The Chief of Police or designee shall maintain records of candidates for positions not selected in locked files. To limit access and provide for 24-hour security, Chief of Police or designee shall store selection materials in locked files when not being used. To prevent disclosure of the information within, such materials shall be shredded or otherwise destroyed when retention is no longer required.
- B. Selection materials should not be left unattended unless they are stored in a secure area.

Records Maintenance/Storage- Ineligible Candidates

- A. The Chief of Police or designee shall ensure records of candidates not selected are filed, retained, and disposed of in accordance with federal, state, and local requirements for privacy, security, and freedom of information. Background investigation records for those not selected are maintained on file in accordance with UW-La Crosse Records Retention Schedule.
- B. Records regarding non-selection shall be securely filed by the Chief of Police or designee and/ or otherwise destroyed when retention is no longer required.

BACKGROUND INVESTIGATIONS [3.2.3]

- A. A background investigation of each candidate for a sworn position is conducted prior to appointment to probationary status, and includes at a minimum:
 - 1. Criminal and driving history check;
 - 2. Credentials verification (including work, education, training, and special skills); and
 - 3. A minimum of three (3) personal reference checks
- B. All elements of the process for sworn personnel shall use only those rating criteria or minimum qualifications that are job-related. Candidates shall be evaluated by a selection process that measures the skills, knowledge, abilities, and traits required to perform the job.
- C. The Department shall seek assistance from competent resources to ensure that selection components are nondiscriminatory and meet validity and minimum adverse impact requirements.

Uniform Administration

- A. All elements of the selection process for personnel shall be administered, scored, evaluated, and interpreted in a uniform manner. Elements such as time limits, oral instructions, practice problems, answer sheets, writing forms, and scoring formulas shall be clearly defined and carried out identically for all candidates.
- B. The Department shall comply with all federal, state, and University requirements regarding administering, scoring, evaluating, and interpreting elements of the selection process.

Informing Applicants of Selection Process

- A. At the time of their formal application, candidates for all positions shall be informed in writing of
 - 1. Elements of the selection process;
 - 2. The expected duration of the selection process; and
 - 3. The Department policy on reapplication.
- B. Information on the selection process, duration, and policy regarding reapplication shall be posted on the OHR Website.

Notification of Ineligibility

- A. Candidates determined to be ineligible for initial hire are informed by the Chief of Police or designee in writing within 30 days of such decision.

MEDICAL EXAMINATIONS [3.2.5]

- A. Each candidate for a sworn position must undergo a medical examination and their general health status must be certified prior to appointment to probationary status with the agency.
- B. Qualified medical personnel shall be used for all medical examinations at the expense of the UW-La Crosse Police Department.

PSYCHOLOGICAL EXAMINATIONS [3.2.6]

- A. 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 of probationary status with the UW-La Crosse Police Department.
- B. Qualified professional personnel shall be used for all psychological examinations at the expense of the UW- La Crosse Police Department.

BY ORDER OF

A handwritten signature in black ink, appearing to read "Allen Hill", written over a horizontal line.

Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

4.1

| | |
|--|------------------------|
| Subject Commendations | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 4.1.1 |
| Comments: | |

I. INDEX:

4.1.1 COMMENDATIONS

II. POLICY:

The UW-La Crosse Police Department shall establish a process for recognizing superior and/or exceptional performance throughout the Department.

III. DEFINITIONS:

Commendation refers to an award involving special praise. This includes, but is not limited to, praise reflecting bravery, honor, and respect at the UW-La Crosse Police Department.

IV. PROCEDURE:

COMMENDATIONS [4.1.1]

The following shall govern procedures regarding the commendation process for all personnel:

- A. All commendation requests shall be found on the UW-La Crosse Police Department website under “Compliments/Complaints” referenced here: <https://www.uwlax.edu/police/>
- B. All commendation requests are to be filled out and sent in via the Maxient form that is linked on the UW-La Crosse Police Department Website referenced here: <https://www.uwlax.edu/police/>
- C. Commendations are received by the Chief of Police for review before disbursement to recognized personnel.

BY ORDER OF



Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

4.2

| | |
|---|---------------------------------|
| Subject Disciplinary Procedures | WI Statute 66.0511(3) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 4.2.1-4.2.4 |
| Comments: | |

I. INDEX

4.2.1 DISCIPLINARY SYSTEM

4.2.2 SUPERVISORY ROLE AND AUTHORITY

4.2.3 PUNITIVE ACTION

4.2.4 DISCIPLINARY RECORDS

II. POLICY

The UW-La Crosse Police Department will implement objective and fair procedures for conducting citizen complaint investigations, internal investigations and carrying out corrective actions of its employees. All department investigations will be conducted in order to ensure prompt corrective action is taken when deemed appropriate, training needs associated with the delivery of services are identified, and personnel are shielded to the degree possible from unwarranted criticism pursuant to the discharge of official duties. Any corrective actions taken towards its employees should be fair and unbiased and comply with existing laws and UW-La Crosse policies. All complaints, investigations, and corrective actions will be documented in an organized manner so regular reviews and analysis can be conducted and the department can comply with accreditation standards and open records laws.

III. DEFINITIONS

Corrective Action refers to actions taken by the department to address an employee’s performance or behavior. Such actions may include informal training and coaching or may be formal discipline such as letters of reprimand, suspension, demotion, or termination.

Misconduct refers to wrongful actions by an employee, intentionally or unintentionally, which result from erroneous judgment or a disregard for established policies or procedures.

Citizen Complaint refers to an allegation by an individual that any Department employee has misused authority, acted illegally or unethically, or acted in violation of UWL PD policy, or UW-La Crosse work rules. Any false report is subject to penalty under Wisconsin Statute 946.66.

Formal Discipline refers to actions taken by the department to address a significant problem with an employee’s conduct. Such actions may include letters of reprimand, suspensions, demotions, or terminations.

Internal Investigation refers to the department’s investigation of an employee’s conduct in response to a citizen complaint, a complaint from another department employee, or supervisor observations.

IV. PROCEDURES

DISCIPLINARY SYSTEM [4.2.1]

A. The necessity and authority of management to enact appropriate corrective action for its employees is recognized pursuant to federal and state laws, including the Wisconsin State Statute’s Law Enforcement Officers’ Bill of Rights, department policies, rules, and regulations. Emphasis should be placed on preventing situations requiring formal disciplinary actions through effective employee-management

relations. The system of corrective actions is based upon the determination of whether or not employee behavior considered for corrective action was the result of an accident, a mistake, or an intentional act of wrongdoing. University employees may be disciplined for violation of Work Rules for University Employees if there is just cause. In most instances, a progression of corrective actions will be applied in an effort to reinforce appropriate behaviors with an employee.

Department Corrective Action and Discipline:

- A. Remedial training may be employed by itself or in conjunction with one or more of the other components of the corrective action system. Remedial training as a function of corrective action strengthens an employee's performance by improving employee productivity and effectiveness using positive and constructive methods. Employees are required to diligently maintain an acceptable level of competence in the performance of their duties. Employees' acts that are committed because the employees either misunderstood procedures or were never made aware of the correct action are indicators of training needs. These needs may be corrected by remedial training programs. Supervisors are required to identify any shortcomings, deficiencies, or lack of sufficient knowledge in their employees' job performance. When appropriate, training recommendations will be made based on those areas identified.
- B. The purpose of coaching is to allow the supervisor the opportunity to bring to the employee's attention to the need for the employee to improve his or her performance, work habits, behavior, or attitude and to serve as education against further unsatisfactory conduct. The supervisor should use the occasion to identify and define the area needing improvement and inform the employee as to how much improvement can be realistically achieved. The supervisor involved will record in the employee's performance evaluation instances when coaching rises to the level of a performance improvement plan or formal letter of work expectations.
- C. Formal discipline beyond coaching as a component of the department's corrective action system may be employed in conjunction with the remedial training. In all cases in which formal discipline is employed, the coaching component will also be employed. Formal discipline generally will be imposed in a progressive manner from minimum to maximum. Depending upon the seriousness of the infraction, formal discipline may be imposed up to the maximum. In all formal discipline actions, the following criteria will be used to determine the appropriate level of disciplinary action: the seriousness of the incident, the circumstances surrounding the incident, the employee's disciplinary records, the employee's work performance, the overall negative impact on the Department caused by the incident, the probability that future similar problems will occur, and the length of the employee's employment. Formal discipline may include the following:
 1. A written reprimand. A formal letter to an employee concerning misconduct, unacceptable performance, or repeated lesser infractions. The reprimand is placed in the employee's personnel file. Written reprimands can be issued by the supervisor, Chief of Police or designee.
 2. Suspension. A temporary enforced absence from duty in a non-pay status imposed for significant misconduct or repeated lesser infractions. This action cannot be taken without prior notification and approval from the Chief of Police or designee. Only the Chief of Police or designee may issue an order of suspension.
 3. Demotion. A reduction in rank, job classification, or pay grade and/or step. Demotion is only exceeded by termination in its severity. Demotion is categorized as voluntary or involuntary. Voluntary demotion is a voluntary reduction in pay, or a requested transfer that is accompanied by a signed statement. Involuntary demotion may be utilized in circumstances in which a member exhibits unsatisfactory performance or personal conduct in one position but shows potential for becoming a productive member in another position. It may be used as an alternative to dismissal. Only the Chief of Police or designee may issue an order of demotion.
 4. Dismissal. Termination of employment for conduct clearly demonstrating an unwillingness or refusal to perform to Department standards or other employee acts of a nature that would warrant

dismissal. This action cannot be taken without prior notification and approval from the Chief of Police or designee. Only the Chief of Police or designee may issue an order of termination.

5. Any employee subjected to formal discipline beyond coaching will receive the following information in a timely manner:
 - a. The reason for the disciplinary action.
 - b. The scope or type of disciplinary action.
 - c. The effective date of the disciplinary action.
 - d. Employee appeal and hearing rights.

SUPERVISOR ROLE AND AUTHORITY [4.2.2]

- A. Initiating corrective action is primarily the responsibility of the first line supervisor.
- B. All types of formal discipline will be documented and involve the employee's chain of command.
- C. Supervisors will provide complete information and associated documentation to the Chief of Police or designee as soon as the formal disciplinary investigation is initiated and when it is completed.
- D. The Chief of Police or designee will document formal discipline in the employee's personnel file. The Chief of Police or designee will maintain the official department discipline record and ensure documentation of written reprimands, suspensions, and terminations are copied to the appropriate chain of command and to Workforce Relations in the Office of Human Resources.
- E. Supervisors will also follow UW-La Crosse Policy regarding discipline which is located in UW-La Crosse Workplace Expectation and Disciplinary Guidelines Policy.
- F. Supervisory and administrative personnel should understand and appreciate the crucial role they possess in the corrective action process. As leaders within the organization, such persons are responsible for documenting work-related behavior.
- G. Supervisory and administrative personnel will observe the conduct and appearance of subordinates and determine when corrective action is warranted. Early detection of poor habits, attitudes, and actions by subordinates may reduce or eliminate the need for any subsequent formal discipline.
- H. Supervisory and administrative responsibilities will include the following: training, coaching, and counseling employees; communicating expected standards of performance; developing and implementing policies, procedures, rules and regulations; identifying, rewarding, and correcting performance; documenting pertinent facts in a timely manner; and maintaining secure records systems.

PUNITIVE ACTION [4.2.3]

- A. Only the Chief of Police or designee may suspend, demote, or discharge a subordinate. Such action will be in accordance with applicable state and federal laws, university policies and procedures, and department directives, where appropriate.
- B. An employee may be temporarily relieved from duty with pay where there is an issue as to his or her physical or psychological fitness for duty or pending the disposition of a citizen complaint investigation and/or internal investigation. When this action is taken, all members of the command staff will be informed.
- C. A supervisor will have the authority to relieve a subordinate of duty for the remainder of the work day on paid status when it appears that the employee's continued presence on the job poses a substantial or immediate threat to the welfare of the Department or to the public. Circumstances in which an employee may be relieved for duty for the remainder of the work day may include being under the influence of alcohol or drugs, acting in an insubordinate manner, being mentally and/or emotionally unstable, or neglecting duties. Being relieved for the remainder of the work day will not constitute a suspension, demotion, or discharge.

- D. An employee who is relieved of duty will be advised to report to the Chief of Police or designee the following business day. A supervisor who temporarily relieves an employee from duty will immediately notify the Chief of Police or designee and then complete a detailed report by the end of their tour of duty.

Appeal Procedures:

- A. Appeals of formal discipline actions will be conducted in accordance with the established UW-La Crosse grievance policy. Such appeals will be processed according to employment classification through established grievance procedures.
- B. Detailed grievance procedures regarding discipline are outlined in University policies and Office Human Resources references. These references contain detailed information regarding initiation procedures, time limits, recording methods, hearing authorities, and scope of the appeal process.

Dismissal Notification:

- A. If employee misconduct results in dismissal, the following information will be provided to the employee: a written statement citing the reason for dismissal; the effective date of the dismissal; and a statement of the status of fringe and retirement benefits after dismissal.
- B. This directive will apply to all full-time permanent and project employees, including those who are at the entry level in probationary status.

DISCIPLINARY RECORDS [4.2.4]

- A. Copies of all formal written documents regarding the employee's formal discipline will be given to the Chief of Police or designee immediately upon issuing of the discipline. Such documents include but are not limited to: Investigatory Meeting Letters, Pre-disciplinary Meeting Letters, Investigation Reports and Final Discipline Letters.
- B. The Chief of Police or designee will maintain written records of all formal discipline in secure personnel files. Access to such files will be restricted to authorized persons.
- C. Reviews of disciplinary-related records will be conducted in accordance with all applicable University procedures.
- D. The following records will be entered in the employee personnel files: written reprimand, suspension, demotion, and dismissal. Letters of formal discipline up to demotion may be purged from non-supervisory personnel files after five years, provided that no similar performance concerns have occurred during that time. Notation letters document verbal counseling may be purged from all personnel files after one year, provided that no similar performance concerns have occurred during that time.
- E. Copies of formal discipline, citizen complaint investigation and/or internal investigation files will only be prepared at the direction of the Chief of Police or designee. The Chief of Police or designee will maintain a record of all copies. Formal discipline, citizen complaint investigation and/or internal investigation files are confidential and will not be released without the approval of the Chief of Police or designee.
- F. In circumstances where a court order or open records request requires a disclosure of formal discipline, citizen complaint investigation and/or internal investigation files to an outside party, the Chief of Police or designee will notify and provide current employees all materials that were ordered by the Court or open records request, that will be disclosed and be given an opportunity to contest the release. No materials will be released without first conferring and receiving the approval of the Chief of Police or designee. Those materials being released will be done so in accordance with open records laws.

BY ORDER OF

A handwritten signature in black ink, appearing to read "Allen Hill", is written over a horizontal line.

Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

5.1

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| Subject Use of Force | WI Statute 66.0511(2), 175.44(2), 175.44(5), 175.44(2)(c) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 5.1.1-5.1.11 |
| Comments: | |

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II. POLICY

The UW-La Crosse Police Department recognizes and respects the value of each human life. The primary duty of members of the department is to preserve the life of all individuals, including the lives of individuals who are in the custody of law enforcement. When vesting police officers with the lawful authority to use force to protect the public, a careful balancing of all human interests is required. Therefore, it is the policy of this Department that police officers shall use that force, which is reasonable and necessary to accomplish lawful objectives, stop a threat or bring an incident under control. The application of deadly force is a measure of last resort, only to be employed when an officer reasonably believes all other options have been exhausted or would be ineffective.

III. DEFINITIONS

Administrative Review is a time-sensitive assignment given to a Command Staff member to gather the facts of an incident. It may include but is not limited to reviewing initial written reports and video. The purpose of an administrative review is to determine if there are policy or safety issues that require a more thorough internal investigation, or any violation of law. If an internal investigation is not required, training and procedural recommendations may be made.

Analysis is a review of a critical work product as prescribed by various policies. The purpose of an analysis is to determine trends, identify training needs and summarize a group of events.

Conducted Energy Weapon probes are projectiles launched from an conducted energy weapon (CEW) that uses an electric shock to incapacitate a suspect and are not likely or intended to cause serious injury or death.

Deadly Force is the intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.

Great Bodily Harm means bodily injury that creates a substantial risk of death or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

Law Enforcement Safety Act Identification Card refers to the identification card required for law enforcement officers and described in the U.S.C. Title 18, Chapter 44, Section 926C(1) (d).

Less Lethal Projectiles are projectiles designed to incapacitate a suspect through the use of kinetic energy and are not likely or intended to cause death or great bodily harm.

Non-Deadly Force refers to any use of force other than that which is considered deadly force.

Nonlethal projectiles are projectiles that are launched from launchers and are designed to incapacitate a suspect through the use oleoresin capsicum (OC) powder and are not likely or intended to cause serious injury or death.

Qualified Law Enforcement Officer means an employee of a governmental agency who

1. is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;
2. is authorized by the agency to carry a firearm;
3. is not the subject of any disciplinary action by the agency which could result in suspension or loss of police powers;
4. meets standards established by the agency which require the employee to regularly qualify in the use of a firearm;
5. is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
6. is not prohibited by Federal law from receiving a firearm.

Reasonably Believes means that the actor believes that a certain fact situation exists and such belief under the circumstances is reasonably objective.

Restraints refer to devices such as handcuffs, leg irons, chemical restraints, and other restraints used to stabilize.

IV. PROCEDURES

USE OF FORCE [5.1.1]

Department personnel shall use reasonable force when needed to accomplish lawful objectives. The following procedures shall generally govern the use of force by sworn Department officers:

- A. The use of force by police employees may be necessary in order to enforce the law or in order to protect themselves or others. Police employees' authority to use any force, as well as the degree of force they may employ, is governed by the United States Constitution, Wisconsin statutes, case law, and Department policy. Police officers shall assess each incident in order to determine which technique or weapon shall bring the incident under control. The Department hereby adopts as policy the Intervention Options for police officers as specified by the State of Wisconsin (see Appendix A), except in the more stringent placement of the conducted energy weapon as an impact weapon.
- B. Police are authorized to use Department-approved force techniques and Department-issued or authorized equipment for resolution of incidents in the following situations:
 1. To make a lawful arrest; or
 2. To detain persons reasonably suspected of criminal behavior; or
 3. To defend oneself and others from physical harm; or

4. To prevent escape; and
 5. To gain control of an actively resisting subject.
- C. The United States Supreme Court in *Graham v. Connor* ruled that the use of force by police officers must be “objectively reasonable” and that officers should consider the following factors when considering what level of force, if any, to use:
1. The severity of the alleged crime at issue;
 2. Whether the suspect poses an imminent threat to the safety of officers and/or others; and
 3. Whether the suspect is actively resisting or attempting to evade arrest by flight.
- D. Varying degrees of force may be justified depending on the dynamics of a situation. Police officers must keep this in mind and are permitted to use only the force necessary to accomplish lawful objectives. In every instance where force is to be used, the police employee contemplating the use of force must have:
1. A belief that the use of force in that situation is required AND a belief that the amount of force contemplated is required; AND
 2. Both of these beliefs must be reasonable.

USE OF FORCE REQUIREMENTS [5.1.2]

The following procedures shall govern use of force requirements that include prohibited use of force methods and de-escalation techniques:

- A. All Qualified Law Enforcement Officers are prohibited from using the following techniques:
1. Chokeholds of any kind – except in those situations where the use of deadly force is allowed by law;
 2. Kneeling, sitting, or standing on the neck, head, or chest of an individual. Kneeling on the back or shoulder of a physically combative subject is permissible, but only as long as necessary to place the person into handcuffs and or stop the person from physically assaulting the officer or another person.
 3. “Hogtying,” i.e., restraining a person by handcuffing and tying hands to feet close together behind the back;
 4. Forcing a restrained person to remain handcuffed and lying face down for extended periods of time.
 5. Malicious or empty threats of force or violence.
- B. All Qualified Law Enforcement Officers are allowed to conduct use of force procedures against any individual who fails to comply with lawful commands. Once it is objectively reasonable that a suspect is fully in law enforcements control, then the use of force must terminate.
- C. All Qualified Law Enforcement Officers must be aware of and actively use de-escalation techniques which may include the following:
1. Slowing the situation down;
 2. Creating space for individuals involved;
 3. Asking open-ended questions;
 4. Building a rapport with subjects;
 5. Avoiding the use of weapons

DUTY TO REPORT [5.1.3]

The following procedures shall govern reviewing requirements associated with incidents during which force was either used or alleged to have been used:

- A. A Department police supervisor and/or manager shall conduct a first level use of force review of all reports involving the use of force greater than compliant handcuffing. The review should determine if there are any policy, training, weapon/equipment and/or discipline issues which should be addressed. Any such issues should be immediately forwarded to the Chief of Police or designee for further review.
- B. A department subject matter expert in officer use of force shall then conduct a second level use of force review of all cases involving force greater than compliant handcuffing. This second level review shall assess the use of force in light of department policy and training and determine if any corrections should be made to policy or training. The experts conducting the second level reviews shall notify the Chief of Police or designee immediately if they detect any violations of law or policy during their reviews.
- C. For incidents where a firearm is discharged for other than training or recreational purposes or where the use of force results in serious injury or death, an immediate administrative review shall be initiated.
- D. Any allegation of inappropriate use of force shall be investigated.
- E. All press releases involving incidents in which an employee uses force involving a firearm, or uses force that results in death or great bodily harm of another person, must be approved by the Chief of Police or designee.
- F. The most senior use of force expert or designee shall conduct an annual analysis on use of force activities, policies and practices. The annual analysis shall include the following;
 - 1. Date and time of incidents;
 - 2. Types of encounters resulting in use of force;
 - 3. Trends and patterns related to race, age and gender of subjects involved;
 - 4. Trends or patterns resulting in injury to any person including employees;
 - 5. Impact of findings on policies, practices, equipment and training.
- G. The most senior use of force expert or designee shall conduct an annual review of all assaults on law enforcement officers. This review shall help management determine trends or patterns and make recommendations to enhance officer safety by revising policies or addressing training issues.

DUTY TO INTERVENE [5.1.4]

- A. All personnel have an affirmative duty to intervene if a fellow police department employee is violating any portion of this policy, using excessive force, or involved in any other kind of violation of public trust or criminal action. Intervening is defined as verbal and physical intervention, if necessary, trying to stop said behavior immediately. Those that do not intervene will be held accountable to the same violations as the person committing them. Personnel must also promptly report any excessive force or any other kind of misconduct to a supervisor without delay.
- B. Officers who are losing their level headedness are obligated to allow a colleague to take over the scene. This is preferable to an outburst of emotion that could irreparably damage a career or take a life.
- C. Use of Force will cease once a person is in custody and no longer physically combative.

WHISTLEBLOWER PROTECTION [5.1.5]

- A. No Qualified Law Enforcement Officer may be discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or otherwise discriminated against in regard to employment, or threatened with any such treatment, according to Wisconsin Statute 175.44(5), because the Qualified Law Enforcement Officer reported, or is believed to have reported:

1. Any noncompliant use of force;
2. Intervened to prevent or stop a noncompliant use of force;
3. Initiated, participated in, or testified in, or is believed to have initiated, participated in, or testified in, any action or proceeding regarding a noncompliant use of force;
4. Or provided any information, or is believed to have provided any information, about noncompliant use of force.

DEADLY FORCE [5.1.6]

The following procedures shall govern the use of deadly force by sworn officers:

- A. Police officers may use deadly force only in the following circumstances:
 1. When the police officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of great bodily harm.
 2. To protect the police officer or others from what is reasonably believed to be an imminent threat of death or great bodily harm.
 3. To prevent the escape of a fleeing felon whom the officer has probable cause to believe shall pose an imminent threat to human life should escape occur.
 4. When "Greater Danger" theory applies, firearms shall not be discharged, nor other deadly force used, when it appears likely that an innocent person might be injured, unless the probability exists that a greater danger is posed by the suspect's continued actions toward the officer or other persons.
- B. Where deadly force is justified, an officer may, under exigent circumstances, use available weapons or methods. This should not be construed to permit carrying unauthorized equipment
- C. In the event an officer uses deadly force, Department Directive 6.3.8, Officer Involved Death and Other Officer Involved Critical Incident, shall be followed.

WARNING OF USE OF DEADLY FORCE [5.1.7]

The following shall govern how Qualified Law Enforcement Officers verbally warn the use of deadly force in accordance with Wisconsin State Statute 175.44(2)(c):

- A. A Qualified Law Enforcement Officer may use deadly force only as a last resort when the Qualified Law Enforcement Officer reasonably believes that all other options have been exhausted or would be ineffective.
- B. A Qualified Law Enforcement Officer may use deadly force only to stop behavior that has caused or imminently threatens to cause death or great bodily harm to the law enforcement officer or another person.
- C. If both practical and feasible, a Qualified Law Enforcement Officer shall give a verbal warning before using deadly force.

FIREARMS USE/SHOOTING AT OR FROM A MOVING VEHICLE/WARNING SHOTS [5.1.8] [5.1.9]

The following procedures shall govern the use of firearms by sworn officers:

- A. Police officers are authorized to display and use firearms in the following circumstances:
 1. When deadly force is authorized;
 2. When an officer reasonably believes they might encounter a deadly force situation;
 3. During range practice or competitive shooting;
 4. To destroy an animal that represents a threat to the public safety or as a humanitarian measure when the animal appears to be seriously injured.

- B. Before using a firearm, police officers shall, when feasible, identify themselves.
- C. Police officers shall adhere to the following restrictions:
 - 1. Except for maintenance or during training, police officers shall not draw or exhibit their firearm unless circumstances create a reasonable belief that it might be necessary to use the firearm in conformance with this policy.
 - 2. Warning shots are prohibited.
 - 3. Police officers shall not discharge a firearm from or at a moving vehicle unless no other reasonable option exists and a greater imminent danger to an innocent person(s) is posed by the officer not discharging a firearm. Officers shall not intentionally or recklessly place themselves in the path of a moving vehicle, compelling the need for deadly force.
- D. The following requirements shall be met for the authorized on-duty carry of firearms into the La Crosse County Courthouse:
 - 1. Officers must be on duty and performing official duties;
 - 2. Officers shall wear a visible badge;
 - 3. Officers shall be required to state the nature of their official business;
 - 4. Officers in plain clothes should not expose the firearm to plain view; and
 - 5. Officers shall possess a Department photo ID.
- E. Carrying of firearms into the La Crosse County Courthouse while off duty is prohibited.
- F. Police officers may, at their option, carry a handgun while off duty. While off duty, police officers shall carry only handguns that are on the Department approved duty or off-duty lists.
- G. Officers should use extreme caution when taking prescription medication while armed.
- H. Carrying or using a firearm while under the influence of alcohol is prohibited.

USE OF LESS LETHAL WEAPONS [5.1.10]

The following procedures shall generally govern the use of nonlethal and less lethal weaponry by sworn officers

- A. A police officer shall only use non-lethal weapons or less lethal weapons authorized by the department and only use such weapons or techniques as trained. Officers must be certified in such techniques or weapons if required.
- B. The following are Department issued or authorized equipment or techniques:
 - 1. OC spray;
 - 2. Control Alternatives;
 - 3. Active Countermeasures;
 - 4. Conducted energy weapons;
 - 5. Incapacitating techniques;
 - 6. Baton;
 - 7. Less lethal projectiles.

- C. Where non-lethal or less-lethal force is appropriate, an officer may, under exigent circumstances, use available weapons or methods. This should not be construed to permit the carrying of equipment not authorized by the Department.

Use of Oleoresin Capsicum (OC)

The following procedures shall govern the use of Oleoresin Capsicum (OC) by sworn officers:

- A. Oleoresin capsicum (OC) is an effective restraint that, when used in a manner that is consistent with training, might have the effect of reducing injuries. Oleoresin capsicum is authorized for use by members of this Department. Other chemical agents may be carried or used only at the direction of command staff.
- B. Officers must be trained in the use of OC by an oleoresin capsicum aerosol training instructor.
- C. Officers trained in OC use are authorized to use OC to effect an arrest or control a situation. Oleoresin capsicum shall be used in accordance with Department training and the Intervention Options.
- D. Officers shall take into consideration the location of others before using OC. An officer shall not use OC on a person who is already under physical control.
- E. Oleoresin capsicum is an irritant to many animals. Care must be exercised when police mounted, or canine units are present.

Use of Less Lethal Projectiles for Crowd Control

The following procedures shall generally govern the use of less lethal projectiles during crowd control operations:

- A. Less lethal launch systems and projectiles should only be deployed in crowd control operations after receiving command staff authorization.
- B. If deployment is authorized, the following conditions apply.
1. Only officers trained in the proper use of less lethal projectiles should launch them.
 2. The Department places the use of a less lethal projectile in the “Protective Alternatives” mode on the State of Wisconsin Intervention Options.
 3. The officer launching the less lethal projectile should, if possible, notify other officers in the area prior to launch and without notifying the suspect. This notification is an attempt to avoid the sympathetic use of deadly force options.
 4. The officer employing the less lethal projectile should refrain from using the head, neck, groin and chest areas as a target area for the projectile unless the circumstances dictate it. Appropriate target areas are the lower arms, thighs, buttocks, legs, and abdomen.
 5. A deadly force option should always be available.

Use of Less Lethal Projectiles for Patrol

The following procedures shall govern the use of less lethal projectiles during patrol operations:

- A. Dedicated less lethal launch systems and projectiles are to be deployed for use by sworn personnel subject to the following conditions:
1. The launch systems and projectiles shall be secured and unloaded inside equipped patrol vehicles. Personnel using the patrol vehicle are responsible for the status of the system.
 2. Officers shall remove all weapons from the vehicle should the vehicle need service.
 3. Only officers trained in the proper use of less lethal impact projectiles should launch them, and their use should be consistent with Department training.

4. Officers shall verify each round as being a less lethal round as it is being loaded into the weapon.
 5. Less lethal impact projectiles are not a substitute for deadly force. In a deadly force situation, officers may not arm themselves with a less lethal weapon unless another officer at the scene has the immediate ability to deliver deadly force. Officers armed with less lethal weapons should continuously monitor and evaluate the ability of other officers present to deliver deadly force.
 6. The officer launching less lethal impact projectiles should, if possible, notify other officers in the area prior to launch and without notifying the suspect. This notification is an attempt to avoid the sympathetic use of deadly force options. The officer preparing the less lethal system for use shall verify that each round is a less lethal impact projectile.
 7. The officer employing the less lethal projectile should refrain from using the head, neck, groin and chest areas as a target area for the projectile unless the circumstances dictate it. Appropriate target areas are the lower arms, thighs, buttocks, legs, and abdomen.
- B. The firing of less lethal impact projectiles must be evaluated using the criteria of this policy and the State of Wisconsin Intervention Options. Firing of less lethal impact projectiles at non-vital areas is considered non-deadly force and is considered to be an intermediate weapon. The intentional deployment of less lethal impact projectiles at the face, head or neck is considered deadly force.

Use of Conducted Energy Weapons (CEW)

The following procedures shall govern the use of conducted energy weapons by sworn personnel:

- A. Only officers trained in the proper use of CEWs are permitted to carry them. Trained personnel may deploy a CEW in a manner consistent with their training and for specific tactical situations without supervisory approval.
- B. Authorized officers may carry a CEW on their duty belt. The CEW shall be placed on the belt on the opposite side of the officer's handgun or attached to the reaction side of their external vest carrier. The CEW does not replace the baton for crowd control assignments.
- C. CEWs are not a substitute for deadly force -- an officer should not deploy a conducted energy weapon in a deadly force situation unless another officer at the scene has the immediate ability to deliver deadly force. Officers armed with CEWs should continuously monitor and evaluate the ability of other officers present to deliver deadly force.
- D. The officer deploying a CEW should, if possible, notify other officers in the area prior to launch and without notifying the suspect. This notification is an attempt to avoid the sympathetic use of deadly force options.
- E. CEW deployment must be evaluated using the criteria of this policy and the State of Wisconsin Intervention Options. Deploying of CEW probes is considered non-deadly force, and the CEW is considered a control device, which falls under the "Control Alternatives". There should be no intentional deployment of CEW probes at the face, head, neck, chest, or groin. Deployment of multiple CEWs upon the same subject at the same time should be avoided whenever possible. While multiple activations of a CEW may be necessary to subdue an actively resisting subject, multiple activations with continuous cycling should be avoided whenever possible.
- F. Drive stuns should only be administered in a manner consistent with training.
- G. CEWs may be deployed on fleeing subjects if the immediate circumstances would justify the use of an impact weapon, including directly after a subject has caused injury to someone or actively resisted an officer.

- H. CEWs should not be deployed on a subject who is fleeing for reasons unknown to the officer. Other CEW deployments to be avoided unless exigent circumstances are present:
1. On a handcuffed subject;
 2. On a person operating a motor vehicle;
 3. When features of the location (on stairs or in traffic) increase the risk of serious injury from falling;
 4. If the subject is likely to become submerged in water;
 5. On preteen children; and
 6. On persons who appear elderly, significantly ill, or disabled.
- I. The CEW is prohibited in the following circumstances:
1. On persons whose skin/clothes appear contaminated with combustible substances.
 2. For coercion or intimidation.
 3. To escort or prod subjects.
 4. To awaken unconscious or intoxicated subjects.
 5. Against a subject offering passive resistance.
- J. After each field use, data from the CEW shall be downloaded and saved as part of the case file to document the number of activations.
- K. CEWs can be effective against aggressive animals. Use against animals is permitted. The use of a CEW on an animal should be documented in an incident report.

Use of Handcuffs

The following procedures shall govern the use of handcuffs by sworn personnel:

- A. Handcuffs shall be used in a manner specified in Department training. Handcuffs shall be issued or individually authorized by the Department. Types that are authorized are the following:
1. Metal hinged or linked police handcuffs;
 2. Plastic disposable handcuffs/flex cuffs;
 3. Restraints used at direction of medical personnel.
- B. An officer taking another person into custody has the duty and the responsibility to restrain the detained person in a safe manner and to take proper measures to prevent an escape.
- C. An officer has the authority to handcuff persons in custody for the safety of the officer, other citizens, and the person taken into custody.
- D. If an officer has reasonable grounds to believe that the use of handcuffs is undesirable, the use of handcuffs in instances of physical arrest is not mandatory.

Medical Aid After Use of Weapons/Force

The following shall specify procedures for ensuring the provision of appropriate medical aid after use of deadly force or less lethal weapons, or other use of force as defined by the agency:

- A. After OC has been used on a suspect and the suspect is under control, the officer shall assess the welfare of the person. If symptoms from the application of OC persist beyond forty-five minutes, the person should be evaluated by medical personnel. Initial treatment for a person affected by aerosol chemical restraints shall include the following:

1. Verbally reassure the person;
 2. Advise the person to remain calm and to try to breathe normally;
 3. Do not make the person lie face down for extended periods of time;
 4. Watch the person closely until the effects have worn off.
 5. If circumstances permit and the following can be safely achieved, the officer shall:
 - a. Remove the person to an area of fresh air and, if possible, face him or her into the wind;
 - b. Allow the person to flush the affected area with cool water or soap and water;
 - c. Allow a person wearing contact lenses to remove them;
 - d. Advise the person to not rub the affected area.
- B. All persons taken into custody who have been struck with a less lethal impact projectile shall be conveyed to a medical facility for a medical clearance.
- C. Officers shall evaluate all persons on whom a CEW has been deployed and provide for emergency medical attention if needed or requested. If CEW probes have penetrated the face, head, neck, groin, or a female's breast, the subject shall be conveyed to a medical facility for probe removal and medical clearance. If the probes are imbedded in other non-sensitive tissue areas, a trained officer may remove them according to the trained procedures.
- D. A suspect struck with a less lethal projectile should, if feasible, be medically cleared by medical personnel as soon as possible after a less lethal projectile is used.
- E. Whenever a person is injured as a result of force applied by an officer, or during the course of apprehension, officers on the scene shall immediately provide first aid and request medical assistance, if necessary, for the injured person as soon as circumstances allow for aid.
- F. Officers must be aware that there is a risk of sudden death in people with symptoms associated with Excited Delirium. Excited Delirium is a life-threatening medical emergency. Some behavioral characteristics suggestive of Excited Delirium include: inappropriate shedding of clothes; excessive strength; bizarre actions; incoherent shouting; combativeness; aggression; hyperactivity; extreme paranoia; hallucinations; shivering; and profuse sweating. Street drugs implicated in the development of excited delirium include: cocaine, amphetamines, methamphetamine, PCP and LSD. When a combination of these characteristics is viewed by an officer, EMS should be called as early in the contact as possible due to the life-threatening nature of Excited Delirium. When a combination of these characteristics is viewed by an officer, EMS should be called as early in the contact as possible. Though treatment decisions shall not be made by police, officers should be aware of the following details; the individual should be transported for definitive medical evaluation. The person should be placed in a non-prone position as soon as possible. Hobble-type restraints should be avoided. Officers should advise medical personnel of the need for continuous cardiac, oxygen, blood sugar, and temperature monitoring on any individual with the noted symptoms as soon as possible. The cessation of struggling should be viewed as ominous and prompt reevaluation should occur.

Report on Use of Force

The following procedures shall govern reporting requirements associated with incidents during which force was either used or alleged to have been used:

- A. When any of the following occurs, information concerning the use of force must be verbally reported to the shift OIC during the shift and included in the incident report:

1. A firearm or CEW is discharged for other than training or recreational purposes;
 2. An action is taken that results in, or is alleged to have resulted in, injury or death;
 3. A nonlethal weapon, less lethal, or lethal weapon is used on a person;
 4. Restraint beyond compliant handcuffing is used on a person.
- B. An incident report shall be used to document all pertinent details, to include the following: date, time and location of the incident; arrestee, witness and suspect information; actual resistance encountered; force used by the officer to overcome the resistance; weapons used; actual or alleged injuries to either the officer or the suspect; and pictures or other documentary evidence of any injuries received.

Department-Authorized Weapons/Ammunition

The following shall specify Department-authorized weapons and ammunition:

- A. The Department establishes strict control over all firearms, weapons, and ammunition it allows members to carry and use in the performance of their official duties, both on and/or off duty. Clear guidelines are established for the exact types and specifications of each category of weapon, including specialized weapons used by members of the Department.
- B. The Department has established an approval process for all weapons. Each weapon should be identified, meet the established criteria, and be safe and in good working order. The user should demonstrate his or her proficiency in using the weapon on a Department- approved qualifying course before being permitted to carry and use the weapon. A certified instructor or armorer should inspect and approve the weapon and oversee the proficiency testing. The Training Unit shall verify usage of authorized weapons at each in-service and shall maintain a record of training with each weapon. The Training Unit shall also maintain a complete record of all approved weapons.
- C. Department-approved firearms, less lethal weaponry, and ammunition are listed in Appendices B and K of this manual.
- D. Firearms, whether owned by an officer or the Department, shall be in the control of an officer or properly secured. If an unsecured firearm is discovered by a police officer, he/she shall secure it; if it is discovered by non-sworn personnel, the staff member shall contact a police officer.

Weapons Qualifications/Proficiency

The following requires the need for proficiency in the use of Department-authorized weapons for an officer to be authorized to carry them:

- A. Carry of Department approved weapons is authorized when a sworn employee meets the following conditions:
 1. Has demonstrated proficiency;
 2. Is currently qualified;
 3. Has received Department training on proper safe usage; AND
 4. Authorization and qualification are on file with the Department.
- B. Police officers shall carry only firearms, less lethal weaponry, and ammunition authorized by the Department for duty use and are prohibited from carrying more than one handgun.
- C. Wisconsin Statute 165.85(4)7c requires that sworn personnel shall qualify annually with a handgun on a course specified by Training & Standards.
- D. The Training Unit is responsible for maintaining and forwarding qualification records to Training & Standards.

ANNUAL USE OF FORCE POLICY TRAINING [5.1.11]

The following procedures shall govern the frequency of proficiency training:

- A. The Department shall schedule regular training and qualification sessions for duty, off-duty, and specialized weapons. All sworn personnel authorized to carry weapons are required to receive in-service training, at minimum annually, on use of force policies and to demonstrate proficiency with all approved lethal weapons and electronic controlled weapons. Proficiency shall be monitored by a certified weapons or tactics instructor.
- B. Annual qualification for firearms, including duty and off-duty handguns and patrol rifles, is mandatory for sworn personnel. Sworn personnel may have no more than two department issued handguns registered for duty/off duty use with the department at any one time.
- C. A police officer is not permitted to carry or use on duty under law enforcement authority any firearm with which the officer has not qualified during his or her most recent qualification period. Personally owned, Department approved firearms carried off duty shall be qualified with on a department approved qualification course at least annually.
- D. A police officer who has taken a leave of six months or more or suffered an illness or injury that could affect proficiency in the use of firearms shall be required to qualify before returning to law enforcement duties.
- E. Sworn personnel who fail to qualify with an authorized weapon shall receive remedial training. If officers fail to qualify with their handguns in the timeframe required by the State of Wisconsin Training and Standards, they shall be placed on alternative duty until they are able to successfully complete their qualification and regain their certification. Within seven days officers being designated in need of remedial training, the officer(s) shall coordinate their remedial training program with the Training Unit. If officers fail to qualify on their handgun after receiving up to 20 hours of remedial firearms training, the Chief of Police shall be notified through the chain of command. Officers may be subject to disciplinary action that could include termination for inability to maintain vital job performance standards. Police officers who fail to qualify with their duty firearm in accordance with Department procedures shall be relieved of their police authority. If officers fail to qualify with a weapon other than a handgun, the weapon shall be removed from the officers until the officers receive up to 20 hours of remedial training and demonstrates proficiency with that weapon. If officers fail to qualify on the weapon after receiving remedial training, the Chief of Police shall be notified through the chain of command. Officers may be subject to disciplinary action that could include termination for inability to maintain vital job performance standards.
- F. All personnel who carry and use any authorized less lethal weapons are required to demonstrate proficiency through attendance at in-service refresher training at least annually. All officers who carry and use a CEW are required to demonstrate proficiency through attendance at in-service refresher training at least annually. In-service training, under this section, shall include use of force policy. Proficiency training must be monitored by a certified weapons instructor.
- G. Personnel who do not maintain proficiency with an authorized less lethal weapon shall be provided remedial training. Following remedial training, personnel who still cannot maintain proficiency with an authorized less lethal weapon shall no longer be allowed to carry such weapon and may be subject to disciplinary action that could include termination for inability to maintain vital job performance standards.
- H. In-service training for weaponless control techniques shall occur annually. Proficiency training must be monitored by a certified defensive tactics instructor.
- I. The results of all training and qualifications shall be documented and submitted to the Chief of Police or designee.

Policy Instructions

The following procedure shall govern policy instruction requirements associated with the carry of lethal, less lethal, and nonlethal weapons:

- A. All personnel authorized to carry lethal, less lethal, or nonlethal weapons shall be given access to and receive related instruction regarding the use of force policy before being authorized to carry any weapon. Policy receipt and curriculum delivery must be documented.
- B. Documentation of all training, including training in policies and procedures, shall be documented in the employee's training proficiency file.

Use of Force by Security Officers

The following procedures shall generally govern the use of force by non-sworn officers:

- A. Under most circumstances a security officer does not have the authority to use force in the performance of duties. When possible, assistance should be summoned before an attempt is made to control a subject. Exceptions include the following:
 - 1. Security officers are authorized to use physical techniques in which they are trained to defend themselves or another person, an action generally taken under the direction of a police officer;
 - 2. When exposed to attack or exposed to the threat of great bodily harm;
 - 3. When protecting themselves or others against immediate threat of bodily harm; or
 - 4. When responding to the lawful order of a police officer.
- B. Security officers trained in the use of OC are authorized to carry issued OC on their person. The use of issued OC by security officers is limited to preventing injury to self and others in situations when other means of avoiding physical confrontation have been exhausted or are deemed to be ineffective.

Law Enforcement Officers Safety Act (HR 218)-Off-Duty Personnel

The following shall specify procedures outlined by the federal government for interstate concealed carry for off-duty personnel:

- A. Police officer status is conferred by each state. The way in which states recognize out-of-state police officers vary. In many states, with the exception of carrying a concealed firearm under HR 218, an out-of-state police officer is treated as a civilian.
- B. Personnel involved in an incident where a firearm was displayed or discharged while off-duty under the Law Enforcement Officers Safety Act shall notify their supervisor and prepare a report concerning the incident. The incident shall be investigated accordingly.
- C. Off-duty personnel carrying concealed under this directive must carry the law enforcement photographic identification issued by the Department.
- D. Notwithstanding any other provision of the law of any state or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the required identification may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (B).
- E. This section shall not be construed to supersede or limit the laws of any state that:
 - 1. Permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

2. Prohibit or restrict the possession of firearms on any state or local government property, installation, building, base, or park.

Law Enforcement Identification-Retired and Former Personnel

The following shall specify procedures for issuing identification to retired and former law enforcement personnel not intended for concealed carry purposes:

- A. The Department shall not require a former law enforcement officer to relinquish his or her card when the officer separates from service unless one of the following applies:
 1. The officer may not lawfully possess a firearm under federal law.
 2. The officer did not separate from service in good standing as a law enforcement officer with the agency.
 3. The officer served as a law enforcement officer for an aggregate of less than 10 years. This does not apply if the officer, after completing any applicable probationary period of service with the agency, separated from service with the agency due to a service-connected disability.
 4. Employees separated for mental health reasons shall not be issued or must relinquish their cards if the following applies:
 - a. A qualified medical professional employed by the Department has found the officer to be unqualified to be a law enforcement officer for reasons related to the officer's mental health.
 - b. The officer has entered into an agreement with the Department in which the officer acknowledges that he or she is not qualified to be a law enforcement officer for reasons related to the officer's mental health and in which the officer declines the photographic identification for that reason.
- B. If a law enforcement identification is not relinquished upon separation, the card shall be stamped as former or retired law enforcement.
- C. The Department shall issue an identification card to a law enforcement officer who is eligible and has separated from service upon the former officer's request and at his or her expense.

Law Enforcement Concealed Carry-Retired and Former Personnel

The following shall specify procedures outlined by the federal government and state law for concealed carry for retired and former personnel:

- A. The UW-La Crosse Police Department shall assist its former officers, who meet the requirements of state and federal law and are separated from service in good standing, in exercising the concealed firearm carry authority.
- B. Qualified law enforcement officers who have separated from service must meet the following criteria:
 1. Has separated from service in good standing with the UW-La Crosse Police Department as a law enforcement officer;
 2. Before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, and violation of law, and had statutory powers of arrest;
 3. Before such separation, served as a law enforcement officer for an aggregate of ten (10) years or more; or separated from service after completing any applicable probationary period of such service; due to a service-connected disability, as determined under section 40.65, Wis. Stats.;

4. During the most recent twelve (12) month period, met at the expense of the individual, UW–La Crosse Police Department’s testing standards for active law enforcement officers;
 5. Have not been found by a medical professional hired by the Department to be unqualified for reasons relating to mental health;
 6. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance while carrying a concealed weapon; and
 7. Is not prohibited by Federal law from possessing a firearm.
 8. All officers separated from service must successfully complete a background check to establish the legal ability to possess a firearm and to determine the applicant’s eligibility to participate in firearms qualification. Grounds for failure of the background check include: any condition, circumstance, conviction or event which would make it unlawful for the applicant to possess a firearm; and /or any conduct engaged in or offense committed by the applicant which would be considered grounds for refusal to hire if engaged in or committed by the applicant for employment.
 9. If a certification card is requested, the separated party must attend and successfully complete the UW–La Crosse Police Department’s firearms qualification course. The Training Unit shall confirm the officer’s eligibility and approve photographic card issuance. The ability to carry concealed is only valid within the calendar year from qualification. The separated party must meet standards equivalent to the active duty standards for qualification in firearms proficiency training to carry a firearm of the same type as the concealed firearm.
 10. The Chief of Police or designee shall exercise the right to question, approve or deny any request for an identification card described in this directive.
- C. The Department shall issue an identification/certification card to those qualified former law enforcement personnel. The certification card shall contain:
1. Qualification date of the last successfully completed qualification course.
 2. Expiration date – all cards shall expire twelve (12) months from the date of issuance.
 3. Rank at which the applicant last held in the agency.
 4. Signature of the Chief of Police.
 5. A statement that the card does not confer any law enforcement authority on the holder and does not make the card holder an employee or agent of the Department.
 6. The certification card shall contain on one side all of the following:
 - a. The full name, date of birth, and residence address of the person who holds the certification card.
 - b. A photograph of the certification card holder and a physical description that includes sex, height, and eye color.
 - c. The name of this state.
- D. The Training Unit shall maintain a database of retired officers. This database shall indicate whether the retired officer is eligible to request a certification card.
- E. All certification cardholders must maintain a current address and telephone number with the UW–La Crosse Police Department and report any changes within 10 days after the change.

- F. The Department shall host a firearm qualification session annually where officers separated from service may attend. Officers attending shall be made aware of the elements of the qualification course. Qualified officers separated from service must complete the following:
1. Read and sign a release, waiver of liability, and assumption of risk agreement that contains at a minimum the following:
 - a. A waiver of liability and assumption of risk related to the use of any facility used during the firearms qualification session.
 - b. Acknowledgement that the certification card does not confer any law enforcement authority and is limited to the provisions of the Law Enforcement Safety Act and of state law.
 - c. Certification that the officer has read and is familiar with federal and state law, and that he or she is a qualified law enforcement officer separated from service.
 - d. Certification that they are not prohibited from purchasing or possessing a firearm by either federal or state law.
 2. Pay a non-refundable annual fee which covers range rental, ammunition costs and instructor time.
 3. Successfully complete and pass the firearms proficiency qualification course to the same standards as currently required by active officers. Failure to pass the qualification shall result in a card not being issued.
 4. Qualify with a firearm approved by the UW–La Crosse Police Department.
 5. Card renewals, reapplication after application denial, reapplication after failure to successfully complete the firearms qualification course, and /or request to be qualified on another approved firearm shall follow the same procedure as for initial application.

Law Enforcement Officers Flying With a Firearm

The following provides general guidelines for law enforcement officers flying with a firearm:

- A. Firearms and ammunition are accepted as checked baggage. Firearms shall only be accepted if unloaded and in a locked, hard-sided container. Ammunition must be packed in its original packaging. Loose ammunition shall not be accepted. Firearms may not be checked curbside.
- B. For a law enforcement officer to fly armed, the officer must be full-time, have a Department approved need to access the weapon during the flight, and be trained in flying while armed protocols. The Department shall only approve requests to fly armed if dignitary protection or prisoner transport is required. The officer flying armed is required to check-in with the airport agent and to submit a National Law Enforcement Telecommunications System (NLETS) message during the check-in process. The message must be sent to the appropriate airlines agent by the Department Communications Center. The message replaces an original letter of authority, signed by the chief or agency head, required under 49 CFR 1544.219. Once the NLETS message is received, a return NLETS message shall be sent to the Department with an eight-character unique alphanumeric Identifier for verification at the airport on the day of travel.



Allen Hill

CHIEF OF POLICE

APPENDIX:

The outline shown presents a more specific model of how to proceed when responding to any sort of disturbance or potential disturbance (i.e., serving an arrest warrant on someone).

Approach Considerations

Decision-Making

- Justification
- Desirability

Tactical Deployment

- Control of Distance
- Relative Positioning
- Relative Positioning with Multiple Subjects
- Team Tactics

Tactical Evaluation

- Threat Assessment Opportunities
- Officer/Subject Factors
- Special Circumstances
- Level/Stage/Degree of Stabilization

INTERVENTION OPTIONS

MODE PURPOSE

- Presence To present a visible display of authority
- Dialogue To verbally persuade
- Control Alternatives To overcome passive resistance, active resistance, or their threats
- Protective Alternatives To overcome continued resistance, assaultive behavior, or their threats
- Deadly Force To stop the threat

FOLLOW-THROUGH CONSIDERATIONS

- Stabilize Application of restraints, if necessary
- Monitor/Debrief
- Search If appropriate

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

5.2

| | |
|--|------------------------|
| Subject Rendering Aid | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 5.2.1 |
| Comments: | |

I. INDEX:

5.2.1 MEDICAL AID

II. PURPOSE:

The UW-La Crosse Police Department recognizes and respects the value of each human life. The primary duty of members of the department is to preserve the life of all individuals, including the lives of individuals who are in the custody of law enforcement. When vesting police officers with the lawful authority to use force to protect the public, a careful balancing of all human interests is required. Therefore, it is the policy of this Department that police officers shall use that force, which is reasonable and necessary to accomplish lawful objectives, stop a threat or bring an incident under control. The application of deadly force is a measure of last resort, only to be employed when an officer reasonably believes all other options have been exhausted or would be ineffective.

The UW-La Crosse Police Department 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.

III. DEFINITIONS:

Deadly force is the intentional use of a firearm or other instrument, that when used would result in a high probability of death.

Great bodily harm means bodily injury that creates a substantial risk of death or causes serious permanent disfigurement or causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious physical injury.

Less lethal projectiles are projectiles designed to incapacitate a suspect through the use of kinetic energy and are not likely or intended to cause death or great bodily harm.

Non-deadly force refers to any use of force other than that which is considered deadly force.

Nonlethal projectiles are projectiles that are launched from launchers and are designed to incapacitate a suspect through the use oleoresin capsicum (OC) powder and are not likely or intended to cause serious injury or death.

Restraints refer to devices such as handcuffs, leg irons, chemical restraints, and other restraints used to stabilize.

Serious physical injury refers to physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

IV. PROCEDURES

MEDICAL AID [5.2.1]

The following shall specify procedures for ensuring the provision of appropriate medical aid after use of deadly force or less lethal weapons, or other response to resistance as defined by the agency:

- A. After OC has been used on a suspect and the suspect is under control, the officer shall assess the welfare of the person. If symptoms from the application of OC persist beyond forty-five minutes, the person should be evaluated by medical personnel. Initial treatment for a person affected by aerosol chemical restraints shall include the following:
 1. Verbally reassure the person;
 2. Advise the person to remain calm and to try to breathe normally;
 3. Do not make the person lie face down for extended periods of time;
 4. Watch the person closely until the effects have worn off.
 5. If circumstances permit and the following can be safely achieved, the officer shall:
 - a. Remove the person to an area of fresh air and, if possible, face him or her into the wind;
 - b. Allow the person to flush the affected area with cool water or soap and water;
 - c. Allow a person wearing contact lenses to remove them;
 - d. Advise the person to not rub the affected area.
- B. All persons taken into custody who have been struck with a less lethal impact projectile shall be conveyed to a medical facility for a medical clearance.
- C. Officers shall evaluate all persons on whom a CEW has been deployed and provide for emergency medical attention if needed or requested. If CEW probes have penetrated the face, head, neck, groin, or a female's breast, the subject shall be conveyed to a medical facility for probe removal and medical clearance. If the probes are imbedded in other non-sensitive tissue areas, a trained officer may remove them according to the trained procedures.
- D. A suspect struck with a less lethal projectile should, if feasible, be medically cleared by medical personnel as soon as possible after a less lethal projectile is used.
- E. Whenever a person is injured as a result of force applied by an officer, or during the course of apprehension, officers on the scene shall immediately provide first aid and request medical assistance, if necessary, for the injured person as soon as circumstances allow for aid.
- F. Officers must be aware that there is a risk of sudden death in people with symptoms associated with Excited Delirium. Excited Delirium is a life-threatening medical emergency. Some behavioral characteristics suggestive of Excited Delirium include: inappropriate shedding of clothes; excessive strength; bizarre actions; incoherent shouting; combativeness; aggression; hyperactivity; extreme paranoia; hallucinations; shivering; and profuse sweating. Street drugs implicated in the development of excited delirium include cocaine, amphetamines, methamphetamine, PCP and LSD. When a combination of these characteristics is viewed by an officer, EMS should be called as early in the contact as possible due to the life-threatening nature of Excited Delirium.
- G. When a combination of these characteristics is viewed by an officer, EMS should be called as early in the contact as possible. Though treatment decisions shall not be made by police, officers should be aware of the following details: the individual should be transported for definitive medical evaluation. The person should be placed in a non-prone position as soon as possible. Hobble-type restraints should be avoided. Officers should advise medical personnel of the need for continuous cardiac, oxygen, blood sugar, and temperature monitoring on any individual with the noted symptoms as soon as possible. The cessation of struggling should be viewed as ominous and prompt reevaluation should occur.

BY ORDER OF

A handwritten signature in black ink, appearing to read "Allen Hill". The signature is written in a cursive style with a large initial 'A' and 'H'.

Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

5.3

| | |
|--|------------------------------|
| Subject Reporting and Review | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 5.3.1-5.3.4 |
| Comments: | |

I. INDEX

5.3.1 USE OF FORCE REPORTING

5.3.2 POST USE OF FORCE INCIDENT REVIEW

5.3.3 POST USE OF FORCE REMOVAL FROM DUTY

5.3.4 USE OF FORCE REPORTING AND ANALYSIS

II. POLICY

The UW-La Crosse Police Department recognizes and respects the value of each human life. The primary duty of members of the department is to preserve the life of all individuals, including the lives of individuals who are in the custody of law enforcement. When vesting police officers with the lawful authority to use force to protect the public, a careful balancing of all human interests is required. Therefore, it is the policy of this Department that police officers shall use that force, which is reasonable and necessary to accomplish lawful objectives, stop a threat or bring an incident under control. The application of deadly force is a measure of last resort, only to be employed when an officer reasonably believes all other options have been exhausted or would be ineffective. If a use of force incident occurs within the Department, a report and analysis shall be mandatory in addition to an annual review of all reports.

III. DEFINITIONS

Administrative Review is a time-sensitive assignment given to a Command Staff member to gather the facts of an incident. It may include but is not limited to reviewing initial written reports and video. The purpose of an administrative review is to determine if there are policy or safety issues that require a more thorough internal investigation, or any violation of law. If an internal investigation is not required, training and procedural recommendations may be made.

Analysis is a review of a critical work product as prescribed by various policies. The purpose of an analysis is to determine trends, identify training needs and summarize a group of events.

Conducted Energy Weapon probes are projectiles launched from an conducted energy weapon (CEW) that uses an electric shock to incapacitate a suspect and are not likely or intended to cause serious injury or death.

Deadly Force is the intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.

Great Bodily Harm means bodily injury that creates a substantial risk of death or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury. **Less Lethal Projectiles** are projectiles designed to incapacitate a suspect through the use of kinetic energy and are not likely or intended to cause death or great bodily harm.

Non-Deadly Force refers to any use of force other than that which is considered deadly force.

Nonlethal projectiles are projectiles that are launched from launchers and are designed to incapacitate a suspect through the use oleoresin capsicum (OC) powder and are not likely or intended to cause serious injury or death.

Qualified Law Enforcement Officer means an employee of a governmental agency who

1. is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;
2. is authorized by the agency to carry a firearm;
3. is not the subject of any disciplinary action by the agency which could result in suspension or loss of police powers;
4. meets standards established by the agency which require the employee to regularly qualify in the use of a firearm;
5. is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
6. is not prohibited by Federal law from receiving a firearm.

IV. PROCEDURES

USE OF FORCE REPORTING [5.3.1]

The following procedures shall govern reviewing requirements associated with incidents during which force was either used or alleged to have been used:

- A. A Department police supervisor and/or manager shall conduct a first level use of force review of all reports involving the use of force greater than compliant handcuffing. The review should determine if there are any policy, training, weapon/equipment and/or discipline issues which should be addressed. Any such issues should be immediately forwarded to the Chief of Police or designee for further review.
- B. A department subject matter expert in officer use of force shall then conduct a second level use of force review of all cases involving force greater than compliant handcuffing. This second level review shall assess the use of force in light of department policy and training and determine if any corrections should be made to policy or training. The experts conducting the second level reviews shall notify the Chief of Police or designee immediately if they detect any violations of law or policy during their reviews.
- C. For incidents where a firearm is discharged for other than training or recreational purposes or where the use of force results in serious injury or death, an immediate administrative review shall be initiated.
- D. Any allegation of inappropriate use of force shall be investigated.
- E. All press releases involving incidents in which an employee uses force involving a firearm, or uses force that results in death or great bodily harm of another person, must be approved by the Chief of Police or designee.
- F. The most senior use of force expert or designee shall conduct an annual analysis on use of force activities, policies and practices. The annual analysis shall include the following;
 1. Date and time of incidents;
 2. Types of encounters resulting in use of force;
 3. Trends and patterns related to race, age and gender of subjects involved;
 4. Trends or patterns resulting in injury to any person including employees;
 5. Impact of findings on policies, practices, equipment and training.

- G. The most senior use of force expert or designee shall conduct an annual review of all assaults on law enforcement officers. This review shall help management determine trends or patterns and make recommendations to enhance officer safety by revising policies or addressing training issues.

POST USE OF FORCE INCIDENT REVIEW [5.3.2]

The following procedures shall govern reporting requirements associated with incidents during which force was either used or alleged to have been used:

- A. When any of the following occurs, information concerning the use of force must be verbally reported to the shift OIC during the shift and included in the incident report:
1. A firearm or CEW is discharged for other than training or recreational purposes;
 2. An action is taken that results in, or is alleged to have resulted in, injury or death;
 3. A nonlethal weapon, less lethal, or lethal weapon is used on a person;
 4. Restraint beyond compliant handcuffing is used on a person.
- B. An incident report shall be used to document all pertinent details, to include the following: date, time and location of the incident; arrestee, witness and suspect information; actual resistance encountered; force used by the officer to overcome the resistance; weapons used; actual or alleged injuries to either the officer or the suspect; and pictures or other documentary evidence of any injuries received.

POST USE OF FORCE REMOVAL FROM DUTY [5.3.3]

The following procedures shall govern actions taken resulting use of force death or great bodily harm:

- A. Any Department employee whose actions or use of force results in a death or great bodily harm shall be removed from their line of duty assignment pending administrative review.
- B. Administrative review will be conducted by the Chief of Police and/or designee and following Department procedure regarding removal from duty.

USE OF FORCE REPORTING AND ANALYSIS [5.3.4]

The following shall govern procedures of reporting and analysis in relation to Department use of force policy:

- A. The UW-La Crosse Police Department shall submit Use of Force and Arrest-Related Death Data (UFAD) to the Wisconsin Department of Justice through TraCS.
- B. The UW-La Crosse Police Department shall conduct a documented annual analysis of use-of-force incidents to identify trends that could reveal the need for training, equipment, or policy modifications.

BY ORDER OF



Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

6.1

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| Subject Patrol | WI Statute 346.03, 347.48(2m)(b), 347.48(2m)(dm), 157.055(12), 36.35(2) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 6.1.1-6.1.13 |
| Comments: | |

I. INDEX

6.1.1 24-HOUR COVERAGE

6.1.2 SPECIAL PURPOSE VEHICLES, DRONES/UAV’S, OR ANIMALS

6.1.3 RESPONSE TO ROUTINE AND EMERGENCY CALLS

6.1.4 VEHICLE PURSUITS

6.1.5 MISSING ADULT INVESTIGATIONS

6.1.6 SAFETY RESTRAINING DEVICES

6.1.7 AVAILABILITY OF BODY ARMOR

6.1.8 ANATOMICAL GIFTS

6.1.9 MOBILE VIDEO RECORDERS

6.1.10 BODY CAMERAS

6.1.11 EMERGENCY DETENTIONS

6.1.12 CRIMINAL TRESPASS TO DWELLINGS

6.1.13 NALOXONE USE

II. POLICY

INSERT DEFINITION HERE

III. DEFINITIONS

Administrative Review is a time-sensitive assignment given to a command staff member to gather the facts of an incident. It may include but is not limited to reviewing initial written reports and video. The purpose of an administrative review is to determine if there are policy or safety issues that require a more thorough internal investigation, or any violation of law. If an internal investigation is not required, training and procedural recommendations may be made.

Eluding § 346.04 (3) No operator of a vehicle, after having received a visual or audible signal from a traffic officer, or marked police vehicle, shall knowingly flee or attempt to elude any traffic officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, or the traffic officer or other vehicles or pedestrians, nor shall the operator increase the speed of the operator's vehicle or extinguish the lights of the vehicle in an attempt to elude or flee.

Internal Investigation is an investigation to gather the facts of an incident in detail. An Internal Investigation may begin as an Administrative Review. For some incidents, the more complete Internal Investigation is required by policy. The Internal Investigation includes gathering information from interviews of the primary personnel related to an incident as well as other officers, arrested persons, victims and witnesses. It may include but is not limited to reviewing written reports, video, reports from other agencies that produced reports, and physical evidence. When it is determined that discipline is a possible outcome, interviews will be in accordance with the discipline process. If it is determined through an internal investigation that a violation

of law may have occurred, the Chief of Police may direct the initiation of a parallel criminal investigation. A criminal investigation is conducted by someone other than the person conducting the internal investigation, and information is not shared between the two.

OIC refers to the “Officer in Charge”.

Periodic Analysis is a review of a critical work product as prescribed by various policies. The purpose of a periodic analysis is to determine trends, identify training needs and summarize a group of events. If a periodic analysis reveals a specific policy issue originating with a specific incident, an internal investigation of that incident may be initiated.

Pursuit § 85.07(8)(a) – An active attempt by a traffic officer in a police vehicle to apprehend one or more occupants of a moving motor vehicle, the operator of which is resisting apprehension by disregarding the officers visual or audible signal to stop his or her vehicle, increasing the speed of the vehicle or extinguishing the lights of a vehicle.

Reasonable Suspicion is a less demanding standard than probable cause. Reasonable suspicion can be established with information that is different in quantity or content than that required to establish probable cause. Reasonable suspicion can arise from information that is less reliable than that required to show probable cause.

Subdivision refers to a primary operational area of the Department. A subdivision has a Department-wide function either for general police service or for specialized activity.

Function is the expected activity of a person or organizational component.

Organizational component is any organizational entity (i.e., unit, subdivision) that is staffed on a full-time basis to provide a specific function.

Unit refers to a functional component within a subdivision.

IV. PROCEDURES

24-HOUR COVERAGE [6.1.1]

- A. The day-shift patrol consists of sworn officers who are managed by the Day Shift Sergeant. The second and third patrol shifts consist of sworn officers. The unit is managed by the Night Shift Sergeant.
- B. The responsibilities of the sworn officers on patrol shifts include providing 24-hour patrol coverage, responding to calls for service, preventing crime, solving community problems, making arrests, conducting preliminary criminal investigations, testifying in court, responding to medical emergencies, performing crime prevention and community involvement activities, searching for missing persons, assisting motorists, responding to unusual occurrences, preparing incident reports, providing assistance to victims and witnesses, reporting crimes and accidents, performing traffic direction and control, and providing building security services.

SPECIAL PURPOSE VEHICLES, DRONES/UAV’S, OR ANIMALS [6.1.2]

- a. Bicycles:
 1. Patrol bicycles may only be used by specially trained members of the Police Bicycle Program.
 2. The Bicycle Patrol Coordinator is responsible for the condition and maintenance of the Department bicycles; however, officers assigned to the bike patrol program should report problems with the equipment as they arise.
- b. Utility Vehicle:
 1. This vehicle is primarily used for administrative use and/or special events
 2. This vehicle may be operated by any Department member who is compliant with the terms and conditions of the Department of Administration vehicle authorization guidelines. These terms include possessing a valid Wisconsin driver’s license of the correct classification.
 3. The Administrative Officer is responsible for the condition and maintenance of the Department vehicles; however, officers assigned to operate the utility vehicle should report problems as they arise.

4. The utility vehicle shall be equipped with lights and siren.

RESPONSE TO ROUTINE AND EMERGENCY CALLS [6.1.3]

- A. The Wisconsin Statutes set forth regulations governing emergency vehicle operation. The following subsections set forth key portions of these regulations. Wisconsin Statute 346.03 states,
 1. The operator of an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, when transporting an organ for human transplantation, or when transporting medical personnel for the purpose of performing human organ harvesting or transplantation immediately after the transportation, may exercise the privileges set forth in this section, but subject to the conditions stated in subs. (2) to (5m).
 2. The operator of an authorized emergency vehicle may:
 - a. Stop, stand or park irrespective of the provisions of this chapter;
 - b. Proceed past red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - c. Exceed the speed limit;
 - d. Disregard regulations governing direction of movement or turning in specific directions.
 3. The exemption granted the operator of an authorized emergency vehicle by sub. (2) (a) applies only when the operator of the vehicle is giving visual signal by means of at least one flashing, oscillating, or rotating red light except that the visual signal given by a police vehicle may be by means of a blue light and a red light which are flashing, oscillating or rotating; except as otherwise provided in sub (5). The exemption granted by sub. (2) (b), (c) and (d) apply only when the operator of the emergency vehicle is giving both such visual signal and also an audible signal by means of a siren or exhaust whistle, except as otherwise provided in sub. (4) and (5).
 4. A law enforcement officer operating a police vehicle shall otherwise comply with the requirements of sub. (3) relative to the giving of audible and visual signals but may exceed the speed limit without giving audible and visual signal under the following circumstances:
 - a. If the officer is obtaining evidence of a speed violation.
 - b. If the officer is responding to a call which the officer reasonably believes involves a felony in progress and the officer reasonably believes any of the following:
 - i. Knowledge of the officer's presence may endanger the safety of a victim or other person.
 - ii. Knowledge of the officer's presence may cause the suspected violator to evade apprehension.
 - iii. Knowledge of the officer's presence may cause the suspected violator to destroy evidence of a suspected felony or may otherwise result in loss of evidence of a suspected felony.
 - iv. Knowledge of the officer's presence may cause the suspected violator to cease the commission of a suspected felony before the officer obtains sufficient evidence to establish grounds for arrest.
 5. A law enforcement officer operating a police vehicle that is a bicycle is not required to comply with the requirements of sub. (3) relative to the giving of audible and visual signals.
 6. The exemptions granted the operator of an authorized emergency vehicle by this section do not relieve such operator from the duty to drive with due regard under the circumstances for the safety of all persons nor do they protect such operator from the consequences of his or her reckless disregard for the safety of others.
 7. Every law enforcement agency which uses authorized emergency vehicles shall provide written guidelines for its officers and employees regarding exceeding speed limits under the circumstances specified in sub. (4) and when otherwise in pursuit of actual or suspected violators. The guidelines shall consider, among other factors, road conditions, density of population, severity of crime and necessity of pursuit by vehicle. The guidelines are not subject to requirements for

rules under Ch. 227. Each law enforcement agency shall review its written guidelines by June 30 of each even-numbered year and, if considered appropriate by the law enforcement agency, shall revise those guidelines:

- a. Before using emergency lights and siren, the officer should decide whether increased speed and signals are appropriate or desirable. Factors in this decision may include, but should not be limited to, the nature and urgency of the call, the possibility of alerting offenders at the scene, whether other police vehicles can be contacted by radio to intercept an offender, and the potential for conflict with other vehicles responding to the scene.
- b. Weather and road conditions can pose additional driving hazards, which may at times require an emergency response to be made at even less than the posted limits to ensure safety, even though emergency equipment is in operation.
- c. Pedestrians and other vehicle traffic along the route of an emergency vehicle must be given due consideration, particularly in dense urban areas where other lighting, frequent intersections, reduced sight distances, a heavy volume of traffic, etc., can affect visibility, hearing, and reaction time. There is no legal protection, even for the operator of an emergency vehicle, for driving that is reckless and/or endangers the safety of others.
- d. Although non-sworn members of the Department will, for the protection of the public, operate the red or red and blue lights of a police vehicle if it becomes necessary to stop, stand or park contrary to the rules of the road (e.g., to protect persons and vehicles at an accident scene or at the location of a traffic hazard until a police officer's arrival), they are never authorized to operate the vehicle's red or red and blue light and/or siren to exceed the speed limit, to operate contrary to regulations governing direction of movement or turning or to pass through a stop sign or signal

VEHICLE PURSUITS [6.1.4]

Motor Vehicle Pursuits – Pursuing Officer(s) The following procedures shall specify roles and responsibilities associated with motor vehicle pursuits for the pursuing officer(s):

- A. Officers shall not enter into an “eluding/fleeing” pursuit solely for non-violent criminal violations, traffic or ordinance violations. The decision to initiate and/or continue pursuit must be based on the pursuing officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large. Officers are authorized to pursue and apprehend any person in a vehicle who the officer has reasonable cause to believe has committed a violent felony AND where lethal force is deemed necessary. A vehicle that is “slow to stop” or Failing to Yield Right of Way to an Emergency Vehicle under WI §346.19 (1) shall not be considered a pursuit and officers can continue to attempt to stop the vehicle for any offense. However, once the officer becomes aware it is an “eluding/fleeing” pursuit, justification for the pursuit must meet the criteria above, or the pursuit shall be terminated immediately
- B. The pursuing officer will immediately notify Communications Center personnel that a pursuit is underway. The officer will provide communications personnel with the following information. Failure to provide this information to communications personnel may result in an immediate decision by the officer in charge assigned to monitor the pursuit to order its termination:
 1. Unit identification;
 2. Location, speed and direction of travel of the fleeing vehicle;
 3. Description and license plate number, if known, of the fleeing vehicle;
 4. Number of occupants in the fleeing vehicle, and descriptions, if possible; and
 5. Reasons supporting the decision to pursue.
- C. Officers involved in the pursuit will immediately request the assistance of La Crosse Police Department (LCPD) through Dispatch. Upon arrival of LCPD units, LCPD Shift Command will be OIC of pursuit.
- D. All UWLPD pursuit units will cease pursuit upon arrival of two (2) additional units from assisting agencies.

- E. Any primary or backup unit sustaining damage to, or failure of essential vehicular equipment during pursuit will not be allowed to continue the pursuit.
- F. Each unit engaged in vehicular pursuit will be required to activate headlights and all emergency vehicle equipment.
- G. Officers engaged in pursuit will at all times drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.
- H. Officers are permitted to suspend conformance with normal traffic regulations during pursuit as long as reasonable care is used when driving in a manner not otherwise permitted and the maneuver is reasonably necessary to gain control of the suspect.
- I. Unless expressly authorized by the police supervisor or designated OIC, pursuit will be limited to the assigned primary vehicle.
- J. Department policy pertaining to use of deadly force will be adhered to during the pursuit. When a police officer's action or use of force results in the death of, or serious injury to, a human being, the following guidelines shall be observed:
 - 1. The officer shall be removed from line-duty assignment, pending an administrative review. This consists of an immediate review of policy to determine policy violations;
 - 2. Prior to an officer's return to enforcement duties, an examination conducted by a medical professional(s) may be required to determine fitness;
 - 3. A sample of the officer's blood and/or urine shall be taken by medical personnel as soon after the incident as possible and within time limits that would make the sample useful for determining chemical levels at the time of the incident.
 - 4. The Department will direct an internal investigation;
 - 5. A criminal investigation of the incident may be conducted.
- K. Any and all pursuits involving UWLPD officers shall be documented through completion of an incident report, even if the pursuit was terminated prior to apprehension of the pursued subject.

Motor Vehicle Pursuits – Communications Center

The following procedures shall specify roles and responsibilities associated with motor vehicle pursuits for the on-duty law enforcement dispatcher:

- A. Upon notification that a pursuit is in progress, communications personnel will immediately advise the officer in charge, or most senior officer NOT involved in the pursuit, of essential information regarding the pursuit.
- B. Communications personnel will carry out the following activities and responsibilities during the pursuit:
 - 1. Receive and record all incoming information on the pursuit of the pursued vehicle;
 - 2. Control all radio communications and clear the radio channels of all non-emergency calls;
 - 3. Obtain criminal records and vehicle checks of the suspects;
 - 4. Request assistance under the direction of the officer in charge by contacting La Crosse Emergency Dispatch (LCED);
 - 5. Provide all pertinent information to LCED for dissemination to LCPD officers;
 - 6. Advise LCED to monitor UWLPD channel (main) until LCPD units take over pursuit

Motor Vehicle Pursuits - Officer In Charge (OIC) or Supervisor

The following procedures shall specify roles and responsibilities associated with motor vehicle pursuits for the on duty officer in charge:

- A. Pursuits should not be initiated unless there is an imminent threat of death or great bodily harm to the officer or community member, or a major felony has been committed that could potentially cause safety issues within the community.
- B. An on-duty police supervisor shall be notified of a pursuit and shall monitor the progress of the pursuit. A police supervisor may order termination of a pursuit for any reason and may coordinate any

- pursuit actions or tactics. In the event a police supervisor is not available, the designated OIC will assume responsibility for the monitoring and control of the pursuit as it progresses.
- C. The police supervisor or designated OIC will continuously review the incoming data and information to evaluate and determine whether the pursuit should be continued or terminated.
 - D. In controlling the pursuit incident, the police supervisor or designated OIC will be responsible for coordination of the pursuit as follows:
 - 1. Direct pursuit vehicles into or out of the pursuit;
 - 2. Re-designate primary, support, or other back-up vehicles' responsibilities;
 - 3. Approve or disapprove and coordinate pursuit tactics;
 - 4. Approve or disapprove requests to leave jurisdiction to continue pursuit.
 - E. The police supervisor or designated OIC may approve and assign additional backup vehicles to assist the primary and backup pursuit vehicles based on an analysis of:
 - 1. The nature of the offense for which pursuit was initiated;
 - 2. The number of suspects and any known propensity for violence;
 - 3. The number of officers in the pursuit vehicles;
 - 4. Any damage or injuries to the assigned primary and backup vehicle or officers;
 - 5. The number of officers necessary to make an arrest at the conclusion of the pursuit; and
 - 6. Any other clear and articulated facts that would warrant the increased hazards caused by numerous pursuit vehicles.
 - F. In the event that the police supervisor or designated OIC is the pursuing officer, the next senior officer not involved in the pursuit will take the responsibility of monitoring the pursuit and carrying out the duties of officer in charge listed in this policy. In the event there is only one officer on duty, the request will be made to LCPD to assist, and LCPD shift supervisor will determine if the pursuit shall continue.
 - G. At no time will the officer with the responsibility of monitoring the pursuit become involved in that pursuit.
 - H. The Police Supervisor or designated OIC will prepare a complete report of the pursuit, and forward it to the Chief of Police and both Sergeants.
 - I. In the event a pursuit should result in a death or serious injury, Department Policy regarding Officer Involved Death and Other Officer Involved Critical Incidents shall be implemented and followed.

Pursuit Termination

The following procedures shall specify responsibilities of a pursuing officer associated with pursuit termination:

- A. The pursuing officer(s) shall terminate vehicle pursuits under any of the following conditions:
 - 1. At any time a police supervisor or designated OIC orders termination;
 - 2. When the pursued vehicle's location is unknown;
 - 3. When the officer's vehicle or emergency equipment malfunctions;
 - 4. When the pursuing officer believes continuing the pursuit presents a greater danger to the public than not apprehending the suspect.
- B. Termination of pursuit shall include the following:
 - 1. Announce over the radio that the pursuit is terminated;
 - 2. Shutting off emergency equipment;
 - 3. Conforming to State of Wisconsin traffic statutes applicable to ordinary motorists;
 - 4. Discontinuation of all attempts to follow the vehicle; and
 - 5. Discontinuation of all attempts to stop the vehicle.

Pursuit Data Collection

The following procedures shall outline responsibilities for data collection and analysis regarding pursuits:

- A. In pursuits, the approving police supervisor or manager will forward the case number and a brief synopsis of the incident to the appropriate use of force manager for a timely administrative review. The review should determine if there are any policy, training, weapon/equipment and/or discipline issues which should be addressed.
- B. The Pursuit Data Coordinator will collect information in regard to all pursuits engaged in by UWLPD officers.
- C. Prior to August 15th of each year, the Pursuit Data Coordinator will compile the pursuit data and submit this information to the Wisconsin State Patrol as specified in Wis. Statute 85.07(b).
- D. The Pursuit Data Coordinator shall conduct an annual analysis of the agency pursuits. The annual analysis will consist of a review of the department's pursuit policies and reporting procedures. The analysis may reveal patterns or trends that indicate specific training needs and/or policy modifications. The analysis and any recommendations will be forwarded to the Chief of Police for review.

Vehicle Processions

The following shall provide guidelines for vehicle processions:

- A. A police supervisor or manager must give approval to provide a police escort to a vehicle or procession of vehicles. The police supervisor or manager will consider the following factors when determining whether a police escort should be approved:
 - 1. Rationale/need for the escort (including but not limited to the presence of a reasonable known or potential threat to person(s) to be escorted, keeping a large group together thus improving overall traffic flow/safety, dignitary protection, moving large vehicles through areas congested with pedestrians, special honorary events);
 - 2. Number of vehicles to be escorted;
 - 3. Personnel and resources available;
 - 4. Distance and expected duration of the escort;
 - 5. Anticipated route;
 - 6. Potential disruption to overall traffic flow;
 - 7. Time of day (including traffic and pedestrian conditions); and
 - 8. Experience of the driver(s) of the vehicle(s) being escorted.
- B. Police vehicle processions shall comply with statutory requirements. The following procedures are applicable:
 - 1. At a minimum, the procession detail will consist of at least one lead police vehicle and one police vehicle at the rear of the procession.
 - 2. Depending on the number of vehicles being escorted, it may be necessary to have additional police or traffic control personnel assist with maintaining control of intersections and cross traffic.
 - 3. Once an intersection or cross traffic has been controlled, either by the lead vehicle or by assisting personnel, the escorting police vehicles and escorted vehicles are not required to stop at yellow or red traffic control signals or stop signs but must obey all other traffic laws.
 - 4. Ensure functional radio communications with escorting officers, including outside law enforcement agency personnel that are assisting.
 - 5. Vehicles being escorted should have their headlights illuminated.
 - 6. Notify communications personnel when the procession has started and when it ends.
 - 7. A debrief among the escorting officers should be conducted at the conclusion of the vehicle procession.
- C. Sworn Department officers are permitted to participate in processions upon requests from outside law enforcement agencies provided that the requesting agency also has written guidelines for its officers and employees regarding the escorting of vehicles and provided that those guidelines do not directly conflict with UWLPD Department guidelines.

MISSING ADULT INVESTIGATIONS [6.1.5]

- A. The role of the initial responding officer is critical in identifying the circumstances surrounding a missing person report and in identifying those persons at risk.
- B. Missing person investigations shall be initiated, when appropriate, for residents of campus, and in those situations where the person was last observed or their disappearance is alleged to have occurred on the University campus, unless otherwise indicated by the shift Sergeant.
- C. In those situations, involving persons whose primary residence is in another jurisdiction, information shall be provided to the agency having jurisdiction. The Department retains case investigation responsibility until other investigative arrangements have been made. The investigations should be coordinated as much as possible to avoid duplication of effort and to ensure the most thorough investigation.
- D. Upon receiving an initial call regarding a possible missing, runaway, or abducted person, the Law Enforcement Dispatcher (LED) shall broadcast all information to all police units.
- E. The initial officer shall respond promptly to the scene of the report. If other areas need to be checked immediately, other officer(s) should be assigned. The initial responding officer must gather as much pertinent information as possible in order to properly classify a missing person report and initiate proper response. The officer shall interview the person who made the report. This interview should include the following information:
 - 1. Name, date of birth, age, and physical description of the subject and relationship of the reporting party to the missing person.
 - 2. Time and place of last known location and identity of anyone accompanying the subject.
 - 3. The extent of any search for the subject.
 - 4. Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits, or plans.
 - 5. Whether the individual has been involved recently in domestic incidents, suffered emotional trauma or life crises, demonstrated unusual, uncharacteristic, or bizarre behavior, is dependent on drugs or alcohol, or has a history of mental illness.
 - 6. The psychological and physical condition of the subject and whether the subject is currently on prescription medication.
- F. If the missing person is a child, the investigating officer should also determine if the child:
 - 1. Is or may be with any adult who could cause harm.
 - 2. May have been the subject of a parental abduction. Confirm custody status. Ascertain whether a dispute over child custody might have played a role.
 - 3. Has previously run away from home, has threatened to do so, or has a history of explainable or unexplainable absences for extended periods of time.
- G. The officer should attempt to verify that the person is, in fact, missing. A thorough search should be conducted of both the home and last seen location. To coordinate the search effort, the incident command system should be utilized. The search for children should include places where children could be trapped, asleep, or hiding. Special attention should be paid to enclosures like refrigerators, freezers, and the interior of parked vehicles where limited oxygen may place the child at even greater risk. The Chief of Police shall determine when to notify the local office of the FBI and other enforcement agencies. The Chief of Police may authorize mobilization of additional resources necessary for an area search.
- H. The investigating officer should attempt to identify the circumstances of the disappearance and inform the reporting person of one of two resources, based upon the age of the missing person:
 - 1. If the missing person is under 18 years of age, contact information for the National Center for Missing and Exploited Children shall be given: 1-800-843-5678, www.ncmec.org
 - 2. If the missing person is age 18 or older, contact information for the National Center for Missing Adults shall be given: 1-800-690-3463

- I. Within 24 hours of the determination that a student who lives in on-campus housing is missing; local law enforcement agencies shall be notified.

SAFETY RESTRAINING DEVICES [6.1.6]

- A. According to the Fleet Driver and Management Policies and Procedures Manual Policy 1.6, “all drivers and passengers in state vehicles must comply with all Wisconsin laws, including the Wisconsin seat-belt law.” Wisconsin State Statute 347.48(2m)(b) states that a motor vehicle is required to be equipped with safety belts in the state and that no person may operate that motor vehicle unless the person is properly restrained in a safety belt.
- B. According to Wisconsin State Statute 347.48(2m)(dm) the Wisconsin safety belt law does not apply to the operation of an authorized emergency vehicle by a law enforcement officer under circumstances in which compliance could endanger the safety of the operator or another. However, the use of safety belts is required for patrol officer use, as safety belt use could have a significant effect in reducing the number of deaths and severity of injuries resulting from traffic crashes.

AVAILABILITY OF BODY ARMOR [6.1.7]

- A. All sworn personnel are issued protective vests (also known as body armor). The wearing of protective vests is important to officer safety. Thus, protective vests are issued as a level of protection consistent with the threat to which officers are exposed.
- B. All uniformed sworn personnel whose primary duty or function is to answer calls for service shall wear their protective vest. All other uniformed personnel shall wear their issued protective vests while in uniform.

Protective Vests/ Pre-Planned High-Risk Situations

- A. Without exception, protective vests are required to be worn by all sworn personnel conducting preplanned, high risk tactical situations.

ANATOMICAL GIFTS [6.1.8]

The following describes requirements of Wisconsin State Statute 157.055(12) regarding the procedure for determining prospective donors of anatomical gifts.

- A. If an officer reasonably believes an individual to be dead or near death, the officer shall make a reasonable search of the individual for a record of gift or a record of refusal or other information identifying the individual as a donor or as an individual who has refused to make an anatomical gift. Most state ID cards, or Driver’s Licenses provide an area to designate whether or not an individual is a potential organ donor.
- B. If the officer locates a record of gift or a record of refusal and the individual is taken to a hospital, the officer shall send or deliver the record of gift or record of refusal to the hospital.

MOBILE VIDEO RECORDERS AND BODY CAMERAS [6.1.9] [6.1.10]

- A. Officer shall complete the necessary categorization at the time of recording and follow all training in regard to the download of videos from the mobile recorders.
- B. Officers shall ensure that their recordings associated with criminal cases, OWI’s, juvenile or felony interviews, use of force incidents above compliant handcuffing and/or those that have potential to be evidentiary in nature are added to a case in the Evidence.com by Axon. All created cases shall include the case report number or event ID.
- C. Even when no physical copies of video are requested, video shall be documented as property in reports and the intake process shall be completed for evidentiary videos stored on the server.
- D. Copies of case videos
 1. Records Supervisor shall provide videos and record the number of copies of Evidence.com by Axon.

2. The Records Supervisor shall track the number of links provided and who has been granted access to watch and for how long.
3. Department personnel are the only individuals allowed to access copies of case videos per the Chief of Police or designee's approval.

CRIMINAL TRESPASS DWELLINGS [6.1.12]

When investigating a Trespass to Dwelling / Facility complaint, the following guidelines shall be followed, regardless of if the complainant is physically present on said property during the violation, and/or during the complaint.

- A. In this section, "dwelling" means a structure or part of a structure that is used or intended to be used as a home or residence by one or more persons to the exclusion of all others. For the purposes of this section, a dwelling meets that definition regardless of whether the dwelling is currently occupied by a resident.
- B. Whoever intentionally enters or remains in the dwelling of another without the consent of some person lawfully upon the premises or, if no person is lawfully upon the premises, without the consent of the owner of the property that includes the dwelling, under circumstances tending to create or provoke a breach of the peace, is guilty of a Class A misdemeanor. Considerations include:
 1. Entering an outbuilding accessory to a main house may be a violation.
 2. This policy does not require the officer to follow through on an arrest protocol after removal, which is left to the discretion of the officer.
 - a. Unless other circumstances exist, or prior knowledge that the offender has violated similar laws in the past, or has already been given a warning, a citation can be issued.
- C. The use of restraints and/or other measures may be required to effect a lawful arrest if the subject resists and/or doesn't acknowledge an officer's orders to vacate the premises.

Access to Roofs and Maintenance Facilities Prohibited

- A. No person may climb into, out of, or onto any university building or maintenance facilities, or walk or climb upon any university building or roof, except when emergency access to a fire escape is necessary, for required maintenance, or when authorized by the chancellor or designee.

Closing Hours

- A. Except as specifically provided in this code, the chancellor or designee may establish closing hours and closed periods for university lands, buildings, or portions thereof. These closing hours and closed periods shall be posted in at least one conspicuous place adjacent to or at the periphery of the area to be closed or, in the case of buildings, on the building.
- B. No person, unless authorized to be present during closed periods, may enter or remain within the designated university lands, buildings, or portions thereof during a closed period established under this section.
- C. For the purpose of par. (b), "person authorized to be present" means a person authorized to be present by an order issued pursuant to par. (a) or s. 36.35 (2), Stats.
- D. No person, except those authorized to be present after the posted closing hour, may enter or remain in any university arboretum or picnic area unless traversing those areas or on park roads at the times the roads are open to the public.

Limited Entrance

- A. The chancellor or designee may, by posting appropriate signs, limit or prohibit entrance to university lands, or portions thereof, in order to maintain or preserve an instruction or research area.

Picnicking and Camping

- A. No person may picnic or camp on university lands, except in those areas specifically designated as picnic or camping grounds, or as authorized by the chancellor or designee. No person may violate

any rules and regulations for picnicking or camping established and posted by the chancellor or designee... For purposes of this subsection, camping shall include the pitching of tents or the overnight use of sleeping bags, blankets, makeshift shelters, motor homes, campers, or camp trailers.

Prohibitions on Blocking Property

- A. No person may intentionally physically block or restrict entrance to or exit from any university building or portion thereof with intent to deny to others their right of ingress to, egress from, or use of the building.

Restricted Use of Student Centers or Unions

- A. No person, except members of the student center or union, university faculty and staff, invited guests, and university-sponsored conference groups, may use student center or union buildings and grounds except on occasions when, and in those areas where, the buildings or grounds are open to the general public.

Structures

- A. No person may place or erect any facility or structure upon university lands unless authorized by the chief administrative officer.

If the complainant is not present, then the trespass is to be under circumstances that tend to create or provoke a breach of the peace. It seems likely that a person in a dwelling / facility without consent, lease, or other contractual relationship, is creating a circumstance that tends to create or provoke a breach of the peace. The fact that the complainant is contacting police requesting assistance will be sufficient for officers of this department to take action as listed above.

NALOXONE USE [6.1.13]

- A. The CPR and First Aid Instructors are assigned to be the department Naloxone Coordinators. The Naloxone Coordinator shall be responsible for acquiring the agency's Naloxone, ensuring an adequate supply is maintained, and ensuring all doses stored in official locations are replaced before expiration.
- B. All sworn department personnel will be trained in the use of naloxone. Training will be conducted with new hires during the FTO process and refresher training will be conducted at a minimum of every two years or at biennial CPR Re-Certification.
- C. Naloxone training will be coordinated by the CPR and First Aid Instructor. Documentation of the training will be provided to the Second Shift Sergeant.
- D. Naloxone will be stored in the following official locations:
 - 1. Medical packs attached to AEDs that are assigned to patrol squads;
 - 2. Intoximeter Room;
 - 3. Evidence Processing Rooms;
- E. A police unit with naloxone should respond in emergency mode to medical response calls in the Department jurisdiction that involve a high likelihood for need of naloxone, unless it is known that an ambulance is already on scene
- F. Officer (s) who arrive on-scene before adequate rescue personnel are present should render aid consistent with their naloxone and CPR training until relieved of rescue duties by the Fire Rescue personnel or EMT units by taking the following measures:
 - 1. Police shall administer naloxone nasally in strict accordance with naloxone training guidelines and protocol. An ambulance shall be requested for any person who has received naloxone from a UW-La Crosse Police Officer, if not already en-route.
 - 2. Police shall notify Dispatch they are administering naloxone and request La Crosse Fire Department (LCFD.)

3. Police shall perform subject assessment, including monitoring subject for improvement of respiratory effort. Unconscious subjects should be placed on their side to assist in preventing aspiration should they vomit or have other secretions.
 4. If LCFD or other advanced life support has not yet arrived on scene and the subject has not returned to a normal breathing status, subsequent doses may be administered every 2-3 minutes.
 5. Upon their arrival, advise advanced life support personnel of the subject's original condition prior to naloxone use, the fact that naloxone was administered, the time of administration and the observed response of the subject.
- G. Officer(s) shall consider the following indications for naloxone administration:
1. The subject is unconscious and not responding to any verbal stimuli;
 2. The subject has no detectable breathing, OR has poor respiratory effort such as: agonal breaths, loud snoring respirations, occasional gasping breaths or cyanosis;
 3. There is evidence that the subject is suffering from an opiate overdose including but not limited to:
 - a. An officer was processing/testing drug related evidence, investigating a drug related case, or performing an evidentiary search;
 - b. Information suggests an arrestee/detainee may have been in possession of an opiate;
 - c. Bystanders have given information that the subject has taken or may have taken an opiate of some kind;
 - d. There is physical evidence of opiate use, such as drug paraphernalia or prescription bottles;
 - e. The subject has a known history of opiate abuse;
 - f. The subject has pinpoint pupils along with the respiratory depression or arrest.
 4. If another agency requests mutual aid in the form of a squad with naloxone, the Department will make every effort to comply with the request.
 5. The on-call supervisor and Chief of Police shall be notified of any use of naloxone.
 6. If naloxone is administered it shall be documented in an incident report by the officer who performed the administration.

The following information shall be included in the report:

 - a. Name of officer who administered the dose;
 - b. Time or estimated time that drug was administered;
 - c. Administration route intranasal; whether administered in the left or right nare, or both;
 - d. Where the drug was administered into the body;
 - e. Condition of subject prior to administration including signs that indicated the need for naloxone;
 - f. Condition of the subject after administration including signs that naloxone may have been effective or ineffective;
 - g. Time or estimated time of arrival of advanced life support
 - h. Any complications that occurred (if applicable);
 7. The department Sergeants will review all incident reports to ensure consistency and that department directives are being followed. After Sergeants review incident reports, the Chief of Police is then notified to review the incident report.
 8. After use, the officer who used naloxone is responsible for notifying the CPR and First Aid administrator who shall be responsible for restocking the unit in accordance with instructions given during naloxone training.
 9. An inspection of the naloxone kit shall be the responsibility of the personnel assigned the equipment and will be done each shift (typically during squad check out.)
 10. Missing, damaged or expired naloxone kits shall be reported immediately to the department CPR and First Aid administrator.

BY ORDER OF

A handwritten signature in black ink that reads "Allen Hill". The signature is written in a cursive style with a prominent loop at the end of the last name.

Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

6.2

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|---|---|
| Subject Traffic | WI Statute 940.25, 346.63(1), (2), or (2m), 940.09, 346.215 |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 6.2.1-6.2.14 |
| Comments: | |

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II. POLICY:

The University of Wisconsin–La Crosse Police Department shall promote traffic safety through the implementation of a variety of analytical, preventative, enforcement, and educational measures.

The Department has not, and will not, tolerate discrimination against any person based on race, color, ethnic background, gender, sexual orientation, religion, economic status, age, physical ability, or other identifiable group.

III. DEFINITIONS:

Area patrol refers to moving patrol or stationary observation in an area or beat that includes a number of streets, roads, or sections of highway.

Directed patrol shall mean visible patrol or stationary observation based upon assigned locations and/or times.

Hazardous moving violation refers to a traffic law violation that poses a direct threat to the safe movement of vehicular or pedestrian traffic.

Line patrol refers to moving patrol or stationary observation of a specified route between two points, usually on one street or a section of a highway.

Selective traffic enforcement refers to the assignment of personnel to traffic enforcement activities at times or locations where hazardous or congested conditions exist. Such assignments are usually based on such factors as traffic volume, accident experience and frequency of traffic violations.

OIC refers to the “Officer in Charge” during situations that arise in the Department.

IV. PROCEDURE:

Selective Traffic Enforcement Activities

The following shall establish procedures governing Departmental selective traffic enforcement activities:

- A. The ultimate goal of selective traffic enforcement should be to reduce the number and severity of collisions. This may be achieved through assigning personnel based on geographic and temporal factors, utilizing specialized equipment, and establishing preventative patrols targeting specific categories of unlawful driving behavior. Selective enforcement may be based upon, but not limited to, the following: traffic collision data, enforcement activity records, traffic volume, traffic conditions, and community complaints and/or requests.
- B. Traffic collisions and enforcement activities shall be analyzed on an ongoing basis.
 1. The Chief of Police or designee shall be responsible for the preparation and dissemination of annual collision summary reports. These reports may include: types of collision, comparative information, day of week, time of day, leading locations, leading causative factors, and assigned officer recommendations.
 2. The Chief of Police or designee shall be responsible for the preparation and dissemination of annual enforcement summary reports. These reports may include: citation/warning issuance by type and offense, day of week, time of day, issuing officer, arrests, leading offenses, and leading locations. Plans and recommendations should then be made to Department Sergeants regarding selective enforcement activities.
 3. The Chief of Police or designee shall be responsible for completing a documented annual review of selective traffic enforcement activities. These evaluations may include: tabulations of all enforcement activity, overviews of special enforcement operations, trends observed in enforcement and offenses, narrative summaries of the overall effectiveness and efficiency of Departmental efforts, and recommendations for future activities.
 4. Supervisory personnel shall be responsible for deploying traffic enforcement personnel and the implementation of selective enforcement techniques and procedures to include: conducting patrols; performing covert and overt stationary observation, using unmarked or unconventional vehicles; conducting specialized operations; and assigning priorities to violations requiring attention. Deployment of traffic enforcement personnel should be based upon analyses of traffic collisions and traffic-related calls for services covering the most recent review period. Officers should take enforcement action against collision causative violations and utilize enforcement-specific countermeasures.

TRAFFIC LAW ENFORCEMENT [6.2.1]

The following shall establish uniform procedures for taking enforcement action incidental to traffic law violations:

- A. Officers shall take appropriate enforcement action for violations which are witnessed or investigated. Enforcement actions shall be based upon sound legal principles and commensurate with applicable laws.
- B. Physical arrests shall be made when persons violate traffic-related statutes of a serious nature unless there are extenuating circumstances such as hospitalization. Such offenses may include, but are not limited to: homicide or serious injury by vehicle, fleeing or eluding, or operating while intoxicated.
- C. Discretion shall be exercised, and the severity of violations considered when non-arrest enforcement action is contemplated. Citations issued shall be commensurate with applicable traffic-related state statutes. The degree and the severity of the violation shall be taken into account when determining whether or not a citation will be issued.

- D. A verbal or written warning may be issued to a violator whenever there is a minor traffic infraction committed, the officer believes the written warning will achieve voluntary compliance, and no custodial arrest is made, nor citation issued.
- E. The driving status of all motorists stopped for any traffic or equipment violation shall be checked through Dispatch or mobile data computer at the time of the stop, assuming the Department of Transportation (DOT) Driver's Records are available, or as soon thereafter as possible.

SPECIAL CATEGORIES OF VIOLATORS [6.2.2]

The following shall establish procedures for handling traffic law violations committed by persons who may require special processing:

- A. According to the Wisconsin Preamble for Forfeiture and Misdemeanor Bail Schedules residents and non-residents of the Department's service area arrested for a violation of a state or municipal forfeiture shall be released from custody without a cash bond if either of the following exists:
 - 1. They have a valid Wisconsin driver's license or can show sufficient evidence of ties to the community.
 - 2. The arresting officer is otherwise satisfied that the accused will make future court appearances.
- B. All persons arrested for a misdemeanor, including a misdemeanor traffic offense, shall be released from custody without a cash bond unless any of the following exist:
 - 1. The accused does not have proper identification.
 - 2. The accused appears to represent a danger of harm to himself or herself, another person or property.
 - 3. The accused cannot show sufficient evidence of ties to the community.
 - 4. The accused has previously failed to appear in court or failed to respond to a citation.
 - 5. Arrest or further detention is necessary to carry out legitimate investigative action in accordance with law enforcement agency policies.
- C. All persons not released pursuant to A and B for a forfeiture, misdemeanor or misdemeanor traffic offense shall be released upon compliance with the state deposit or misdemeanor bail schedule unless bail is otherwise set by the court. These guidelines do not supersede specific statutorily mandated detention.
- D. Juvenile traffic offenders are generally subject to the same requirements as adult traffic offenders. Juveniles shall be processed in accordance with existing state statutes and directives.
- E. Legislators shall be processed in accordance with existing federal laws and state statutes. Members of the U.S. Congress may not be arrested or detained for the issuance of a citation while in transit to or from the Congress of the United States.
- F. Diplomatic and consular immunity is granted by the U.S. government under the Diplomatic Relations Act, U.S.C. 254 and the Vienna Convention on Consular Relations. Diplomats, consular officials, their families, and staff enjoy varying levels of immunity from arrest and prosecution. Immunity has many levels. For example, "Official Acts Immunity," of consular officials must be asserted in court as an affirmative defense. All foreign mission members and dependents are accountable for traffic violations. Stopping a foreign mission member or dependent, and issuing a citation, does not constitute an arrest or detention and is permitted. Foreign diplomats and consular officers shall not be arrested or detained except when public safety is endangered. Family members of diplomatic officers, their servants, and employees of a diplomatic mission, shall be entitled to the same immunities if they are not nationals of, or a permanent resident in, the receiving state.
- G. If an investigating officer becomes aware that an active duty member of the armed forces, or a civilian employee of the military acting within the scope of their employment, is involved in an accident resulting in death, or injury requiring hospitalization, and military authorities have not been notified by other means, the investigating officer shall notify the military law enforcement authorities of the nearest active duty military installation of that person's branch of service and apprise them of the incident. If a Reservist or National Guardsman on active-duty orders, or while performing any military duties, including weekend drills, is injured, or killed and notification is required, the individual's Reserve or National Guard unit or the nearest Reserve Center or National

Guard Armory shall be notified. All active-duty military personnel who possess a valid Wisconsin driver's license, or who are assigned to military installations within the State of Wisconsin, even if a legal resident of another state, shall be considered residents of this state for purposes of requiring the posting of bond.

INFORMATION PROVIDED TO VIOLATOR [6.2.3]

The following shall establish procedures for providing motorists with information relative to specific charges:

- A. At the time a motorist is charged with a traffic violation, the officer shall provide information relative to the specific charge, to include: court appearance schedule, optional or mandatory nature of court appearance by the motorist, notice of whether the motorist is allowed to enter a plea and/or pay the fine by mail or at a traffic violations bureau, and other information that must be provided to the motorist prior to release.
- B. Traffic stop brochures shall be provided to all suspected traffic offenders contacted by UW-La Crosse Police Officers on a traffic stop. These brochures contain information about what can be expected during a traffic stop and how to provide feedback regarding those experiences, as well as the name/ID Number of the officer who initiated the stop.

UNIFORM ENFORCEMENT FOR SPECIFIED VIOLATORS [6.2.4]

The provisions set forth in this directive are intended to encourage good judgment in deciding what enforcement action is appropriate, based on the situation, prior training, experience, and common sense. The following establishes uniform policies for traffic law violations:

- A. Officers shall take appropriate enforcement action when they have probable cause to believe, either through personal observation or after an investigation, that a state traffic law violation has occurred. Officers may handle a traffic law violation with a verbal warning, a written warning, a traffic citation, or a custodial arrest. The course of action taken by the officer shall be determined by the circumstances of the incident.
- B. Officers shall have discretion in determining the type of enforcement action to be applied. They shall be guided in the application of this discretion by the enforcement parameters established. Officers shall exercise discretion in electing the type of enforcement action to be taken in accordance with the following criteria:
 1. The role of the weather, condition of the roadway, and volume of other traffic, and the presence of pedestrians in the area.
 2. Whether the violation was intentional or inadvertent.
 3. The seriousness of the violation, including whether or not the violation may have resulted in injury and/or property damage.
 4. The extent of any injury and/or property damage.
 5. Whether the enforcement action protects the interests of other persons or drivers involved in the incident.
 6. Whether the enforcement action accomplishes a legitimate police purpose.
 7. Whether the violator has committed similar violations in the past.
 8. Whether, in the officer's judgment, the proposed enforcement action will be sufficient to deter the violator from committing similar violations in the future.
 9. Whether the violation is a target of selective enforcement activities, or in response to expressed citizen concerns.

License Violations

The following provides uniform guidelines for driver's license violation contacts:

- A. When an officer has evidence that the operator knowingly operated the vehicle with a suspended, revoked, or cancelled driver's license, the operator should be issued a citation for s. 341.03. Except in very unusual circumstances, a driver's status report of "Revoked" or "Suspended" from the DOT Driver's Records Files, coupled with the officer's observation of operation of a vehicle, is sufficient

probable cause to issue a citation for OAR or OWS. All OWS violations are traffic forfeitures, and the offender need only be issued a traffic citation and released.

- B. Officers shall not permit continued operation of the motor vehicle by the offender but may permit operation by another person at the scene who has a valid license. In lieu of a valid driver, officers may make arrangements to tow the vehicle or move the vehicle to a legally parked stall if feasible and if requested by the operator.
- C. The Wisconsin State Statute manual should be referenced to determine the appropriate civil or criminal charge. If the driver's status of a person cannot be readily determined at the time of the stop, either through DOT or Department records, officers should gather as much identifying information as possible and release the operator, assuming no other violations requiring enforcement action are present. Subsequent determination of a "revoked" or "suspended" status should result in a follow-up investigation with appropriate enforcement action.

Speed Violations

The following provides uniform guidelines for speeding contacts:

- A. There is no affirmative defense for exceeding the posted speed limit or for driving faster than conditions permit. However, strict adherence to a set policy should not be substituted for common sense and human understanding. Officers should consider factors such as traffic volume, weather conditions, and location, and should exercise discretion in determining whether to issue a warning or a citation.
- B. Speed violations may be enforced by use of radar, laser, or vehicle paces with squad cars. Officers conducting squad paces of speeding vehicles should attempt to pace the vehicle for approximately 1/10th mile while neither gaining nor losing distance from the paced vehicle.

Hazardous Moving Violations

- A. Officers are expected to take action upon detecting hazardous violations. Hazardous violations include, but are not limited to: offenses involving excess speed, disregarding traffic control signs or signals, alcohol offenses involving the use of a vehicle, reckless driving and attempting to elude an officer. Sound judgment should be used to determine what type of enforcement action is taken.
- B. For a hazardous moving offense, a violator may be issued a verbal or written warning, a citation, or subject to custodial arrest based upon the specific circumstances of the violation and the offense or offenses committed.

Off-Road Vehicle Procedures

The following provides uniform guidelines for off-road vehicle violations:

- A. Off-road vehicles include dirt bikes, mini-bikes, and all-terrain vehicles. Officers should take appropriate enforcement action for violations committed by operators of off-road vehicles. Educational efforts for off-road vehicle use should accompany any enforcement effort.
- B. Enforcement efforts for off road vehicle violations may include contacts for:
 - 1. Illegal operation on or adjacent to roadways and traffic way crossings including moving violations as well as licensing, registration, and equipment violations.
 - 2. Illegal operation on public or private property including public trails and bicycle trails.

Equipment and Non-Hazardous Moving Violations

The following provides uniform guidelines for equipment and non-hazardous moving violations:

- A. Non-hazardous violations include, but are not limited to, equipment violations, parking violations, operator licensing and registration violations. Enforcement of non-hazardous violations will be governed by officer discretion. Violations should be dealt with on an individual basis.
- B. Officers may issue a verbal or written warning or traffic citation, at their discretion, for vehicle equipment and non-hazardous moving violations. Individuals who fail to take timely corrective action once a written warning has been issued may be issued a citation for the offense. Voluntary compliance should be the purpose of enforcement action for minor violations.

Public Carrier and Commercial Vehicle Violations

The following provides uniform guidelines for public carrier/commercial vehicle violations:

- A. Public carrier and commercial vehicle violations will be treated in the same manner as violations committed by the general public, except as provided by statute.

Multiple Violations

The following provides uniform guidelines for offenders who have committed multiple violations:

- A. It is within the discretion of the investigating officer whether to issue multiple citations for multiple violations from the same incident.
- B. License and registration violations discovered during the course of a traffic stop for a moving violation, such as speeding or a stop sign violation, may be charged in addition to the violation leading to the traffic stop, at the discretion of the officer.

Newly Enacted Traffic Laws and Regulations

The following provides uniform guidelines for offenders who have committed violations of a newly enacted traffic laws and/or regulations:

- A. Officers should use discretion when enforcing newly enacted or amended traffic regulations. Unless otherwise directed, for a period of 45 days after the enactment or major amendment of a traffic law or regulation, officers should issue warnings for violations if it appears the public may not be familiar with the new law or amendment.
- B. This section does not prevent an officer from taking more stringent enforcement action if the officer is satisfied the offender was aware of the new law or amendment and deliberately violated the section or if the violation is of such a hazardous nature, stronger enforcement action is necessary to address the violation.

Violations Resulting in Traffic Collisions

The following provides uniform guidelines for violations resulting in traffic collisions:

- A. Officers' specific enforcement actions arising from traffic collisions will be consistent with the nature of the alleged violation and with the Department's directives concerning traffic law enforcement.
- B. Citations should generally be issued when hazardous violations are a contributing cause to a traffic collision. Written warnings or citations should be issued to persons committing all other violations. Enforcement actions may be determined by attendant conditions and circumstances.
- C. For traffic collisions, the officer must establish the elements of the violation prior to taking enforcement action. Elements that the officer has not personally witnessed should be established through investigation. The investigation may include:
 - 1. Statements made to the officer by the alleged violator.
 - 2. Statements of witnesses.
 - 3. Collision scene measurements.
 - 4. Physical evidence.

Pedestrian and Bicycle Violations

The following provides uniform guidelines for pedestrian and bicycle violations:

- A. The enforcement of traffic laws pertaining to pedestrians and bicycles requires broad discretion from officers. Officers should be familiar with traffic regulations relating to the safe operation of bicycles.
- B. Enforcement actions may be determined by conditions and circumstances.

TRAFFIC STOPS AND APPROACH TO VIOLATORS VEHICLE [6.2.5]

The following shall govern traffic law enforcement practices:

- A. All sworn personnel shall be responsible for guiding general traffic law enforcement activities and developing selective traffic enforcement programs. Officers are encouraged to initiate traffic law enforcement patrol practices involving area and line patrol techniques based upon their personal experiences and observations of traffic conditions within their districts. These highly visible patrol techniques may offer a deterrence to traffic violations for the average motorist. Directed patrol may be conducted in response to specific violations, selective enforcement data, citizen complaints, and special events. Supervisory personnel may instruct personnel to conduct and/or oversee activities associated with directed patrol.
- B. Stationary observation, whether covert or overt, should be conducted in response to specific violations, at times and locations experiencing significant numbers of collisions and/or traffic-related complaints. In situations or areas where stationary observation (either visible/overt or concealed/covert) is necessary to maximize the effectiveness of a selective enforcement effort, officers shall park in a location and in such a manner that traffic flow is not impeded.
- C. Unmarked police vehicles or unconventional vehicles may be utilized during traffic enforcement activities. Such vehicles may be effective when used to collect enforcement/compliance information.
- D. Roadside safety checks are not performed by the Department in an effort to enforce traffic laws.

Traffic Stop Procedures

The following establishes procedures for motorist stops:

- A. Officer safety shall be a primary consideration when making any vehicle contact. Officers should avoid choosing a stop location that may inherently endanger the officer or motorist. Conditions to avoid include roadway factors, such as hills, curves, and intersections; environmental factors, such as ice or fog; or subject factors, such as the presence of persons who might interfere in the stop. Officers should be aware of their location and immediate surroundings should it be necessary to seek cover during the stop.
- B. Officers shall advise the Dispatch Center of the vehicle's registration number and state and the location of the stop prior to, or immediately upon initiating, the vehicle contact. In the absence of registration plates, the officer shall provide a thorough description of the vehicle.
- C. Authorized red and blue emergency lighting shall be used to initiate a stop and shall remain in use until the stop is complete.
- D. Due to the unpredictable nature of high-risk traffic stops, these contacts shall be conducted in accordance with state statutes, DOJ Training Guidelines, Department Policy, and/or procedures established in the department training reference guides.

Procedures for Contact for Traffic Violators

The following establishes procedures for officers to follow in their contacts with traffic violators:

- A. During traffic contacts, officers shall conduct themselves in a courteous, business-like manner treating offenders and citizenry with respect and compassion.
- B. Upon making contact, the officer shall identify him/ herself and the Department and advise the motorist of the reason for the stop. Officers should then attempt to gather the driver's justification for committing the violation and request his or her driver's license.
- C. After issuing a warning or citation, the officers should explain why a course of enforcement action is being taken, the elements of the offense, if requested, the consequences of the enforcement action, if any, and any applicable paperwork.

Speed Measuring Devices

The following establishes procedures for use of speed measuring devices:

- A. Radar and laser equipment used by the Department shall meet specifications established by the National Highway Traffic Safety Administration.

- B. Officers should choose radar/laser locations having a high incidence of speed related accidents or speeding violations and under conditions where the officer is able to properly observe traffic to confirm radar/laser.
- C. Prior to use of a radar unit, officers shall perform the following inspections and tests of the unit:
 - 1. Visually inspect the unit to ensure there is no external damage, including frayed power cords.
 - 2. Perform an internal calibration test, light segment tests and external tuning fork tests in accordance with manufacturer's guidelines and specifications. Tests should also be conducted following each use of the radar unit as probable cause for a stop and at the completion of radar operation. Test results should be recorded on the back of the citation if an arrest is made.
- D. Prior to use of the laser unit, officers shall perform the following inspections and tests of the laser unit.
 - 1. Visually inspect the unit to ensure there is no external damage, including frayed power cords.
 - 2. Perform the laser internal calibrations self-test sequence.
 - 3. Perform a distance calibration test.
 - 4. All test results shall be recorded on the back of the citation, if an arrest is made.
- E. Any external damage to the radar/laser, or unit failure during accuracy and calibration tests, shall result in the removal of the radar unit from use and repair of the unit. Officers using radar or laser equipment are responsible for proper care and upkeep, as well as, reporting malfunctions, problems, or damage to their immediate supervisor.
- F. Department radar and laser units shall be inspected and certified every three years. If a unit malfunctions, it will be repaired and recertified. The Fleet manager shall maintain all certification and maintenance records.
- G. Operator Training and/or Certification. The Department utilizes specific training programs for training of officers in the operation of radar and/or laser. All officers using radars/lasers shall receive training in their use by an instructor certified by the State of Wisconsin Department of Training and Standards to instruct those topics.

Referral of Drivers for Re-Examination

The following establishes procedures for identification and referral of drivers recommended for reexamination:

- A. Officers should be observant for persons whose ability to operate a motor vehicle is in question due to physical or mental deficiencies, chronic use of alcohol or drugs, lack of knowledge of traffic laws, or lack of driving skill. These persons should be referred to the Department of Transportation for reexamination by completing and mailing a Driver Condition or Behavior Report, DOT Form MV31415-94.
- B. It is not required that an officer take enforcement action prior to the referral of a driver for reexamination. The final determination of driving ability is left with the Department of Transportation.

Parking Enforcement

The following describes the Department's parking enforcement objectives and activities:

- A. Parking Services is primarily responsible for parking enforcement on the University of Wisconsin-La Crosse campus during normal business hours. However, Department police officers may issue parking citations.
- B. Police officers are responsible for responding and resolving parking complaints outside of normal business hours or when Parking Services personnel are unable to respond. Police officers may enforce parking violations within the jurisdiction at any time upon personal observation or upon citizen complaint.
- C. The Department's objectives are as follows;
 - 1. Address parking enforcement related issues when Parking Services is not available.
 - 2. Utilize parking enforcement (issuance of citations and/or towing of vehicles) as a crime prevention tool when deemed necessary.

3. Respond when requested by Parking Services to address issues beyond their capabilities and/or scope of duties.

IMPAIRMENT DUE TO ALCOHOL AND/OR DRUGS [6.2.6]

The following shall establish procedures for Operating a Motor Vehicle While under the Influence enforcement efforts:

- A. Drivers impaired by alcohol or other drugs represent a serious threat to the safety of others. The overall objective of OWI enforcement is to remove the impaired driver from the roadway and reduce the loss of life and property from OWI-related collisions.
- B. Patrol officers shall receive training in OWI enforcement during the Police Training and Evaluation period. This includes training in detection and processing of OWI arrestees and standardized field sobriety testing training. Officers may also be trained by the Wisconsin Department of Transportation Chemical Test section as Intoximeter operators and / or P.B.T. operators.
- C. All officers should be alert for behavior that may indicate a driver is operating a vehicle while under the influence of an alcoholic beverage and/or drugs. Furthermore, upon contacting operators stopped for other violations or drivers encountered at the scene of an accident, officers should be observant for signs or symptoms of alcohol and/or drug intoxication. The primary objective of OWI enforcement is to reduce the number of alcohol and/or drug related traffic offenses and accidents.
- D. Upon observing behavior indicative of intoxicated operation, officers shall gather sufficient evidence to establish reasonable suspicion to stop the vehicle. However, officers should not permit unsafe driving to continue for an unreasonable length of time so as to endanger other motorists or pedestrians. Officers should attempt to stop the vehicle in an area that will not interfere with or endanger other traffic or the officer.
- E. When an officer suspects intoxication, and prior to the administration of field sobriety tests, he or she shall request an additional unit at the scene. Back-up officers shall assist until an arrest decision is made or until assistance is no longer required by the arresting officer. In most circumstances, the investigating officer should initiate field sobriety tests only after their back-up officer has arrived on scene.
- F. During field sobriety testing, careful attention should be given to the demeanor and actions of the operator as many symptoms of intoxication (speech, walking, balance, and odors of intoxicants, etc.), may be observed throughout the subsequent contact. These observations may become critical during prosecution if the driver becomes uncooperative and refuses to perform field sobriety tests and/or to submit to an evidentiary chemical test for intoxication. Unless the driver is uncooperative or physically unable to perform the tests, field sobriety tests should be conducted on drivers suspected of OWI to determine if the driver's physical and mental condition has been impaired by the use of alcohol and/or drugs. The information gathered by the officer during these tests is often the strongest evidence of impaired driving ability. Field sobriety tests should be conducted at the scene of the traffic stop or accident unless weather conditions, injuries or other factors necessitate performing the tests at another location. The officer should attempt to perform the tests on a flat, well lighted area away from traffic, such as a sidewalk or parking lot. The tests should be conducted in a consistent manner from incident to incident to establish a foundation for evaluating the driver's performance based on the officer's experience.
 1. Officers who have received training in Standardized Field Sobriety Testing should conduct the following tests:
 - a. Horizontal Gaze Nystagmus (HGN) Testing
 - b. Walk and Turn Test (Heel to Toe)
 - c. One Leg Stand Test
 2. Any officer may use additional tests, including but not limited to:
 - a. Alphabet Test
 - b. Finger to Nose Test
- G. Results of the field sobriety tests for persons taken into custody for OWI shall be documented in the arresting officer's incident report.

- H. Officers may administer a Preliminary Breath Test (PBT) prior to making the arrest to assist them in detecting drivers suspected of OWI. The test should be administered after the field sobriety tests to confirm the officer's observations are due to alcohol consumption and not due to any other form of impairment. If the officer concludes that the results of Standardized Field Sobriety Testing do not support an arrest for impairment, but signs of impairment are present, the officer shall assist the subject in arranging transportation to their destination.
- I. After establishing that probable cause exists for a violation of the operating while under the influence laws, officers shall effect a custodial arrest of the violator. Officers shall not release OWI suspects or arrange for alternative transportation in lieu of making arrests unless exigent circumstances exist.
- J. Arrest for OWI suspects with an enforceable prohibited alcohol concentration (PAC) of .02 may readily be made without a corresponding arrest for OWI. Officers should adhere to the following guidelines when investigating a P.A.C. violation by an operator with an enforceable .02 P.A.C. restriction.
 - 1. Probable cause to arrest for a .02 PAC violation is less than that required for OWI
 - 2. Officers encountering a violator with an enforceable .02 restriction should first process the situation consistent with the standard OWI guidelines. Field sobriety tests should be conducted and, if probable cause exists, an arrest for OWI made.
 - 3. If probable cause for OWI is insufficient, the officer should determine whether there are reasons to ask the operator to submit to a P.B.T.
 - 4. If the P.B.T. results indicate a P.A.C. of .02 or greater and the results are consistent with the officer's observations of the operator's physical appearance and motor skills, officer's observations at the scene, driving behavior, odor of intoxicants, or statements made by the operator, an arrest for prohibited alcohol concentration should be made. If the operator refuses the P.B.T., the officer must use all available evidence to determine whether probable cause exists to arrest for prohibited alcohol concentration. Upon issuing a citation for P.A.C., the officer should read the Informing the Accused and ask the operator to submit to a chemical evidentiary test of his or her breath or blood.
- K. Upon arrest, the driver shall be handcuffed and searched. A search of the vehicle should be conducted if there is probable cause to believe there is evidence related to the crime for which he or she is arrested.
- L. Prior to leaving the scene of the traffic stop or accident, the arresting officer should secure the arrested person's vehicle and its contents in the following manner:
 - 1. The driver may have already parked the vehicle in a legal parking location. In this case, the officer should secure the vehicle in place.
 - 2. If there is a person at the scene who is willing to take responsibility for the vehicle, the vehicle may be released if the driver or registered owner gives consent for this vehicle to be removed from the scene by this person; AND the person possesses a valid driver's license; AND the person is not under the influence of an intoxicant and/or drugs in the opinion of the arresting officer. The officer may perform field sobriety tests and/or a P.B.T. test on the person to ensure the person's ability to drive. Persons under age 21, including the driver if not arrested for OWI, are subject to the absolute sobriety law and shall not be permitted to operate the vehicle from the scene if they have consumed any alcoholic beverages.
 - 3. If the vehicle is in the roadway or not legally parked and a parking location is nearby, the driver may authorize an officer to move his or her vehicle to a legally parked stall. In this case, the officer should secure the vehicle after moving it.
 - 3. If no one is immediately available to take possession of the vehicle and it is not in a legal parking location, a tow company shall be contacted to move the vehicle. When the vehicle is towed and there are other occupants in the vehicle, the officer shall attempt to make reasonable arrangements for the other occupants to reach their destination. Officers should assist in contacting taxi services or other transportation.

4. The vehicle may be impounded if the officer determines it should be held for evidentiary purposes.
- M. The Department utilizes two chemical evidentiary tests to determine blood alcohol concentration. The primary evidentiary test is a breath test, which should be conducted at a certified Intoximeter site. The alternate evidentiary test is a blood test, which should be conducted at a hospital.
1. If a chemical test of the driver's breath is to be conducted, they should be transported to a certified Intoximeter site and read the Informing the Accused form and asked to submit to an evidentiary chemical test of their breath. If the driver consents, the citation for OWI should then be issued and, after a twenty-minute (20) observation period, the chemical test administered. The officer should then complete a citation for prohibited alcohol concentration if the test results reveal above the limit of legal operation. The officer should then complete the Notice of Intent to Suspend. The driver's copy of the citation or citations and copies of the Informing the Accused form and Notice of Intent to Suspend should be given to the operator. The Alcohol / Drug Influence Report, including issuing the Miranda warning, should then be completed.
 2. The officer should then follow incarceration or release procedures:
 3. If the driver becomes disorderly during the chemical testing process, he or she will be deemed to have refused the test. If a driver refuses to submit to an evidentiary chemical breath test, the Intoximeter test procedure should be completed, and the driver's refusal noted in lieu of a breath sample. The Notice of Intent to Revoke Operating Privileges should be issued, and the driver's copy of all citations provided.
 4. If circumstances exist requiring an evidentiary chemical test of the person's blood, the officer should record reading the Informing the Accused form by body camera and/or squad camera to the driver and ask the driver to submit to an evidentiary chemical test of their blood. If consent is given, the officer shall transport the driver to a medical hospital. Medical staff should administer the blood draw and the officer should issue the citation for OWI
 5. For OWI third or subsequent offenses, a search warrant for the collection of a blood sample should be applied for when the arrestee refuses the request to submit to an evidentiary test.
 6. In all arrests where a blood sample is taken, the blood sample shall be drawn by a medical technician in the presence of the arresting officer. The sample should be labeled, sealed, and packaged by the officer or the technician in the officer's presence. The sample shall remain in the officer's physical custody until transported to the UWLPD and placed into an evidence locker. The court officer is responsible for transporting or arranging transport of blood evidence to the Wisconsin State Laboratory of Hygiene. Chain of custody should be maintained during this process. After the blood results are received, if the analysis indicates the driver's B.A.C. is over the legal limit, or if the presence of a restricted controlled substance is present, the officer should then complete the applicable citation. The officer should then complete the Notice of Intent to Suspend. The driver's copy of the citation(s) and copies of the Informing the Accused form and Notice of Intent to Suspend should then be mailed to the operator. A supplemental report shall then be completed.
 7. Under certain circumstances, the officer may proceed with a forced blood draw. Officers should not proceed with a forced blood draw under this provision if the level of force necessary for accomplishing it becomes unreasonable. As a general rule, officers shall not apply an intervention option solely for the purpose of forcibly drawing blood that requires force greater than passive countermeasures.
 8. Whenever a person is arrested for homicide by intoxicated use of a motor vehicle, Wis. Stats. 940.09, or injury by intoxicated use of a motor vehicle, Wis. Stats. 940.25, and refuses to submit to a chemical test for intoxication, the officer shall proceed with the search warrant process for a blood draw.
 9. If an officer requires the withdrawal of a blood sample from a person who is unconscious or otherwise not capable of withdrawing his/her implied consent to an evidentiary chemical test, the officer should proceed with the search warrant process. The absence of a refusal from a subject is no longer considered consent under implied consent. The search warrant process

- should be utilized if the officer has probable cause to believe the person has violated Section 346.63(1), (2), or (2m) or Section 940.25 or 940.09, Wis. Stats., or a local ordinance in conformity with sec. 346.63(1) or (2m).
10. If the driver submits to a test, they may also request the alternate test administered and paid for by the Department, or a reasonable opportunity to have any qualified person of their choice administer a second chemical test at the driver's expense.
 11. Officers shall attempt to complete the Alcohol/Drug Influence Report at the end of the process to assist with the investigation and potential data collection.
- N. Persons arrested for OWI may be released after all processing is completed, and assuming no other charges have been filed requiring the posting of bond, under the following circumstances:
1. If the driver has a valid Wisconsin driver's license or sufficient contacts within the community that future court appearance is likely; OR
 2. The driver posts a cash bond; AND
 3. A responsible, sober adult, who is a licensed driver (if driving the arrested person from the site) will come to the Police Department, hospital or jail and take responsibility for the driver. The persons eligible for release and who wished to be released within 12 hours of the arrest must read and sign an OWI Driver Release Form prior to release. The person accepting responsibility for the arrested driver must also read the form, agree to accept responsibility for the driver and sign the OWI Driver Release Form. If the responsible party refuses to sign the form, the driver shall be transported to Dane County Jail and a 12-hour hold placed on that individual.
- O. Complete investigations and accurate, detailed, narrative reports are critical to successful OWI arrests and prosecutions. All OWI arrests shall have, in addition to OWI citations and related forms, an incident report completed by the arresting officer. Back-up officers, or other officers who assist in the arrest/investigation, shall also prepare supplemental reports, if appropriate.

MOTOR VEHICLE CRASH REPORTING, INVESTIGATION, AND OFFICER RESPONSE

[6.2.7]

- A. Complaints concerning traffic engineering deficiencies and possible solutions on University roadways shall be investigated by a patrol officer, when feasible. The officer shall initiate appropriate remedial action when applicable and possible.
- B. Court services personnel are responsible for sending a copy of all motor vehicle crash reports meeting state requirements to the Wisconsin Department of Transportation.
- C. The Department performs collision and enforcement data analyses on an annual basis. As roadway or traffic control deficiencies are noted, they should be forwarded to the Day Shift Sergeant.
- D. The primary responsibility for traffic engineering on the University belongs to the UW-La Crosse Police Department. When an officer identifies a traffic problem that may be due to engineering, the officer should initiate an incident report outlining the problem. The Day Shift Sergeant will coordinate collecting and compiling traffic enforcement and motor vehicle collision data to identify specific engineering problems and solutions, conduct special traffic surveys and studies to further investigative efforts, review traffic enforcement motor vehicle collision data to discern trends and relationships symptomatic of engineering problems, make recommendations concerning the efficient use of traffic control devices, and notify the Chief of Police or designee of any fatal or serious collisions for review of traffic engineering in identifying possible improvements.

TRAFFIC DIRECTION AND CONTROL FUNCTION [6.2.9]

- A. Officers who perform traffic direction and control activities at collision scenes shall allow for the safe ingress and egress of emergency vehicles and provide for a system of alternative routes for other vehicles, as necessary. Police vehicles with activated lights, flares, traffic cones, and barricades may be used by officers to aid in protecting the collision scene.
- B. During traffic direction and control, personnel shall wear high visibility reflective vests or high visibility jackets in addition to their full uniform. The Department provides high visibility reflective vests and/or jackets to all personnel who may be assigned to provide manual traffic direction and

control functions. It is the responsibility of all personnel to have available to them high visibility reflective vests or jackets during on-duty hours. Department issued raincoats with high visibility reflective patterns may also be used as high visibility clothing in rainy weather.

- C. Department personnel assigned and authorized to direct traffic should use the following uniform signals and gestures to perform manual traffic direction:
 - 1. To stop traffic, an officer should signal the person to be stopped by raising a hand at the wrist, so the palm is toward the person to be stopped.
 - 2. To stop traffic from both directions on a two-way street, the procedure is then repeated for traffic from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.
 - 3. To start traffic, the officer should swing their arm through a vertical semi-circle in the direction the traffic is to move.
 - 4. To signal a left or right turn, the officer should swing the extended arm in the direction of the driver's intended turn.
 - 5. To direct traffic with a lighted wand, the officer should use the same gestures as above only using the lighted traffic wand instead of their hands.
 - 6. To stop traffic utilizing a flashlight, the officer should slowly swing the beam of light across the path of oncoming traffic. After the driver has stopped, arm signals may be given in the usual manner with the vehicle headlights providing illumination.
- D. A primary task of Department personnel engaged in traffic direction and control services at critical incidents is to maintain access avenues to and from the scene for emergency vehicles while maintaining a secure outer perimeter. Officers should coordinate their efforts with responding agencies at critical incident scenes to provide adequate safety measures for vehicle and pedestrian traffic.
- E. Upon discovering adverse road or weather conditions, Department personnel shall take appropriate action. Adverse road and weather conditions may include collision hazards, acts of nature such as fog or snowstorms, and engineering hazards. Department personnel action may include notifying the appropriate agency via the Dispatch Center, providing traffic control as needed, protecting the scene as appropriate, or immediately rectifying the situation where feasible.
- F. Police officers are neither trained nor equipped to make traffic signal repairs or adjustments to timing cycles.
- G. Temporary traffic control devices include movable barriers, portable signs, traffic cones and other similar apparatus intended to assist in the safe and efficient of vehicular or pedestrian traffic. These items may be placed and removed by Department personnel when special traffic needs are identified. Temporary traffic control devices may be used when there have been sustained power outages which render traffic control signals inoperative, during special events, in the event of collisions, during critical incidents, and during other situations when deemed necessary.

ESCORT SERVICES [6.2.10]

The following escort services, both routine and emergency, when provided, shall be conducted in accordance with Wisconsin State Statute 346.215:

- A. Any other emergency escort, to include civilian vehicles in medical emergencies, shall not be given unless authorized by the Officer in Charge (OIC) or designee.
- B. Personnel who encounter medical emergencies are expected to provide reasonable assistance within their capability to preserve life. Personnel shall notify the Dispatch Center to send emergency medical personnel to the scene of medical emergencies.

ROADBLOCKS AND FORCIBLE STOPPING TECHNIQUES [6.2.11]

The following procedures shall govern forcible stopping techniques associated with motor vehicle pursuits:

- A. Due to the extreme danger inherent in the use of fixed roadblocks, personnel shall not implement fixed roadblocks to apprehend suspects or stop fleeing vehicles.

- B. An officer should not cause deliberate physical contact between the patrol vehicle and the suspect's vehicle. No attempt to force another vehicle off the road or into any obstacle shall be made, except during an extreme situation in which the use of deadly force is justified and necessary.
- C. An officer shall not discharge a firearm from or at a moving vehicle unless the officer reasonably believes that the occupant(s) of the vehicle are using or are about to use deadly force against the officer or another person.
- D. Due to the extreme danger inherent in the use of tire deflation devices or road spikes, the department does not use these devices.

ASSISTANCE TO HIGHWAY USERS [6.2.12]

The following outlines general assistance as provided by Department personnel:

- A. Personnel shall provide information and directions to citizens when asked and shall remain familiar with various services and facilities available to assist motorists. Department personnel shall offer reasonable assistance at all times to motorists who appear to be in need of aid. Department personnel may transport stranded motorists to the nearest convenient location where assistance may be obtained.
- B. Officers encountering motorists experiencing mechanical or other difficulties shall make a reasonable effort to obtain appropriate assistance for the motorist. Officers shall not use Department vehicles to "jump start" disabled vehicles. Officers shall assist in obtaining towing services when requested. The tow company requested by the motorist shall be utilized provided the company can respond in a reasonable amount of time. If the motorist does not have a personal choice, an authorized towing agency shall be requested.
- C. Stranded motorists should not be left unattended when they appear to be exposed to hazardous situations. Consideration shall be given to the location, time of day or night, and weather. Department personnel who assist stranded motorists shall communicate this to the Dispatch Center. During adverse weather conditions, Department personnel shall make an effort to arrange for transportation for persons who are stranded.
- D. Officers shall render all practical assistance to the users of the roadway who are involved in emergency situations. In medical emergencies, officers shall request emergency medical services and administer first aid, if necessary.

HAZARDOUS HIGHWAY CONDITIONS [6.2.13]

- A. During normal patrol activities, Department personnel must remain alert for unsafe or hazardous conditions on the roadway. Hazardous conditions may include but are not limited to:
 - 1. Debris on roadway
 - 2. Defects on the roadway itself
 - 3. Lack of, or defects in, roadway safety features
 - 4. Lack of, improper, visually obstructed, damaged, or non-working mechanical traffic control devices or informational signs
 - 5. Lack of, or defective, roadway lighting systems
 - 6. Disabled, abandoned, or parked vehicles on the roadway
- B. Upon discovering an unsafe or hazardous condition on the roadway, Department personnel shall take appropriate action which may include notifying the appropriate agency via the Dispatch Center, providing traffic control as necessary, protecting the scene as appropriate, or immediately rectifying the situation when possible.

ABANDONED VEHICLES [6.2.14]

- A. Abandoned vehicle complaints may be dispatched for investigation. Police Services primarily responds to abandoned vehicle complaints. Abandoned vehicles presenting a roadway hazard shall be removed to the tow operator's yard through the University contracted vehicle tow service, if available. A general inventory shall be conducted of abandoned vehicles. Officers initially assigned

- to the abandoned vehicle shall run the VIN to check for ownership and for wants/stolen status, before making a reasonable attempt to contact the owner to resolve the situation.
- B. Disabled vehicles may be left at the scene for later repair or removal by the owner if:
 - 1. The owner/operator makes such a request.
 - 2. The vehicle is legally parked or is placed on private property with the consent of the property owner.
 - 3. The vehicle does not otherwise present a hazard to the public or the safe movement of traffic.
 - C. Vehicles seized for evidentiary purposes shall be towed by the contracted towing service, unless unavailable. Vehicles impounded for evidentiary purposes shall be taken to the Department and secured in the garage or another secure location as directed by the assigned officer or a supervisor. Other jurisdictions reporting stolen vehicles later recovered within the Department jurisdiction shall immediately be notified by teletype of the recovery with a request for vehicle disposition instructions.
 - D. Police Services is primarily responsible for the removal of illegally parked vehicles during. Illegally parked vehicles that are towed shall be issued a parking ticket for the violation prior to towing.
 - E. Departmental vehicles becoming disabled or damaged that require towing services shall be towed by the contracted towing service, if available.
 - F. Officers investigating accidents, or who encounter a disabled vehicle, where towing services are required shall ask the owner/operator at the scene if they have a preference for towing services. Towing services within a reasonable distance shall be summoned at the request of the owner/operator.
 - G. In the event a tow is required after the operator's arrest or if the owner/ operator does not express a preference for towing services, the officer may utilize any available tow company.
 - 1. When an officer takes a vehicle operator into physical custody for any reason, the vehicle is being towed, and there were other occupants in the vehicle, the officer shall attempt to make reasonable arrangements for the other occupants to reach their destination.
 - 2. The disposition of the arrested person's vehicle subsequent to an arrest shall be documented in the officer's written report and call noted in MCT.
 - H. The Dispatch Center shall maintain a "Vehicle Tow-Away Log" containing the following information:
 - 1. Make and model of the towed vehicle
 - 2. Registration plate number or V.I.N.
 - 3. Color of the vehicle
 - 4. Location from which the vehicle was towed, the towing service was used, and why it was towed
 - 5. Related agency case number

BY ORDER OF

A handwritten signature in black ink that reads "Allen Hill". The signature is written in a cursive style with a large, stylized initial 'A'.

Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

6.3

| | |
|--|---|
| Subject Criminal Investigations | WI Statute 175.50(3), 944.20, 944.21(1), 175.47, 968.075(1)(a), 938.195, 938.31(3)(c), 175.50(3), 968.07(2), 968.075(2m), 968.075(2)(ar), 940.225, 948.05, 944.30(1m), 948.055, 948.10, 961.37, 961.385(1)(ag), 256.40(1)(d) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 6.3.1-6.3.12 |
| Comments: | |

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II. POLICY:

The UW-La Crosse Police Department shall establish guidelines that provide for efficient and effective investigations of all reported crimes that occur within the Department jurisdiction.

The UW La Crosse Police Department will conduct thorough administrative and criminal investigations into all incidents which involve the death or serious injury of any person, including law enforcement personnel, whenever an employee of the Department is actively involved in the incident. Depending on the severity of the case, the criminal investigation aspect of the case may be turned over to the La Crosse County Sheriff's Office, the La Crosse Police Department or the Wisconsin Division of Criminal Investigation (DCI). UW La Crosse Police Department personnel will assist in these criminal investigations as requested.

III. DEFINITIONS:

Blind shuffle refers to the process where each photo of the lineup is placed in an identical envelope, then shuffled or mixed so that the showing officer does not know when the suspect shall be shown.

Cold Case is defined as any criminal investigation by a law enforcement agency that has not been solved for (generally) at least one year and, as a result, has been closed from further investigations.

Confidential Informant is a person who provides information about on-going criminal activity to law enforcement officers and has been determined to be reliable for the purposes of criminal investigations. The identity of the individual is privileged in order to protect the individual against retribution from those involved in crime.

Confidential Source is a person who provides information to a law enforcement agency on the express or implied guarantee of anonymity. The reliability of information provided by a confidential source must be weighed on a case-by-case basis as a confidential source has not proven reliable.

Eyewitness refers to an individual who personally witnessed the crime under investigation or observed the suspect in the area of the crime scene.

Follow-up investigation refers to an extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property.

In-person lineup refers to an identification procedure in which a suspect is placed in a live group setting with similar persons and presented to a witness or victim.

Photo lineup is an identification procedure in which a suspect's photo is placed in a group of other similar photographs and shown sequentially to a witness or victim.

Preliminary investigation refers to the activity that begins when personnel arrive at the scene of an incident. The activity should continue until such time as postponement of the investigation or transfer of responsibility shall not jeopardize the successful completion of the investigation.

Sequential procedure refers to the process where a victim or witness views only one person/photo at a time.

Show up is when a lone suspect is presented by the police to an eyewitness or victim so that the eyewitness or victim might make an identification of the suspect as the perpetrator.

Administrative Review is a time-sensitive assignment given to a command staff member to gather the facts of an incident. It may include but is not limited to reviewing initial written reports and video. The purpose of an administrative review is to determine if there are policy or safety issues that require a more thorough internal investigation, or any violation of law. If an internal investigation is not required, training and procedural recommendations may be made.

Criminal Investigation is an investigation of a critical incident to ascertain all the relevant evidence as to whether or not anyone committed a crime during the course of the event which led up to and included the critical incident. The criminal investigation is conducted separate but may be simultaneous to an internal investigation.

Critical Incident Partner (CIP) is a department member, of an involved officer's choosing, who is assigned to the officer involved in a critical incident. The CIP will act as a liaison between the officer, their family and the department.

Critical Incident Stress Debriefing is a small group debriefing which consists of only UWL PD Staff directly involved in the critical incident and is facilitated by the department Critical Incident Stress Management (CISM) provider. The debriefing should occur 48-72 hours post incident. The debriefing is designed to mitigate acute symptoms, assess the need for follow-up, and if possible, provide a sense of post-crisis psychological closure.

Deadly Force is the intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.

Defusing is a confidential, individual non-evaluative discussion with a mental health professional who specializes in traumatic incidents such as officer involved shootings. This is not a fitness for duty assessment.

Domestic abuse as defined in Wisconsin State Statute 968.075 (1)(a) refers to any of the following engaged in by an adult person against his or her spouse, former spouse, against an adult with whom the person resides or formerly resided; or against an adult with whom the person has a child in common.

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.

3. A violation of law amounting to first-, second- or third-degree sexual assault.
4. A physical act, or a threat in conjunction with a physical act, which may cause the other person to reasonably fear imminent engagement in the conduct described above.

Internal Investigation is an investigation to gather the facts of an incident in detail. An Internal Investigation may begin as an Administrative Review. For some incidents, the more complete Internal Investigation is required by policy. The Internal Investigation includes gathering information from interviews of the primary personnel related to an incident as well as other officers, arrested persons, victims and witnesses. It may include but is not limited to reviewing written reports, video, reports from other agencies that produced reports, and physical evidence. When it is determined that discipline is a possible outcome, interviews will be in accordance with the discipline process.

Involved Agency is the law enforcement agency which employs the officer(s) who are directly involved in the officer-involved death. In the event that officers from more than one agency are directly involved, there can be multiple involved agencies.

Involved officer(s) is/are officer(s) who are directly involved in the critical incident as a principal, victim, witness, or is the custodial officer.

Officer Involved Critical Incident (OICI) is an event in which an officer is involved as a principle, a victim, or is the custodial officer, where a significant injury likely to cause death occurs or when an officer intentionally discharges his/her firearm at another person.

Officer Involved Death is an incident involving the death of an individual that results from an action or omission of a law enforcement officer while the officer is on duty or while the law enforcement officer is off duty but performing activities that are within the scope of his or her law enforcement duties.

Outside Agency Lead Investigator is the investigator who has the statutory authority to oversee and direct the investigation of an officer involved death. The outside agency lead investigator will work with the supervisors of the involved agency in order to accomplish the investigation. The involved agency supervisor(s) will use their formal authority within the agency to assist the lead investigator.

Public Safety Statement is a voluntary statement made by involved officer(s) that addresses the level of danger that may still exist, aid the initial operational response to locate suspects and provide initial basic safety information surrounding an officer involved death (OID) and/or officer involved critical incident (OICI) that can be relayed to the community in an expedited manner to address safety concerns.

Tactical Debrief is a post-incident debrief with any department members involved which focuses on a review of the actions taken during the incident and the tactics utilized.

IV. PROCEDURE:

INVESTIGATIVE COVERAGE [6.3.1]

The following outlines the procedure for achieving 24-hour investigative coverage:

- A. Detectives are available during regularly scheduled duty hours, generally Monday through Friday, 8:00 a.m. to 4:00 p.m. The Detective on Call (DOC) is available for investigative support during weekday and weekend off-duty hours. Formal requests for investigative support should come through a supervisor or Officer in Charge (OIC).
- B. When additional investigative support, beyond that of the DOC, is required during weekday and weekend off-duty hours, the police supervisor or OIC should contact the Manager on Call (MOC) and/or the detective supervisor. The MOC and/or the detective supervisor shall facilitate the process of acquiring additional support.

CASE FILE MANAGEMENT [6.3.2]

The Department has established case file management procedures as follows:

- A. If a determination is made to assign a case for investigation, the Investigative Services Captain or designee shall track such assignments electronically in the Records Management System utilizing the Investigator Dashboard (RMS ID). RMS ID designates the date the case was received, the personnel assigned, and a case review date. All active cases shall be placed in the RMS ID for the assigned investigator and shall be reviewed by the Investigative Services Captain or designee prior to being removed from the investigators ID.

- B. To assist in the effective control and management of investigative follow-up of cases, the following case status options should be utilized:
1. Open-Active. **IBR** offense is being actively investigated. Leads can be developed from given information.
 2. Verbal Warning. This status should be utilized for non-IBR offenses such as civil traffic incidents or non-reportable IBR offenses.
 3. Cleared by Arrest. Offenses where at least one person is arrested (cited and released or physically arrested) and charged with the commission of the offense which is highest in the IBR hierarchy of offenses in a given incident.
 4. Written Warning. A written warning for a non-reportable IBR offense was given to the offender.
 5. Ticket Issued. A citation for a non-IBR offense has been issued or a citation has been issued for an offense that is lower in the IBR hierarchy than the highest IBR offense for a given case. If the offense a citation is issued for is the top offense in an incident and is a IBR reportable offense, but UWLPD has ability to write a non-criminal citation, this status shall not be used (see cleared by arrest)
 6. Sent to DA. Temporary status only as case awaits a charging decision
 7. Open-Inactive. Indicates investigation into any IBR reportable offense has ended. No suspect was developed, no investigative leads are present, and investigator does not feel additional investigation would assist in clearing the offense.
 8. Pending Warrant Obtained. A suspect has been identified and a warrant has been obtained for the arrest of the suspect. No arrest has been made at this time.
 9. Exceptionally Cleared. An element outside of law enforcement control prevents the filing of formal charges against an offender. The following questions must be answered in the affirmative to utilize this status:
 - a. Has the investigation definitely established the identity of the offender?
 - b. Is there enough information to support an arrest, charge, and turning over to the court for prosecution?
 - c. Is the exact location of the offender known so that the subject could be taken into custody now?
 - d. Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting of the offender?
Examples may include:
 - a. **Double murder. Two persons kill each other.**
 - b. **Dying declaration. The person responsible dies after making a confession.**
 - c. **Offender is killed by police.**
 - d. Confession by offender already in your custody or serving sentence (this is actually a variation of a true clearance by arrest - you would not "apprehend" the offender, but, in most situations like this, the offender would be prosecuted on a new charge).
 - e. An offender prosecuted in another city for a different offense by state or local authorities or prosecuted in another city or state by the federal government or an attempt to return the offender for prosecution, but the other jurisdiction will not release the offender to you.
 - f. Extradition is denied.
 - g. Formal charging policy of the DA.
 - h. It is recognized that Department policy in various police agencies permits the discontinuance of investigation and the closing administratively of cases in which all investigation has been completed.
 10. Closed-Inactive. Offenses where the investigation has been discontinued. This is not a clearance. This includes only incidents where an IBR reportable offense is not present.
 11. Unfounded. False or baseless complaint.

12. Completed Report Filed. Temporary status given to cases as they enter the RMS. Investigators should not be utilizing this status as it indicates the case has not been reviewed and does not have an actual case status.
- C. Upon assignment for follow-up investigation, the case report(s) shall be accessed from the electronic record. Assigned personnel shall be responsible for maintaining pertinent accompanying records and shall attach those records to the case electronically. Unless the document or item is evidentiary in nature and the evidentiary value lies with the original document, the original document may be destroyed once it is electronically attached to the report.
- D. Original documents, when necessary for further investigations, may only be removed from the evidence room by following proper procedures. Electronic investigative case files shall only be accessible to law enforcement personnel at the discretion of the assigned personnel or the Investigative Services Captain / designee. It is recognized that some criminal investigations contain sensitive information which may compromise the eventual outcome of the investigation. The Investigative Services Captain or designee may authorize reports involving sensitive cases be maintained in a locked status within the RMS. The Investigative Services Captain or designee shall be responsible for auditing and control of any cases maintained in this fashion.
- E. The Investigative Services Captain or designee is responsible for monitoring the status of assigned cases by reviewing submitted offense reports and supplemental reports, by discussing the case with investigators, and by analyzing the RMS Investigator Dashboard. The Investigative Services Captain or designee shall conduct a monthly audit of assigned cases with each of their assigned personnel to determine change or continuation of case status. The Investigative Services Captain or designee shall review files considered for purging and shall purge files after conferring with the Chief of Police.

PRELIMINARY INVESTIGATIONS [6.3.3]

- A. A thorough and comprehensive preliminary investigation may negate the need for investigative follow-up. Appropriate steps in a preliminary investigation may include, but are not limited to:
1. Providing aid to the injured.
 2. Observing all conditions, events, and remarks surrounding the incident under investigation.
 3. Locating and identifying the suspect(s), witnesses, victims, and affecting an arrest if possible.
 4. Securing, maintaining, and protecting the crime scene and collecting basic evidence or arranging for the collection of evidence-by-evidence technicians or specialized assistance that is needed including, but not limited to supervisors and canine investigations.
 5. Conducting interviews of the complainant, victims, witnesses, and suspects.
 6. Furnishing other field units (through the communications center) with descriptions, method, direction of travel, and other relevant information concerning wanted persons or vehicles.
 7. Accurately and completely recording all pertinent information in report form, including any offense observed and all elements of the offense.
 8. Obtaining written statements from victims, witnesses, and if legally possible, from the suspect.
- B. An officer conducting a preliminary investigation is not precluded from being assigned to the follow-up investigation.

FOLLOW-UP INVESTIGATIONS [6.3.4]

- A. Appropriate steps in a follow-up investigation may include, but are not limited to:
1. Reviewing and analyzing all previous reports filed during the preliminary investigation, departmental records, and results from laboratory examinations.
 2. Additional interviews of the victims, witnesses, or other persons who may possess information and interrogations of any potential suspects.
 3. Seeking additional information from responding officers, informants, or suspects.
 4. Planning, organizing, and conducting searches and collecting physical evidence. Review of collected evidence and consideration of submission for laboratory analysis.
 5. Identifying and apprehending a suspect or suspects and obtaining a written statement.

6. Determining involvement of the suspect in other crimes.
 7. Checking the suspect's criminal history.
 8. Inquiring with other law enforcement agencies.
- B. Personnel assigned to follow-up investigations shall make contact by telephone, in-person, or other reasonable means with the victim or complainant in cases assigned to them. The purpose of this contact is to gain any additional information not included in the initial report and to inform the victim or complainant what action shall be taken by the person assigned to the follow-up.

INFORMANTS [6.3.5]

The following specifies procedures to be used when using confidential informants, excluding detectives assigned to outside agencies:

- A. During the course of criminal investigations, detectives or other investigative personnel may need to utilize confidential informants. The use of confidential informants may be important to the satisfactory completion of an investigation. Procedures outlined in this section shall be followed strictly and uniformly unless otherwise authorized by the Chief of Police or designee out of operational necessity.
- B. Personnel seeking to use a confidential informant shall make a formal request to the Chief of Police or designee. The Chief of Police or designee retains the authority to approve the use of informants. This request should contain the reason for the request and information on the potential informant.
- C. Management of any informants shall be conducted by the **Dane County Narcotics Task Force**.
- D. Investigators shall document all contact with informants. Information shall include date and time, location, reason for meeting, information exchanged, and amount of payment, if any. The investigator shall begin a record on the informant to be kept in the informant file, which includes biographical and background information, criminal history record, and any code name or number being used for the informant.
- E. No person shall be allowed access to informant files without the expressed permission of the Chief of Police or the Detective. All informant files shall be kept secure unless in use by authorized personnel.
- F. Confidential informants shall be advised of and subject to the following control measures:
 1. The amount and method of informant payments, if any.
 2. The restrictions placed on the expenditure of advance money by the informant.
 3. The procedures to be followed in establishing contacts and meetings.
 4. The procedures to be followed if the informant is arrested.
 5. The informant's testimony requirements and obligations.
 6. The Department's limitations in protecting the identity of the informant.
 7. The Department's future obligations to the informant once contact has been completed.
- G. The Department shall not tolerate criminal activity on the part of any informant. If, during an investigation, an officer becomes aware of illegal acts by the informant, prosecution shall be sought. Special attention should be given so that the informant does not misuse department funds. In all cases, informants shall not be paid unless the Chief of Police or designee has approved of the payment. Fees paid to informants shall be determined by quality of information, quantity of information, risk factors involved, and seriousness of the case. Receipts for any payment shall be issued.
- H. The following precautions should be taken with informants:
 1. When meeting the informant, the officer should always select the time and place. Location and times should vary to avoid a pattern.
 2. The informant should always be debriefed prior to terminating contact. Any information related to criminal violations shall be documented and investigated or forwarded to the appropriate agency for investigation.
 3. Investigators or officers should attempt to verify the accuracy of information supplied to them by informants.

4. Contacts between Department personnel and informants shall be made utilizing at least two officers: one officer making the contact, with a second officer observing from a nearby position.
5. Juveniles shall not be used as informants.

ADULT CUSTODIAL INTERROGATION [6.3.6]

- A. Any custodial interrogation of a juvenile shall be recorded by means of video and audio. A juvenile who is in custody and shall be interrogated should be brought to the Department prior to interrogation to best facilitate the recording requirement. If it is not feasible to bring the juvenile to the Department, the officer shall advise Dispatch that they are in need of an officer with a functioning body worn camera and/or squad with video recording capabilities.
- B. Custodial interrogations of juveniles shall be conducted in accordance with Wisconsin State Statute 938.195 which requires the following;
 1. All custodial interrogations of juveniles that are conducted at the department shall be audio and video recorded by the officer(s) unless one or more of the following conditions under Wis. Stat. § 938.31(3)(c) apply:
 - a. The juvenile refused to respond or cooperate in the custodial interrogation if an audio or audio and visual recording was made of the interrogation so long as the officer(s) made a contemporaneous audio or audio and visual recording or written record of the juvenile's refusal.
 - b. The statement was made in response to a question asked as part of the routine processing after the juvenile was taken into custody.
 - c. The officer(s) conducting the interrogation in good faith failed to make an audio or audio and visual recording of the interrogation because the recording equipment did not function, the officer(s) inadvertently failed to operate the equipment properly, or, without the officer's knowledge, the equipment malfunctioned or stopped operating. Such conditions shall be documented in the incident report.
 - d. The statement was made spontaneously and not in response to a question by the officer(s.)
 - e. Exigent public safety circumstances existed that prevented the officer(s) from video and audio recording the interrogation.
 2. Custodial interrogations that are conducted outside of the department, if feasible, should be audio and video recorded unless the following conditions under Wis. Stat. § 938.31(3)(c) apply (listed above.)
- C. When conducting a custodial interrogation, the officer shall advise the juvenile of his or her rights. Juveniles may waive their Miranda rights, and may do so without a parent being present, however reviewing courts will closely examine the facts and circumstances of the waiver to ensure it was voluntary. Many factors will be considered, including the juvenile's age, education, intelligence, emotional characteristics, experience with criminal justice system, time of day, and the presence of a parent or other adult concerned about the juvenile's welfare. Officers must take steps to ensure the juvenile understands his or her rights and the gravity of the situation. The officer must demonstrate that the juvenile has the mental capacity to comprehend the significance of Miranda and the rights waiver.
- D. If an investigation is not of an emergency nature, a reasonable effort should be made to notify the parent or legal guardian of a juvenile who has been taken into custody and is a suspect in a criminal matter. If the parent or guardian cannot be reached, the officer may advise the juvenile of his or her rights and proceed with the investigation. If a parent is contacted, they may desire or demand to be present during the juvenile interrogation. Officers may have the discretion to exclude the parents from an interview if their presence would hinder the investigation.
- E. When questioning a juvenile, officers shall not prolong the interview beyond what is needed in order to complete the investigation. The interview should be handled by one officer if at all possible, so as to lessen the chance of a juvenile feeling intimidated or pressured.

EYEWITNESS IDENTIFICATION [6.3.7]

The following provides procedures for non-custodial identification and show-ups:

- A. Non-custodial identification occurs when the eyewitness observes a suspect who is at liberty.
Witnesses may be taken to locations where the suspect is likely to appear provided it is a place where several people are likely to be present or pass by at random. A place such as the suspect's home is prohibited. Transporting a witness in a squad car to cruise the general area in which a crime has occurred in the hope of identifying the perpetrator is permissible.
- B. A show-up is a police directed viewing of the suspect by an eyewitness shortly after a crime occurs. The use of a sequential photographic line-up is preferable to the use of show-ups.
- C. An officer may arrange a show-up wherever the suspect is detained for a short period of time (approximately 20 minutes). The show-up must be necessary and done in a manner to minimize suggestiveness. The officer may use reasonable force to detain the person. The show-up should be done as expeditiously as possible, within a reasonable time, generally not to exceed one hour from the occurrence of the crime. Beyond this time, the on-duty district attorney should be contacted. The following applies:
 1. A show-up can be deemed as necessary if police lack probable cause to arrest the suspect or other exigent circumstances exist that prevent the use of a sequential photographic line-up.
 2. If there is probable cause to arrest a suspect, the suspect should be taken into custody and identification should be made by use of a sequential photographic line-up instead of a show-up.
 3. Officers must get a complete description of the suspect from the witness/victim prior to the show-up. Where multiple witnesses/victims exist, each should provide a description separately and out of earshot of other witnesses/victims. Descriptions should include, but are not limited to clothing, age, height, weight, hair and eye color, posture, gait, hairline, skin texture, alertness, facial expression, and other physical characteristics which can be seen.
- A. Suspects not identified should be released unless probable cause still exists to believe they committed the offense.
- B. The Wisconsin Supreme Court has said show-ups are inherently suggestive and require the show-up be done in a manner that reduces the suggestiveness of it. The following applies:
 1. The suspect should not be handcuffed or seated in a squad during the show up. If handcuffs are necessary, steps should be taken to conceal that from view of the witness/victim. The show-up should not be done at the police department. The witness should be taken to the location of the suspect.
 2. Each witness/victim must view the suspect separately and out of sight and earshot of other witnesses/victims who will also view the suspect.
 3. Officers should only tell the witness/victim the person they are about to view may or may not be the perpetrator and should not feel pressured or compelled to make an identification. Officers must not refer to the person as a suspect to the witness/victim. If there is a positive identification, officers should ask if there was anything in particular that lead to the positive identification and document exactly what the witness/victim said if he or she has positively identified the suspect.
 4. Officers shall not confirm to the witness/victim that he or she has made a correct choice; simply instruct them that the investigation will continue.
 5. Once probable cause exists to arrest the suspect, other witnesses/victims should identify the suspect through the use of a sequential photographic line-up instead of the show-up.
 6. Officers shall not show the same suspect to the same witness more than once (i.e. through use of a second show-up, in person line-up or photographic line-up).
 7. Officers shall instruct witnesses/victims not to discuss their viewing of the suspect with other potential witnesses/victims.
- C. The process used for the show-up and its results must be documented in a report.
- D. In emergency circumstances, such as when a witness is in danger of death or blindness, an immediate show-up or a single photograph may be arranged if medical authorities permit.

- E. In accordance with Wisconsin State Statute 175.50 (3) the department's eyewitness identification procedures shall be reviewed at a minimum biennially.

Complaints of Obscene Material

The following shall define procedures for investigating complaints of obscene material:

- A. Courts have had great difficulty in defining obscenity. Their decisions are based on a variety of complex issues. Police, therefore, are not expected to define what is obscene.
- B. In response to a complaint and under certain circumstances (for example, but not limited to, child pornography), the police may decide whether materials will be seized or an arrest should be made. Officers should refer to state statutes 944.20 and 944.21(1) when making a decision regarding potential incidents of obscenity.
- C. In circumstances where there is a question as to whether or not the activity/material is obscene, the police shall facilitate communication between complainant and prosecutor, and act at the direction of the prosecutor.
- D. When a complaint involves pornographic material on a computer, officers must be aware of potential criminal activity (child pornography) and University work rule violations. In order to determine if the images are criminal an officer will need to view the images. While the incident is under investigation the computer should be treated as a crime scene and protected and secured following the property and evidence control written directives.

RESPONSE TO OFFICER INVOLVED DEATH (OID)/OFFICER INVOLVED CRITICAL INCIDENT (OICI) [6.3.8]

Pursuant to Wisconsin State Statute 175.47, UW-La Crosse Police Department shall request that an outside agency conduct the criminal investigation of any officer involved death where a department officer is an involved officer(s). For the purposes of this policy, OICI includes incidents in which a sworn officer is involved as a principal, a victim, or is the custodial officer, where significant injury likely to cause death occurs or when an officer intentionally discharges his/her firearm at another person. The following provides guidance to personnel in the event an officer is involved in a situation that results in death and/or is involved in a critical incident:

- A. Directly involved personnel shall:
 1. Render first aid and call for emergency medical assistance, when safe to do so.
 2. Control the scene until relieved.
 3. Notify dispatch to request a police supervisor.
 4. Identify witnesses to be interviewed by investigators. Involved officer(s) shall not participate in the interview of witnesses.
 5. Brief responding law enforcement personnel about the incident and consider providing a voluntary Public Safety Statement to the first arriving supervisor.
- B. Responding officers shall:
 1. Assist in the stabilization of the incident.
 2. Attend to the medical requirements of officers/suspects.
 3. Preserve the scene and identify potential witnesses.
 4. Prepare reports as requested.
- C. On scene supervisor or designee shall:
 1. Initiate incident command protocol
 2. Assume responsibility for the security and preservation of the scene.
 3. Contact officer(s) involved to obtain a public safety statement, which will provide immediate information to assist in determining scene and community safety. Involved officer(s) participation is voluntary. The supervisor obtaining the Public Safety Statement will document the information in an incident report and share it with the outside investigating agency, when applicable. The public safety statement is not an interview and will only address the most basic information regarding the incident, to include:
 - a. Injuries to officer(s), suspect(s) and/ or citizen(s) requiring immediate medical assistance

- b. Location and description of offender(s)
 - c. Location and description of victims or witnesses
 - d. Use of force, what type of force was used
 - e. Minimal summary of event
4. Establish a command post in conjunction with other agencies that may be involved in the incident.
 5. Separate the involved officer(s) a short distance away from, but available to the scene, to a quiet location. The supervisor shall ensure involved personnel are accompanied by a non-involved Department officer, preferably a supervisor if possible. An assigned non-involved Department member shall remain with the involved officer(s) until relieved by the officer's Critical Incident Partner (CIP) or designee.
 6. Any conversations at this point could become part of the investigation. The officer(s) should not be given stimulants or depressants (caffeinated beverages) unless it has been directed by medical personnel.
 7. If the supervisor is involved in the incident, arrange for another police supervisor to respond to the scene.
- D. Command Staff or designee shall:
1. Respond to scene.
 2. Learn the location and condition of involved officer(s).
 3. Ensure the entire command staff has been notified.
 4. If other agencies are involved, liaison with them to understand how their investigation will proceed.
 5. The Chief or designee will decide which outside agency will be asked to conduct the external investigation (i.e. La Crosse Police Department, La Crosse County Sheriff's Department, Wisconsin Department of Criminal Investigation, or equivalent). A supervisor or designee shall be assigned to mirror the external investigation.
 6. Advise the involved officer(s) that they may seek legal counsel and that they should only discuss the incident with Department officials, personnel conducting an official investigation, or a personal attorney.
 7. If possible, arrange for the officer to be interviewed once by the entity doing the investigation 24-72 hours post incident to avoid potential problems and stress with the officer giving multiple interviews. A command staff member assigned to conduct the internal investigation should be given the opportunity to monitor and observe this interview and provide input, if possible, to gather information related to the internal investigation to minimize the number of interviews of the involved officer(s).
 8. The involved officer(s) should not view video of the incident prior to an interview. Viewing of the video prior to any interview can affect the officer's memory and perception of the event and should be avoided.
 9. For officer involved deaths (OID), involved officer(s) shall not complete a written report regarding the incident.
 10. Ensure that if death or serious injury to an employee has occurred, the Line of Duty Death portion of the Policy is implemented.
 11. Involved officer(s) shall not be involved in any tactical debriefing(s) immediately following the incident.
- E. Chief or designee shall:
1. Determine which outside law enforcement agency will conduct the external investigation and make the formal request to that agency (i.e. La Crosse Police Department, La Crosse County Sheriff's Department, Wisconsin Department of Criminal Investigation, or equivalent).
 2. Issue press releases and hold press briefings as appropriate.
 3. Appoint a Public Information Officer (PIO) to provide information to the public and all involved organizations.

4. Arrange a mandatory individual defusing session with Critical Incident Stress Management Provider (the CISM) through the EAP for each involved officer(s.) Communications between the involved officer(s) and CISM are privileged and confidential as long as there are no threats of self-harm or harm to others.
5. Ensure that employee assistance services have been offered to involved personnel.
6. Assign a non-involved command staff member to conduct an administrative review and/or internal investigation into the incident.
7. Provide information to the Department concerning the incident.
8. Arrange a voluntary, but encouraged critical incident stress debriefing for those involved, which will be facilitated by the department CISM Provider through the EAP. This debriefing is not privileged or confidential
9. Provide information to other Department personnel as to the availability of Employee Assistance regarding Post Traumatic Stress Disorder.

Removal From Line Duty

The following procedures shall govern removal from line-duty assignment following officer involved deaths and/or other officer involved critical incidents:

- A. Any employee whose actions or response to resistance results in a death or serious injury shall be removed from line-duty assignment, pending administrative review of the incident.
- B. Employees involved in a critical or traumatic incident may be removed from line-duty status, depending upon existing circumstances.
- C. Weapons, equipment, and/or uniforms having evidentiary value shall be recovered from Department personnel and secured into evidence, including service weapons if applicable. If the firearm is a service weapon, the Department member it was collected from will be issued a substitute weapon immediately unless immediate issuance is impractical.
- D. Officers whose actions or use of force which results in death shall have a sample of their blood and/or urine taken by medical personnel as soon after the incident as possible and within time limits that would make the sample useful for determining chemical levels at the time of the incident.
- E. Employees shall remain in paid status during any administrative review period.
- F. The purpose of line-duty removal shall be twofold: to shield officers who have not exceeded their scope of authority from possible confrontations with the community; and to protect the community's interest when officers have exceeded their scope of authority through action or response to resistance.
- G. Post-event, Department personnel and supervisors should monitor the workplace for signs of stress that are manifesting themselves in performance or discipline issues. The Chief or designee shall arrange return to duty counseling for officers that were directly involved in the incident.
- H. During the period of paid administrative leave, post-incident debriefing or counseling shall be provided for involved employees as deemed necessary. In some instances, the employee's family may also require assistance. Refer to the OID/OICI Aftercare section of this policy for further clarification.
- I. The removal process may have a detrimental effect on employees involved if not properly understood. A review of this procedure shall therefore be routinely conducted. The Department shall direct an internal investigation, and an external investigation of the incident will be conducted by an outside agency in accordance with Wisconsin State Statute 175.47. The Outside Agency Lead Investigator responsibilities are as follows:
 1. Per Wisconsin State Statute 175.47, the investigation into an officer involved death must be led by at least two investigators employed by outside agencies, one of whom is designated as the lead investigator. The outside agency lead investigator is responsible and in charge of the investigation.
 2. It is not the responsibility of the outside lead investigator to accomplish every single task associated with the investigation. The role of the outside agency leading the investigation is one

of oversight and supervision. The responsibility of performing critical tasks lies with the outside agency lead investigator while other tasks may be delegated, if necessary.

- J. Involved officer(s) shall cooperate in the investigation relating to the incident while maintaining rights under criminal, civil and employment law.
- K. Prior to an officer's return to enforcement duties, an examination conducted by a medical professional(s) may be required to determine fitness.

District Attorney Role

- A. The District Attorney's Office will review all police shootings where injury or death occurs and all incidents that result in great bodily harm or death to a person. Department personnel shall be required to appear at the DA's Office for the review, if requested.
- B. If necessary, the department administrative review investigator shall present the facts of the case to the assigned District Attorney. However, any testimony from involved officers who may be subject to a criminal investigation and are not given voluntarily but under threat of employment actions shall not be shared with the criminal investigations and/or District Attorney's office.
- C. After the reviewing District Attorney makes a decision, the letter containing their findings will be sent to the Chief of Police.

Officer Involved Death (OID)/ Officer Involved Critical Incident (OIC) Aftercare

OICI's in their very nature are unique. While officers are trained to respond to critical incidents on a regular basis through demands. The aftermath of a critical incident impacts the entire department and the surrounding community. The goal of these procedures is to minimize disruption of services provided and implement protocol to ensure aftercare is being provided to department members involved, including family members.

- A. Initial Aftercare Response: After an Officer Involved Death (OID)/Officer Involved Critical Incident (OICI) the following resources will be available to an involved officer(s):
 - 1. Critical Incident Stress Management (CISM) - involves techniques designed to manage the emotional impact of a traumatic or critical incident. All personnel directly involved in a critical incident will participate in an approved CISM session. Approved sessions include:
 - a. Defusing, a group session which occurs shortly after the incident;
 - b. Group debriefings, occurring between 24 and 72 hours of the incident;
 - c. Private debriefing, with a Trauma Specialist or a Mental Health Professional, usually held between 24 and 72 hours of the incident
 - 2. CISM sessions should be scheduled to meet the needs of the individuals involved but should occur within 72 hours.
 - 3. The Department strongly encourages the families of the involved officers to take advantage of available counseling services, Department defusing or debriefings that may be offered to family members.
 - 4. Critical Incident Partner (CIP) - the CIP is a department member of the involved officer(s)'s choosing, who is to focus on the emotional welfare of the officer. The goal of the CIP is to serve as a liaison between the involved officer(s) and other department personnel throughout the investigative process. If appropriate, the CIP will consult with the department's contracted CISM provider through the EAP. Communications between the CIP and the involved officer(s) regarding the critical incident are not privileged and therefore are not confidential.
 - 5. Critical Incidents can have dramatic effects on co-workers even when they are not actively involved in the incident. Therefore, additional defusing and debriefing sessions will be offered to other personnel as needed. All University of Wisconsin La Crosse Police Department employees are encouraged to participate in appropriate debriefing sessions.

- B. Command Responsibilities – It is the responsibility of the Chief or his designee to ensure the following officer aftercare issues are addressed:
 - 1. Coordinate administrative leave with pay as appropriate and coordinate with payroll staff in regards to time entry.
 - 2. Establish a plan for regular contact with the officer(s) while they are on administrative leave.
 - 3. Work with CIP to provide ongoing updates to the officer(s) regarding status of the investigation(s) and internal administrative reviews.
 - 4. Meet with the officer(s) and their CIP to develop a plan to return to duty.
 - 5. Monitor the behavior of officer(s) involved in critical incidents for symptoms of acute or prolonged stress and make appropriate referrals, if necessary.
- C. Duties of Professional Standards and Training – Professional Standards & Training staff will have the following responsibilities in regards to OICI aftercare:
 - 1. Review incident specifics to identify any possible training concerns and work with the officer(s) to provide any necessary review or clarification. This will be conducted separately and will have no bearing on any administrative review and/ or investigation.
 - 2. The Professional Standards Supervisor or designee will work with the officer(s) to schedule any mandated consultations prior to returning to duty.
 - 3. Training Staff shall evaluate the appropriateness of coordinating scenario-based training for involved officers prior to their return to duty. The goal of this is to provide officers the opportunity to assess their readiness to return to duty and comfort level with respect to deadly force decision-making and weapons handling.
- D. Ongoing Care/Post-Traumatic Stress Disorder Prevention:
 - 1. Officers involved in critical incidents are at risk of developing and suffering from posttraumatic stress disorder (PTSD). Symptoms of PTSD may not arise immediately and in some cases, officers may attempt to hide the problem. All officers involved in a critical incident shall be required to consult with a critical incident/trauma specialist following the incident and at regular intervals.
 - 2. Because of the significant impact that these types of incidents can have on an officer’s wellbeing over time and in an effort to provide ongoing support to mitigate the cumulative stress that often occurs in the aftermath of a critical incident, all supervisors and coworkers should monitor the behavior of officers involved in a critical incident for symptoms of acute or prolonged stress. All officers should be informed of and trained as appropriate regarding the nature of these incidents, potential symptoms of critical incident stress, as well as how the necessary investigations that often accompany an OICI are conducted. For this reason, ongoing communication with the officer throughout the process and following their return to duty is essential in stemming any long-term stress related to an OICI.
- E. Administrative Leave with Pay:
 - 1. Officers involved in critical incidents shall be placed on administrative leave with pay for a time period to be determined by the Chief of Police.
 - 2. Officers shall make themselves available for contact during business hours, Monday through Friday 8am to 4pm. This leave is not a suspension and is in no way to be interpreted as a disciplinary action or any indication of wrongdoing on the part of the officers.

Line of Duty Death or Serious Injury

- A. Personnel providing services and assistance to family members and survivors shall take all possible measures to accommodate their needs, wishes, and desires. Whenever the health of immediate survivors is a concern, emergency medical services should be summoned.

- B. The subsequent procedures shall be followed in cases of line-of-duty deaths and in cases of critically injured personnel with poor prognosis of survival.
1. The name of the deceased Department member shall not be released to the media or other parties before immediate survivors living in the area are notified.
 2. The Chief of Police, a police manager, or the person designated on the emergency information form shall inform the immediate family of the Department member's condition or death.
 3. Notification of the immediate family shall be made without unnecessary delay.
 4. Notification of survivors in the immediate area shall be made in person or as desired by the immediate family.
 5. If the opportunity exists to get family members who live locally to the hospital prior to the staff member's death, immediate transportation shall be provided.
 6. Communication of information concerning the Department member and the incident should, whenever possible, be restricted to a hard-wired telephone to avoid interception by the media or others. Should the media obtain the Department member's name prematurely, a request shall be made that the information be withheld until proper notification of survivors can be made.
 7. The staff member assigned to make notifications is responsible for the identification of additional survivors outside the area and shall make any notifications as desired by the immediate family. Such notifications shall be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made unless other methods are requested by the family.
 8. Whenever possible, the Chief of Police shall join the family at the hospital in order to emphasize the agency's support. The next highest ranking officer to arrive at the hospital shall be responsible for or designate a staff member to be responsible for coordinating the arrival of immediate survivors, Departmental personnel, the media, and others and assume the following responsibilities: arrange for waiting facilities for immediate survivors and a press staging area; ensure that medical personnel provide pertinent medical information on the staff member's condition to the family and that immediate family members are provided with appropriate assistance at the hospital; provide hospital personnel with all necessary information on billing for medical services such that medical bills are directed to the appropriate Department authority and not forwarded to the employee's family or other survivors; and arrange transportation for the family and other survivors upon their departure from the hospital as needed.
 9. In addition, the Chief of Police or designee may perform the following personnel assignments: assist in handling incoming phone calls and inquiries to direct the public to appropriate personnel; ensure that mental health services are available for surviving family members; ensure that personnel are provided the opportunity to participate in critical incident stress debriefings as appropriate; and notify and request assistance from the Law Enforcement Death Response (LEDR) Team through Wisconsin State Patrol.
- C. The assigned Department liaison shall serve as a facilitator between the family and the Department. This assignment includes the following:
1. Providing oversight of travel and lodging arrangements for out-of-town family members.
 2. Identifying alternative churches and reception halls that shall accommodate the funeral. These alternatives shall be presented to the family, who shall make the final determination.
 3. Coordinating all official law enforcement notifications and arrangements, to include the honor guard, pallbearers, traffic control, and liaison with visiting law enforcement agencies.
 4. Assisting family members in dealing with general media inquiries and informing them of limitations on areas that are family or law enforcement sensitive. Ensure that members of the agency are aware of restrictions regarding the release of information that might undermine future legal proceedings.

5. Ensuring that security checks of the police survivor's family residence are initiated immediately following the incident.
- D. A funeral liaison officer may be appointed. This individual acts as facilitator between the decedent's family and the Department during the wake and funeral. The funeral liaison officer is responsible for:
1. Meeting with family members and explaining his or her responsibilities to them; being available to the family prior to and throughout the wake and funeral;
 2. Ensuring that the needs and wishes of the family come before those of the Department, when possible;
 3. Assisting the family in working with the funeral director regarding funeral arrangements;
 4. Relaying any information to the family concerning the circumstances of the decedent's death and appropriate information regarding any investigation; and
 5. Determining the need for travel arrangements for out-of-town family members and any other special needs of the family during the funeral and reporting this information to the Department Liaison, as well as, if appropriate, briefing the family members on the procedures involved in the law enforcement funeral.
- E. A family support advocate shall also be appointed. This individual serves in a long-term liaison and support capacity for the surviving family. The duties of this individual include:
1. Keeping immediate surviving family members informed of criminal proceedings relating to the death of their family member;
 2. Accompanying surviving family members to criminal proceedings, explaining the nature of the proceedings, and introducing them to prosecutors and other persons as required;
 3. Identifying all support services available to family members and working on their behalf to secure any services necessary;
 4. Maintaining routine contact with family members to provide companionship and emotional support and maintain an ongoing relationship between the Department and the immediate family; and
 5. Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance and encouraging others to visit and help as necessary.

Proactive Prevention and Training

The circumstances of an Officer Involved Death (OID)/Officer Involved Critical Incident (OICI) and how the investigations are conducted have significant impact on long-term stress.

- A. The Police Department should ensure adequate training of personnel in critical incident response and investigations.
- B. The Police Department should provide employees with training pertaining to post-traumatic stress disorders, stress management and procedures contained in this policy on a regular basis.

DOMESTIC ABUSE [6.3.9]

INITIAL RESPONSE

- A. Communications Center personnel shall evaluate the information received and dispatch police personnel accordingly. When preliminary information indicates that both disputants are present or there is a potential for violence, the assignment shall be given to two or more officers, if available. Unwillingness on the part of the caller to provide any requested information shall not preclude the dispatch of police personnel. The Communications Center shall make responding officers aware of all available information surrounding the incident.
- B. Caution should be exercised in approaching the location of a domestic dispute and in handling the incident itself. Upon making a legal entry, officers shall check the scene for potential hazards. When tactically possible, officers should attempt to separate the parties to prevent escalation or injury. If injury

has occurred in a domestic situation, emergency medical services should be summoned if the officers believe medical treatment is needed. If either party indicates an actual or attempted strangulation, to include: manual, ligature, or choke hold, responding officers should contact the La Crosse Fire Department or a medical facility for a medical evaluation by a Forensic Nurse Examiner.

Investigation and Intervention

- A. When in contact with involved parties the responding officers should:
1. Attempt to defuse the situation.
 - a. Attempt to separate the parties if possible.
 - b. Allow the parties to vent their feelings and relieve tension in a nondestructive manner.
 - c. Divert the attention of the disputants to calm their behavior.
 2. Determine the relationship between the parties.
 3. Determine if there is probable cause to believe a crime has occurred and identify the predominant, not necessarily the primary, aggressor. The procedure to be used to determine if probable cause exists includes, but is not limited to the following action:
 - a. A statement needs to be sought from all victim(s) and witness(es). Whenever possible, these statements should be obtained outside the presence of the suspect.
 - b. A detailed description of any injuries should be recorded. Evidence should be collected according to proper investigative techniques. Officer reports should describe the scene if there are indicators of a struggle. Photographs should be taken of visible injuries. Note the relative degree of injury inflicted on the person(s).
 - c. The victim's statement of non-consent should be sought and included in the report.
 - d. If medical attention is provided, a statement regarding the treatment should be included in the report. A medical release form should be completed at the time of the initial interview and, if possible, a copy of the medical report included with the incident report.
 - e. Determine if there is a history of police calls, threats or abuse incidents involving the parties. In particular, check for existing restraining orders against individuals involved.
 - f. Determine the extent to which each person appears to fear any other involved party; if any person is threatening or has threatened future harm to another person involved or a family or household member; and if anyone involved acted in self-defense or in defense of another.
 - g. Determine if other domestic violence incidents have occurred within the past 28 days.
- B. When contacting individuals involved in a domestic dispute, a full written report of the incident must be completed before the officer ends their shift.
- C. If the suspect or victim in a domestic violence incident is a law enforcement officer, the responding officers should be aware of the increased likelihood of the presence of a weapon.
- D. If a law enforcement officer is arrested, the on-duty police supervisor and the Chief of Police or designee shall be notified. The police supervisor or chief shall contact the employing agency immediately.

Disposition- Mandatory Arrest

The following shall outline mandatory arrest policies for domestic violence cases:

- A. Per Wisconsin State Statute 968.07(2), officer(s) shall arrest and take a person into custody if:
1. The officer, after investigating the incident, has reasonable grounds to believe that the person is committing or has committed domestic abuse and that the person's actions constitute the commission of a crime; and,
 2. The victim reported the incident within 28 days of occurrence.
 3. Either or both of the following circumstances are present, and the officer is in a position to legally make an arrest:
 - a. The officer has a reasonable basis for believing that there is a possibility of continued violence against the alleged victim;
 - b. There is evidence of physical injury to the alleged victim.
- B. Officers shall not consider a person's race, color, ethnic background, gender, cultural group, religion, economic status, age, physical ability, gender identity, gender expression, sexual orientation and/ or other identifiable group as the basis for an arrest for domestic abuse.

- C. An arrest shall be made under the above circumstances even though the victim expressly indicates a desire not to prosecute or indicates an unwillingness to cooperate.
- D. If the above circumstances exist and the suspect is not present, for the safety of the victim a reasonable effort shall be made to locate and take the suspect into custody.
- E. The arrested person is required to post bail or appear before a judge prior to being released from custody per Wisconsin statute 968.075(2m).
- F. An arrest shall be made of the predominant aggressor only, unless other circumstances require the arrest of others involved. Determination of the predominant aggressor shall be conducted in accordance with Wisconsin State Statute 968.075(2)(ar) and department training reference guides, unless exigent circumstances exist.
- G. When making an arrest, officer(s) should consider whether the person acted in self-defense or defense of another person.

Disposition- Discretionary Arrest

The following shall outline discretionary arrest policies for domestic violence cases:

- A. In most circumstances, an officer shall arrest and take a person into custody if the officer has reasonable grounds to believe that the person is committing or has committed domestic abuse and the person's actions constitute the commission of a crime.
- B. An officer's decision not to arrest under this section may not be based solely upon the absence of visible indications of injury or impairment.

Disposition- No Arrest

The following shall outline procedures for instances when mandatory arrest is not possible:

- A. The report shall be sent to the La Crosse County District Attorney's Office for review to determine whether the person involved in the incident should be charged with the commission of a crime.
- B. There may be limited instances when mandatory arrest is not possible. They include, but are not limited to incidences where:
 1. Reasonable efforts to locate and arrest the suspect are unsuccessful.
 2. The suspect is located but due to incapacitation from alcohol and/or drug use, the suspect is placed under protective custody.
 3. The suspect has been committed under the standard for an emergency detention.
 4. The suspect has received injuries necessitating admission to a hospital.

Restraining Orders

The following shall outline procedures for handling restraining order violations:

- A. Knowingly violating a Temporary Restraining Order (TRO), Harassment Injunction, Domestic Abuse Injunction, or Interlocutory Injunction is a misdemeanor under Wisconsin law.
- B. If there is reason to believe a TRO exists ordering a subject to avoid the premises, the officer shall immediately contact the UW-La Crosse Police Department Communications Center to determine the status and contents of the order. The investigating officer shall determine from the Communications Center if the order has been served on the suspect.
 1. The officer shall make an arrest for a violation of the order when there is an order in existence and there is probable cause to believe that it was knowingly violated.
 2. If there is an order in existence and the Communications Center records indicate that the subject has not been served, the officer shall inform the subject of the contents of the order and direct the subject to obey the order. If the subject does not leave the premises, the officer shall arrest the subject for violation of the order.
 3. When the subject is informed by the officer of the existence of the order and its contents, the officer shall communicate this to the Communications Center for entry in the file indicating time and manner in which the subject was so informed.
- C. When assisting with a TRO filed by a student or staff member of the University, the officer should attempt to get a copy of the order and forward to Department Records.

Referrals and Resources

The following shall govern policies for offering resources and referrals for victims of domestic violence:

- A. Whether or not an arrest is made, an officer may make a referral to a community agency and encourage both parties to seek assistance.
- B. If the primary investigating officer has reasonable grounds to believe that a person is committing or has committed domestic abuse, the officer is responsible for informing the victim of the availability of shelters and services in their community. The primary investigating officer is responsible for providing the victim with appropriate service agency information to include at a minimum, resource information for Domestic Violence Services and Sexual Assault Services. The victim shall be provided a Victim Information Pamphlet which includes information on how to obtain a Domestic Abuse Injunction or Harassment Injunction under 2013 Wisconsin Act 323.
- C. Officers shall also provide information on shelter and service information to the victim. This information is available electronically.

Minor Children

The following shall govern procedures for investigating domestic violence cases where children are present or involved:

- A. Due to the correlation between domestic violence and child abuse, officers should always be alert for evidence of child abuse. Officers should note the names and ages/DOB of children, ask whether they were present when the incident occurred, and if they have any injuries.
- B. In the event that a minor child appears to be the victim of physical abuse, emotional abuse or neglect, and/or sexual abuse, it is the responsibility of the officer to take immediate action, which includes notifying the La Crosse County Department of Human Services. A Safe Harbor Interview should be considered.
- C. The following reports of suspected or threatened abuse shall be referred to the district attorney for criminal prosecution:
 1. Sexual intercourse or sexual contact under Wis. Stats. 940.225.
 2. A violation of s. 948.05 – sexual exploitation of a child.
 3. Permitting, allowing, or encouraging a child to violate s. 944.30(1m) – prostitution.
 4. A violation of s. 948.055 – causing a child to view or listen to sexual activity.
 5. A violation of s. 948.10 – causing a child to expose genitals, pubic area, or intimate parts.
- D. If the disposition of a dispute leaves minors in the home without a responsible parent/guardian, the officer is to contact the La Crosse County Department of Human Services for temporary arrangements.

Contact Prohibition

The following shall outline procedures for enforcing contact prohibitions:

- A. The officer responsible for the arrest of a person for a domestic abuse incident shall ensure that the alleged victim is notified of these requirements and the possibility of, procedure for, and effect of a waiver of contact prohibition. Notice of the Contact Prohibition and Waiver should be done outside the presence of the suspect.
- B. Unless there is a waiver, during the 72 hours immediately following an arrest for a domestic abuse incident, the arrested person must avoid the residence or any premises temporarily occupied by the alleged victim of the domestic abuse incident and avoid contacting or causing any person, other than an attorney for either party, to contact the alleged victim.
- C. Whether or not there has been a waiver, if the arrested person commits any act of domestic abuse during this 72-hour period, and the act constitutes commission of a crime, the penalty increases to a felony.
- D. At any time during the 72-hour period the alleged victim may sign a written waiver of the requirements. The department shall have a waiver form available.
- E. The assigned officer shall provide the victim of a domestic abuse related incident of the procedure for releasing the subject and the likelihood and probable time of the arrested person's release, along with contact information for the jail. The officer shall document any attempt to notify the victim in a report(s).

OFFICER INVOLVED DOMESTIC VIOLENCE [6.3.10]

- A. Sworn personnel are required to be eligible to carry firearms as a condition of their employment. Persons convicted of a felony, or a crime of domestic abuse are prohibited by state and federal law from possessing a firearm and are ineligible to hold a position as a sworn law enforcement officer.
- B. Personnel aware of another employee who may be engaging in a crime(s) of domestic abuse must notify their supervisor. Supervisors who become aware of an employee who may be engaging in a crime(s) of domestic abuse must notify a Captain, Assistant Chief, or the Chief who shall determine whether an internal investigation should be started.
- C. If the Department becomes aware that an employee is the subject of an order of protection (restraining order), a Captain, Assistant Chief, or the Chief must be informed, and an internal investigation shall be started. If a Department member is the subject of an order of protection (restraining order), the employee must immediately surrender all personal and Department firearms pending the outcome of an internal investigation.

PRESCRIPTION DRUG MONITORING PROGRAM [6.3.11]

The following shall provide guidelines for the Department’s requirement for submitting information to the Wisconsin Prescription Drug Monitoring Program under Wisconsin Act 268 and Wisconsin State Statute 961.37:

- A. A law enforcement officer shall report as provided in sub. (B) if the law enforcement officer, while acting in an official capacity, does any of the following:
 - 1. Encounters a situation in which the law enforcement officer reasonably suspects that a violation of this chapter involving a monitored prescription drug, as defined in s. 961.385 (1) (ag), is occurring or has occurred.
 - 2. Encounters an individual who the law enforcement officer believes is undergoing or has immediately prior experienced an opioid-related drug overdose, as defined in s. 256.40 (1) (d), or a deceased individual who the law enforcement officer believes died as a result of using a narcotic drug.
 - 3. Receives a report of a stolen controlled-substance prescription.
- B. A law enforcement officer under sub. (A) shall report to the law enforcement agency that employs him or her all of the following:
 - 1. The name and date of birth of all of the following, if applicable:
 - a. The individual who is suspected of violating this chapter.
 - b. The individual who experienced an opioid-related drug overdose.
 - c. The individual who died as a result of using a narcotic drug.
 - d. The individual who filed the report of a stolen controlled-substance prescription.
 - e. The individual for whom a prescription drug related to an event under subd. a., b., c., or d. was prescribed.
 - 2. The name of the prescribing practitioner, the prescription number, and the name of the drug as it appears on the prescription order or prescription medicine container if a prescription medicine container was in the vicinity of the suspected violation, drug overdose, or death or if a controlled-substance prescription was reported stolen.
- C. The law enforcement agency receiving the report under sub. (B) shall, except as provided under par. C(1), submit notice of the suspected violation of this chapter, the opioid-related drug overdose, the death as a result of using a narcotic drug, or the report of a stolen controlled-substance prescription, and the information reported under sub. (B) to the prescription drug monitoring program.
 - 1. If a law enforcement agency determines that submitting any information under par. (C) would interfere with an active criminal investigation, the law enforcement agency may postpone the action until the investigation concludes.
- D. The primary responding officer shall complete a report and forward the incident report to the Detective Sergeant. The Detective Sergeant or designee shall be responsible for submitting information to the Wisconsin Prescription Drug Monitoring Program.

SEARCH WARRANTS [6.3.12]

- A. Criminal legal process, as it pertains to this Department, shall include serving arrest warrants, executing search warrants, and issuing court summonses.
- B. Officers shall adhere to all constitutional, statutory, and Departmental requirements when serving criminal legal process documents.
- C. Officers shall serve all types of criminal legal process within jurisdictional boundaries; however, such process may be served outside Department jurisdiction. The law enforcement agency whose jurisdiction the service is occurring in should be notified prior to serving criminal legal process, when applicable.
- D. Criminal legal process issued within Department jurisdiction shall have service attempted as soon as possible following receipt. Such legal process may be served during any hour of the day or night.
- E. Applications for arrest and search warrants shall be based on probable cause. Affidavits shall be made in writing and signed under oath by the affiant.
- F. Court-issued summonses may be obtained or issued in lieu of arrest warrants when deemed appropriate by prosecuting officials.
- G. Criminal legal processes shall be filed with the Clerk of Court as soon as possible. Any such processes obtained after normal working hours shall be filed during the next regularly scheduled workday or within the time frame described for the process. It is the arresting officer's responsibility to ensure all required and applicable paperwork is submitted to Court Services prior to the end of their shift. Deviation from this requirement may be authorized by a supervisor.
- H. The shift supervisor or officer in charge shall be immediately notified when there is an issue of immunity from arrest. Federal, state and/or University resources should be utilized to verify the current status and applicability of immunity claims.
- I. Arrest warrants shall be executed by sworn law enforcement officers only.

BY ORDER OF

A handwritten signature in black ink that reads "Allen Hill". The signature is written in a cursive style with a prominent loop at the end of the last name.

Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

6.4

| | |
|---|------------------------|
| Subject Criminal Intelligence and Information Sharing | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 6.4.1 |
| Comments: | |

I. INDEX:

6.4.1 CRIMINAL INTELLIGENCE AND INFORMATION SHARING

II. POLICY:

The UW-La Crosse Police Department shall provide procedures associated with conducting preliminary and follow-up investigations. These investigations may be related to criminal occurrences or the criminal intelligence gathering process.

III. DEFINITIONS:

Case file management refers to a system for case status control. This system contains case specific information such as: the assigned investigator, assigned date, incident date, and case status.

Case screening system refers to a system for determining suspension or continuation of investigative resources.

Criminal intelligence refers to the end product of a process that converts individual items of information either into evidence, insights, conclusions, or assessments (less solid than fact but more helpful than raw information) that can form the basis for law enforcement strategies, priorities, policies, or investigative tactics regarding a specific crime, suspect, or criminal organization. The intelligence process includes the systematic collection of raw information that, after collation, evaluation, and analysis, is disseminated to appropriate units of the agency. Criminal intelligence information may or may not be submitted or included in the Department's Records Management Systems.

IV. PROCEDURE:

CRIMINAL INTELLIGENCE AND INFORMATION SHARING [6.4.1]

The following governs the process of gathering intelligence information not specifically related to criminal cases:

- A. The Detective or designee shall ensure that information collected during the intelligence gathering process is related to criminal conduct, potential threats or disruptions to the community. Examples of criminal activities and potential threats to be monitored by the intelligence investigator(s) include, but are not limited to:
1. Organized crime activities.
 2. Gang-related criminal activities.
 3. Subversive (of government) criminal activities.
 4. Narcotic, gambling, and vice criminal activities.
 5. Terrorism.
 6. Civil disorder/Anarchist activities.
 7. Habitual criminal activities.
 8. Avenger threats.

9. Threats to research.
- B. A police officer or detective shall be assigned to gather intelligence. Intelligence information should be referred to the Detective or others who are designated to receive specific intelligence-related information. The Detective shall regularly review the intelligence files.
- C. All sworn personnel shall receive training on collecting, processing, and sharing suspicious incidents and criminal intelligence during the police training and evaluation program. Refresher training shall be provided periodically during shift briefings and other Department meetings.
- D. Intelligence data not specifically related to criminal conduct, but part of an active investigation, shall remain in a locked file cabinet or secure computer file unless being utilized by authorized personnel. The criminal intelligence files are maintained separately from all other Department records. Information in these files shall be maintained by the assigned officer. The Detective is responsible for auditing the integrity of the files and access is limited to the following:
1. Chief of Police
 2. Sergeants
 3. Patrol or other personnel
 4. Those individuals actively involved in criminal intelligence activities
- E. Intelligence case files shall be regularly reviewed, updated, corrected, and/or purged by the intelligence investigator(s) and approved and monitored by the Detective. All file material selected for purging and destruction shall only be removed and destroyed when it meets any of the following:
1. No longer useful
 2. No longer relevant
 3. Invalid
 4. Inaccurate
 5. Outdated
 6. Unverifiable
 7. Inconsistent with the goals and objectives of the department.
- F. Files which are not related to criminal conduct or activities that present a threat to the community shall be terminated and purged by the assigned officer and the Detective shall be notified. Out-of-date criminal intelligence information and incorrect information shall be purged from intelligence records and may be released to the central records system upon approval of the Detective. Information shall be reviewed and validated for continuing compliance with submission criteria before the expiration of its retention period. All intelligence information is retained and purged in compliance with 28 Code of Federal Regulations Part 23.
- G. The Detective or designee has the ability to deploy intelligence personnel and equipment and utilize intelligence techniques when appropriate and necessary. The Detective or designee may assign trained personnel to collect, evaluate, analyze, and disseminate intelligence data regarding criminal activities. Personnel assigned may also consult other agencies to assist in a criminal intelligence investigation(s) and/or contribute intelligence information to their data.
- H. Intelligence files shall be strictly controlled, monitored, and documented in a manner designed to protect against unauthorized disclosure or destruction of the information contained within them. Incident reports shall be written as necessary. These reports keep the Chief of Police informed of organized crime, hate groups, gangs, terrorist organizations, and other organized efforts of an illegal nature that pose a significant danger to the safety and well-being of the community.
- I. The use of any specialized intelligence equipment is limited to those officers who have been trained in the safe, effective, and legal use of such equipment.
- J. The Detective shall conduct a documented annual review of intelligence procedures and processes.

BY ORDER OF

A handwritten signature in black ink that reads "Allen Hill". The signature is written in a cursive style with a large, sweeping "H" and "I".

Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

6.6

| | |
|---|---|
| Subject Juvenile Procedures | WI Statute 48.02(2), 938.02(3m), 938.17, 938.18, 938.183, 785.01(1), 48.19, 48.20(2), 938.534, 48.195, 938.31(3)(c), 948.05, 938.355(6g), 938.02(10m), 48.195, 938.13, 48.195(2), 938.17(2), 938.19, 48.21(4), 938.21(4), 69.14(3), 940.225, 944.30, 948.055, 948.10, 938.20(2), 778.25, 938.25(2)(a), 118.15, 51.15, 938.195 |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 6.6.1-6.6.7 |
| Comments: | |

I. INDEX:

- 6.6.1 JUVENILE PROCEDURES**
- 6.6.2 JUVENILE OFFENDERS**
- 6.6.3 JUVENILES IN CUSTODY**
- 6.6.4 JUVENILE CUSTODIAL INTERROGATION**
- 6.6.5 MISSING JUVENILE INVESTIGATIONS**
- 6.6.6 RELINQUISHING CUSTODY OF NEWBORNS**
- 6.6.7 REPORTING CHILD ABUSE**

II. POLICY:

The UW–La Crosse Police Department shall provide guidelines for dealing with juveniles consistent with the authority and limits imposed by state and federal laws.

III. DEFINITIONS:

Child as defined in Wis. Stat. § 48.02(2) means a person who is less than 18 years of age, except that for purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law or any civil law or municipal ordinance, “child” does not include a person who has attained 17 years of age.

Delinquent as defined in Wis. Stat. § 938.02(3m) means a juvenile who is 10 years of age or older who has violated any state or federal criminal law, except as provided in §§ 938.17, 938.18, and 938.183, or who has committed contempt of court, as defined in § 785.01(1), as specified in § 938.355(6g).

Diversionary Alternative is an intervention strategy that redirects youths away from formal processing in the juvenile justice system, while still holding them accountable for their actions. Diversionary alternatives vary from issuing civil citations to participating in juvenile court programs.

Juvenile according to Wisconsin State Statute 938.02(10m) refers to a person who is less than 18 years of age except that for purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law or any civil law or municipal ordinance, “juvenile” does not include a person who has obtained 17 years of age.

Newborn refers to a child who is reasonably believed to be less than 72 hours old, pursuant to Wis. Stat. § 48.195.

Non-offender refers to a juvenile who is subject to the jurisdiction of the juvenile court, usually under abuse, dependency, or neglect statutes, and for reasons other than legally prohibited conduct of a juvenile. (See Wis. Stat. § 938.13 Jurisdiction over juveniles alleged to be in need of protection or services.) This may include any juvenile brought into a facility for questioning or investigation, but who has not been charged with a crime.

Safe Harbor refers to a means to safely and anonymously surrender custody of a newborn child to a law enforcement officer, emergency medical technician, or hospital member, as provided in Wis. Stat. § 48.195(2).

Status offender refers to a juvenile offender who has been charged with or adjudicated for conduct which would not, under the law of the jurisdiction in which the offense was committed, be a crime if the crime was committed by an adult. Examples of status offenses include: truancy, curfew violations, underage possession, or use of tobacco products.

IV. PROCEDURE:

JUVENILE PROCEDURES [6.6.1]

- A. The Department is committed to the development and continuation of programs designed to prevent and control juvenile delinquency. The responsibility for participating in, or supporting, the Department’s juvenile operations process is shared by all agency components and personnel.
- B. Officers shall investigate incidents involving juveniles consistent with the authority and limits imposed by state and federal laws.
- C. The Chief of Police or designee shall act as a liaison with other departments and the University community to develop appropriate prevention and control of juvenile crime measures.
- D. When dealing with juvenile offenders, officers shall ensure a juvenile’s constitutional and statutory rights are protected.

JUVENILE OFFENDERS [6.6.2]

- A. When dealing with juvenile offenders, officers shall consider the following factors when referring juvenile(s) to another agency or service for potential diversion for whom legal proceedings would be inappropriate or ineffective:
 - 1. The nature of the alleged offense;
 - 2. The age and background of the alleged offender;
 - 3. The alleged offender’s police records, if any;
 - 4. The availability of community-based rehabilitation/diversion programs;
 - 5. Request for diversion made by a complainant or victim.
- B. In the event officers refer juveniles to a diversionary alternative, it shall be documented in an incident report.

- C. In cases where the facts indicate a juvenile has committed a minor offense and counseling and/or parental involvement shall address the matter, the officer may issue a written or verbal warning, or citation, while advising the parents of the situation.
- D. Other informal alternatives, including: release to a parent, legal guardian or responsible adult – with no further action – may be used if they are in the best interest of the juvenile, their family, and the community.
- E. A juvenile may be issued a uniform traffic citation or an administrative code violation rather than being taken into custody when the officer feels that this action is in the best interest of the juvenile and the community. The following guidelines exist for juvenile citations under Wisconsin State Statute 938.17(2):
 1. A juvenile must be at least 12 years of age in order to be issued a citation, whether a non-uniform traffic citation or a uniform traffic citation.
 2. Under Wisconsin State Statute 938.20 (2)(c) a juvenile must be at least 15 years or older to be released, unaccompanied and on his or her own recognizance, by the officer. If the juvenile is 14 years of age or younger, he or she can only be released to a responsible adult, preferably a parent. Release shall not occur if the officer feels that the juvenile may pose a danger to him- or herself or others.
 3. Juveniles 12 through 15 years of age who receive a citation for a traffic offense shall be under the jurisdiction of the juvenile court. A juvenile court date, rather than standard traffic court date, shall be assigned for these violations. In the bond section of the citation, the officer shall list “must appear.”
 4. Juveniles 12 through 15 years of age who commit a traffic crime shall be referred to the appropriate juvenile intake. A juvenile referral form shall be completed. A uniformed traffic citation shall be completed and attached to the referral form. No court date or bond amount is required. A copy of the citation shall be attached to the referral.
 5. Juveniles aged 11 and under who commit any violation shall be referred to the appropriate juvenile intake office, if appropriate.
 6. Juveniles 12 through 16 years of age who have been cited for an alcohol-related offense or criminal offense shall have a mandatory appearance.
 7. Juveniles 12 through 16 years of age, cited for UW code violations, shall have a non-mandatory appearance and officer(s) shall follow citation procedures established in Wisconsin State Statute 778.25
 8. Juveniles 16 or 17 years of age shall be treated as adults when receiving uniform traffic citations. The bond and court schedules that apply to adults shall apply to these juveniles. These juveniles may be taken into custody for traffic crimes under Section 2 of the Uniform Traffic Bond Schedule. The case should then be referred to the appropriate district attorney’s office.
 9. Juveniles 17 or older shall be referred to circuit court for alcohol-related and criminal offenses. A court date shall be mandatory.
 10. Juveniles 17 years of age shall be given a non-mandatory court appearance date for UW code violations.

- F. Agency referral of alleged juvenile offenders for formal legal proceedings should be restricted to those cases involving serious criminal conduct or repeated criminal violations. In general, delinquent acts requiring referral to the juvenile justice system include:
1. All delinquent acts that if committed by an adult would be felonies
 2. All delinquent acts involving weapons or that are gang related
 3. All delinquent acts involving aggravated assault and battery
 4. All delinquent acts committed by juveniles under a court order or by those with pending case
 5. All delinquent acts involving controlled substances under Chapter 961
 6. All repeated delinquent acts within the preceding twelve months, excluding tobacco violations.
 7. Any other violation an officer feels requires a referral in light of special or unusual circumstances
- G. If the juvenile has committed a misdemeanor violation, the officer may arrest, cite, and release the juvenile offender using the same arrest procedures as for adults.
- H. A recommendation for exclusion from diversionary alternatives can be made for offenses that, if committed by an adult, would be classified as felonies. Crimes involving weapons, gang-related crimes, acts of violence to another person, crimes committed by juveniles on parole, probation, or with cases pending, and incidents of repeated offenses within the past 12 months should also be excluded.
- I. A juvenile for whom a referral is appropriate shall be referred to the intake office in the county where the incident occurred. A referral to juvenile intake must be received at the intake office within a reasonable period of time after completion of the investigation if the juvenile is not in custody. A referral to the juvenile intake must be received at the intake office by the morning of the next business day if a juvenile is held in custody at the Dane County JRC.
- J. If a referral case is sent back to an assigned officer for further investigation, the assigned officer shall complete a follow up investigation without delay. If the assigned officer is unavailable for the follow-up investigation, the case shall be transferred to another officer to ensure it is completed within 20 days, per Wisconsin State Statute 938.25(2)(a).

JUVENILES IN CUSTODY [6.6.3]

- A. Officers are authorized under Wis. Stat. §§ 48.19 and 938.19 to take a child or juvenile into custody when the following circumstances are present:
1. An order was issued by a judge based upon the welfare of a child to take him or her into custody.
 2. The officer has reasonable grounds to believe that a capias or a warrant for the child’s apprehension has been issued in this state or that the child is a fugitive from justice.
 3. The officer has reasonable grounds to believe that a capias or warrant for the child’s apprehension has been issued in another state.
 4. The officer has reasonable grounds to believe that the child has committed or is committing an act which is a violation of state or federal criminal law.
 5. The officer has reasonable grounds to believe that the child has run away from his or her parents, guardian, or legal or physical custodian.

6. The officer has reasonable grounds to believe that the child is suffering from illness or injury or is in immediate danger from his or her surroundings and removal from those surroundings is necessary.
 7. The officer has reasonable grounds to believe that the child has violated the terms of court-ordered supervision or after-care supervision administered by the department or a county department.
 8. The child has violated the conditions of an order under Wisconsin State Statutes 48.21(4) or the conditions of an order for temporary physical custody by an intake worker.
 9. The child is an expectant mother and there is a substantial risk that the physical health of the unborn child, and of the child when born, will be seriously affected or endangered due to the child expectant mother's habitual lack of self-control in the use of alcohol beverages, controlled substances, or controlled substance analogs, exhibited to a severe degree, unless the child expectant mother is taken into custody.
 10. The officer has reasonable grounds to believe that the child has violated a civil law or a local ordinance punishable by a forfeiture provided that in such cases the child shall be released as soon as reasonably possible under Wisconsin State Statutes 48.20(2) or 938.20(2).
 11. The juvenile has violated a condition of court-ordered supervision, community supervision, or aftercare supervision; a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth; or a condition of the juvenile's participation in the intensive supervision program under s. 938.534.
 12. The juvenile has violated the conditions of an order under s. 938.21 (4) or of an order for temporary physical custody issued by an intake worker.
 13. The juvenile has violated a civil law or a local ordinance punishable by a forfeiture, except that in that case the juvenile shall be released immediately under s. 938.20 (2) (ag) or as soon as reasonably possible under s. 938.20(2) (b) to (g).
 14. The officer has reasonable grounds to believe that the juvenile is absent from school without an acceptable excuse under Wisconsin State Statute 118.15.
- B. A juvenile offender, who has been charged with a status offense or a juvenile who is a non-offender, may not be left unattended at any time while in custody.
 - C. An officer temporarily detaining a juvenile shall notify the Communications Center as soon as possible and shall advise them of the juvenile's name and reason for detention. Status offenders and non-offenders may not be placed in any secure room at the Department.
 - D. All juveniles taken into custody shall not be left unattended at any time and must be continuously monitored until their release.
 - E. When an officer takes a juvenile into physical custody under the circumstances above, the officer taking the juvenile into custody shall immediately attempt to notify the parent, guardian, legal custodian, and/or Native American custodian of the juvenile by the most practical means. The person taking the juvenile into custody shall continue such attempt until the parent, guardian, legal custodian, and/or Native American custodian of the juvenile are notified, or the juvenile is delivered to an intake worker, whichever occurs first.

- F. When a juvenile is taken into custody, a search shall be conducted in the same manner as with adults. Juveniles shall be handcuffed in instances where the officer believes the juvenile may attempt to escape from custody or is a risk for the safety of the officer, him- or herself, or anyone else.
- G. Officers may encounter juveniles who are in need of protection from their surroundings or are suffering from illnesses or injury and not receiving proper care. If an officer takes custody of a juvenile under these circumstances, the officer shall, as soon as practical, contact the appropriate child protection unit. If a juvenile is incapacitated by alcohol or drugs, mentally ill, or developmentally disabled to the point that he or she represents a danger to him- or herself or others, officers shall take the juvenile to an emergency room for evaluation. If the problem is related to mental illness or developmental disability, the La Crosse County Mobile Crisis shall be notified and assist with an assessment of the juvenile and appropriation of the affidavit of emergency detention and the officer shall proceed with emergency detention guidelines under department directives and Wisconsin Statute 51.15.
- H. If the juvenile is not going to be transported to a Juvenile Reception Center and the parent(s) or guardian(s) cannot be notified, the officer shall contact Child Protective Services.
- I. If the juvenile is to be charged with an offense:
1. Advise the juvenile of the reason for the arrest or temporary detention, and the procedures of the Department and of Juvenile Court concerning juveniles.
- J. Upon taking a juvenile into custody, officers should, without undue delay, deliver the juvenile to the individual or agency having ultimate authority of the juvenile under given circumstances. Once in custody, the juvenile shall be brought to the department or intake facility without undue delay unless he or she is in need of emergency medical treatment. The following procedures apply:
1. Adult and juvenile detainees shall not be transported in the same vehicle.
 2. Officers transporting juveniles shall advise the Communications Center of destination and starting/ending mileage.
 3. Juveniles shall remain out of the sight and hearing range of adult detainees.
 4. Juveniles must be accused of a criminal act in order to be placed in a secure area, and if they are placed within a secure area, they must be released or **transported to a juvenile detention facility** within six hours of being secured.
- K. Wisconsin State Statute 48.195 was created to protect the wellbeing of newborn children and to create a “safe harbor “for relinquishing custody of newborns. If a person surrenders a newborn child to any department member, the officer assigned should consult Wisconsin State Statute 48.195 and follow all statutory requirements in addition to:
1. Attempt to obtain as much voluntary information as possible. The person legitimately relinquishing custody is not required to provide any information.
 2. Provide the person with the toll-free maternal and child health phone number 1-800-722-2295. The person is not required to take the number or call.
 3. Attend to any immediate needs of the child or seek medical attention if needed.
 4. Notify the On Call Commander and Dane County Social Services.
 5. Complete an incident report prior to ending tour of duty. The report should include notification of the La Crosse County Social Services and the status of the child.

6. Wisconsin State Statute 48.195(1) requires, within five days, the law enforcement officer, emergency medical technician, or hospital staff member who takes child into custody to file a birth certificate under Wisconsin State Statute 69.14(3). The officer assigned shall seek assistance from La Crosse County Social Services or hospital staff in meeting this requirement.

JUVENILE CUSTODIAL INTERROGATION(S) [6.6.4]

- A. Any custodial interrogation of a juvenile shall be recorded by means of video and audio. A juvenile who is in custody and shall be interrogated should be brought to the Department prior to interrogation to best facilitate the recording requirement. If it is not feasible to bring the juvenile to the Department, the officer shall advise Dispatch that they are in need of an officer with a functioning body worn camera and/or squad with video recording capabilities.
- B. Custodial interrogations of juveniles shall be conducted in accordance with Wisconsin State Statute 938.195 which requires the following;
 1. All custodial interrogations of juveniles that are conducted at the department shall be audio and video recorded by the officer(s) unless one or more of the following conditions under Wis. Stat. § 938.31(3)(c) apply:
 - a. The juvenile refused to respond or cooperate in the custodial interrogation if an audio or audio and visual recording was made of the interrogation so long as the officer(s) made a contemporaneous audio or audio and visual recording or written record of the juvenile's refusal.
 - b. The statement was made in response to a question asked as part of the routine processing after the juvenile was taken into custody.
 - c. The officer(s) conducting the interrogation in good faith failed to make an audio or audio and visual recording of the interrogation because the recording equipment did not function, the officer(s) inadvertently failed to operate the equipment properly, or, without the officer's knowledge, the equipment malfunctioned or stopped operating. Such conditions shall be documented in the incident report.
 - d. The statement was made spontaneously and not in response to a question by the officer(s.)
 - e. Exigent public safety circumstances existed that prevented the officer(s) from video and audio recording the interrogation.
 2. Custodial interrogations that are conducted outside of the department, if feasible, should be audio and video recorded unless the following conditions under Wis. Stat. § 938.31(3)(c) apply (listed above.)
- C. When conducting a custodial interrogation, the officer shall advise the juvenile of their rights. Juveniles may waive their Miranda rights, and may do so without a parent being present, however reviewing courts will closely examine the facts and circumstances of the waiver to ensure it was voluntary. Many factors will be considered, including the juvenile's age, education, intelligence, emotional characteristics, experience with criminal justice system, time of day, and the presence of a parent or other adult concerned about the juvenile's welfare. Officers must take steps to ensure the juvenile understands their rights and the gravity of the

situation. The officer must demonstrate that the juvenile has the mental capacity to comprehend the significance of Miranda and the rights waiver.

- D. If an investigation is not of an emergency nature, a reasonable effort should be made to notify the parent or legal guardian of a juvenile who has been taken into custody and is a suspect in a criminal matter. If the parent or guardian cannot be reached, the officer may advise the juvenile of their rights and proceed with the investigation. If a parent is contacted, they may desire or demand to be present during the juvenile interrogation. Officers may have the discretion to exclude the parents from an interview if their presence would hinder the investigation.
- E. When questioning a juvenile, officers shall not prolong the interview beyond what is needed in order to complete the investigation. The interview should be handled by one officer if at all possible, so as to lessen the chance of a juvenile feeling intimidated or pressured.

Non-Custodial Interrogations

- A. Officer(s) conducting a non-custodial interview of juvenile(s) shall record the interview by means of audio and video recording. If recording via video means is not feasible, the officer shall advise Dispatch that they are in need of an officer with a functioning body worn camera and/or squad with video recording capabilities.
- B. Interviews of juveniles should be done with consideration of the juvenile's age, mental state, or other factors or influences experienced by the juvenile.

MISSING JUVENILE INVESTIGATIONS [6.6.5]

- A. The role of the initial responding officer is critical in identifying the circumstances surrounding a missing person report and in identifying those persons at risk.
- B. Missing person investigations shall be initiated, when appropriate, for residents of campus, and in those situations where the person was last observed or their disappearance is alleged to have occurred on the University campus, unless otherwise indicated by the shift OIC.
- C. In those situations involving persons whose primary residence is in another jurisdiction, information shall be provided to the agency having jurisdiction. The Department retains case investigation responsibility until other investigative arrangements have been made. The investigations should be coordinated as much as possible to avoid duplication of effort and to ensure the most thorough investigation.
- D. Upon receiving an initial call regarding a possible missing, runaway, or abducted person, the Law Enforcement Dispatcher (LED) shall broadcast all information to all security and police units. The LED shall facilitate communications between all responding units. If a person is reported missing to the On Call Commander, the officer who receives the call shall immediately notify the Communications Center. Route security officers should monitor communications and respond at the direction of the shift OIC or designee.
- E. The initial officer shall respond promptly to the scene of the report. If other areas need to be checked immediately, other officer(s) should be assigned. The initial responding officer must gather as much pertinent information as possible in order to properly classify a missing person report and initiate proper response. The officer shall interview the person who made the report. This interview should include the following information:

1. Name, date of birth, age, and physical description of the subject and relationship of the reporting party to the missing person.
 2. Time and place of last known location and identity of anyone accompanying the subject.
 3. The extent of any search for the subject.
 4. Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits, or plans.
 5. Whether the individual has been involved recently in domestic incidents, suffered emotional trauma or life crises, demonstrated unusual, uncharacteristic, or bizarre behavior, is dependent on drugs or alcohol, or has a history of mental illness.
 6. The psychological and physical condition of the subject and whether the subject is currently on prescription medication.
- F. If the missing person is a child, the investigating officer should also determine if the child:
1. Is or may be with any adult who could cause harm.
 2. May have been the subject of a parental abduction. Confirm custody status. Ascertain whether a dispute over child custody might have played a role.
 3. Has previously run away from home, has threatened to do so, or has a history of explainable or unexplainable absences for extended periods of time.
- G. The officer should attempt to verify that the person is, in fact, missing. A thorough search should be conducted of both the home and last seen location. To coordinate the search effort, the incident command system should be utilized. The search for children should include places where children could be trapped, asleep, or hiding. Special attention should be paid to enclosures like refrigerators, freezers, and the interior of parked vehicles where limited oxygen may place the child at even greater risk. The Chief of Police or designee shall determine when to notify the local office of the FBI and other enforcement agencies. The Chief of Police or designee may authorize mobilization of additional resources necessary for an area search.
- H. The investigating officer should attempt to identify the circumstances of the disappearance and inform the reporting person of one of two resources, based upon the age of the missing person:
1. If the missing person is under 18 years of age, contact information for the National Center for Missing and Exploited Children shall be given: 1-800-843-5678, <https://www.missingkids.org/HOME>
 2. If the missing person is age 18 or older, contact information for the National Center for Missing Adults shall be given: 1-800-690-3463, www.theyaremissd.org
- I. Within 24 hours of the determination that a student who lives in on-campus housing is missing; local law enforcement agencies shall be notified.

Supervisor Role

- A. A police supervisor shall be immediately notified when it is determined that the missing person meets one or more of the below listed criteria. If a police supervisor is not available, the On Call Commander shall be contacted.
1. May be the subject of foul play.
 2. Because of age (young or old), may be unable to properly safeguard or care for themselves
 3. Suffers from psychological or medical conditions that are potentially life threatening if left untreated/ unattended.

4. Are patients of a mental institution and are considered potentially dangerous to themselves.
 5. Have demonstrated the potential for suicide.
 6. May have been involved in a boating, swimming, or other accident, natural disaster, or catastrophe.
 7. When any physical or psychological situation is discovered in which an officer believes a missing person may be at a greater than normal risk.
- B. Upon notification from the officer that the missing person meets any of the above listed criteria, the supervisor should:
1. Determine if additional personnel and resources are needed to assist in the investigation.
 2. Consider activation of the Amber Alert, Silver Alert, Green Alert, or Wisconsin Crime Alert Network system, and/or other immediate community notification methods.
 3. Establish a command post if needed.
 4. Organize and coordinate search efforts. Ensure that all required notifications have been made within and outside the Department.
 5. Activate Incident Command System if necessary to address the needs of the situation.
 6. Ensure that if a missing person is not recovered during the work shift, the information relating to the missing person is disseminated to all sworn personnel on other shifts.

Amber Alert

- A. If it has been determined that the child was abducted and there is sufficient suspect information to provide to the public, the State/National Amber Alert System shall be activated.
- B. The process for initiating the Amber Alert shall be followed. This can be found at the following website: www.AmberAlertWisconsin.org. The Communications Center shall provide the required information to the La Crosse County Communications Center who shall initiate the statewide Amber Alert. Amber Alert is not to be used for runaways or family abductions unless the child's life is in danger. All of the following conditions are required prior to initiating the Amber Alert System:
1. Child must be 17 years of age or younger
 2. Child must be in danger of serious bodily harm or death.
 3. Initiating agency must have enough descriptive information about the child, the suspect(s) and/or the suspect vehicle(s) to believe an immediate broadcast alert shall help locate the child.

RELINQUISHING CUSTODY OF NEWBORNS [6.6.6]

- A. Pursuant to Wisconsin State Statute 48.195, a child whom a law enforcement officer, emergency medical technician or hospital staff member reasonably believes to be 72 hours old or younger may be taken into custody under circumstances in which a parent of the child relinquishes custody of the child to the law enforcement officer, emergency medical technician, or hospital staff member and does not express an intent to return for the child. If a parent who wishes to relinquish custody of their child is unable to travel to a sheriff's office, police station, fire station, hospital, or other place where a law enforcement officer, emergency medical technician, or hospital staff member is located, the parent may dial "911" and a law enforcement officer, emergency medical technician, or hospital staff member shall be

dispatched to take the child into custody. Any authorized person who takes a child into custody shall take any action necessary to protect the health and safety of the child, and shall, within 24 hours after taking the child into custody, deliver the child to an intake worker.

- B. A parent who relinquishes a newborn child has the right to remain anonymous unless there is a reasonable cause to suspect the child is a victim of abuse or neglect. Anonymity includes the following provisions:
 - 1. No person may induce or coerce the parent into revealing their identity.
 - 2. The parent may leave the presence of the individual taking custody without being followed or pursued.
 - 3. No officer, employee, or agent of this state or of any of its political subdivisions may attempt to locate or learn the identity of the parent.
 - 4. Any person who assists the parent in relinquishing the child also has the same right to remain anonymous except when there is cause to believe the child is a victim of abuse or neglect or that the person assisting the parent has coerced the parent into relinquishing custody.
- C. Any person who obtains information on the relinquishment of a child may not disclose that information except to the following:
 - 1. A birth parent who has waived anonymity or the child's adoptive parent.
 - 2. The staff of the Department of Health and Family Services or any county human or social services department or licensed child welfare agency that provides services to the child.
 - 3. Persons performing juvenile court intake or dispositional services.
 - 4. The attending physician.
 - 5. The child's foster parent or any other person who has physical custody of the child.
 - 6. A juvenile court or an American Indian tribal court that conducts proceedings relating to the child.
 - 7. The attorney representing the interest of the public or the tribe in those proceedings.
 - 8. The attorney representing the interests of the child.
- D. Any sworn Department member who takes a child into custody under this provision shall make available to the parent who relinquishes custody of the child the maternal and child health toll-free telephone number 1-800-722-2295.

REPORTING OF CHILD ABUSE [6.6.7]

The following shall govern procedures for investigating domestic violence cases where children are present or involved:

- A. Due to the correlation between domestic violence and child abuse, officers should always be alert for evidence of child abuse. Officers should note the names and ages/DOB of children, ask whether they were present when the incident occurred, and if they have any injuries.
- B. In the event that a minor child appears to be the victim of physical abuse, emotional abuse, or neglect, and/or sexual abuse, it is the responsibility of the officer to take immediate action, which includes notifying the La Crosse County Department of Human Services. A Safe Harbor Interview should be considered.
- C. The following reports of suspected or threatened abuse shall be referred to the district attorney for criminal prosecution:

1. Sexual intercourse or sexual contact under Wis. Stats. 940.225.
 2. A violation of s. 948.05 – sexual exploitation of a child.
 3. Permitting, allowing or encouraging a child to violate s. 944.30(1m) – prostitution.
 4. A violation of s. 948.055 – causing a child to view or listen to sexual activity.
 5. A violation of s. 948.10 – causing a child to expose genitals, pubic area, or intimate parts.
- D. If the disposition of a dispute leaves minors in the home without a responsible parent/guardian, the officer is to contact the La Crosse County Department of Human Services for temporary arrangements.

BY ORDER OF



Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

7.1

| | |
|---|------------------------------|
| Subject Search/Transport of Detainees | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 7.1.1-7.1.9 |
| Comments: | |

I. INDEX:

7.1.1 SEARCH OF DETAINEES

7.1.2 SEARCH OF TRANSPORT VEHICLES

7.1.3 PLACEMENT OF DETAINEES AND OFFICERS IN VEHICLE

7.1.4 LIMITATION OF COMMUNICATIONS BY DETAINEES

7.1.5 TRANSFER OF CUSTODY AND DESTINATION OF TRANSPORT

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7.1.7 UNUSUAL SECURITY RISKS

7.1.8 TRANSPORTING SICK, INJURED, OR DETAINEES WITH SPECIAL NEEDS

7.1.9 DETAINEE SECURITY DURING MEDICAL CARE

II. POLICY:

Detainee transport by UW-La Crosse Police Department members shall be performed in a manner that will adequately provide for the safety and security of the prisoner, the transporting officer(s), and the general public.

III. DEFINITIONS:

Custody refers to the legal or physical control of a person in an area or facility or while in transit; legal, supervisory, or physical responsibility for a person.

Detainee refers to a person in the custody of agency personnel and whose freedom of movement is at the will of agency personnel.

Disposable flex-cuffs refer to commercially produced plastic flexible band cuff with a one-way locking system.

Handcuffs refer to commercially produced chain link or hinged type cuff capable of being double locked.

Hobble device refers to a commercially produced canvas cuff that is to be placed around the ankles of a detainee.

Safety barrier refers to an immovable partition, separating driver and rear seat passenger, utilized during prisoner transport.

Transport belt refers to a commercially produced heavy-duty leather or chain waist belt with a metal restraining ring for use with handcuffs or a chain waist belt with a metal restraining ring for use with handcuffs. These items are used for long distance transportation when it is impractical to have a detainee's wrists cuffed behind the back.

Transport vehicle refers to the vehicle used for transporting a prisoner from one point to another. The transport vehicle may be the patrol vehicle, such as in the case of transporting a prisoner after an arrest; a vehicle of a correction facility designated for prisoner transport but also used for other purposes; or a specially designed prisoner transport vehicle, such as a bus or van. This term does not refer to commercial vehicles, such as buses, trains, or airplanes that may be used for prisoner transport.

IV. PROCEDURE:

SEARCH OF DETAINEES [7.1.1]

- A. A sworn officer is responsible for completing a thorough search of a detainee for contraband and any weapons prior to transport.
- B. A detainee search prior to transport is also the responsibility of the sworn officer transporting the detainee who is already in custody.

SEARCH OF TRANSPORT VEHICLES [7.1.2]

- A. Patrol officers shall inspect their vehicle for duty readiness at the beginning of each shift. This inspection shall include an examination for weapons and contraband. Any items noted which may contribute to unsafe vehicle operations shall be reported immediately to the Chief of Police or designee.
- B. Whenever a detainee is transported in a police vehicle, a thorough search of the vehicle shall be completed prior to and after transport. Any weapons and/or such contraband located during the search of the vehicle shall immediately be reported and the contraband inventoried according to Department procedures.

PLACEMENT OF DETAINEES AND OFFICERS IN VEHICLE [7.1.3]

- A. Detainees who are transported in a vehicle which has a safety barrier shall be secured in the rear passenger compartment, separated from the driver by the safety barrier.
- B. Detainees being transported in police vehicles which do not have safety barriers shall be secured in the rear passenger compartment and when possible, wearing a seat belt. Two officers should be present for the transport. When two officers are present, the second officer may ride in the rear compartment with the detainee. The second officer should secure their firearm or sit with it away from the detainee. If not riding in the same vehicle, the second officer may follow the transporting officer in another vehicle. If circumstances are such that the transporting officer is the only officer in the vehicle, the detainee should be seated as far away from the driver as possible.
- C. Detainees transported on any watercraft must wear a U.S. Coast Guard approved type I, II, or III personal flotation device. If possible, officers transporting detainee shall require the detainee wear a proper personal flotation device prior to handcuffing for transport. If the detainee is handcuffed prior to donning a personal flotation device and presents an officer safety risk when removed from handcuffs or is non-compliant with the request to don a personal flotation device officers shall fit a personal flotation device on the detainee while in handcuffs in a manner that is secure enough to stay on the detainee when in the water. Methods may include attaching the personal flotation device to a belly chain, attaching to the handcuffs, or attaching to a fixed piece of clothing such as a belt or belt loops.
- D. Any detainee transported in a department watercraft shall not be affixed to the watercraft by any means. Belly chains, leg restraints, or handcuffs shall not be used to attach any part of the

detainee, their clothing, or any other object that will restrain them from exiting the watercraft in case of an emergency.

Interruption of Transport

- A. Officer(s) transporting detainees should maintain routine visual contact during transportation. Interruptions of transports are authorized when exigent circumstances exist that threaten the life and safety of the detainee, community and/or transporting officer(s). The transporting officer(s) shall maintain physical control and visual observations of the detainee at all times. In the event there is an interruption of transport, officer(s) shall position themselves to prevent escape.
- B. A primary responsibility of the transporting officer shall always be the custody and safety of the detainee. The transporting officer(s) will only vary from transportation status to render aid and assistance in life-threatening situations or at the direction of a supervisor or Officer in Charge (OIC.)

LIMITATIONS OF COMMUNICATIONS BY DETAINEES [7.1.4]

- A. Officers transporting a detainee shall not permit the detainee to talk with non-law enforcement personnel during transport. Conversations with non-law enforcement personnel may occur prior to transport or after transport to the designated facility.
- B. The transporting officer may act as a conduit of information and communicate to non-law enforcement personnel prior to or during transport.

TRANSFER OF CUSTODY AT DESTINATION OF TRANSPORT [7.1.5]

- A. Transporting officers shall secure their firearm in compliance with that facility's policy. At a facility with no provisions for firearm storage or no firearm storage policy, officers should lock their firearm in their police vehicle.
- B. The transporting officer shall consult with the personnel of the facility when removing detainee restraints.
- C. The transporting officer shall deliver all necessary documentation to the receiving facility.
- D. The transporting officer will document the transfer of custody including the date and time of transfer.
- E. The transporting officer will advise the receiving agency of any potential medical risk or security risk.

Precautions for Transporting Detainees

- A. Whenever an officer transports a detainee, the officer shall notify the communications center of their present location, the intended destination, and the current transport vehicle mileage.
- B. Upon arrival at the destination, the transporting officers shall notify the communications center of their arrival and the current transport vehicle mileage.

ESCAPE [7.1.6]

- A. If a detainee escapes within La Crosse County, the transporting officer shall immediately notify the UWLPD Communications Center. If outside of La Crosse County, the transporting officer shall immediately notify the local jurisdiction. In either situation, the OIC and On Call Commander shall be notified. The transporting officer should notify the communications center of the following:
 - 1. The location of the escape
 - 2. Escapee's direction and mode of travel

3. Escapee physical and clothing description
 4. Pending charges against the escapee
 5. Apprehension efforts that have been undertaken
 6. Any other information that may be of assistance
- B. Written reports indicating circumstances surrounding the escape shall be submitted prior to the end of the officer's tour of duty.
- C. Other actions involving a detainee escape may be initiated by the OIC, a supervisor, or the OCC.

UNUSUAL SECURITY RISKS [7.1.7]

- A. In situations where a prisoner is to be transported to another facility, agency or other jurisdiction and is considered an unusual security risk, that information shall immediately be brought to the attention of the receiving officers, deputies, or other employees.

Detainee Restraint During Transport

- A. Whenever a person is placed under custodial arrest and is to be transported for any reason, or when a detainee is being transported from a department facility to another facility, the person should be handcuffed unless prevented due to age, medical reasons and/or physical impossibility.
- B. Restraining devices shall be applied to the wrists of the detainee with hands placed behind the arrestee and palms facing away from each other. Restraining devices may be applied to the wrists with the hands placed in front of the arrestee in some circumstances, such as when the arrestee is incapable of placing hands behind the back, physically disabled (i.e., hearing impaired), or sick or injured to the extent that placing hands behind the back would be impracticable (i.e., a long transport).
- C. Whenever possible, restraining devices shall be double locked. Arrestees shall not be handcuffed to any part of the transporting vehicle, such as a door post. When long-distance transport is required, a transport belt may be utilized. A hobble device or disposable flex cuffs may be used in conjunction with other restraining devices and instances involving high risk. A hobble device or leg restraints shall be used for detainees who are combative and have threatened leg strikes unless circumstances exclude device application.
- D. Detainees shall not be positioned immobile, face down in a vehicle after the application of both arm and leg restraints.
- E. For those transport situations involving a mentally disturbed detainee where the detainee poses a significant threat to themselves or the officer, additional restraining devices or vehicles may be used in order to securely restrain the individual.

TRANSPORTING SICK, INJURED, OR DETAINEES WITH SPECIAL NEEDS [7.1.8]

- A. When a person has been taken into custody and requires immediate medical attention due to injury or illness, the arresting officer shall request emergency medical services to respond to the scene.
- B. If a detainee requires hospital treatment, the detainee may be transported to a medical facility by ambulance. If the detainee refuses treatment and the attending paramedics and investigating officer determine that immediate treatment is not necessary, the detainee may be transported to a medical facility in a police vehicle.

- C. In transporting a detainee with a disability, special accommodations for transport may be required. Depending on the type of disability and special needs of the detainee, the transporting officer may utilize a vehicle other than a police vehicle.
- D. When a detainee is being transported to a hospital in an ambulance, the detainee may be handcuffed or restrained by another authorized method, unless prevented due to medical reasons. Under normal circumstances, one officer will ride in the ambulance with the detainee. If no officer rides in the ambulance, an officer will follow the ambulance to the hospital, unless determined unnecessary (dependent upon charging decisions.)

DETAINEE SECURITY DURING MEDICAL CARE [7.1.9]

- A. Officer(s) will remain with the detainee during medical treatment unless the attending physician requires the officer to leave the treatment area. When this occurs, the officers will position themselves in a location to prevent escape.
- B. The use of restraints on a detainee receiving medical care shall be used at the discretion of the officer. The officer should base the decision on the circumstances at hand, the request of medical personnel, and the medical needs of the detainee. Generally, restraints should not be used if they interfere with treatment or otherwise aggravate the detainee's condition.
- C. After treatment has been provided and the detainee is released from the hospital, officer(s) shall transport the detainee to the designated holding facility, if necessary.
- D. When a detainee is admitted to the hospital, hospital security will be advised of the status of that person. Officers will notify the OIC of the admission of the detainee. If a determination is made that a guard must be posted with the detainee, the OCC should be notified.

BY ORDER OF



Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

7.2

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| Subject Processing and Temporary Detention | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 7.2.1-7.2.7 |
| Comments: | |

I. INDEX:

- 7.2.1 PROCESSING AND TEMPORARY DETENTION AREAS**
- 7.2.2 SECURITY DURING DETAINEE PROCESSING AND TEMPORARY DETENTION**
- 7.2.3 SUPERVISION OF DETAINEES**
- 7.2.4 TEMPORARY DETENTION PROCEDURES**
- 7.2.5 SECURING TO IMMOVABLE OBJECTS**
- 7.2.6 DETAINEE AMENITIES**
- 7.2.7 DETAINEE EVACUATION PLAN**

II. POLICY:

The UW–La Crosse Police Department shall implement procedures for the temporary detention of detainees to ensure that detainees are held in a safe and secure manner. Mandatory training shall be conducted for personnel charged with monitoring detainees. Procedures shall provide for safe, humane, efficient, and effective processing.

III. DEFINITIONS:

Contingency plans refer to when an unintended event occurs. This event may be incidental to another event.

Detainee refers to person in the custody of agency personnel and whose freedom of movement is at the will of agency personnel.

Temporary detention refers to the length of time a detainee is held and is measured in hours, not days.

Temporary detention facility refers to a facility where detention is measured in hours and does not involve housing or feeding detainees except in extenuating circumstances.

IV. PROCEDURE:

PROCESSING AND TEMPORARY DETENTION AREAS [7.2.1]

- A. The Department utilizes specific rooms to process, test, and/or interview those being detained within the Department. These rooms should be used any time an adult is being formally detained by members of the agency or by members of another agency while inside the police facility.
- B. **Rooms 131, 127, and 123 are designated for temporary detention. Room 129 is designated for processing and testing.**
- C. The temperature within the processing, testing, and temporary holding rooms shall be temperature controlled. All detention rooms shall be equipped with seating for the detainee. The detainee shall be provided access to a toilet and water, if needed, as long as this does not threaten the collection or preservation of evidence or if there is a concern for the safety of the detainee or others.

- D. Detainees may remain under temporary detention in the Department temporary holding area for no longer than six hours. Absent exceptional circumstances, a detainee may not be held more than two hours following the conclusion of processing, testing, and/or interview/interrogation. If exigent circumstances require a longer period of detention in the temporary detention area, written authorization must be obtained from the Chief of Police prior to reaching the six hours. Those requiring additional incarceration should be transported to the La Crosse County Jail or another applicable holding facility.

Facility Training

- A. Training on monitoring temporarily detained individuals in the facility include:
1. General uses of holding rooms and areas.
 2. Contingency plans for combative and uncooperative detainees.
 3. Contingency plans for sick or injured detainees.
 4. Contingency plans for circumstances requiring extended detention of individuals.
 5. Procedures for emergency evacuation.
 6. Searches of temporarily detained individuals.
- B. Training in monitoring temporarily detained individuals shall be provided to new sworn employees and law enforcement dispatchers as part of their initial training.
- C. Sworn employees and law enforcement dispatchers shall be provided training on the use of temporary detention areas or rooms at least once every four years.

SECURITY DURING DETAINEE PROCESSING AND TEMPORARY DETENTION/SUPERVISION OF DETAINEES [7.2.2] [7.2.3]

- A. All firearms shall be secured prior to entering any temporary holding room. Firearm lockers are provided near the holding rooms to accommodate the temporary storage of firearms. In the event of an emergency, responding personnel may enter any temporary holding room without disarming until such time as the emergency has been addressed. Such personnel must secure all firearms if their sustained presence is required after the emergency has subsided.
- B. If officers encounter a use-of-force situation where they require immediate assistance in a temporary holding room, the emergency function of the officer's radio should be activated if possible. An audible alarm pull station is also accessible in the hall outside of the temporary detention rooms.
- C. Only employees of the Department and those authorized shall have access to the temporary holding secure area. When a detainee is present, authorized civilians shall be accompanied by sworn personnel at all times while in temporary holding rooms with the detainees.
- D. To prevent escape, when a detainee is placed in a temporary holding room, the door to the holding room shall be locked.
- E. In the event an officer is required to leave a detainee in a secured temporary holding room, the detainee shall be observed frequently using electronic monitoring located either in the communications center or one team room. Cameras used to observe the holding room shall preclude the monitoring of toilet facilities. A face-to-face check of the detainee shall be conducted at least every 15 minutes. Special risk detainees (suicidal or other special needs) shall be under constant supervision.

Fire Prevention, Evacuation, and Suppression

- A. The Department has an automated fire alarm, heat, and smoke detection system. In the event of a fire alarm or system activation, an alarm shall sound throughout the facility. The La Crosse Fire Department shall be summoned to respond.

- B. If an individual is being detained at the Department, the officer responsible for the detainee shall direct the detainee to a hazard-free area. This area may be the rear seat of a caged police squad. If the reason for alarm activation persists, then the detainee may be transported to another holding facility.
- C. A fire extinguisher shall be kept near the temporary holding rooms and shall remain easily accessible. Fire suppression equipment must be approved by the University of Wisconsin-La Crosse Environmental Health, and Safety (EHS) Department.
- D. The Department has an emergency evacuation plan. The plan shall be posted in various locations throughout the Department.

Inspection and Audit

- A. Officers shall inspect each temporary holding room and property bags before and after each use for contraband and/or weapons and also checked for damage.
- B. **The Department building manager or designee** shall conduct an annual inspection of the temporary holding rooms to determine if any unsafe conditions are developing. The inspection form shall be forwarded to the Chief of Police or designee who shall conduct an administrative review ensuring agency policies and procedures governing temporary detention are being followed and that the original intent for authorization and use of the facility continues to be adequate for the agency needs.

TEMPORARY DETENTION PROCEDURES [7.2.4]

- A. A search of each detainee shall be made initially after arrest. A secondary search shall be conducted after the detainee is within the Department. This search should be made in a holding room and monitored by another officer or be monitored by a law enforcement dispatcher (LED) through electronic monitoring. Property of the detainee(s), including shoes with laces and belts, shall be removed prior to securing the detainee into the temporary holding room.
- B. The Department is a tobacco-free facility. No tobacco products, accessories, or lighting devices shall be permitted to remain in the possession of any detainee while the detainee is in a temporary holding room. These items shall be considered contraband and secured.
- C. **When any temporary holding room is utilized, the officer initiating the use shall be responsible for recording the following information into the electronic “temporary holding” log found on SharePoint:**
 - 1. The reason for confinement
 - 2. Date and times in and out of the Department;
 - 3. Current physical and mental health of the detainee (to include any suicidal thoughts or past attempts);
 - 4. Behavior, to include state of consciousness and mental acuity;
 - 5. Medical questions to include any medications taken by the detainee;
 - 6. Physical impairments (bruises, deformities, mobility issues, injuries- treated or untreated);
 - 7. In-person, visual monitoring of detainees at 15 minute intervals;
 - 8. Release disposition;
 - 9. Foreign national status (consular notification requirement.)
- D. The arresting or interviewing officers shall be accountable for their detainee. The employee responsible for the presence of a detainee in the temporary holding area shall remain on the premises to ensure security and keep track of the course of events. The detainee shall be under continuous control or supervision. The responsibility for monitoring the detainee may be transferred to another

officer. This transfer must be specifically communicated to the officer taking responsibility for monitoring the detainee.

- E. Doors to vacant holding rooms shall remain unlocked when not in use. Doors to holding rooms shall be secured when occupied by detainees.
- F. Each temporary holding room is recorded 24 hours a day. The primary investigating officers or designee are responsible for monitoring their detainee. Monitoring may occur from the communications center or the one team room.

SECURING TO IMMOVABLE OBJECTS [7.2.5]

- A. The Department provides a metal bar secured to the wall in room 129 designed and intended for securing detainees during Intoximeter testing. Absent extraordinary circumstances, detainees processed in room 129 shall be secured to the metal bar, or handcuffed behind the back, or handcuffed behind the back and secured to the metal bar using a second pair of handcuffs. Detainees shall not be secured to any other fixed object, unless approved by a supervisor and noted in the officer's incident report.
- B. If a detainee becomes combative or otherwise harmful to themselves or others, they should be transported to the La Crosse County Jail or a psychiatric treatment facility without delay.

DETAINEE AMENITIES [7.2.6]

- A. Detainees held in temporary detention rooms shall be afforded reasonable access to water, restroom facilities, and other basic needs so long as access to these items does not threaten the collection or preservation of evidence or does not jeopardize the safety of the officers or other detainees.
- B. Temporary detention room #123 of the UW-La Crosse Police Department has a toilet and a water fountain. This room shall be utilized for detainees who require access to water and restroom facilities.

DETAINEE EVACUATION PLAN [7.2.7]

- A. Any detainee being processed or tested in non-designated temporary detention rooms shall remain under constant supervision.
- B. Police officers shall secure their firearm prior to processing or testing a detainee in a temporary holding room. All firearms shall be secured prior to entering room 129, the designated Intoximeter room. All other weapons shall remain secure in their designated holsters unless required under law enforcement authority.
- C. While processing or testing a detainee, officers shall use their portable radio, equipped with an emergency button, to notify the Communications Center if emergency assistance is required. All persons involved in the transportation, processing, testing, booking, or supervision of detainees shall be equipped with a portable radio.
- D. A police officer processing or testing an individual not in a temporary holding room shall remain with that individual or designate another officer to remain with that individual to prevent escape. Officers are responsible for ensuring that detainees are properly secured and monitored and that precautions are taken to prevent escape.
- E. Non-sworn individuals may be granted access to the secured areas for purposes of cleaning and maintenance as needed and authorized. When doing so, employees shall notify the communications center before entering the secure area and after the work is completed and have left the secure area.

BY ORDER OF

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Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

8.1

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|--|------------------------|
| Subject Community Relations | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 8.1.1 |
| Comments: | |

I. INDEX:

8.1.1 PUBLIC INFORMATION FUNCTION

8.1.2 MEDIA ACCESS

8.1.3 COMMUNITY ENGAGEMENT

II. POLICY:

The UW-La Crosse Police Department shall establish policies and procedures for the release of information to the community and the media. The Department is committed to informing the community and news media of events that occur within the public domain. The right of access to law enforcement information is important and must be accomplished within legal parameters and in accordance with Department procedures.

III. DEFINITIONS:

Media refers to radio, television, newspapers, magazines, blogs, and other means of communication that reach or influence people widely.

IV. PROCEDURE:

PUBLIC INFORMATION FUNCTION [8.1.1]

- A. The Department’s full-time Chief of Police acts as the Department Public Information Officer (PIO) The PIO is responsible for connecting media requests with Department personnel able to respond and/or fulfill the request.
- B. The PIO is the primary spokesperson for the department, unless the PIO and/or the On Call Commander designates someone else as spokesperson. In the absence of the PIO, the Chief of Police or designee is the Public Information Officer, unless someone else is designated.
- C. Command staff may designate PIOs to assist in providing an organized means for dissemination of information to the public.
- D. A copy of any press release issued by a person other than the PIO shall be forwarded to the Department’s PIO.
- E. Duties associated with the public information function include preparing and distributing news releases, interacting with media personnel, managing the Department’s social media channels, coordinating the release of information and other media activities with University Communications, reviewing public information policies, and coordinating news conferences. Responsibilities of the public information function shall include (with appropriate management authorization):
 1. Assisting media personnel in covering news stories at the incident scene.
 2. Preparing and distributing agency media releases.

3. Arranging for and assisting at media (press) conferences.
4. Coordinating and authorizing the release of information about victims, witnesses, and suspects.
5. Coordinating and authorizing the release of information concerning confidential agency investigations and operations.
6. Developing procedures for releasing information when other public service agencies are involved in a mutual effort.
7. Releasing and monitoring information about incidents on the Department's social media channels.

MEDIA ACCESS [8.1.2]

- A. Access by news media representatives, including photographers, shall be controlled at crime scenes, traffic collisions, and scenes of disasters, or other catastrophic events. Access shall be allowed within the limitations of public safety, civil rights restrictions, and crime scene integrity.
- B. Once an incident scene perimeter has been established, news media personnel shall not be permitted inside access without officer escort. The Department shall designate a specific area for news media personnel within proximity of the incident. University Communications staff shall be consulted and serve in a liaison capacity.

COMMUNITY ENGAGEMENT [8.1.3]

- A. The Department PIO shall be responsible for involving media agencies in the development of changes in policies and procedures related to the public information function.

Public Information Employee Guidelines

- A. Those persons designated as PIO's shall receive PIO training.
- B. Patrol shift supervisors should be trained as back-up PIO's and are responsible for monitoring shift activities, preparing initial press releases, and accommodating media requests in accordance with established directives and the State of Wisconsin public records laws. Shift supervisors may delegate tasks to trained PIO's working on their shifts.
- C. University Communications shall not serve as the PIO for the Department unless requested. Personnel releasing information to the media, in most circumstances, shall inform University Communications prior to informing the media.
- D. Law enforcement dispatchers may verify initial information such as type of incident, location, and emergency personnel on-scene, to the requesting media. They may also release written statements prepared by a PIO. Requests for additional information from the media that come through the communications center shall be directed to the police officer in charge or the designated PIO.
- E. Any employee working with the media should inform the PIO or the Chief of Police or designee to ensure consistent information in a coordinated Department response. An employee who identifies what he or she believes to be a newsworthy item should contact the Chief of Police or designee or the PIO regarding its release.

News Release Guidelines

- A. News releases shall be prepared in accordance with Department policy and State of Wisconsin open records laws. A copy should be saved in the shared network drive.

- B. When the immediate incident prevents a PIO from preparing a written release, the media may be given initial incident information verbally or via email. In a critical incident, a PIO shall be assigned to a command post, if formed, and the decision to release information shall involve command personnel.

BY ORDER OF

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Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

9.1

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|---|------------------------------------|
| Subject Communication Processes | WI Statute 256.35(2m)(b) |
| Effective Date October 1, 2023 | Revised Date |
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| Comments: | |

I. INDEX:

- 9.1.2 FEDERAL COMMUNICATIONS COMMISSION REQUIREMENTS**
- 9.1.3 EMERGENCY CALLS FOR SERVICE BY TELEPHONE**
- 9.1.4 CONTINUOUS COMMUNICATIONS WITH ON-DUTY OFFICERS**
- 9.1.5 INFORMATION CAPTURE**
- 9.1.6 RADIO COMMUNICATIONS TO AND FROM FIELD PERSONNEL**
- 9.1.7 RESOURCE AVAILABILITY FOR COMMUNICATIONS PERSONNEL**
- 9.1.8 IMMEDIATE PLAYBACK CAPABILITY**
- 9.1.9 CRIMINAL JUSTICE INFORMATION SYSTEMS**
- 9.1.10 INTER-JURISDICTIONAL COMMUNICATIONS**
- 9.1.11 MISDIRECTED EMERGENCY CALLS**
- 9.1.12 PRIVATE SECURITY ALARMS**
- 9.1.13 FIRST AID INSTRUCTION**
- 9.1.14 CARDIOPULMONARY RESUSCITATION (CPR)**
- 9.1.15 COMMUNICATIONS CENTER SECURITY**

II. POLICY:

The UW–La Crosse Police Department shall design and maintain a communications system which fulfills identified needs of both the agency and the service community.

III. DEFINITIONS:

Alias Name refers to the name programmed into a portable radio to identify the person it is assigned to when it is powered on and when it transmits.

Alternate source of power includes battery back-up, generator, and other sources of electricity.

CAD refers to computer aided dispatch. CAD is a computerized system designed to aid communications personnel in routine operations by providing a system for recording incident information and rapid access to operational and historical data. This system supports both dispatching and operational analysis.

CIB refers to the Crime Information Bureau and is operated by the Wisconsin Department of Justice.

NCIC refers to National Crime Information Center and is operated by the Federal Bureau of Investigation. NCIC is connected to law enforcement computers or terminals in all states.

TIME refers to the Transaction Information for Management of Enforcement and is a data communications system that serves state and local law enforcement in Wisconsin.

IV. PROCEDURE:

EMERGENCY CALLS FOR SERVICE BY TELEPHONE [9.1.3]

- A. The Department shall provide 24-hour, toll-free, telephone and TDD access for emergency calls for service via the 911 system. This system allows the public to contact the Department at all times for information or assistance. In the event we are not able to take 911 calls, due to an equipment issue, critical incident, or other reasons, 911 calls shall be rerouted to the La Crosse County Emergency Services. Collect calls may be accepted at the discretion of Communications Center personnel.
- B. Period load studies may be conducted to ensure that an adequate number of telephone lines are available for in-coming calls. The number of blocked or unanswered calls during a defined period may be utilized as a foundation for such studies.

CONTINUOUS COMMUNICATIONS WITH ON-DUTY OFFICERS [9.1.4]

- A. The Department shall have 24-hour two-way radio capability which provides continuous communications between the Communications Center and on-duty officers. Such immediate communication capabilities provide a measure of safety and security for law enforcement officers and to the public. All uniformed officers shall have continuous access to radio communications. Such access shall enable officers to maintain contact with the Communications Center personnel and other employees for purposes of exchanging information, requesting assistance, transmitting and receiving orders or instructions, and responding to calls for service.
- B. Each vehicle used in patrol service shall be equipped with a mobile radio. In addition, each officer shall be assigned a portable radio for use during their tour of duty.
- C. Patrol supervisors should monitor radio traffic of the personnel under their direct command and other frequencies as deemed necessary.

INFORMATION CAPTURE [9.1.5]

- A. The Department shall maintain a control system for obtaining and recording relevant information of each request for service or self-initiated activity.
- B. Calls for service can be generated a number of different ways, including but not limited to: telephone calls from citizens, walk-ins to the Department, written requests for service, alarms, and calls initiated or received by officers. Law Enforcement Dispatchers (LED) shall elicit as much information as possible to enhance officer safety and assist in anticipating conditions which might be encountered at the scene.
- C. As the information is obtained, it shall be entered into the Computer Aided Dispatch (CAD) system. CAD automatically assigns an event I.D. (control number) to all entries and captures the date and time the call for service is entered. When the call is received, the LED shall enter the following required CAD information (which automatically records the time these transactions occur):
 - 1. Name and address of the complainant, if available;
 - 2. Type of incident reported;
 - 3. Location of incident reported;
 - 4. Dispatch of the call;
 - 5. Identification of officers assigned as primary or back-up units, if applicable.

- D. The assigned officer(s) shall update the CAD through Mobile Computing Terminal (MCT) transmissions or request the LED update the CAD through radio transmissions when the following status changes occur:
 - 1. En-route
 - 2. Arrival
 - 3. Return to duty
- E. The assigned officer(s) shall update the disposition/status of the incident through MCT transmission or a CAD workstation.

RADIO COMMUNICATIONS TO AND FROM FIELD PERSONNEL [9.1.6]

- A. Field personnel shall update the Communications Center through radio or mobile data transmissions when responding to, arriving, or clearing from a scene. Field personnel shall also update the Communications Center on any pertinent call information updates or location changes. Personnel receiving information from the Communications Center shall acknowledge receipt of the call information.
- B. When making a traffic or pedestrian stop, the initiating officer shall inform the LED of the vehicle registration and/or other identifying information and the location of the stop. When clearing from a stop, the officer shall provide the LED of the status of the call via radio or MCT.
- C. When emergencies such as crimes in progress, pursuit situations, or unknown disturbances arise depending on the circumstances, units handling the emergency incident may switch to the alternate channel or talk group or other units may switch to an alternative channel or talk group.
- D. Personnel shall avoid displaying emotion or voice inflection to display or indicate irritation, disgust, or sarcasm while using radio communications. Radio communications should be clear and concise.
- E. Field personnel shall record status changes from in and out of service via radio communications with Communications Center or the MCT.
- F. Officers shall log onto the CAD using their assigned beat numbers and their badge number. Officers shall use their badge number or last name to contact the Communications Center.
- G. The LED shall use the radio's "alias name" to determine the identification of a "keyed" radio. The "alias names" shall be updated as soon as possible when changes are made.
- H. The Department communications function shall have, at minimum, the necessary equipment to access interjurisdictional, regional, and area law enforcement systems. The Department shall have and maintain multi-channel mobile and portable radio equipment capable of two-way operation on a variety of joint public frequencies. Emergency radio communication between area Departments may be conducted on trunked call groups, patched radio frequencies, or on VLAW31 (Wisconsin Interoperability Channel). The UWLPD Communications Center has the capability of simulcasting on multiple frequencies or patching radio channels. Non-emergency communications between area Departments may be conducted via telephone or TIME system transmissions.
- I. Response to certain calls and alarms, to include those transmitted by E-phones, may require more than one officer to ensure safe and effective handling of the incident / situation. Officer and citizen safety shall be considered when determining officer response needs. Situations requiring response from at least two officers should be based upon the actual or potential presence of one or more of the following critical factors: assault on an officer, on-scene arrests, resistance to arrest, use of force, crime-in-progress, fleeing suspects, life-saving situations and injury or death. Communications personnel are responsible for dispatching more than one

officer to these types of incidents. A second or backup officer may be sent to calls if determined necessary based on information received by the LED or responding officer.

- J. Field supervisors shall monitor officer response to calls for service to ensure compliance with directives, officer safety, public safety, and efficient response. Circumstances generally requiring the presence of a police supervisor or OIC at the scene for purpose of assuming command shall include, but need not be limited to the following: death, regardless of cause; serious personal injury motor vehicle collisions; battery with injury; collisions involving a Department vehicle; serious injury to a Department employee; prison escape; barricaded suspect/hostage situation; serious complaints or incidents involving a Department employee; disaster, catastrophes, or severe weather producing emergency conditions; or any other incident when a supervisor is requested. Supervisors shall be responsible for evaluating the circumstances that justify an emergency call assignment, assisting Law Enforcement Dispatchers in evaluating such circumstances, and intervening when assignments given by the Law Enforcement Dispatcher do not correspond to the circumstance.
- K. Officers requesting a back-up officer should provide the reason for the request, if possible. If the requesting officer does not provide a reason for the back-up officer, it may be assumed the officer is in a conflict situation. In the event field personnel request emergency assistance or activate their radio emergency alarm, an officer(s) shall be dispatched to assist. The response to an emergency request or activated emergency alarm criteria shall relate to critical factors such as but not limited to: officer needs assistance, officer in trouble, criminal event in progress, or a life-saving situation.

RESOURCE AVAILABILITY FOR COMMUNICATIONS PERSONNEL [9.1.7]

- A. The shift OIC (Officer in Charge) shall be accessible to Communications Center personnel at all times so immediate contact can be made in person, via telephone, or by radio.
- B. Shift Sergeants shall be responsible for preparing, maintaining, and disseminating projected schedules for their respective shifts. The OIC or shift supervisor shall prepare a duty roster prior to or at the beginning of each shift. A copy of the roster, which includes area and personnel assignments, shall be provided to Communications Center personnel.
- C. Department human resources personnel shall be responsible for preparing, maintaining, and disseminating a listing of all employees. This list contains the employee's name, current address, residential telephone number, office phone number, if applicable. Employees are required to provide updated information when changes occur.
- D. A visual map delineating the specific boundaries of the Department's jurisdiction shall be available to Communications Center personnel. State, city, and University maps shall be readily accessible to Communications Center personnel.
- E. The CAD system shall indicate the status of each on-duty patrol officer. This system records and displays the unit number, calls for service, call type, status/location, time on-call, and officer name. Communications personnel shall be responsible for frequently monitoring computerized indicators and performing status checks as necessary.
- F. Communications personnel shall have telephone numbers for emergency and external service agencies immediately available. Detailed written procedures for procuring services external to the Department shall be available via computerized prompts and/or through updated notices contained in reference manuals.
- G. Tactical dispatching plans shall be immediately available through emergency operations manuals, Department manuals, or computerized prompts in CAD and alarm systems. These

references offer procedures to be followed in directing resources and obtaining information regarding incidents in progress, personal notifications, and tactical operations.

Response to Victim/Witness Calls For Information or Service

- A. Communications Center personnel shall expect to receive telephone calls or visits from victims/witnesses requesting information or services. These requests may well represent the first contact such persons have with the Department. Law Enforcement Dispatchers should judge characteristics of the call or visit to determine whether an emergency or non-emergency response is required. Procedures for determining the appropriate response may include listening to voice tone, observing non-verbal cues, assessing the overall seriousness of the situation, ascertaining whether an immediate response is required, and considering the availability of on-duty personnel.
- B. Victims/witnesses should be informed of the Department's response, including direct law enforcement service and/or referral to other agencies. Informational literature regarding available services should be provided whenever possible.

Response to Victim/Witness Requests

- A. Whenever communications personnel receive initial and subsequent informational request(s) from any victim or witness of any crime, communications personnel shall attempt to discover from the caller the name of the employee that provided them assistance during their prior call. The communications personnel shall attempt to provide the caller with the requested information. If they are unable to provide the information, the communications personnel shall transfer the call to the officer or detective who spoke with the caller during their initial request or a supervisor.
- B. Communications personnel shall ensure victim/witness callers receive timely and appropriate attention to their immediate needs, both during business and non-business hours.

IMMEDIATE PLAYBACK CAPABILITY [9.1.8]

- A. The Department shall have immediate play-back capability of recorded telephone and radio conversations while it maintains a continuous recording of radio transmissions and emergency telephone conversations within the Communications Center. Recorders located within the Communications Center shall provide immediate play-back capability. Recordings of telephone and radio conversations shall be retained for 180 days. Recordings placed into evidence shall be retained until all legal requirements have been satisfied.
- B. Recordings of telephone and radio conversations shall be handled and stored in a secure manner. Access to recorders and disks shall be limited to supervisory, IT, Records and Communications Center personnel.
- C. Criteria for reviewing recorded conversations may include retrieving vital information during emergencies, assisting in criminal and internal investigations, training, and auditing the service delivery system of the Department. Persons wishing to review such recordings for purposes other than criminal prosecution shall submit a request to the Support Services Captain or designee. Open records requests should begin with Records Staff. Copies of recorded telephone and radio conversations may be made for official purposes only.

CRIMINAL JUSTICE INFORMATION SYSTEMS [9.1.9]

- A. The Communications Center has access to local, state, and federal criminal justice information systems via CAD.

- B. The Department is able to access information from nearby agencies that has been entered into the TIME system, Crime Information Bureau (CIB), and the National Crime Information Center (NCIC). Employees completing criminal history inquiries shall ensure all appropriate CIB / NCIC procedures are adhered to including the correct reason code, indication of the requestor's last name and/or employee number, and proper dissemination of information, including tracking secondary dissemination.
- C. Access to TIME/NCIC records are restricted to UWLPD personnel who have been trained in the use of the TIME system only and are to be used for law enforcement purposes only. Accessing data from publicly accessible computers is prohibited.

Alternative Methods of Communications

The following governs the use of alternative methods of communications:

- A. Electronic wireless communication devices, not including Department radio or MCT, may be useful for field operations; however, they have inherent risks. These modes of communications are not monitored or recorded by the Communications Center. They also may be monitored by unintended audiences. Critical information or operations which should be monitored and recorded shall be conducted via Department radio, telephone to a recorded line, or MCT.
- B. Generally, calls shall be dispatched via the radio or MCT. Exceptions may occur during emergencies or in the event of catastrophic equipment failure.

FIRST-AID INSTRUCTION [9.1.13]

- A. Telephone calls requiring emergency first aid instruction shall be transferred to the La Crosse County Communications Center. These personnel are trained and have immediate access to approved emergency medical guidelines and materials.
- B. When emergency first aid instruction over the radio is required, the Communications Center shall facilitate contact with the La Crosse County Communications Center.

Alternate Source of Power

- A. The Department shall have an alternate source of electrical power that is sufficient to ensure continued operation of emergency communication equipment in the event of primary power source failure.
- B. A documented inspection and test of the alternate power source shall be completed at least monthly or in conformance with manufacturer recommendations. A full load test must be performed at least annually. Facilities Planning and Management personnel may perform or assist with inspection and testing efforts.
- C. Disruptions in the primary power source may occur due to inclement weather, sabotage, or utility malfunction. To further ensure continued operation, the University maintains, or has access to, multiple power plants.

Call Separation

- A. The Department telephone system shall be designed to separate emergency calls from non-emergency calls. Line separation shall allow dispatchers to handle emergencies and other matters in a more efficient manner. The Communications Center maintains four incoming 9-1-1 emergency telephone lines.
- B. The Department shall use 9-1-1 as its single emergency telephone number, thereby providing citizens with the ability to telephone quickly and easily for urgent services. The 9-1-1

emergency number should be prominently displayed on the following: the Department website, appropriate Departmental literature, and other conspicuous places.

INTER-JURISDICTIONAL COMMUNICATIONS [9.1.10]

- A. The Department maintains multi-channel mobile and portable radio equipment capable of two-way operation on joint public safety frequencies. This communications capability is necessary to provide proper coordination and deployment of forces in times of emergencies.
- B. The Department communication capability ranges from car-to-car transmissions to interagency and statewide networks.

MISDIRECTED EMERGENCY CALLS [9.1.11]

- A. Emergency calls intended for another law enforcement or public service agency are occasionally received. Communications personnel shall therefore accept any misdirected emergency call and promptly relay all pertinent information to the agency having jurisdiction.
- B. Before transferring an emergency call to another agency, the Law Enforcement Dispatcher shall record the following: address where service is needed, the type of service required, the name of the caller, and the originating telephone number. If the transfer fails, the Law Enforcement Dispatcher shall immediately telephone or radio all pertinent information to the affected agency.

PRIVATE SECURITY ALARMS [9.1.12]

- A. Accepting and delivering emergency messages are legitimate law enforcement functions. Messages and requests of an emergency nature may include: notifying relatives of a death, serious injury or illness, conducting welfare checks when circumstances warrant, and notifying key personnel of urgent matters.
- B. Law enforcement dispatchers receiving a request to deliver an emergency message shall notify the officer in charge (OIC). Detailed identifying, contact and other information shall be obtained from the requesting party and entered into the CAD system. The OIC shall use discretion when accepting or relaying emergency messages, taking into the consideration the type of message and the urgency of pending calls. The OIC may then assign the appropriate unit to relay the message.

COMMUNICATIONS CENTER SECURITY [9.1.15]

- A. The capability to maintain communications in all emergency situations dictates that security measures be implemented to protect personnel, facilities, and equipment. Access to the Communications Center shall be limited to authorized personnel engaged in Departmental duties. Authorized personnel include: administrators, supervisors, dispatchers, designated support staff, security personnel, and law enforcement officers. Law Enforcement Dispatchers shall control access.
- B. Doors leading to the communications center shall remain locked at all times.
- C. Communications equipment shall be protected through the use of the following: monitoring public entrance to the center with video cameras; housing radio equipment in locked rooms with limited access; controlling and restricting communications center access to authorized persons; and providing battery back-up for computer systems.
- D. Back-up communications resources shall be provided through one or more of the following: switching radio operations to another trunked, conventional, or interoperable radio channel; utilizing reserve portable radios; relaying dispatch and electronic data systems through another

law enforcement agency; continuing operations through the use of an emergency generator; and backing-up computerized data on a periodic basis.

- E. Providing security for transmission lines, antennas and power sources shall be accomplished through one or more of the following: maintaining radio repeaters, antennas and telephone panels in locked rooms; controlling and limiting access to emergency power sources; housing major utility lines in underground tunnels; and utilizing dedicated telephone lines for electronic data systems.

BY ORDER OF

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Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

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| Subject Records | WI Statute 48.396(1), 938.396(1), 16.61, 19.36 |
| Effective Date October 1, 2023 | Revised Date |
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I. INDEX:

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- 10.1.2 ACCESS TO RECORDS BY PERSONNEL**
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- 10.1.4 REQUIRED REPORTING**
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- 10.1.8 TRAFFIC CITATION RECORDS MAINTENANCE**
- 10.1.9 IDENTIFICATION NUMBERS AND CRIMINAL HISTORY FILES**
- 10.1.10 WARRANT AND WANTED PERSON FILES**

II. POLICY:

The University of Wisconsin–La Crosse Police Department shall conduct records-related functions in accordance with all applicable state statutes, federal and state regulations, and directives.

III. DEFINITIONS:

RMS system refers to the Department’s computerized police record information management system.

Arrest Report refers to the formal documentation of arrest, whether custodial or non-custodial, and does not replace or substitute an incident report.

Field Contact refers to a documented contact with an individual where an incident report is not required; including traffic warnings, traffic citations, single offender UW code violations that do not have a corresponding criminal offense that is reportable to NIBRS, and when a subject is administered a PBT, but does not receive a citation.

Gender is a socially constructed identity centering around notions of “masculinity,” “femininity,” and “androgyny,” which includes aspects of identity and expression.

Incident refers to an event that requires law enforcement action, documentation, or the dispatching of agency personnel in response to citizen request for law enforcement services. This includes any incident, whether criminal or non-criminal, which involves a response to the scene, an investigation, or the preparation of a report.

Incident Report refers to the formal documentation of an event into the Records System

Preferred Name refers to the non-birth name/pronouns that a transgender, gender non-conforming, or other individual uses in self-reference (this may or may not correspond to the individual’s legal name.)

Sex is a medical label used to categorize people according to their chromosomes, hormones, genitalia and secondary sex characteristics (breasts, body hair, etc.). Usually assigned at birth as “male” or “female” by a doctor, though there are many variations outside of that socially-constructed binary (i.e. intersex).

TGNC refers to Transgender/gender non-conforming

Transgender people refers to people whose gender identity is different from the gender they were thought to be at birth. “Trans” is often used as shorthand for transgender

IV. PROCEDURE:

RECORDS SECURITY [10.1.1]

The following shall establish procedures for securing and controlling access to central records:

- A. The privacy and security regulations of the records section are in accordance with the following:
 1. Wisconsin State Statutes 16.61; Records of state offices and other public records
 2. University of Wisconsin Regents policy documents
 3. Wisconsin State Statutes 19.36; Limitations upon access and with-holding (records)
 4. The Freedom of Information Act (F.O.I.A.)
 5. The privacy and security of criminal history record information is in accordance with US Department of Justice regulations, Code 28 Part 20, and as governed through Crime Information Bureau TIME System Manual.
- B. Central records shall be maintained within a secure area within the Department. Privacy and security shall be ensured through adherence to the following precautions:
 1. Disseminating information in accordance with Wisconsin statutes and Federal regulations.
 2. Completing reports in an accurate and timely manner.
 3. Auditing records.
 4. Securing files.
 5. Limiting access.
 6. Reviewing entered data.

ACCESS TO RECORDS BY PERSONNEL [10.1.2]

- A. Access to electronic files shall be restricted to Department personnel. Records are for official use only; under no circumstances shall reports be copied or removed for personal use. Records, supervisory, and investigative personnel, as authorized by the Chief of Police, have access to the locked Records archives.
- B. Central records information shall be accessible to operations personnel at all times by physical availability and/or technology.
- C. In general, any record generated by the Department is considered an open record. A person or organization that desires a record under this section must file an open records request with the Department. The requestor is responsible for any reasonable cost incurred in reproducing the record. The Department is not required to generate records which do not exist.
- D. When making an open records request, Wisconsin statute prohibits asking persons or organizations to identify themselves or state the reason for the request. Requests should be fulfilled as soon as practicable and without delay. Department personnel are not under an obligation to respond immediately to an official open records request.
- E. Prior to a defendant having made their initial court appearance, the following information related to the defendant’s case may be released:
 1. Adult defendant’s name
 2. Adult defendant’s address
 3. Adult defendant’s occupation
 4. Arresting officer name

5. The date and time of arrest
- F. The department has the authority to withhold or deny open records request based on the balancing test which is inherent in the Wisconsin Public records law.
- G. Once the department has identified the records responsive to an open records request, the below conditions shall be taken into consideration prior to responding to a requester in regard to withholding or redacting records:
 1. Identifying juvenile information.
 2. Sensitive Crimes victim information (such as stalking, harassment, sexual assault.)
 3. Information that would identify an informant and anyone who has requested anonymity.
 4. Information regarding active and ongoing criminal investigations.
 5. Information on police and crime prevention planning, tactics, and techniques.
 6. Any personally identifiable information that cannot be easily obtained by the average person using other more public means (i.e. social security numbers, dates of birth, driver's license numbers.)
 7. Any medical information, whether it is provided as fact or opinion (including the doctor's names, diagnosis, injuries, treatments, medicines, etc.) that is provided by a health care professional.
 8. Cases involving active drug, organized crime, gang, and prostitution investigations are confidential and shall not be released without approval from the Chief of Police.
 9. Other cases in which the Department believes the strong public interest in non-disclosure significantly outweighs the public interest
- H. Procedures and responsibilities regarding report and record distribution are delineated in directive 82.2.4.
- I. Report processing fees may be charged in accordance with applicable state statutes and policies.

FIELD REPORTS [10.1.3]

- A. Employees are to refer to the "UWLPD Reporting Guide" for detailed instructions in report preparation. Upon receipt of a complaint or request for service, an event ID shall be assigned. The officer assigned to investigate an incident shall complete the event notes. Event notes shall include the following:
 1. Name, Sex/Race, UWL Affiliation, whether a person is a housing resident, PBT result (if applicable), type of alcohol and where consumed (if applicable), note if evaluated for detox and the result, brief synopsis of incident including disposition of arrested persons (cited, arrested, released), and any notifications made (i.e., MOC, DOC);
 2. Correct disposition code (Report Filed, No Further Action, False Alarm, etc.)

REQUIRED REPORTING [10.1.4]

- A. If required, the officer shall complete an incident report and/or an arrest report. An incident report shall be completed for cases involving:
 1. A criminal event
 2. All arrests
 3. Felony or misdemeanor offenses
 4. Death investigations
 5. Potential University liability, such as significant injury caused while on the UW-La Crosse campus, potential release of biological agents, etc.
 6. Incidents as directed by a supervisor,
 7. Incidents that, by their nature, require investigation and documentation.
- B. Incident reports shall be the permanent method of documenting required information. However, other forms of documentation may be used during the field reporting process. These forms

- include, but are not limited to: traffic collision reports, property vouchers, Uniform Citations, warning forms, voluntary statements, and domestic abuse rights forms.
- C. A standard Wisconsin Motor Vehicle Accident Report (DT4000) reportable/ non-reportable form shall be completed in accordance with department directive 61.2 Traffic Collision Investigations.
 - D. Reports and forms completed in the field shall be turned in by the end of the officer's shift, unless they are authorized to complete them at a later time by the Officer in Charge (OIC) or a supervisor. Event notes, field contacts, incident reports and forms must be complete, accurate, and thorough. If an officer finds an error in a field report or form after submittal, then a supplemental report shall be completed correcting the error.
 - E. Employees are to refer to the State of Wisconsin OWI Enforcement Manual provided by the Wisconsin Department of Transportation for detailed instructions in completion of required OWI processing forms. The following forms are utilized in OWI processing:
 - 1. Informing the Accused
 - 2. Notice of Intent to Suspend/Revoke
 - 3. Alcoholic Influence Report
 - 4. Release to Responsible Party
 - F. Employees are to refer to the police training and evaluation manual for detailed instructions in property lists or vouchers and domestic abuse paperwork completion.
 - G. Information required in incident reports shall include the following when applicable: incident number, day, date, and time of initial reporting, day, date, and time of occurrence, name and identifiers of reporting party, University of Wisconsin-La Crosse affiliation of persons involved, victim or complainant, involvement of weapons, alcohol, drugs, vehicle descriptors, property descriptions and dispositions, names and identifiers of suspects/offenders and witnesses, use of force, narrative description of the incident and any action taken, and name and identifiers of assigned officer and reviewing supervisor.
 - 1. Information required in arrest reports shall include the additional information: probable cause statement, aliases used, physical descriptions of the suspect, offenses charged, warrant descriptors, names and identifiers of accomplices, vehicle descriptors, Miranda warning details, and employer identifiers.
 - 2. Information required in other reports shall be prescribed by directives and state statutes.
 - H. When additional information is received concerning an investigation, a supplementary incident report shall be made. Whoever receives the supplemental information is responsible for completing the supplemental report. When officers become aware of pertinent information about the case after the original report has been completed, a supplemental report is required.

CASE NUMBERING SYSTEM [10.1.5]

The following procedure shall establish a case numbering system:

- A. The Department utilizes a single numbering series for all incident reports. A unique, sequential number shall be generated from the CAD system for each call for service. Each number shall utilize the current year as a prefix.
- B. When an incident report is required a report number shall be drawn and related to the event ID.
- C. The communications center personnel and officers are responsible for the assignment of event IDs and report numbers, if required.
- D. Arrest reports shall be linked to the corresponding incident report.

SUPERVISORY REVIEW OF REPORTS [10.1.6]

- A. Officers shall submit reports for supervisory approval. An incomplete or inadequate report shall be electronically returned to the officer for correction. The returning supervisor shall note the areas of inadequacy. The officer shall make the necessary revisions prior to the end of shift,

unless approved by a supervisor because of extenuating circumstances. Once approved, records personnel shall review the report in a timely manner for quality assurance purposes.

ALPHABETICAL MASTER NAME INDEX/ IDENTIFICATION NUMBERS AND CRIMINAL HISTORY FILES [10.1.7] [10.1.9]

- A. The records section maintains a master name index through the Records Management System (RMS). Unique identification numbers are linked to the master name index. The unique identification number linked to the Master Name index lists all department contacts.
- B. The criteria for including information in such files shall be based on legal and Department requirements.
- C. The master name index includes victims, complainants, suspects, arrestee, witnesses, juvenile contacts, and drivers or owners of vehicles involved in collisions.
- D. Electronic index files shall be made available to all authorized Department personnel. Such files shall be regularly updated and purged in accordance with record retention directives.
- E. All persons under arrest are issued an arrest number that is linked to their Master Name Index.

TRAFFIC CITATION RECORDS MAINTENANCE [10.1.8]

- A. Traffic and Criminal Software (TraCS) system is the primary means used for completing and issuing traffic, non-traffic, and misdemeanor citations. Each citation in the system has a unique identifying number assigned,
- B. Traffic citations, non-uniform traffic citations, and misdemeanor citations are stored and issued electronically through the **Badger TRACs** system and securely stored in electronic format in the RMS citation module.
- C. An officer may void a TraCS citation if an error is made on the citation.
- D. If TraCS is unavailable for use, books of traffic, non-uniform, and misdemeanor citation forms are issued by the court Liaison, who will record the following information:
 - 1. Name of person receiving the citation book
 - 2. Date of issuance
 - 3. Control number of citation book issued
- E. The Department court section will securely store and maintain paper citations in a numeric file for the required retention period.
- F. If a paper citation or citation book is lost or stolen, the officer to whom the citation or citation book was issued shall submit a memorandum to his/her supervisor, identifying the missing citation or citation book and the circumstances surrounding its loss. A copy of the memorandum shall be forwarded to the Department court section.
- G. An officer may administratively void a paper citation if an error is made while writing it or if a citation is accidentally damaged. In the event it becomes necessary to void a citation, the officer shall print "void" on it and write a short justification for it on the citation. All copies of the citation will be returned to the Department court personnel.
- H. Audits of paper citation books will be completed by the Court Liaison. Any discrepancy will be reported to the Chief of Police for follow-up.

WARRANT AND WANTED PERSON FILES [10.1.10]

- A. The Department participates in the Crime Information Bureau (CIB) and the National Crime Information Center (NCIC) systems, which maintain computerized Wanted Persons Files. These Wanted Persons Files contain personal descriptors and identifiers for persons who are being sought by law enforcement. Criteria for entry in the CIB Wanted Persons File include:
 - 1. An individual (including a juvenile) for whom a felony or misdemeanor warrant is outstanding.

2. Probation and parole violators meeting criterion "1" above.
 3. An individual for whom the Department wishes to enter a Temporary Wanted Person record. (This entry may be needed when a law enforcement agency needs to take proper action to apprehend a person who has committed, or the officer has reasonable grounds to believe has committed, a felony or misdemeanor.)
 4. An individual for whom a John or Jane Doe warrant for homicide has been issued.
- B. The Department may attempt to serve wanted person warrants from other jurisdictions provided the warrant is entered in the CIB and/or NCIC systems.
 - C. The Transaction Information for the Management of Enforcement (TIME) System Reference Manual guidelines shall be followed when verifying wanted persons' information.
 - D. The TIME System Reference Manual guidelines shall be followed when canceling wanted person entries.

BY ORDER OF



**Allen Hill
CHIEF OF POLICE**

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

10.2

| | |
|---|--|
| Subject Release of Records | WI Statute 19.34(1), 16.61, 19.36, 48.396(1), 938.396(1)(a) |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 10.2.1-10.2.2 |
| Comments: | |

I. INDEX:

10.2.1 OPEN RECORDS

10.2.2 RECORDS RETENTION

II. POLICY:

The University of Wisconsin–La Crosse Police Department shall conduct records-related functions in accordance with Wisconsin Statute 19.34(1), federal and state regulations, and directives.

III. DEFINITIONS:

RMS system refers to the Department’s computerized police record information management system.

IV. PROCEDURE:

OPEN RECORDS [10.2.1]

The following shall establish procedures for securing and controlling access to central records:

- A. The privacy and security regulations of the records section are in accordance with the following:
 - 1. Wisconsin State Statutes 16.61; Records of state offices and other public records
 - 2. University of Wisconsin Regents policy documents
 - 3. Wisconsin State Statutes 19.36; Limitations upon access and with-holding (records)
 - 4. The Freedom of Information Act (F.O.I.A.)
 - 5. The privacy and security of criminal history record information is in accordance with US Department of Justice regulations, Code 28 Part 20, and as governed through Crime Information Bureau TIME System Manual.
- B. Central records shall be maintained within a secure area within the Department. Privacy and security shall be ensured through adherence to the following precautions:
 - 1. Disseminating information in accordance with Wisconsin Statutes and Federal regulations.
 - 2. Completing reports in an accurate and timely manner.
 - 3. Auditing records.
 - 4. Securing files.
 - 5. Limiting access.
 - 6. Reviewing entered data.

- C. Access to electronic files shall be restricted to Department personnel. Records are for official use only; under no circumstances shall reports be copied or removed for personal use. Records, supervisory, and investigative personnel, as authorized by the Chief of Police, have access to the locked Records archives.
- D. Central records information shall be accessible to operations personnel at all times by physical availability and/or technology.
- E. In general, any record generated by the Department is considered an open record. A person or organization that desires a record under this section must file an open records request with the Department. The requestor is responsible for any reasonable cost incurred in reproducing the record. The Department is not required to generate records which do not exist.
- F. When making an open records request, Wisconsin Statute prohibits asking persons or organizations to identify themselves or state the reason for the request. Requests should be fulfilled as soon as practicable and without delay. Department personnel are not under an obligation to respond immediately to an official open records request.
- G. Prior to a defendant having made their initial court appearance, the following information related to the defendant's case may be released:
 - 1. Adult defendant's name
 - 2. Adult defendant's address
 - 3. Adult defendant's occupation
 - 4. Arresting officer name
 - 5. The date and time of arrest
- H. The department has the authority to withhold or deny open records request based on the balancing test which is inherent in the Wisconsin Public records law.
- I. Once the department has identified the records responsive to an open records request, the below conditions shall be taken into consideration prior to responding to a requester in regard to withholding or redacting records:
 - 1. Identifying juvenile information.
 - 2. Sensitive Crimes victim information (such as stalking, harassment, sexual assault.)
 - 3. Information that would identify an informant and anyone who has requested anonymity.
 - 4. Information regarding active and ongoing criminal investigations.
 - 5. Information on police and crime prevention planning, tactics and techniques.
 - 6. Any personally identifiable information that cannot be easily obtained by the average person using other more public means (i.e. social security numbers, dates of birth, driver's license numbers.)
 - 7. Any medical information, whether it is provided as fact or opinion (including the doctor's names, diagnosis, injuries, treatments, medicines, etc.) that is provided by a health care professional.
 - 8. Cases involving active drug, organized crime, gang, and prostitution investigations are confidential and shall not be released without approval from the Chief of Police.
 - 9. Other cases in which the department believes the strong public interest in non-disclosure significantly outweighs the public interest.
- J. Procedures and responsibilities regarding report and record distribution are delineated in directive 82.2.4.
- K. Report processing fees may be charged in accordance with applicable Wisconsin Statutes and policies.

Juvenile Records

The following shall establish procedures and criteria for the release of Department juvenile records:

- A. According to Wisconsin State Statutes 48.396(1) and 938.396(1)(a) a law enforcement agency's records of juveniles shall be kept separate from the records of adults. Thus, all arrests and identification records pertaining to juveniles shall be marked "juvenile" and maintained separately.
- B. Juveniles may also be fingerprinted when arrested or taken into custody as deemed appropriate by the arresting officer. However, photographs, fingerprints, and other forms of identifications taken from a juvenile are considered a part of that juvenile's record and subject to the same confidentiality guidelines as other juvenile records.
- C. The records supervisor or designee shall be responsible for the collection, dissemination, and retention of Department records pertaining to juveniles.
- D. The statutes indicate that the contents of juvenile records may be inspected and their contents disclosed by a law enforcement officer. Officers may have a need for immediate access to juvenile records in the following cases:
 1. Conducting child abuse, neglect, and assault investigation.
 2. Facilitating taking children into protective custody.
 3. Completing referrals to Child Protection for children in need of immediate protection.
 4. Completing referrals to Juvenile Intake for criminal and status offenses.
- E. Juvenile records are a permanent record and shall remain on file even after the juvenile has become an adult. The juvenile portion of a person's arrest and identification record shall remain restricted, even when the individual reaches adult age. The disposal of all juvenile records shall be accomplished in accordance with guidelines set by the State of Wisconsin after the individual has reached adult age.
- F. Expungement of juvenile arrest records can only be accomplished by a valid court order.

RECORDS RETENTION [10.2.2]

- A. The Department shall establish, maintain, and follow a record retention schedule. Adherence to such a schedule shall ensure that electronic data and written documentation is stored and purged in an orderly manner.
- B. The records supervisor or designee shall be responsible for the following:
 1. Determining retention needs
 2. Purging stored information in a secured manner
 3. Converting data
 4. Updating schedules
- C. The records supervisor or designee shall ensure compliance with legal and administrative requirements.

Uniform Crime Reporting System

- A. The Department shall participate in approved state and national crime reporting programs. Such participation assists in effective internal records maintenance and aids in the effort to establish a national database of crime/incident statistics.
- B. Department crime data shall be collected via complete incident reports and other resources outlined in department directive 15.2 Crime Analysis. Such information shall be entered into electronic systems in a timely manner.

- C. The Detective collects statistical crime data for the FBI required Crime/Incident Report. Crime/Incident Reports shall be prepared by the Detective and reviewed by the Chief of Police or designee. These reports shall be sent to the Wisconsin Department of Justice.

Report Status Procedure

- A. All calls for service shall be identified through sequential event (control) Computer Aided Dispatch (CAD) generated numbers. In addition to the above listed event ID, an incident report number shall be assigned for cases involving:
1. A criminal event
 2. All arrests
 3. Felony, misdemeanor, or non-traffic forfeiture offenses
 4. Death investigations
 5. Potential University liability, such a significant injury caused while on the UW-La Crosse campus, potential release of biological agents, etc.
 6. Incidents as directed by a supervisor,
 7. Incidents that, by their nature, require investigation and documentation.
- B. A Field Contact entry shall be done to document contact with identified citizens for incidents which do not meet the criteria for an incident report.
- C. Coded disposition entries within CAD shall be utilized to record complaint status. For all events requiring a report, the incident status shall be included with the report number. The records supervisor shall compare incident status entries and CAD information to ensure the accuracy and accountability of control numbers. Affected personnel shall be notified of any discrepancies as soon as possible.
- D. The records section shall account for the status of initial reports. This tracking may be done through established mechanisms in the RMS database or other reliable means.
- E. If a report requires a follow-up investigation by the reporting officer, the officer shall attempt to complete the investigation in a timely fashion. The status of follow-up investigations or reports shall be tracked by the officers Sergeant. This tracking may be done through electronic mechanisms or other reliable measures.
- F. All supplemental reports shall contain the same incident report number as the original investigation and shall receive the same review process as the preliminary case report. The supervisor of the employee responsible for the completion of a supplementary report shall ensure that it is completed in a timely manner.
- G. Incident reports and supplements shall utilize a classification system to indicate current case status. Such classifications include: active, inactive, cleared by arrest, pending warrant, unfounded, exceptional clearance, other, and closed.

Computer File Back-up and Storage

The following describes the process for maintaining security of central records computer systems:

- A. Computer files that reside on the Local Area Network (LAN) and the records database server are backed up on a daily basis. Such backups shall be conducted in accordance with applicable Wisconsin Statutes, record retention schedules, and directives. All backup computer files are secured and stored off-site. Access to the secure backup computer files is limited to ITS staff. (Katie Herman from ITS/System Admin is going to send the backup policy)
- B. Computer hardware containing the Local Area Network (LAN) and the records database server are housed within secure server rooms in the Data Center in the Wing Technology Center. Media, tapes, disks, drives or other types of electronic media containing sensitive,

- confidential, or restricted records that are stored or travel outside of the physically secured offices of the Department shall be encrypted. Server and workstation hard drives and other media used for central records storage shall either be reused or shall be physically destroyed. Records stored on central servers will be securely erased and reallocated or destroyed.
- C. Physical access to the server rooms housing the central records servers shall be limited to ITS personnel. Physical access to workstations connected to the Department network shall be limited to current employees. Electronic access to central records is limited to current Department employees who have passed background checks. Password age and strength levels shall be set and maintained by the domain policy and UW-System Policies. Electronic communication or transfer of sensitive, confidential, or restricted data outside of the department network shall be encrypted.
 - D. The department maintains an automated system for verification of passwords (Active Directory), access codes, or access violations. The ITS Manager or designee is responsible for administering the automated system and security of records contained therein.

Computerized Criminal Histories

The following shall establish a security protocol for access to and release of criminal history records:

- A. The dissemination of computerized criminal history information must conform to the rules and regulations outlined in the Crime Information Bureau Transaction Information for the Management of Enforcement (TIME) User's Manual.
- B. Criminal history information must be afforded strict privacy considerations. Access to criminal history records shall be limited to sworn officers, dispatchers, and Records Personnel. The reason the information is requested must be submitted by utilizing the appropriate purpose code, Event/Report Number, and/or name of the person requesting the data.
- C. NCIC policy prohibits the routine dissemination of criminal history information by radio or wireless telephone. Such dissemination is possible when an officer or LED determines there is an immediate need for the information to further an investigation or in situations affecting the safety of an officer or the general public.

BY ORDER OF



Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

11.1

| | |
|---|--------------------------------|
| Subject Collection and Preservation of Evidence/ Property | WI Statute 968.18 |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 11.1.1-11.1.8 |
| Comments: | |

I. INDEX:

- 11.1.1 24- HOUR AVAILABILITY**
- 11.1.2 EVIDENCE COLLECTION**
- 11.1.3 PHOTOGRAPHIC EVIDENCE**
- 11.1.4 FINGERPRINT PROCESSING**
- 11.1.5 DNA (DEOXYRIBONUCLEIC ACID) EVIDENCE**
- 11.1.6 COMPUTER/ELECTRONIC EVIDENCE**
- 11.1.7 DOCUMENTATION OF TRANSFER OF CUSTODY OF EVIDENCE**
- 11.1.8 TRANSMITTAL OF EVIDENCE TO A LAB**

II. POLICY:

The UW-La Crosse Police Department trains and makes available personnel to collect and preserve evidence. The successful conclusion of investigations is often directly related to the timely and proper collection and preservation of evidence. Department members shall conduct evidentiary-related activities in a timely and professional manner.

III. DEFINITIONS:

Chain of evidence refers to the continuity of custody of material and items collected as evidence, whether at the crime scene or not.

Evidence technician refers to an officer who has received advanced training in the documentation and collection of evidence. Evidence technicians are responsible for the following: preparing necessary reports, sketches, and diagrams; collecting, preserving, and processing evidence; forwarding evidence to laboratories for examination; conducting analysis; maintaining a proper evidentiary chain of custody; and informing investigating officers of all developments and/or examination results.

Known sample refers to any sample which can be used as a reference to which an unknown sample can be compared, with the goal of identifying the source.

Buccal swab kit refers to a collection kit which contains the directions and all necessary items needed to obtain a buccal cell DNA standard.

Chain of evidence refers to the continuity of custody of material and items collected as evidence.

Computer equipment refers to the physical components of a computer system, also called hardware. This includes, but may not be limited to: keyboard, monitor, mouse, modem, printer, scanner, speakers, and the system unit (CPU) containing the main circuit boards and one or more storage and/or drive devices, housed in a case.

Contamination refers to the undesirable transfer of material to physical evidence from another source.

Crime scene refers to the location where a crime occurred or where evidence of a crime exists. For the purposes of this set of directives, crime scene will also refer to the scene of an incident that may not be criminal in nature, but where common crime scene methods are used to gather evidence.

Crime scene sketch refers to a drawing showing all of the significant aspects of the crime scene.

DNA (Deoxyribonucleic Acid) refers to the chemical substance contained in all human cells which determines each person's individual characteristics.

Electronic Equipment refers to devices capable of storing and processing digital information including but not limited to desktop computers, laptop computers, cellular phones, tablets, digital cameras, USB drives and external hard drives.

Evidence is any substance or material found or recovered in connection with a criminal investigation.

Evidence processing refers to the specific actions taken at a crime scene or collision scene to identify, locate, document, preserve, and collect evidence and/or known standards.

Software refers to programs that have been or can be installed in a computer.

Storage media refers to digital storage devices include, but may not be limited to, computer disks, flash cards, thumb drives, and magnetic tape used to store computer data and/or images captured via a digital camera.

Audit is the process of reviewing department directives to ensure they are current and that the provisions of department directives are being followed.

Chain of custody is a record of persons having charge, control, or possession of evidence from the time it is received until disposed of.

Evidence is any substance or material found or recovered in connection with a criminal investigation.

In-custody property is anything that is held in police custody which has been found, turned in, abandoned, or held for safekeeping, and is not believed to be connected to, or part of, a criminal or possible criminal offense.

Inspection is the process of ensuring the property room is being maintained in a clean and orderly fashion and that the integrity of the property is being maintained.

Inventory is the process for accounting for item(s) in the property room and reconciling them against department records.

IV. PROCEDURE:

24- HOUR AVAILABILITY [11.1.1]

The following procedures shall describe and govern the availability of crime scene/traffic collision processors:

- A. All evidence technicians receive specialized training in crime scene processing which may include, but not be limited to; recovery of latent fingerprints and palm prints, recovery of foot, tool, and tire impressions, photographing crime/accident scenes, preparing crime/accident scene sketches, and the collection and preservation of physical evidence, including DNA evidence. All training should be in accordance with the "Physical Evidence Handbook."
- B. Evidence technicians should be requested as soon as the need is realized. On-scene officers and/or supervisory personnel shall be responsible for requesting processing assistance in a timely manner.
- C. Qualified personnel shall be available on a 24-hour basis to process a crime scene and/or traffic collision. Trained Departmental and/or outside agency personnel shall be dispatched to process major crime scenes and serious traffic collisions when determined necessary and appropriate.
- D. Evidence technicians shall normally be responsible to the officer in charge. Processors shall provide necessary input at the scene but shall not take actual command unless deemed appropriate.

- E. To ensure availability, designated qualified crime scene personnel may be called in to process a crime scene and/or traffic collision. Outside agency personnel may also be contacted when such assistance is required.
- F. In addition to Department resources, the following agencies may be requested to provide crime scene/traffic collision processing services: The Wisconsin State Crime Lab, Wisconsin Division of Criminal Investigations, Federal Bureau of Investigations, Wisconsin State Patrol, City of La Crosse Police Department and the La Crosse County Sheriff's Office. Each agency maintains scene-processing capability and is available by formal request.
- G. Approval from a police manager shall be received before requesting processing assistance from another agency. The following factors should be considered when such assistance is contemplated: personnel availability; experience levels; incident complexity; jurisdiction; and chain of evidentiary custody.

EVIDENCE COLLECTION [11.1.2]

The following shall establish evidentiary-related guidelines and procedures used for collecting evidence in the field:

- A. The first officer to arrive at any incident scene shall be responsible for securing the area and preserving all observable evidence. Evidence technician work should not begin until the entire area has been secured and declared safe.
- B. Evidence encountered at a scene shall be handled with care to preserve it for future processing. Discretion should be used when determining what evidence to process at the scene. Such decisions shall be based upon the seriousness of the offense, officer expertise, and the processing materials available.
- C. The progression of evidentiary-related tasks shall generally be as follows:
 - 1. Secure the scene;
 - 2. Photograph and/or video/audio record evidence;
 - 3. Develop potential evidence for latent prints;
 - 4. Sketch the scene;
 - 5. Label and collect evidence;
 - 6. Transport and appropriately store evidence;
 - 7. Analyze evidence.
- D. Officers seizing evidence shall be responsible for notifying the property team of the need for laboratory examinations. Evidence technicians and/or other experts should be consulted when deemed appropriate.
- E. Each item of evidence shall be inventoried using the Department property documentation system. The system contains provisions for recording the following: agency case number; offense; property invoice number; date seized; owner/suspect identifiers; current location; item descriptions; disposition recommendation; and chain of custody information. **The Property Manager or designee** should review Records Management System property vouchers upon the submission of evidence. Improperly completed property vouchers may be returned to the officer completing the voucher. The officer's supervisor may also be notified.
- F. Under Wisconsin Statute 968.18, officer(s) seizing any items without a search warrant shall give a receipt as soon as practicable to the person from whose possession they are taken. Failure to give such receipt shall not render the evidence seized inadmissible upon a trial. Receipt Cards shall be made available to department personnel. Officer(s) are encouraged to use Receipt Cards to serve as a receipt but may use the back of their business card to write a description of the property and the case number.
- G. For purposes of evidence collection, personally owned electronic devices should not be used to capture audio, video or photographic evidence. If a personally owned device is utilized under exigent circumstances, the device becomes subject to rules of evidence.

PHOTOGRAPHIC EVIDENCE [11.1.3]

The following shall govern procedures used for photographing and video and/or audio recording, pursuant to the collection and preservation of evidence:

- A. Crime scenes/collisions should be photographed, and video recorded when deemed necessary by the investigating officer. Such evidence should be collected and processed by trained personnel.
- B. Patrol officers may photograph and/or video record minor incidents without summoning an evidence technician to the scene.
- C. Short-lived and temporary evidence should be photographed and/or video recorded as soon as possible.
- D. Photographs should establish a 360-degree perspective of the crime or traffic collision scene. When large distances are involved, sequential photographs should be taken at established increments. Photographs of the scene should be taken prior to any items being moved, altered, or collected.
- E. Established procedures for taking digital photographs ensure authentic images are maintained, depicting fair and accurate representations of the original scene or object. 35mm film should be considered as a back up to digital photography or when deemed appropriate by the photographer.
- F. When it is necessary to capture the exact size of evidence, photographs without a scale should first be taken to accurately portray the object as originally observed. A ruler or other scaled object should then be placed next to, and on an even plane with, the item being photographed. The camera lens should be placed at a right angle, running perpendicular to the evidence. The camera imaging plane should be parallel to the evidence.
- G. The location from which photographs are taken should be recorded for later inclusion in the crime or traffic collision scene sketch. Additional recorded information should include: photographer's name; case number; date and time; incident type; film type; and number of exposures, if applicable.

FINGERPRINT PROCESSING [11.1.4]

- A. Procedures used for processing, developing, lifting, and labeling fingerprints shall be consistent with professional standards and in accordance with applicable constitutional and statutory requirements.
- B. Latent prints discovered on non-absorbent porous or smooth surfaces may be collected at the scene and subsequently analyzed by a trained examiner.
- C. Latent prints discovered on absorbent porous surfaces should generally not be lifted at the scene. Such articles should be seized and placed into evidence by the officer in charge. If an article is too large for removal, it should be adequately protected until the arrival of an evidence technician.
- D. Latent impressions developed with contrasting fingerprint powder or other processes should be photographed prior to any further processing. After photographing, fingerprint evidence should be collected with appropriate lifters or specially designed tape. Lifted prints may be placed onto plastic page-savers for temporary storage.
- E. Lifted print evidence should be appropriately labeled with pertinent information, to include identifying marks of the recovering officer and date/time. The evidence should then be placed into an appropriate container and entered into the property system.
- F. The investigating officer shall determine whether or not inked elimination finger and palm prints of victims or witnesses are required.
- G. Cards bearing such prints should be transferred to a laboratory for comparative analysis when required.

DNA (DEOXYRIBONUCLEIC ACID) EVIDENCE [11.1.5]

- A. The first officer arriving at a scene has the responsibility to ensure that precautionary security measures are taken to protect any possible DNA evidence in the area from any unnecessary contamination. This officer will remain responsible for the security of the area until relieved of such duties by another responding officer, detective, or supervisor.

- B. Due to the fragile nature of DNA evidence, only crime scene personnel trained in DNA collection procedures will process and collect DNA evidence at crime scenes.
- C. The collection of DNA standards may be necessary for comparison to DNA evidence collected at the crime scene. Buccal swabs will be utilized for the collection of DNA standards. Only personnel trained with the buccal swab collection kit can collect the DNA standard.
- D. Upon collection of the DNA evidence, care should be taken not to expose the evidence or standard to extreme temperatures or prolonged UV exposure
- E. The specific methods utilized by the Department for the collection, package, storage, and transportation of such evidence are noted in the “Physical Evidence Handbook.” All submitted items should be thoroughly dry, always packaged in paper not plastic. Acceptable paper containers include clean bags, envelopes, and boxes. Each item should be packaged separately – one item per package (this includes swabs, however, all swabs collected from the same stain should be packaged together – both the wet and dry sets). Each package should be properly sealed and marked. Proper storage of evidence is vital in preserving any DNA present on the items submitted before submission to the Crime Laboratory. Room temperature storage is permissible for most items. Liquid samples (blood, urine, etc.) should be refrigerated; food, fecal material, fetal tissue, and vomit should be frozen to prevent growth of bacteria and mold. The storage area should be a dry, cool environment. Biological evidence should be transported to the Crime Laboratory as soon as possible.
- F. DNA evidence awaiting transfer to an accredited forensic laboratory for analysis will be secured in accordance with the “Physical Evidence Handbook.” All perishable physical evidence which may include, but not be limited to, fresh whole/liquid blood, blood-stained objects, other physiological stains and tissue, and biological materials, should be sent as expeditiously as possible to the Crime Laboratory after consultation and authorization of the Detective or designee. Property team members are responsible for the proper documentation and transfer of all evidentiary items to a Laboratory for analysis. The Records Management System (RMS) shall be utilized as the chain of custody for all items of evidence.

COMPUTER/ELECTRONIC EVIDENCE [11.1.6]

- A. Officers should exercise extreme caution when seizing and/or examining electronic equipment so as not to cause severe damage or the loss of valuable data.
- B. Persons possessing specialized knowledge of computers and computer security should be consulted during the preparation and execution of search warrants when necessary. Available resources may include employees from the following organizations or departments: **University of Wisconsin Division of Information Technology, FBI, IRS, and the Wisconsin Division of Criminal Investigations.**
- C. A person skilled in electronic device operation should be used to examine such equipment prior to startup.
- D. Whenever possible, a copy of the hard drive should be made before examination. The original should then be placed in secure storage and the copy used for examination purposes.
- E. When computer equipment is in operation at the time of seizure, the C.P.U. should be disconnected from the power source. This procedure will ensure that all contents stored on the hard drive remain intact. However, data cached in memory will be lost when the computer is powered down. While it may be safe to utilize the shutdown button on a Windows system, there is a possibility that the computer has been modified to run embedded scripts that alter data stored on the disk.
- F. Strong consideration should be given to photographing and/or video recording on-screen images before operating computer equipment is disconnected from the power source. This procedure will ensure that pertinent evidence will be captured when cached memory and/or embedded scripts are involved.
- G. Non-operating computers, disks, drives, and related peripherals should be considered fragile. Such equipment should be appropriately packaged, handled, and transported.

- H. Special care must be taken to avoid exposing removable media to magnetic fields, static electricity, and physical force.
- I. When feasible, investigators trained in the specific handling of digital media, devices, and evidence should be consulted prior to moving, seizing, or powering down any electronic device above common hand-held devices such as cell phones or tablets.

DOCUMENTATION OF TRANSFER OF CUSTODY OF EVIDENCE [11.1.7]

The following procedures shall govern the receipt and control of all in-custody and evidentiary property:

- A. All property shall be logged into Department records. The associated case disposition, a Department property voucher, and an incident report shall be completed prior to the officer taking in the item ends his or her tour of duty. The exception to logging property in custody shall be property that shall be released during the shift it was recovered.
- B. All property shall be placed under the control of the property and evidence control function before officers end their respective tours of duty. The exception to securing property in custody shall be property that shall be released during the shift it was recovered. Under no circumstance shall evidence or in-custody property be subject to personal use or stored in employees' personal desks, lockers, vehicles, homes, or other places that would permit the chain of custody to be interrupted.
- C. Each item of property shall be included in the incident report. The following information shall be supplied, when applicable
 - 1. Type of property, color, size, weight and/or other identifying characteristics.
 - 2. Unique numbers and model numbers.
 - 3. The circumstances by which the property came into the Department's possession.
 - 4. The owner of the property, if known.
- D. Evidence and in-custody property is to be clearly marked or labeled in a manner that assures proper identification at a later date. Personnel should use their badge and/or employee number and initials to mark packaging. Property should not be marked where it may deface or decrease the actual or the evidentiary value of the item: Each item of evidence must be packaged separately. Large or irregularly shaped items which cannot be packaged shall be labeled with the proper information. Additional care should be taken when packaging the following types of evidence:
 - 1. Hazardous evidence, e.g., biohazard, flammable, sharp object, poison, explosive material, etc., as well as fragile evidence, shall be so marked on the outer packaging.
 - 2. If firearms cannot be rendered safe before packaging, additional caution must be taken in the packaging, labeling, and notification of personnel involved in the transport and receipt of the firearm. Ammunition shall be removed and packaged separately in such a way as to maintain the ammunition and firearm safely apart from each other.
 - 3. Student or staff weapons held for safekeeping shall follow the same intake process as other in-custody property. Weapons held for safekeeping shall be processed by a **Property Custodian** and secured in the Department armory. Any police officer may release a weapon held for safekeeping after it has been through the property intake process.
 - 4. Trace materials must be packaged in suitable containers to eliminate the possibility of any loss of the trace material. Envelopes or other containers which might have small openings shall not be used without first securing the trace material in a vial, petri dish, or paper fold.
 - 5. U.S. currency must be packaged in a clear pouch. The number of bills, denominations and coins shall be identified on the Department property voucher. The denominations shall be written on the clear pouch and verified and signed by two employees.
- E. Vials, envelopes, paper bags, jars, cans, cartons, etc., into which evidence has been placed should be sealed in such a manner that they cannot be opened without breaking the seal. Once a seal has been affixed to a container, the collecting personnel should write his or her name or initials, badge and/or employee number, and date across the seal and container. The property custodian has the right to

refuse and return property and/or evidence to the submitting officer if the packaging or labeling is submitted incorrectly. The submitting officer and their supervisor shall be notified that the property and/or evidence submitted shall not be accepted and needs to be corrected. Once it is submitted properly, it shall be accepted.

- F. Extra security measures for handling and receiving exceptional, valuable, or sensitive items of property shall be taken, including: having a witness present when money, drugs, jewelry and precious metals are involved; ensuring that firearms and other weapons are rendered safe before being packaged and/or transported; donning personal protective equipment when necessary; affixing biohazard labels to packages as necessary; inspecting containers and packages for evidence of defects, tampering or contamination; and packaging drugs in appropriate containers whenever they are received by, released by, or returned to the **property custodian**.
- G. Employees shall make a concerted effort to identify and notify the owner or custodian of property in Department storage. Such persons should be informed of the status of property held. Various tools should be used to identify the addresses of owners, including: driver license checks; parking records; campus directories; contacting known relatives; and sending certified mail. Owners should be encouraged to contact the Department in advance to make suitable arrangements for the retrieval of property. **The property team** should also make a reasonable effort to locate and return property to its rightful owner.
- H. Procedures for the temporary and final release of property items from the control of the property and evidence function include: noting on property vouchers when evidence is removed for court, laboratory analysis or other investigative processing; recording the identity of the employee releasing property, along with the date and time of transfer; obtaining identifying information and signatures from persons receiving property; ensuring an uninterrupted chain of custody until final disposition; and recording property dispositions in Departmental records.
- I. Supplemental reports shall be written to document temporary releases of property/evidence.
- J. Biological evidence of unsolved crimes shall be held minimally until the crime can no longer be prosecuted due to the statute of limitations. The **property team** shall consider possible future value in deciding when to dispose of this evidence even after that date. For crimes with convictions, such evidence shall be held until the convicted person's sentence is complete or the person's death, unless provisions are made in accordance with current state law to obtain authorization to dispose of the evidence. This includes all items collected that may contain biological evidence and includes not only biological evidence from the convicted person, but also any other biological evidence from the same case.
- K. In order to maintain consistency in the procedures of collecting and accounting for evidence and property, all property team members are trained in accordance with department standards documented in a property team training manual.

TRANSMITTAL OF EVIDENCE TO A LAB [11.1.8]

The following provides for storage of evidence and in-custody property when the property room is closed:

- A. Secure facilities shall be provided for the storage of in-custody or evidentiary property during periods when the property room is closed.
- B. After properly marking and documenting each item to be entered, officers should place such property into temporary storage lockers designed for this purpose.

BY ORDER OF

A handwritten signature in black ink, appearing to read "Allen Hill", is written over a horizontal line.

Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

11.2

| | |
|--|--|
| Subject Maintenance of Evidence & Property | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | Related Policies 11.2.1 – 11.2.7 |
| Comments: | |

I. PURPOSE

The purpose of this policy is to outline the department’s lost and found property function.

II. POLICY STATEMENT

It is the policy of this department to provide the University of Wisconsin-La Crosse with an efficient lost and found function that assures found property submitted to and accepted by the department is logged; records are maintained, secured, returned to verified owners and/or disposed if unclaimed after a set amount of time.

III. DEFINITIONS

- A. Valuable items – jewelry, any kind of electronic device, keys, any forms of identification, flash drives, or money.
- B. Found Property Log – a binder used to log all received Lost and Found items.
- C. Found Property Drop Box – a one way drop box where received lost and found items are placed. Only the property custodians have access to this box. This box is located in the dispatch center.
- D. Found Property Locker – secured, limited access locker where found property Items are stored after being removed from the drop box.
- E. Found Property Custodian – The individual assigned to assure the following: Lost and found log is maintained, items are secured in drop box or lockers, and returned to verified owners and/or disposed if unclaimed after a set amount of time.

IV. PROCEDURES

- A. Authority and Responsibility
 1. It is the responsibility of all police department employees to accept found property as allowed by this directive and follow this directive’s instructions on processing said property.
 2. All found property that is accepted based on this directive is to be placed in the found property drop box immediately upon receipt. The department’s found property custodian manages the found property function.
 - a. The found property custodian will ensure that all found property is released or disposed of

according to this directive.

- b. The found property custodian will assure all found property is secured and properly accounted for.

B. Receiving an item

1. Upon receiving a found item, the police department employee is to immediately log the item into the found property log. The following information should be placed in the log:
 - a. Date
 - b. Name of individual that submitted the item
 - c. Location where item was found
 - d. Description of item
 - e. Unit number of police department employee completing the log
 - f. Items that may contain money, checks, credit cards, or money orders will be checked and logged by two police department employees
2. The receiving police department employee should attempt to identify the owner and make contact (with the exception of computer media devices such as flash drives and memory disks. In accordance with department computer media policy, unknown computer media is not to be opened using department computers). If the owner's name is located, the individual should be cross referenced in the University's PeopleSoft system and either an email or phone call made to advise the owner of the location of their property. The attempt to notify the owner shall be placed in the comments section of the Lost & Found log, along with the badge number of the individual that made the contact. If contact is made, the following information should be relayed to the owner:
 - a. Where the items can be picked up.
 - b. That the item should be picked up during normal business hours.
 - c. Outside business hour pickups can be arranged by contacting the Found Property Custodian (provide the custodians email and office phone number). Advise the owner that the property will only be held for ninety days and will then be destroyed.
3. ALL items received by police department employees are to be immediately placed in the Found Property Drop Box after being inventoried, logged into the Found Property Log, and tagged. This includes those items in which the owner was contacted and notified.
4. Due to storage limitations and sanitation, not all items submitted to Lost and Found will be accepted by the UW-La Crosse Police Department. All items received should be thoroughly inventoried to identify if they are valuable items as defined in section IV. B. 5 of this directive.
5. Found items that will be accepted by the UW-La Crosse Police Department include:
 - a. Books, notebooks, paperwork and planners with identifiable owner information only. If no owner information is found, the item is not to be accepted.
 - b. Sunglasses and prescription eyewear.
 - c. Cell phones
 - d. Keys
 - e. Jewelry
 - f. Wallets and purses
 - g. Currency
 - h. Driver's license, state identification cards, and passports.
 - i. Backpacks (after all perishable and soiled items have been removed)
 - j. Electronic equipment

k. Flash drives

6. Any kind of item that can be identified to a specific individual m. Any other item with an estimated worth of over \$20 if it does not fit into one of the non-accepted categories listed in the next section IV.

B. 6. 6. Items not accepted:

- a. Clothing, including coats, jackets and shoes
- b. Cosmetic items
- c. Pens, pencils and umbrellas
- d. Food, drinks and containers
- e. Medication, including prescription medication
- f. Any item considered perishable
- g. Any item that presents a sanitation risk (soiled)
- h. Bicycles
- i. Any item deemed too large to store

7. If an item is not one that is accepted for Lost and Found, the Police Department employee will politely advise the submitting person of this information. If the person insists on submitting the item, the employee is to contact a supervisor, but is not to accept the item. The supervisor will meet with the submitting person and follow these guidelines:

- a. Advise the submitting person why the item will not be accepted (too large, of no value, perishable, or unsanitary).
- b. If the individual persists in submitting the item, the supervisor will advise the individual that the department will accept but will promptly discard the item in the trash.
- c. If the item is accepted, the supervisor is to inventory the item, then absent any valuables found, deposit the item in the trash.

C. Storage and Purge Process

1. The police department will hold found property for a minimum of thirty days, but a period not to exceed ninety days.
2. Once property is placed in the Found Property Drop Box, it will remain in this drop box until the end of the calendar month.
3. At the end of each month, the Found Property Custodian will remove all items in the drop box, reconcile the items with the Found Property Log, and then secure the items in a Found Property Locker. The Found Property Log should be noted showing that the found property was moved to the Found Property Locker. Only the Found Property Custodian and his/her backups will have access to this locker.
4. At the end of each month, the process will repeat:
 - a. The contents of the Found Property Locker will be disposed.
 - b. All items will be cross referenced with the reported lost items listing, located in the Lost & Found Binder.
 - c. Electronic items and items estimated to be worth more than \$100 will be forwarded to the Office of the Chief, who will in turn forward to surplus.
 - d. Cash will be returned to the individual who found it. If no individual was identified or claimed the cash will be forwarded to the Office of the Chief who will in turn deposit into the University's general fund.
 - e. All other items will be either donated to a charitable organization or destroyed.
 - f. The Found Property Custodian will note in the Found Property Log the final disposition of all found property.
 - g. The Found Property Drop Box will be emptied to the Found Property Locker.
 - h. New found property for the month will be placed in the Found Property Drop Box.

D. Release of Items:

1. When someone makes a found property query, the department employee taking the query will review the Found Property Log. If the property is listed in the log, the employee will take the following action, dependent on where the item is located:
 - a. If the item is located in the Found Property Drop Box or Lockers, the Found Property Custodian should be called to retrieve the item. If the Property Custodian is not on duty or unavailable, then a patrol supervisor should be called. The key to the Found Property Drop Box is located in the Automated Key Check Out Box. The key to the Found Property Lockers is maintained by the Property Custodian. Persons authorized to enter the Found Property Drop Box will have access to check out the key by presenting their department fob. If the Found Property Custodian or his/her backups are not on duty, the requestor shall be given the Found Property Custodian's email and office phone number and instructed to make an appointment to retrieve the item.
2. The Found Property Custodian retrieving the item is responsible for releasing the item, completing the release paperwork, updating the property disposition in the Found Property Log, and returning the access key to the Automated Key Check Out Box.
3. The releasing process is as follows:
 - a. Owner must present picture ID.
 - b. Owner must sign for items using the Lost and Found Release Form (Forms are located in the Found Property Log). The releasing Found Property Custodian must make sure the Release Form is filled out completely.
 - c. Item is released to owner.
 - d. The Lost and Found Log is updated to reflect the disposition of the released item.
 - e. The Lost and Found Release Form is submitted to the Found Property Custodian.

E. Responsibility and Control

1. The Found Property Custodian shall be responsible for the direct control, inventory, and security of all found property taken into custody by members of this department.
2. Weekly, the Found Property Custodian will verify that the items have been properly entered into Lost and Found Log.

F. Inspections

1. Inspections to determine adherence to property control procedures will be conducted on a semi-annual basis by the Found Property Custodian.
2. Unannounced inspections of the Found Property function and storage areas will be conducted at least annually by the Chief of Police, or designee.
3. When a new Found Property Custodian is designated, an audit of property will be conducted jointly by the new Found Property Custodian and a designee selected by the Chief of Police.
4. An annual audit of the Found Property function and storage area shall be conducted by a supervisor not routinely or directly connected with the Found Property function.

BY ORDER OF



Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

12.1

| | |
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| Subject Weapons and Ammunition | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | Related Policies 12.1.1 – 12.1.5 |
| Comments: | |

I. PURPOSE

The purpose of this document is to establish a policy to regulate the use of firearms and ammunition by sworn personnel of the University Wisconsin- La Crosse Police Department. The procedures for training officers in the use of firearms and testing their proficiency with firearms will also be addressed in this policy.

II. POLICY STATEMENT

It is the policy of the University Wisconsin- La Crosse Police Department that officers shall only utilize firearms that have been approved for use, are mechanically sound, and are properly maintained. Only firearms that have been registered with the University Wisconsin- La Crosse Police Department, inspected for serviceability, and with which an officer has demonstrated proficiency may be used, on or off duty, by officers pursuant to their authority as a law enforcement officer. The University Wisconsin-La Crosse Police Services will establish handgun and patrol rifle training and qualification programs for the department, maintain records of same and ensure adequate supplies for these programs. Training programs shall include instruction pertaining to the appropriate use of force and deadly force, as well as the actual use of firearms.

III. DEFINITIONS

Duty Firearm An officer's primary firearm, which is owned by the University Wisconsin- La Crosse, shall be the weapon each officer is currently qualified with.

Secondary Firearm A secondary firearm is one owned by the officer. The officer may carry this firearm on duty, as a substitute to his/her duty firearm.

Handguns carried off duty should be easily concealed and if used for both on and off duty the firearm must be registered with the dept. and the officer must qualify with it.

Firearms Trainer Personnel designated by the Chief of Police who will, under the direction of department supervisors, coordinate training to ensure department officers meet state and department mandated requirements in this area. This includes but not limited to the maintaining the records, creating curriculum, coordinating with fellow instructors. Personnel appointed by the Chief of Police who will be responsible for registration, physical inspection and repair of all department issued firearms.

IV. PROCEDURES

1. Firearms Coordinator

- A. The Chief of Police will designate personnel to act as the Firearms Coordinator for the department. Assistant Firearms Coordinators and Shooting Coaches may be appointed as needed.
- B. The Firearms Coordinator shall be responsible for:
 - a. Instructing and testing officers' knowledge of the lawful use of force, including deadly force.
 - b. Establishing a procedure for firearms qualification and training of all sworn personnel to ensure proficiency in the safe handling and use of firearms to meet Department and state mandated training requirements.
 - c. Registration, physical inspection and repair of all department issued firearms.
 - d. Maintaining records of firearms training for all sworn personnel.
 - e. Maintaining adequate supplies for department firearms training.

2. Authorized Firearms

- A. Sworn officers shall only utilize firearms which have been authorized, registered and approved by the Firearms Coordinator and Chief of Police for on duty use when exercising their authority as a law enforcement officer. Officers wishing to utilize a firearm not currently authorized for use by the department may submit a request to the Firearms Coordinator for approval of the firearm. This policy does not regulate the use of privately owned firearms by sworn personnel for non-law enforcement activities such as hunting, recreational or other sporting activities.
- B. Officers who are currently qualified with a firearm through the department may utilize any firearm of the same type that is currently registered with the department.

3. Duty Firearms

- A. All Sworn Personnel: Sworn personnel will be issued a firearm approved for use by the firearms coordinator and the Chief of Police.
- B. Non-Uniformed Personnel: Non-uniformed personnel may elect to use a secondary firearm which has been approved for use by the Firearms Coordinator and the chief of police as their duty firearm for non-uniformed duties. These personnel must still maintain and qualify annually with a duty firearm meeting the criteria of paragraph a above and shall utilize this firearm whenever performing duties in uniform.

4. Secondary "Back-up" Firearms

- A. Uniformed officers may carry a secondary back-up weapon that has been approved by the Firearms Coordinator, qualified with, and is concealed while on duty in uniform.

5. Patrol Rifle or Carbine

- A. Officers will be issued an approved Patrol Rifle/ Carbine.
- B. Officers may use on-duty, personally owned, department approved rifle or carbine. It must be of a style, make and caliber approved by the Chief. Minimum initial training must be completed prior to approval. Qualification will be the same as dept. issued rifles.
- C. Personal rifles will be armored yearly by the dept.
- D. Damage done to personally owned rifles on duty will not be the responsibility of the Department, and the cost to repair the rifle will be the responsibility of the officer who own

it.

6. Shotguns

- A. The department maintains department-owned shotguns for "Less Lethal" use on duty. When the shotgun is removed from the squad, it shall remain in the officer's possession at all times or secured within the police department.
- B. Possession of "Live Fire" shotgun ammunition (i.e. buck shot, slug, etc.) is prohibited within the police department or department vehicles. This is intended to prevent live ammunition from being intentionally or unintentionally loaded into a less lethal shotgun.

7. Ammunition

- A. The Chief of Police, shall select ammunition to be issued and/or authorized by the department based on the ammunition's ability to afford a strong probability of incapacitating a suspect without an unreasonable hazard of over-penetration and/or ricochet.
- B. Only ammunition issued or authorized by the department shall be utilized by officers in firearms carried pursuant to their authority as law enforcement officers.
- C. Ammunition for duty, qualification and department-sponsored training for firearms using a department issued firearm shall be provided by the department. Officers who elect to use an approved secondary firearm shall be required to provide their own ammunition. The type of ammunition is still subject to the approval of the Chief.
- D. Ammunition for on- and off-duty use will be replaced with new ammunition annually, whether issued by the department or at the officer's expense. Ammunition of the type issued by the department will be provided by the department for all training and qualification. Ammunition authorized by the department but provided by the officer will be provided by the officer for all training and qualification.
- E. Whenever an officer wishes to utilize a firearm or ammunition not currently authorized by the department, the officer must submit a written request to the Chief of Police. The Chief of Police, will evaluate the proposed firearm and/or ammunition for quality, reliability, safety and ability to perform its intended function.

8. Firearms Qualification and training

- A. The Department shall conduct ongoing training for all department issued firearms. All training will consist of skills testing and qualification courses of fire.
- B. All sworn personnel shall demonstrate proficiency with firearms by qualifying with each firearm they are required or elect to use on or off duty.
- C. Secondary Firearm
 - i. All personnel who elect to carry a secondary firearm shall qualify annually with their secondary firearm(s). A training date(s) will be set by a firearms instructor for qualification of secondary firearms. Officers will attend this training on their own time or while on duty.
 - ii. Additional Secondary Firearm: Officers who wish to qualify with and be authorized to use more than one secondary firearm shall be required to make arrangements for an annual qualification.

9. Firearms Proficiency Standards:

- A. The WI LESB “Handgun Qualification Standard” is the department’s primary qualification course of fire. However, all live fire courses may be considered qualification courses of fire. Officers must show proficiency to pass all qualification courses of fire.
- B. The qualifying course of fire for handguns may vary to cover as many possible situations or conditions the officer may confront.
- C. The qualifying course of fire for rifles will also cover as many situations and conditions as possible.
- D. When qualifying with Department, issued handguns, officers shall wear the duty equipment normally worn for duty by the officer.
- E. All sworn personnel shall qualify with their designated duty firearm. This is a requirement of employment as a Police Officer. Officers who fail to demonstrate minimum proficiency with their duty firearm shall immediately receive remedial training and shall re-fire the qualification course the same day. The Training Officer shall immediately notify the Chief of Police of any officer that failed to qualify by the end of the training period. An Officer that has failed to qualify will not be allowed to work as a police officer until meeting the minimum requirements. Remedial training shall be conducted in a reasonable amount of time. Disciplinary action may be taken for failure to attain minimum firearms qualification standards with an officer's duty firearm up to and including termination.
- F. Officers who do not qualify due to scheduling conflicts, or who cannot qualify due to a weapon's malfunction, shall continue in their present duty assignment. Arrangements shall be made with the Firearms Coordinator to qualify as soon as possible.

10. Off-Duty Use of Firearms

- A. Officers are prohibited from carrying firearms when:
 - i. The officer's mental or physical capabilities have been impaired by the use of alcohol, medications or a combination thereof; or
 - ii. The officer anticipates his/her mental or physical capabilities may become impaired by the use of alcohol, medications or a combination thereof.
- B. When carrying a handgun off duty, the officer will have on them, minimally, a department issued badge and identification card.

11. Care and Maintenance of Firearms

- A. Care and maintenance of firearms, whether owned by the department or the officer, is the responsibility of the officer using the firearm. Annual inspection of department owned firearms will be the responsibility of the department. Annual maintenance of any personally owned firearms is the responsibility of the officer. Verification of this must be turned in . annually. If the department has a certified armorer for the officer’s personal firearm, the department may provide annual maintenance. Routine maintenance and cleaning should occur frequently to insure the firearm is mechanically operational. Any malfunction or damage to a department-owned firearm shall be reported to the Firearms Coordinator immediately.

- B. Firearm Modifications are not allowed to any Department owned weapons without prior approval by the Chief of Police.
- C. Firearms instructors shall inspect firearms during training and qualification to ensure the firearms are not altered, damaged or unserviceable for any reason. Firearms found to be altered, damaged or otherwise unserviceable shall not be utilized for on- or off-duty use until they have been repaired.
- D. There will be no unapproved markings of any kind placed on the duty weapons or accessories. Magazines may be inconspicuously marked; however, the mark must not be permanent.
- E. Handguns shall have a single action trigger pull of at least three pounds or they will be declared unserviceable.
- F. Firearms damaged in the line of duty will be repaired or replaced by the department, provided the firearm was properly registered and the officer currently qualified with the firearm when the damage occurred.
- G. Officers shall be responsible for the safe storage of their duty weapons and any other personally owned firearms when not in their personal possession. This will primarily be within Department issued lockers that are secured by Department issued locks. If department issued weapons are taken home when not on duty the officer is responsible for ensuring the weapon is secured to prevent mishandling and theft. Firearms shall not be stored in patrol or personally owned vehicles except for temporary storage when at court, when other options for safekeeping are not available, or if authorized by the department.

BY ORDER OF



Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

12.2

| | |
|--|--------------------------------|
| Subject Employee Training | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 12.2.1-12.2.8 |
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INDEX:

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POLICY:

The UW-La Crosse Police Department shall provide employees with training designed to meet law enforcement standards and community needs.

DEFINITIONS:

Special Order refers to a written notification of a mandate to perform a given task. Special orders may be assigned for training, shift assignments, or personnel transitions.

PROCEDURE:

TRAINING RECORDS 12.2.1

The following shall govern continuous maintenance of employee training records:

- A. The Training Unit will maintain a current record of training received by Department employees. The Training Unit shall update the appropriate training records following the participation of an employee in a training program.
- B. Employee training records will include the date of the training, the personnel attending the training, types of training or subject matter, and copies of certificates received, if any.

CLASS RECORDS 12.2.2

The following shall govern continuous maintenance of training class records:

- A. The Training Unit will maintain records of training classes provided by the Department.

- B. Training records for classes conducted by the Department will include, at a minimum, course content (lesson plans), names of agency attendees, and the performance of individual attendees as measured by a test, if administered.

RECRUIT TRAINING 12.2.3

The following shall govern attendance requirements for employees assigned to authorized training programs:

- A. Personnel are responsible for attending and participating in Department and other training as directed. Attendance at certain designated training functions may be mandatory. Trainings will be identified by special orders. Attendance exceptions may be granted with an explanation deemed reasonable by the training coordinator and the employee's direct supervisor.
- B. Any mandatory training missed due to an excused or unexcused absence may be rescheduled at the discretion of the course instructor. A short absence may be waived based upon course content missed and the length of the absence. Any unexcused absence will be investigated by the employee's supervisor. Requirements for punctual attendance at training functions are the same as for reporting for duty. It will be considered an unexcused absence if an employee fails to report for a training function without first notifying their supervisor.
- C. Employees are required to complete instructor-provided rosters and registration forms. Copies of any training certificates will be forwarded to the Training Unit.

FIELD TRAINING 12.2.4

The following shall govern lesson plan development for all training conducted by the agency:

- A. In order to ensure that topics presented by the Training Unit accomplish stated goals and objectives, all in-house training courses shall require the submission of a lesson plan prior to the course presentation. Guidelines for lesson plan format and content will be determined by the Training Unit.
- B. All lesson plans for in-house training programs will be reviewed, approved, and maintained by the Training Unit. Instructors will submit lesson plans to the Training Unit for approval at least 30 days prior to presenting the material contained in the lesson plans. Lesson plans are to be consistent with Department directives and policies and existing federal, state, and local requirements. Lesson plans will include, at minimum:
 - 1. A statement of performance and job-related objectives;
 - 2. The content of the training and specifications of the appropriate instructional techniques; and
 - 3. Identification of any tests used in the training process;
 - 4. List of resources used in development of curriculum;
 - 5. List of resources required in delivery of the program.

ANNUAL TRAINING 12.2.5

The following establishes a training committee and general guidelines for its purpose:

- A. The training function of the Department shall include but is not limited to monitoring attendance at required training sessions; coordinating lesson plan development; scheduling personnel; planning, developing, implementing, and evaluating programs; coordinating remedial training; coordinating specialized, advanced, and in-service training; coordinating recruit training; and maintaining records. In general, the training function is the responsibility of the Training Sergeant.
- B. The Department Training Sergeant will identify training needs, evaluate training programs, communicate pertinent information, distribute training materials, and provide assistance as required.
- C. The Training Sergeant will report recommendations to the Chief of Police.

TRAINING PROGRAM REIMBURSEMENT

The following governs agency reimbursement to employees attending required training programs:

- A. The Department shall reimburse personnel attending approved training in a manner consistent with University policies, rules, and regulations. Personnel requests for travel-related reimbursement must be pre-approved.
- B. Upon completion of the training, personnel requesting travel-related reimbursements should complete an online reimbursement form. The online reimbursement form is forwarded to the the Chief of designee for approval.

REMEDIAL TRAINING 12.2.8

The following establishes guidelines concerning remedial training:

- A. Occasionally, training efforts fall short and personnel need remedial training. Remedial training should be directed at solving a particular problem, deficiency, or behavior. Any recurring deficiency evidenced through performance appraisals, inspections, or disciplinary actions may be grounds for remedial training. The objectives of the remedial training will be based on the specific deficiency and its nature. Remedial training may be formal or informal in design.
 1. Formal remedial training will be coordinated by the Training Unit and the employee's supervisor to correct a performance deficiency in a subject area. All requests for formal remedial training will be coordinated through the Training Sergeant to ensure prompt completion and appropriate documentation. All formal remedial training records will be maintained by the Training Sergeant and documented in the employee's training file.
 2. Informal remedial training may be conducted by the employee's supervisor or another Department employee to aid in correcting noncritical job deficiencies not affecting the safety of the public or the employee.
- B. Adequate time will be allotted to complete remedial training and demonstrate improvement. Remedial training recommended for critical subject areas are mandatory and will be given to the employee without delay. Remedial training in noncritical areas will be scheduled as soon as practical and a timeline for completion will be established, superseding all other regular requests for training.
- C. Participants of remedial training shall be evaluated upon completion of the assigned remedial training program to determine whether existing deficiencies have been alleviated. Results of the evaluation shall be forwarded to the appropriate supervisor.

RELEASE OF TRAINING RECORDS

The following shall govern release of agency and employee training records:

- A. Training records will be treated the same as personnel records. Only those persons, as authorized by law, will have access to the records.
- B. Training files shall be merged with the employee's personnel file upon termination of employment.

TRAINING PRIORITY LEVELS

The following shall govern the priority levels assigned to training:

- A. All training provided by the Department shall be defined as being either immediate, acquired, or specialty training. The definitions are as follows:
 1. Immediate: Instruction provided as soon as possible in those basic skills needed by the employee in their current assignment.

2. Acquired: Instruction provided in advanced topics that is beneficial to both the Department and the employee and may be obtained over time; and/or instruction that will enable department personnel to become proficient in the advanced skill levels of their position.
 3. Specialty: Instruction that provides skills to individuals for a Department need but is only required of a select number of individuals in a classification OR that provides career enrichment and preparation for promotional opportunity. Employees seeking to attend specialty training should justify their attendance and the expected outcomes of attending the training.
- B. It is expected that a varied level of skill development will exist among members of a work unit.
- C. Supervisory personnel must evaluate, seek to identify where training deficiencies exist, and recommend appropriate corrective measures.

REQUESTS TO ATTEND TRAINING

The following outlines procedures for employee or supervisor training requests:

- A. A training request initiated by the employee or a supervisor shall use the designated, fully completed Training Request Form. The supervisor and training coordinator will assess the training request considering the following:
1. Skills needed by the Department;
 2. Training needs of the employee;
 3. Total costs;
 4. Scheduling impact, for example, if two or more employees are scheduled for training from one work unit's shift, any additional training must be approved by the supervisor, the Training Sergeant, and the appropriate captain;
 5. Local training options are considered over those requiring travel expenditures.
- B. Once the training request has been submitted:
1. The employee's direct supervisor will approve or deny the training. The supervisor will list the reason for the decision and forward the request along with their assessment to the Funding Coordinator for review.
 2. The Funding Coordinator will review the training request and approve or deny the request. The Funding Coordinator will list a reason for the decision and forward the training request to the Training Unit for final review.
 3. The Training Unit will review the request and approve or deny the request. A reason for the decision will be listed. An electronic copy of the form with the actions taken will be available to the supervisor and the employee after final disposition by the training unit.
- C. If the training request has been approved by the supervisor, Funding Coordinator, and the Training Unit, the Training Sergeant will issue a special order assigning the employee to the training. The order may include the type of training, dates, times, locations, lodging, travel arrangements and any requirements listed on the training request form by any of the people approving the request. The special order will be distributed to the attendee's chain of command, those assigned to instruct, and any attendees.

POST-TRAINING EXPECTATION

The following shall govern post training expectations of the employee attending the training session or sessions:

- A. Employees returning from certain select training may be required to submit a brief synopsis and evaluation of the course to their supervisor and the Training Sergeant. If this is a requirement, it shall be noted in the training special order.

- B. Employees will forward copies of any certificates or documentation to the Training Sergeant upon completion of the assigned program.
- C. All course materials obtained during the training will be made available for review or use by other interested members of the Department.
- D. Information of general importance or interest obtained during training will be shared by the employee with other employees during shift briefing training or other more formal training sessions.
- E. Employees are expected to use the knowledge and skills gained from training in the performance of their duties.
- F. Equipment or materials received from a training course are considered Department property.

FIREARMS RANGE RULES

The following shall establish rules for the safe operation of a firearms range

- A. The purpose for utilizing a firearms range is to provide annual weapons qualifications and additional training to department members. Any firearms range used by the department will be used for approved training and qualifications. The firearms range utilized will first be inspected and approved by the Department Firearms Instructor, in order to determine any range restrictions prior to the start of any training.
- B. The Department's Firearm Instructors are in charge of range discipline, regardless of rank or position.
- C. Universal Firearms Safety Rules shall be followed by employees at all times.
- D. Range rules shall be reviewed prior to any firearms training event
- E. Only department approved weapons, targets, ammunition, and equipment will be used during any training conducted on the range. Additional weapons and/or ammunition may be approved by the Firearms Instructor conducting the training and/or testing.
- F. All personnel on the range shall wear ear and eye protection as well as body armor.
- G. All personnel working in the capacity of a firearms instructor shall complete the state mandated training course to be a certified firearms instructor.
- H. Firearms instructors shall receive emergency medical response and/or first aid training.

BY ORDER OF



Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

13.1

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| Subject Operations | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
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I. INDEX:

- 13.1.1 ALL HAZARD PLAN**
- 13.1.2 SPECIAL OPERATIONS**
- 13.1.3 TACTICAL TEAMS SELECTION AND TRAINING**
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II. POLICY: [13.1.1]

Critical incidents are generally of an emergency nature that result from disasters, both natural and man-made, and civil disturbances. Disasters include floods, hurricanes, earthquakes, explosions, tornadoes, ice storms, chemical spills, etc. Civil disturbances include riots, disorders, and violence arising from gatherings of dissidents, marches, concerts, politics, sporting events, and labor disputes.

The University of Wisconsin–La Crosse Police Department shall have contingency plans in place for responding to natural disasters, human-made disasters, civil disturbances, bomb emergencies, hostage/barricaded person situations, dignitary protection, and special events.

III. DEFINITIONS:

Active Killer refers to an offender who is actively causing death and great bodily harm to persons.

Critical Incident refers to an occurrence or event, natural or human-caused, which requires an emergency response to protect life or property. Critical incidents can, for example, include major disasters, emergencies, terrorist attacks, floods, fires, hazardous materials spills, and other occurrences requiring an emergency response.

Full Scale Exercise refers to an emergency response exercise that simulates a real event as closely as possible. It is an exercise designed to evaluate the operational capability of emergency management systems in a highly stressful environment that simulates actual response conditions.

To accomplish this realism, it requires the mobilization and actual movement of emergency personnel, equipment, and resources.

Functional Exercise refers to a fully simulated interactive exercise that tests the capability of an organization to respond to a simulated event. The exercise tests multiple functions of the organization's operational plan. It is a coordinated response to a situation in a time pressured, realistic simulation.

Incident Command System (ICS) refers to a system for command, control, and coordination of a response that provides a means to synchronize the efforts of individual persons and agencies as they work toward the common goal of stabilizing an incident while protecting life, property and the environments. There are six major components: incident/unified command, planning, operations, logistics, public information, and finance / administration.

Non-Routine Emergency Response refers to a response that exceeds the capacity of initial on-scene or on-duty personnel and equipment. This response involves multiple agencies and requires routine mutual aid support. An example of a non-routine emergency response would be a hostage situation or structure fire.

Routine Emergency Response refers to a response where there is no significant impact on local resources. A routine emergency response normally involves one agency, but may require minimum cooperation of support from other response agencies (example: traffic accidents, death investigations).

Tabletop Exercise refers to a facilitated analysis of an emergency situation in an informal, stress-free environment. The exercise is designed to elicit constructive discussion as participants examine and resolve problems based on existing operational plans and identify where those plans need to be refined.

IV. PROCEDURE:

CRITICAL INCIDENT PLANNING RESPONSIBILITY [13.2.1]

- A. The Emergency Operations Plan (EOP) designates areas of responsibility and defines the framework necessary to respond to unexpected situations on campus. The EOP is designed to enhance the management of incidents by establishing a single, comprehensive system for incident management. The EOP is designed to help achieve greater cooperation among university departments and agencies at all levels of government. The incident command system and center management system are the foundation of the EOP and should be used to manage all university-related emergency incidents that require immediate and/or significant university resources.
- B. The Police Detective is tasked with planning the Department's response to critical incidents and shall be the principal advisor to the Chief of Police during critical incidents.

EMERGENCY OPERATIONS PLAN

The following shall govern maintenance of a written plan for responding to non-routine incidents where the capability of on-scene or on-duty personnel and equipment has been exceeded:

- A. The Department has a written EOP for responding to critical incidents such as natural and human-made disasters, civil disturbances, mass arrests, bomb threats, hostage / barricaded

- persons situations, acts of terrorism and other unusual incidents. The incident command system and center management system are used as the foundation for the EOP, establishes standardized incident management processes, protocols, and procedures that all responders, federal, state, tribal, and local will use to coordinate and conduct response actions.
- B. The EOP is designed to be activated when a critical incident occurs which exceeds the capability of routinely available personnel and resources or when a non-routine event occurs which exceeds the capability of initial on-scene or on-duty personnel and equipment.
 - C. The organizational structure of the EOP is able to adapt to any emergency or incident in which public safety agencies would be expected to respond. This system is able to expand in a rapid manner from the initial scene management to activating the Emergency Operations Center. It expands or reduces the size of responding components as the incident needs to accelerate or diminish.
 - D. When an unpredicted crisis or unexpected situation occurs, the Communications Center personnel shall dispatch the appropriate first responders. If notification is required for an incident, the law enforcement dispatcher shall call the On-Call-Supervisor (OCS). The OCS shall determine the response level. University Communications personnel may perform routine notifications. When a non-routine response occurs, the Chief of Police or designee may activate a full or partial Emergency Operations Center, which may include activating the Executive Group. In the event of a critical incident, the Chief of Police or designee will activate the Emergency Operations Center (full activation), which includes the entire Executive Group.
 - E. During a non-routine response, a partial or full Emergency Operations Center activation may occur. In the event of a critical incident, a full Emergency Operations Center activation will occur. In the event the Emergency Operations Center is activated, members will be informed of the type and location of the crisis incident, and the location of the EOC Members are expected to respond immediately or at the designated time provided. If the Executive Group is activated, members shall be informed of the type and location of the crisis incident and of the location to respond. Members are expected to respond immediately or at the designated time provided. The OCS, alone or in consultation with other supervisors as well as the Emergency Management On Call (EOCS), has the authority to and is responsible for activating the EOC.
 - F. If the Emergency Operations Center is activated, the OCS or another member of the management team will report to the EOC. If the Executive Group is activated, the Chief of Police or designee will report to the Executive Group meeting site. To activate Department personnel, the OCS shall determine the numbers and classifications of Department personnel to be activated. During business hours, emergency management staff will start the call-up process. Calls placed and call-back information shall be documented. This information shall be relayed to the OCS or the person designated to assign personnel to the incident. During non-business hours, if the OCS determines internal Department personnel shall be called in, the EOCS is designated to start the call-up process. The information on calls placed and call-backs shall be relayed to the OCS via email at regular intervals.
 - G. The EOP utilizes individuals and groups of individuals with designated areas of responsibility. The following denotes responsibilities for major operational components of the EOP:

1. The Emergency Operations Center (EOC) manager is responsible for: communicating priorities established by the Executive Group; communicating with the Executive Group; facilitating the group decision-making process by obtaining, developing, and displaying situation information; facilitating resource allocation decisions based upon incident management priorities; facilitating logistics support and resource tracking; and implementing the decisions made by the Executive Group.
2. The Strategic Operations Section is responsible for the following: managing and coordinating all operational functions of the EOC; developing strategies and priorities to carry out EOC manager objectives; acquiring, prioritizing, and allocating resources provided by the Resource and Logistics Section; coordinating and identifying future resource requirements; developing alternative strategies and contingency plans as needed; and, providing communication links with incident command.
3. The Information and Planning Section is responsible for the following: analyzing and managing all of the information coming in related to the incident; tracking and assessing damage reports and analyzing the impacts; collecting and compiling the actions of other groups into an incident action plan; providing input on resource availability, support needs, and response timelines; and, maintaining an incident status board.
4. The Resource and Logistics Section is responsible for the following: assessing, procuring, and tracking resources, personnel, supplies, and support services as needed; coordinating with operations for deployment of resources; maintaining current information on the numbers of personnel and major items of equipment that are committed to incidents and/or are available for assignment; allocating resources to incidences based upon established priorities; and, providing personnel and/or facilities to assist with the transition to emergency or disaster recovery, as necessary.
5. The Joint Information Center is responsible for the following: preparing and releasing summary information to news media and participating agencies; serving as a liaison with out-of-area facilities and agencies, as appropriate; coordinating all matters related to public affairs, both internal and external; acting as escort for facilitated agency tours of incident areas; coordinating and delivering accurate and timely public information to a joint information system or joint information center if one is established; issuance of evacuation orders and other emergency alert information; conducting incident-related press conferences; setting up and coordinating crises mass communications tools to facilitate the information sharing process; and, establishing and maintaining an emergency web page.
6. The Finance / Administration Section is responsible for the following: tracking and recording all time-keeping functions and financial records; providing summary reports of the short- and long-term financial impacts; preparing forecasts and benefit analyses on services, support, and strategies; and, if needed, activating the documentation process for FEMA or other additional reimbursement opportunities.

7. The Executive Group is responsible for the following: coordinating interagency and inter-government efforts relating to the incident or incidents; supporting and/or resolving incident-related policy, priority and strategy issues; conducting press conferences; and, acting as a liaison to shared governance.
- H. The following entities have made a commitment and are expected to assume various roles and provide resources, as outlined in the Emergency Operations Plan, to provide a coordinated response to unexpected situations. In some circumstances it may be necessary to request staff to assume temporary roles outside the normal scope of their duties, taking into consideration their ability to carry out those temporary roles. If any entity does not have specific roles for their personnel, those personnel will become part of a reserve pool to assist as assigned. The entities are:
1. Athletics
 2. Business Services
 3. University Marketing & Communications
 4. Division of Student Affairs
 5. Information Technology Services
 6. Human Resources
 7. Facilities Management
 8. Student Health Center
 9. Residence Life
 10. University Police & Parking Services
 11. Rec Sports

INCIDENT COMMAND FUNCTION

The following provides guidance for personnel responding to routine emergencies, non-routine emergencies, and critical incidents involving multiple resources:

- A. The first police officer on scene, utilizing the 7 Critical Tasks, must consider stabilization activities to include:
 1. Assess the incident and determine geographical scope
 2. Evaluate potential problems
 3. Establish incident command
 4. Determine the need for a command post and location if necessary
 5. Determine what personnel and equipment are needed
 6. Issue hazard warnings if necessary
 7. Isolate the area (establish inner and outer perimeters and entry control points)
 8. Establish or assign liaisons with agencies
 9. Assign traffic management functions
 10. Establish staging area if necessary
 11. Implement evacuation when necessary

- B. For incidents requiring a routine emergency response, the first arriving police officer may activate the incident command system. For incidents requiring a non-routine emergency response or a critical incident response, the first arriving police officer must activate the incident command system. When activation of incident command is required

1. The first responding police officer shall function as the Incident Commander and is responsible for assessing the situation until additional resources can be obtained.
 2. All responding units will announce their response to the communications center and will be assigned duties by the Incident Commander.
 3. The first police supervisor to respond will assume the responsibility of Incident Commander and inform the dispatcher. The supervisor shall remain in this capacity unless relieved by a higher authority.
- C. It is the responsibility of the officer in charge of an incident to verify the report of the incident, determine if the incident meets the criteria for activating the incident command system, and to begin the incident command system. The officer in charge of the incident will establish the Incident Command System and will be the Incident Commander until relieved by a higher-ranking officer or one more suited for the circumstance.
- D. The Incident Commander is encouraged to utilize the Emergency Operations Center to support the needs of the incident. The Incident Commander may activate various incident command functions outside of the Emergency Operations Center. It should be noted that by activating these incident command functions, there may be a duplication of efforts between the incident command functions and the Emergency Operations Center.
- E. The Incident Command System organization structure develops in a modular fashion, based upon the size and type of incident. The organizational staff builds from the top down with responsibility and performance placed initially upon the Incident Commander. Specific organizational structure established for any given incident is based upon the management needs of the incident. If one or more of the areas require management, an individual is named to be responsible for that area. The Incident Commander may activate specific positions based on the nature and type of the incident.
- F. The following positions report directly to the Incident Commander:
1. Tactical Operations Section Chief
 2. Safety Officer
 3. EOC Manager
 4. Intelligence Officer
- G. The following are general staff positions that report to the EOC Manager:
1. Strategic Operations Section Chief
 2. Planning Section Chief
 3. Logistics Section Chief
 4. Finance / Administration Chief
 5. Joint Information Center
- H. Every critical incident requires some form of an incident action plan. For small incidences of short duration, the plan may not be written. The following are examples of when written action plans should be used:
1. Resources from multiple agencies are being utilized
 2. Several jurisdictions are involved
 3. The incident will require changes in shift and personnel

- I. The Incident Commander will establish goals and determine strategies for the incident based upon the size, seriousness, and scope of the incident. When a unified command structure has been implemented, incident objectives must adequately reflect the policies and requirements of all jurisdictional agencies. The action plan for the incident should cover all tactical and support activities for the operational period.

- J. The Incident Commander is charged with the overall responsibility for all incident activities, including the development and implementation of the Incident Action Plan and approval and release of resources. The Incident Commander is responsible for the following:
 1. Assuming command of the scene
 2. Establishing a command post, if needed
 3. Directing the establishment of a perimeter, if not previously established
 4. Initiating the notification and mobilization of additional Department personnel if required
 5. Assessing the incident using all available information that is provided by members of police and fire departments, the public, and other government officials, if available
 6. Obtaining support from other agencies, if needed
 7. Establishing a staging area, if necessary
 8. Determining the need for mutual aid and requesting the same, if required
 9. Determining if a unified command structure with assisting agencies is necessary
 10. Appointing command officers as needed and conducting initial briefings of command officers
 11. Appointing staff officers as needed and conducting initial briefings of staff officers. Personnel assigned by the Incident Commander have the authority of their assigned position regardless of the rank they hold within the Department or within their respective agencies.
 12. Review and update the incident action plan with staff

- K. The Incident Commander shall approve plans for incident resolution and request for additional resources if required. The Incident Commander shall be informed of all activities associated with the incident. Only in exigent circumstances will modification of tactical plans occur without approval of the Incident Commander. Tactical objectives to be approved by the Incident Commander include, but are not limited to:
 1. Building or area evacuations
 2. Restructuring of perimeters and entry control points
 3. On-scene release of information to the press or public
 4. Establishment of staging areas
 5. Emergency Operations Plan activation
 6. Containment strategies
 7. Entry routes to the scene or within the perimeter
 8. Application of chemical agents or distraction devices
 9. Crowd dispersal or mass arrest decisions

10. Calls for mutual aid

- L. Incident command is a police responsibility and will remain with the responding police officer until or unless relieved by a police supervisor or more qualified person. Once the Emergency Operations Plan has been activated, the Emergency Operations Center will be responsible for releasing press releases and providing support to meet the tactical objectives. Mutual aid may be utilized to call for an emergency response team, negotiators, or assistance from other agencies. The Incident Commander shall assign a Department police liaison to the emergency response team commander in charge of tactical decisions.
- M. The assigned Public Information Officer is responsible for the following:
1. Obtaining briefing from the Incident Commander
 2. Establishing a single and separate information briefing center, if possible
 3. Obtaining copies of all media releases pertaining to the incident
 4. Preparing information summaries on media coverage for specific command post personnel
 5. Consulting with the Incident Commander prior to the release of information to the news media
 6. Providing press briefings and news releases as appropriate and as approved by the Incident Commander
 7. Arranging for meetings between news media and incident command personnel after consulting with the Incident Commander
 8. Providing escort services to the news media and other officials as necessary
 9. Maintaining a log of all activities
- N. The designated Safety Officer shall be responsible for monitoring safety conditions and developing measures for ensuring the safety of all assigned personnel. The Safety Officer is responsible for the safety function of the entire ICS organization and reports directly to the Incident Commander.
- O. The Liaison Officer serves as the point of contact for assisting and cooperating agencies. The Liaison Officer is responsible for the following:
1. Obtaining briefings from the Incident Commander
 2. Providing a point of contact for assisting mutual aid agency representatives
 3. Identifying agency representatives from each jurisdiction including communication links and location of all personnel assigned to assist with the incident
 4. Handle all requests from the command post personnel for inter-organizational contacts
 5. Monitoring incident operations to identify current or potential inter-organizational conflicts or problems
 6. Providing information to appropriate government agencies
 7. Maintaining an activity log
- P. When an incident requires activation of the Emergency Operations Center, the on-scene Incident Commander, working with the Chief of Police or designee, will prepare a documented after-action report which includes the following:
1. First indication of impending disaster, if any

2. When required, Departmental notifications that were made
3. Number of Department personnel required to handle the incident
4. Level of response required, if any, of mutual aid Departments
5. Identification of assigned key personnel during the incident
6. What special equipment was required, if any
7. The identification of any special issues/problems
8. Cost calculation
9. Recommendations for improvements to future events

Q. If a command post is established:

1. All personnel and resources external to the incident including the communications center will interface with the Incident Commander by broadcasting “self-identifier to command”.
2. In some instances, personnel may be assigned to the command post to log activity and maintain radio frequency control.

R. A detective or evidence technician will be assigned to investigate or assist with many situations that require an investigative function. Any investigative function that effects perimeters or uses patrol resources shall be cleared through the Incident Commander.

S. The need for unified command may be brought about because of an incident occurring in multiple jurisdictions. A unified command structure consists of a responsible key official from each jurisdiction involved or several functional Departments within a single political jurisdiction. Unified command means that all agencies that have a jurisdictional responsibility for a multi-jurisdictional incident will contribute to the process of:

1. Overall incident action plan
2. Selection of strategies
3. Ensuring that joint planning for tactical activities is accomplished
4. Ensuring that integrated tactical operations are conducted
5. Making maximum use of assigned resources

T. Common objectives and strategies for major multi-jurisdictional incidents should be written. The implementation of the incident action plan will be accomplished under the direction of the Incident Commander.

TACTICAL OPERATIONS FUNCTION [13.1.2.1]

The operations function of the Incident Command System is responsible for the management of all tactical operations directly related to the primary mission. The following shall govern the operations function responsibility within the Incident Command System:

- A. Until a Tactical Operations Section is established, the Incident Commander has direct control of all tactical resources. The Incident Commander will determine the need for a separate section at an incident. When the Incident Commander activates a Tactical Operations Section, a Tactical Operations Section Chief will be assigned. The Tactical Operations Section Chief will develop and manage the Tactical Operations Section to

accomplish the incident objectives set forth by the Incident Commander. Tactical Operations Section Chief responsibilities include:

1. Establishing a perimeter, if not previously established
 2. Conducting evacuations
 3. Maintaining command post and scene security
 4. Provide for detainee transport, processing and confinement
 5. Directing and controlling traffic
 6. Conducting the post-incident investigation
- B. The Tactical Operations Section Chief may expand the section as necessary to deal with the situation. The Tactical Operations Section Chief may add supervisory levels to help manage the span of control. Divisions may be used to divide an incident geographically. Groups may be used to describe functional areas of operations. Branches may be used when the number of divisions or groups exceeds the span of control and can be either geographical or functional.

PLANNING FUNCTION

The following shall outline the responsibilities for the on-scene planning function:

- A. The Incident Commander will determine the need for a Planning Section and designate a Planning Section Chief. If the Planning Section is not established, the Incident Commander will perform all planning functions. Planning responsibilities include preparing a documented incident action plan, gathering and disseminating information and intelligence, and planning post-incident demobilization.
- B. The Planning Section may be further staffed with the following four units, as needed:
1. The resource unit, which conducts check-in activities and maintains status of resources
 2. The situation unit, which collects and analyzes information on the situation, prepares displays, summaries, maps, and projections
 3. The documentation unit, which provides duplication services including the written incident action plan and maintains and archives all incident-related documentation
 4. The demobilization unit, which assists in ensuring that resources are released from the incident in an orderly, safe, and cost-effective manner.

LOGISTICS FUNCTION

The following outlines responsibilities for the on-scene Logistics function:

- A. The Incident Commander will determine the need for logistics and designate a Logistics Section Chief. If a logistics section is not established, the Incident Commander will perform all logistics functions. Logistics is responsible for providing personnel, facilities, services, and materials in support of the incident communications, transportation, medical support, supplies, and special team and equipment needs.
- B. The Logistics Section may be divided into a service branch and a support branch. The service branch may encompass a communications unit, medical unit, and food unit. The support branch may encompass a supply unit, facilities unit, and grounds support unit.

FINANCE/ADMINISTRATION FUNCTION

The following shall govern responsibilities for the on-scene finance and administration function:

- A. The Incident Commander will determine the need for a Finance / Administration Section and designate a Finance / Administration Section Chief. If a Finance / Administration Section is not established, the Incident Commander will perform finance /administration functions.
- B. Finance / administration responsibilities include:
 - 1. Recording personnel time
 - 2. Procuring additional resources
 - 3. Recording expenses
 - 4. Documenting injuries and liability issues
 - 5. Preparing appropriate reimbursement documents, if applicable.

CRITICAL INCIDENT EQUIPMENT/OPERATIONAL READINESS [13.2.2]

The following shall ensure the readiness of equipment to be used in support of emergency operations:

- A. The Emergency Management Unit shall complete a documented quarterly inspection for operational readiness of equipment designated for use in support of critical incidents. Maintenance of items utilized in support of operational readiness shall be the responsibility of the units which employ them.
- B. Critical incident response equipment may include, but is not limited to gas masks, riot gear, personnel protective equipment, and plans and supporting documentation used during incident management.

TRAINING AND MAINTENANCE OF THE EMERGENCY OPERATIONS PLAN [13.2.3]

The following governs the process for updating the emergency response plan and training Department personnel:

- A. The Police Detective or designee shall be responsible for verifying names and phone numbers listed in the Emergency Operations Plan.
- B. A complete, quarterly updated copy of the Emergency Operations Plan, maintained by emergency management staff, shall be maintained in the following locations:
 - 1. Online via a secure data management system
 - 2. Off-site EOC supplies
 - 3. Off-site Executive Group supplies
 - 4. EOC section supplies
 - 5. Executive Group supplies
 - 6. Department Communications Center
- C. The Training Sergeant shall be responsible for documenting annual training on the Emergency Operations Plan and Incident Command System for affected Department personnel. The training, conducted by emergency management staff, may include a table-top exercise, a functional exercise, a lecture, or some form of on-line training.

TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The following provides direction for testing University of Wisconsin – La Crosse emergency response and evacuation procedures.

- A. The Emergency Management Unit will conduct annual testing of the University of Wisconsin – La Crosse Emergency Operations Plan (EOP). This testing may include, but is not limited to any of the following formats:
 - 1. Tabletop Exercise
 - 2. Functional Exercise
 - 3. Full-Scale Exercise

- B. The emergency management unit will produce an after-action report describing each test to include:
 - 1. Description
 - 2. Date and time
 - 3. Whether the test was announced or unannounced

- C. The emergency management unit will work with the department communication specialist to distribute a notice publicizing the emergency response and evacuation procedures to the campus community in conjunction with the test.

BOMB THREATS [13.1.1.3]

The following provides for a consistent and efficient response to reported bomb threats:

- A. Upon receiving information on the nature of the threat, the dispatcher or investigating officer shall immediately notify the officer-in-charge and the on-call-supervisor. Incident command protocols shall be initiated. The Incident Commander should consider the credibility of the threat as one factor among others while making response decisions. The more credible the threat, the more involved the response. Factors to be considered may include:
 - 1. If and how areas or buildings will be evacuated
 - 2. The location of make-up of the command post or command center
 - 3. The level of response
 - 4. Creating inner and outer perimeters
 - 5. How searches for devices will be conducted utilizing canine units if available
 - 6. If the La Crosse PD bomb detection K9 isn't available, the Dane County Sheriff's Bomb Squad will be notified of the incident and requested to respond
 - 7. When the building or area of campus can resume normal activities

- B. As soon as practical the investigating officer or the law enforcement dispatcher should notify the building manager of the affected building or area. The building manager should be asked to provide information regarding activities in the building, potential hazards, and the possibility of evacuation, if needed. Police personnel should attempt to keep the building manager updated on pertinent information and activities.

- C. If a decision is made to evacuate a building or area:
 - 1. A fire alarm pull station in the affected building may be activated. The La Crosse Fire Department shall be notified.
 - 2. The Incident Commander shall coordinate a search of the buildings or area. Police and/or security personnel will assist designated building occupants in the inspection of these areas.

3. If a suspected or suspicious device is located, the area shall be secured, and the Dane County Bomb Squad requested to respond to evaluate. The suspected device shall not be inspected or moved except on the advice of the Incident Commander.
4. When building occupants are re-admitted to an area after a bomb threat, they should be instructed to thoroughly inspect their immediate work/living areas before resuming duties. They should not move any suspicious objects and should immediately contact police if any are found.

ACTIVE KILLER AND ACTIVE TERRORISM INCIDENT RESPONSE [13.1.1.5]

The following outlines rapid deployment and active shooter procedures:

- A. Rapid deployment/active killer response may occur when an event is on-going and the offender is actively engaged in causing death or great bodily harm to persons. Rapid deployment involves the immediate use of law enforcement resources to isolate, contain, and neutralize the threat.
- B. The law enforcement dispatcher shall notify adjacent jurisdictions of the event. It is the responsibility of the first on-scene officers to stop or neutralize the threat if lives are in imminent danger. Contact teams are designed to limit opportunities for the offender to move about the location and to end the immediate life-threatening behavior. The contact team should relay critical information (i.e. the location, number of offenders, IEDs, and types of weapons) to other responding personnel & dispatch.
- C. Responding officers are responsible for lockdown and containment of the incident. In the event of an active killer or an active terrorism incident in a University building, the building may be locked to prevent ingress. Following incident command directives, the Incident Commander shall establish a perimeter to contain the shooter or terrorist.
- D. Response efforts should be coordinated through an Incident Commander. It is the responsibility of the officer in charge of an incident to verify the report of the incident, determine if the incident meets the criteria for activating the incident command system, and to begin the incident command system for requesting, staging, and deploying resources. Responsibilities of the Incident Commander may include, but are not limited to: securing communications, identifying the areas of danger, and coordinating additional resources.
- E. Evacuation or rescue teams may be designated. Evacuation teams are primarily responsible for locating and extracting victims and witnesses.
- F. In the event of an active gunman or active terrorism incident on campus, the On-Call-Supervisor or designee shall issue a RaveAlert to immediately notify the campus community.
- G. The Department Emergency Management Unit shall conduct and document an annual review of the Emergency Operations Plan, including a review of active killer and terrorism responses, with stakeholders. The Department and stakeholders should agree on specific plans and actions to take in responding to these situations.

SUSPECTED BIO-TERRORISM HAZARD [13.1.1.6]

The following procedures shall be employed when suspected bio-terrorism hazards exist:

- A. Due to terrorism threats, reports of letters, packages, and suspicious substances that may be contaminated with a chemical or biological agent should be considered legitimate until further investigation determines otherwise. Department personnel should take all reasonable precautions to prevent contamination to themselves and Department equipment.
- B. Upon notification of a suspicious material or substance, communications center personnel shall obtain the location of the caller and the suspicious material, ask why the caller believes the package, letter or substance is suspicious, and ask the caller to isolate the area where the material or substance is and advise the caller not to have anyone touch the material or substance. Communications personnel shall then notify responding units of the call information.
- C. The officer(s) responding to a suspected bio-terrorism hazard should coordinate response with the La Crosse Fire Department, if required. The assigned officer(s) should meet with the caller and determine where the suspicious material or substance is and prior to taking any action, begin a preliminary investigation. Initial screening questions may include, but are not limited to:
 - 1. Is the reporting person or business associated with a government entity or high-profile activity (news agency), sports, controversial research, celebrity, political figure, etc.?
 - 2. Does the reporting person know someone or related to someone in a high-profile activity or associated with a government entity?
 - 3. Does the reporting person have any ties to any foreign or domestic terrorist group or any person or business that may be a target of such a group?
 - 4. Did a direct threat accompany the package or letter?
 - 5. Did anyone become ill or injured as a result of contact with the material or substance?
 - 6. Why do you think the person (or the lab, school, college, or place) would be a target?
 - 7. Is the return address familiar to you?
 - 8. Did you expect the package or letter?
- D. If an individual has become ill or injured as a result of having contact with the suspected material or substance and after visualization of the package or letter by fire or police personnel indicating the contents of the package or letter are suspicious, the on-call supervisor will initiate telephonic threat assessment by calling the Federal Bureau of Investigation. The OCS will request the FBI Duty Person to contact the FBI Weapons of Mass Destruction Coordinator.
- E. When a suspicious substance has been located, the La Crosse Fire Department will become responsible for the initial scene. Hazardous materials personnel only will enter the scene after initial screening questions are completed. Hazardous materials personnel have the ability to field test substances on-scene to determine whether a substance could possibly contain a biological or threatening substance. Police personnel will remain on-scene with the fire Department to provide assistance as needed. Fire Department personnel will notify the police liaison of the results of the field test. The substance may also be tested at the

Wisconsin State Laboratory of Hygiene. The police liaison will be responsible for initiating contact with the on-call supervisor and for initiating the incident command system.

- F. Information on handling biological agent threats is available on the Department of Health and Human Services (DHHS) Centers for Disease Control and Prevention website.
- G. The Emergency Department at the Mayo/Gundersen is aware of the biological agents housed in University Labs. This information should be taken into consideration when deciding on a location for treatment.

RAVE ALERTS

The following procedures shall be utilized for Emergency Notifications to the campus community:

- A. The University of Wisconsin – La Crosse maintains a multi-modal approach to all hazards emergency notification. Incidents and/or events may necessitate the notification of UWL faculty, staff and students collectively or within impacted groups. The Department will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus. UWL PD will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of UWLPD’s Chief of Police or designee, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.
- B. Department personnel will attempt to confirm the emergencies on campus, in conjunction with University of Wisconsin – La Crosse Police Department personnel, with key administrative units, relevant to the type of emergency such as Facilities, Environmental Health and Safety, Information Technology Services, other local first responder agencies, and/or public health agencies if necessary. Complete notification of one-hundred (100) percent of campus population is not possible; however, attempts will be made to notify the largest percentage feasible of the impacted segment of the population given incident/event specifics.
- C. All police managers, dispatchers, and the EOCS are authorized for system use. In situations in which there is a time-critical threat to campus, or a major disruption to normal campus operations, a RaveAlert message and messages sent via the other systems listed below can be sent immediately on authority of the On-Call Supervisor (OCS) or designee. The OCS or designee is responsible for drafting, determining the appropriate segment of the community to receive the message based on who is affected, and sending the message to the community using the appropriate systems listed below. Content of the message will be determined on a case-by-case basis and will depend on the type of emergency. If time permits, UWL Communications may review media distributions prior to the University of Wisconsin – La Crosse Police Department sending them. Typically, RaveAlerts are sent via email as all UW-La Crosse students and staff have a uwlax.edu email address. RaveAlerts are also typically sent via text message to those registered in the text message system. In an effort to reach as many people as quickly as possible, police managers will typically not determine specific segments of the community to receive RaveAlerts; instead, the RaveAlert will be sent to

everyone with a uwlax.edu email address and everyone who has not opted out to receive RaveAlert text messages.

- D. Situations for sending a RaveAlert include, but are not limited to: active killer, significant and serious hazardous materials spill, closing a section of campus, multiple building closings, significant disruptions to campus infrastructure, or a mass casualty disaster. The Department may use some or all of the following systems to communicate an immediate threat to the community: RaveAlerts – Text, Email and Voice Calls may be used in combination with, UWL twitter account, UWL Facebook account, media distribution and any other service deemed appropriate.
- E. In the event of an outbreak of a serious illness or other public health emergency, the Executive Director of Student Health Center or designee will typically collaborate with the University of Wisconsin – La Crosse Police Department’s OCS or designee to confirm the emergency, draft the language of warning and distribute the warning to the affected campus community. Typically, the main mode of communication will be text message and/or email.
- F. Situations requiring a RaveAlert will almost always require ongoing communications support. The Department should determine what level emergency is present and use the Emergency Operations Plan (EOP). Once the EOP is activated the process of posting information on the university homepage and preparing a crisis communications response should begin. Depending on the level of the activation, UWL PD, the Joint Information Center and/or University Communications will work together to craft a consistent set of messages that can be efficiently distributed to update the campus community, either through other RaveAlerts or through the homepage. The EOP Joint Information Center and/or University Communications on-call staff will also provide assistance in handling media inquiries. Such requests should be evaluated on a case-by-case basis by the OCS or designee, using the criteria listed above.
- G. Parents and the larger community can receive information pertaining to an emergency situation at the University of Wisconsin – La Crosse through the following systems: the UWL Twitter account, UWL Facebook account, a RSS homepage message, media distribution and any other services deemed appropriate.
- H. The Department Emergency Management Unit shall test system functions quarterly. A campus-wide test of the RaveAlert system shall occur annually and be done in conjunction with a test of UW – La Crosse’s emergency response and evacuation procedures as required by the Clery Act. Emergency Management is responsible for handling administrative issues and working with the system provider. The Clery Director shall assist the Emergency Management unit to ensure the test is compliant with the Clery Act.
- I. During an emergency or critical incident, the Department may use a sub list within the RaveAlerts system to send text messages to all Department employees. These messages are separate from a campus wide RaveAlert and will focus on relaying information related to Department operations. To ensure effective communication to UWL PD employees during an emergency or other critical incident, it is important that all Department employees keep their cell phone numbers up to date in the RaveAlerts system. The following procedures shall be utilized for Emergency Notifications to the campus community:

- a. The University of Wisconsin – La Crosse maintains a multi-modal approach to all hazards emergency notification. Incidents and/or events may necessitate the notification of UWL faculty, staff and students collectively or within impacted groups. The Department will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus. UWL PD will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of Chief of Police or designee, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.
- b. Department personnel will attempt to confirm the emergencies on campus, in conjunction with University of Wisconsin – La Crosse Police Department personnel, with key administrative units, relevant to the type of emergency such as Facilities, Environmental Health and Safety, Information Technology Services, other local first responder agencies, and/or public health agencies if necessary. Complete notification of one-hundred (100) percent of campus population is not possible; however, attempts will be made to notify the largest percentage feasible of the impacted segment of the population given incident/event specifics.
- c. All police managers and the EOCS are authorized for system use. In situations in which there is a time-critical threat to campus, or a major disruption to normal campus operations, a RaveAlert message and messages sent via the other systems listed below can be sent immediately on authority of the OCS or designee. The OCS or designee is responsible for drafting, determining the appropriate segment of the community to receive the message based on who is affected, and sending the message to the community using the appropriate systems listed. Content of the message will be determined on a case-by-case basis and will depend on the type of emergency. If time permits, UWL Communications may review media distributions prior to the University of Wisconsin – La Crosse Police Department sending them. Typically, RaveAlerts are sent via email as all UW-La Crosse students and staff have a uwlax.edu email address. RaveAlerts are also typically sent via text message. In an effort to reach as many people as quickly as possible, police managers will typically not determine specific segments of the community to receive RaveAlerts; instead, the RaveAlert will be sent to everyone with a uwlax.edu email address and everyone who has not opted out for the RaveAlert text message.
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- f. Parents and the larger community can receive information pertaining to an emergency situation at the University of Wisconsin – La Crosse through the following systems: the UWL Twitter account, UWL Facebook account, a RSS homepage message, media distribution and any other services deemed appropriate.
- g. The Department Emergency Management Unit shall test system functions quarterly. A campus-wide test of the RaveAlert system shall occur annually and be done in conjunction with a test of UW-La Crosse’s emergency response and evacuation procedures as required by the Clery Act. Emergency Management is responsible for handling administrative issues and working with the system provider. The Clery Director shall assist the Emergency Management unit to ensure the test is compliant with the Clery Act.
- h. During an emergency or critical incident, the Department may use a sub-list within the RaveAlerts system to send text messages to all Department employees. These messages are separate from a campus wide RaveAlert and will focus on relaying information related to Department operations. To ensure effective communication to UWL PD employees during an emergency or other critical incident, it is important that all Department employees keep their cell phone numbers up to date in the RaveAlerts system.

BY ORDER OF

A handwritten signature in black ink that reads "Allen Hill". The signature is written in a cursive style with a prominent loop at the end of the last name.

Allen Hill

CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

14.1

| | |
|---|--|
| Subject Victim Rights | WI Statute Chapter 950, 175.47(1)(c), 968.02, 968.26(2), 165.68 |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 14.1.1-14.1.4 |
| Comments: | |

I. INDEX:

14.1.1 TREATMENT OF CRIME VICTIMS

14.1.2 INFORMATION PROVIDED TO CRIME VICTIMS

14.1.3 VICTIM RIGHTS

14.1.4 SAFE AT HOME LAW

II. POLICY:

The UW-La Crosse Police Department is committed to providing appropriate victim/witness assistance or referrals for assistance. Policies and procedures shall outline the rights of victims and witnesses, provide for review of available services, and establish the Departmental role in victim/witness assistance.

III. DEFINITIONS:

Victim as defined in Wisconsin State Statute Chapter 950, refers to a person against whom a crime has been committed; a parent, guardian, or legal custodian of a child against whom a crime has been committed; or a family member or person who has resided with a person against whom a crime has been committed and who is deceased.

Victim advocate refers to a person authorized to assist victims in specified ways. Such advocates may be Department employees, volunteers, or other professionals.

Witness, as defined in Wisconsin State Statute Chapter 950, refers to a person who has been or is expected to be summoned to testify for the prosecution or who by reason of having relevant information is subject or likely to be called as a witness for the prosecution, whether or not any action or proceeding has yet to be commenced.

IV. PROCEDURE:

TREATMENT OF CRIME VICTIMS 14.1.1

The following shall establish the treatment of all crime victims at the University of Wisconsin-La Crosse:

A. Following Article I, section 9m of the Wisconsin Constitution, the University of Wisconsin-La Crosse shall ensure that all crime victims are treated with dignity, respect, courtesy, sensitivity, and fairness throughout the criminal and juvenile justice process.

B. Article I, section 9m of the Wisconsin Constitution can be found here:

https://docs.legis.wisconsin.gov/constitution/wi_unannotated#:~:text=SECTION%209m,committeed%20by%20a%20competent%20adult.

INFORMATION PROVIDED TO CRIME VICTIMS 14.1.2

- A. As stated in Wisconsin Statutes 950.08(2g), no later than 24 hours after a law enforcement agency has initial contact with a victim of a crime that the law enforcement agency is responsible for investigating, the law enforcement agency shall make a reasonable attempt to provide the victim written information on all of the following:
1. A list of victim rights stated in Article I, section 9m of the Wisconsin Constitution;
 2. The availability of compensation under subch. I of ch. 949 and the address and telephone number at which to contact the department for information concerning compensation under subch. I of ch. 949.
 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 under ss. 938.27 (4m) and (6), 938.273 (2), 938.299 (1) (am) and 938.335 (3m) (b) or ss. 971.095 (3) and 972.14 (3) (b), whichever is applicable, and to request the opportunity to confer under ss. 938.245 (1m), 938.265 or 938.32 (1) (am) or s. 971.095 (2), whichever is applicable.
 4. The address and telephone number of the custodial agency that the victim may contact to obtain information concerning the taking into custody or arrest of a suspect in connection with the crime of which he or she is a victim.
 5. The address and telephone number of the custodial agency that the victim may contact for information concerning release under s. 938.20 or 938.21 or ch. 969, whichever is appropriate, of a person arrested or taken into custody for the crime of which he or she is a victim.
 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.
 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.
 8. If the victim is a victim of an officer-involved death, as defined in s. 175.47 (1) (c), information about the process by which he or she may file a complaint under s. 968.02 or 968.26 (2) and about the process of an inquest under s. 979.05.
- B. More information about victims' rights enforcement can be found at <https://www.doj.state.wi.us/ocvs>

VICTIMS RIGHTS 14.1.3

- A. Department personnel shall treat victims and witnesses with respect, fairness, compassion, and dignity.
- B. The rights of victims and witnesses of crimes are clearly established in Wisconsin State Statute Chapter 950, specifically ss.950.04, the basic bill of rights for victims and witnesses. The statutory rights for which law enforcement has a specific responsibility include:
1. The right of victims and witnesses to receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts.
 2. The right to have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence. If feasible, all property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of disputed ownership, should be returned within ten days of being taken.
 3. The right of a victim to receive pertinent information from law enforcement within 24 hours of initial law enforcement contact with the victim. The Department shall make a reasonable effort to provide written information which includes a list of rights of crime victims under Wisconsin State Statute 950.04(1)(v), crime victim compensation information, suggested procedures to follow if the victim is subjected to threat or intimidation, and addresses and phone numbers of the district attorney's office responsible for prosecuting the case, the law

enforcement agency responsible for investigating the case, the law enforcement agency responsible for maintaining custody of the defendant, and local victim assistance agencies.

4. If a person with standing to file a complaint for an officer-involved death, as defined in s. 175.47 (1) (c), the department shall provide information about the process by which he or she may file a complaint under s. 968.02 or 968.26 (2) and about the process of an inquest under s. 979.05.

SAFE AT HOME LAW 14.1.4

- A. Person(s) who are a victim of abuse, who's parent or guardian is a victim of abuse, is a resident of a household in which a victim of abuse also resides, or who fears that fears for their physical safety or physical safety of their child or ward is eligible for participation in the confidentiality program established in Wisconsin Statute 165.68.
- B. All person(s) must also:
 1. Be a resident of Wisconsin;
 2. Confirm that he or she resides or will reside at a location in this state that is not known by the person who committed the abuse against, or who threatens, the applicant or his or her child or ward.
 3. Confirm that he or she will not disclose his or her actual address to the person who committed the abuse against, or who threatens, the applicant or his or her child or ward.
- C. All other information pertaining to Wisconsin Statute 165.68 can be found here:
<https://docs.legis.wisconsin.gov/statutes/statutes/165/68>

BY ORDER OF



**Allen Hill
CHIEF OF POLICE**

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

14.2

| | |
|---|--|
| Subject Witness Rights | WI Statute Chapter 950, 175.47(1)(c), 968.02, 968.26(2), 979.05 |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | WILEAG 14.2.1 |
| Comments: | |

I. INDEX:

14.2.1 WITNESS RIGHTS

II. POLICY:

The UW-La Crosse Police Department is committed to providing appropriate victim/witness assistance or referrals for assistance. Policies and procedures shall outline the rights of victims and witnesses, provide for review of available services, and establish the Departmental role in victim/witness assistance.

III. DEFINITIONS:

Victim as defined in Wisconsin State Statute Chapter 950, refers to a person against whom a crime has been committed; a parent, guardian, or legal custodian of a child against whom a crime has been committed; or a family member or person who has resided with a person against whom a crime has been committed and who is deceased.

Victim advocate refers to a person authorized to assist victims in specified ways. Such advocates may be Department employees, volunteers, or other professionals.

Witness, as defined in Wisconsin State Statute Chapter 950, refers to a person who has been or is expected to be summoned to testify for the prosecution or who by reason of having relevant information is subject or likely to be called as a witness for the prosecution, whether or not any action or proceeding has yet to be commenced.

IV. PROCEDURE:

WITNESS RIGHTS 14.2.1

- A. The rights of victims and witnesses of crimes are clearly established in Wisconsin State Statute Chapter 950, specifically ss.950.04, the basic bill of rights for victims and witnesses. The statutory rights for which law enforcement has a specific responsibility include:
1. The right of victims and witnesses to receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts.
 2. The right to have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence. If feasible, all property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of disputed ownership, should be returned within ten days of being taken.
 3. The right of a victim to receive pertinent information from law enforcement within 24 hours of initial law enforcement contact with the victim. The Department shall

make a reasonable effort to provide written information which includes a list of rights of crime victims under Wisconsin State Statute 950.04(1)(v), crime victim compensation information, suggested procedures to follow if the victim is subjected to threat or intimidation, and addresses and phone numbers of the district attorney's office responsible for prosecuting the case, the law enforcement agency responsible for investigating the case, the law enforcement agency responsible for maintaining custody of the defendant, and local victim assistance agencies.

4. If a person with standing to file a complaint for an officer-involved death, as defined in s. 175.47 (1) (c), the department shall provide information about the process by which he or she may file a complaint under s. 968.02 or 968.26 (2) and about the process of an inquest under s. 979.05.

BY ORDER OF

A handwritten signature in black ink, appearing to read "Allen Hill", is written over a horizontal line.

Allen Hill
CHIEF OF POLICE

**University of Wisconsin-La Crosse
Police Department
Policy and Procedure**

15.1

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|---|--|
| Subject Peer Support Program | WI Statute |
| Effective Date October 1, 2023 | Revised Date |
| Review Date | Related Policies 15.1 |
| Comments: | |

I. PURPOSE

The UW-La Crosse Police Department Peer Support Program provides members of the law enforcement community, who may be suffering from emotional, personal, physical, or stress related difficulties, access to high quality support services which can help them resolve the difficulties they are experiencing. The Peer Support Program exists to provide a voluntary and confidential outlet for officers, employees, retired employees, and their families, who need to talk about conflicts or feelings they may have concerning their job, home situations, or both. The UW- La Crosse Police Department accompanied by the Peer Support Program ensures that seeking help for mental health and wellness is supported and encouraged.

II. POLICY STATEMENT

To help peers cope effectively with stress encountered in their personal and/or professional lives. Everyone’s experiences, although different, can impact our mental and physical health. The Peer Support Program provides a way for employees to “talk out” problems with co-workers who understand and want to help. The Peer Support members are not counselors or psychologists and at times the needs of employees may outweigh the level of support a member can provide. In these times members are trained to make referrals to trained professionals.

III. PROCEDURES

USE OF THE PEER SUPPORT PROGRAM

The Peer Support Program will offer assistance and appropriate support resources to employees as detailed below. This assistance is confidential, providing it does not violate any law or the confidentiality exceptions. The program is designed to:

Provide support for new officers sponsored attending the Law Enforcement Academy. The peer support officer will act as a “Buddy” to provide guidance to the new officer as he/she gets acclimated to the rigors of this program.

- Provide emotional support during and after times of personal or professional crisis to employees who express a need for assistance.
- Support employees and their families during tragedies or critical incidents and make proper referrals to professional resources, as needed.
- Support those who have had family tragedies.
- Check on officers who are off work because of an extended illness or injury on a weekly basis.

- Mentor and meet with new probationary officers, provide follow-up checks/support on a bi-weekly basis during the probationary period.
- Provide personnel to listen, assess, and when necessary, refer for professional assistance.

CONFIDENTIALITY CLAUSE

The acceptance and success of the Peer Support Program will be determined, in large part, by observance of confidentiality. It is imperative that strict confidentiality of all information learned about an individual(s) within the guidelines of this program are met. Communication between the Peer Support Program and a person is considered confidential except for matters which involve the following exceptions:

- A substantial danger to self or others
- Suspected child/elder abuse
- Drug offenses
- Domestic violence
- Any other criminal investigation or cases where law requires divulgence

Peer Support Program Team will not be required to disclose confidential information even if ordered to do so, unless the nature of the information falls within one of the confidentiality exceptions listed above. Information gathered outside the confidentiality exemptions will not be used for discipline. The only information collected will be an anonymous Peer Support Statistical Data Form that is for internal use by the Team. Nothing will be written on the form, other than what is asked on the form. Peer Support members are encouraged to discuss the limits of confidentiality with employees before contact. In legal cases (such as critical incidents) in which an employee is under internal investigation it is recommended the employee speak to a licensed psychologist or attorney first as they will have further legal protections. If an employee wants to discuss a legal matter/critical incident, they are encouraged to discuss how they feel about what happened rather than their actions in the incident in detail.

Any member of the Peer Support Program found to violate the confidentiality rules may be removed from the Team and is subject to disciplinary action.

CONTACT WITH THE PROGRAM

Employees come in contact with Peer Support Team Members in several ways: self-initiated contact, referral from another employee or family member, involvement in a critical incident, or by Team Members initiating contact on their own. Employees may contact a Team Member for themselves, on an individual basis or contact them by phone or email. Employees are encouraged to ask questions regarding the process and confidentiality beforehand. All UW- La Crosse Police Department employee's and members of their families are encouraged to contact a member of the program when he/she becomes aware of an individual who is in need of assistance. Contact can be made in person with a Team Member, by phone, or email. When making a referral the person should indicate whether they wish to remain anonymous to the person referred.

- Supervisory personnel have the authority and responsibility to recommend a Program Team Member contact an employee when appropriate and after any stressful, critical, or traumatic event.
- This support is **voluntary**, and an employee **cannot** be ordered to participate.
- Referrals **will not** be used as a disciplinary sanction.

- When contact with Peer Support Team Member remains within confidentiality guidelines participation in the program **will not** be used for disciplinary action.
- Employees can make a request to have non-Peer Support Team members assist as well.

TRAINING

Peer Support Team Members will complete the 16-hour WI Department of Justice Peer Support Training.

Peer Support Team Members will seek other trainings as they and/or command staff sees fit for the program.

ADDITIONAL RESOURECES

- *Wisconsin Law Enforcement Guardians Mobile App, which provides FREE mental health resources to every officer in the state, at anytime and anywhere. www.wiledr.org*
- *VALOR for Blue, is a BJA program that features The VALOR Officer Safety and Wellness Program, which is dedicated to preventing injuries and deaths of LE Officers and the people they serve and improving the health and resilience of officers. www.valorforblue.org*
- *Blue H.E.L.P. assists officers in their search for healing and brings awareness to suicide and mental health issues within the Law Enforcement community. www.bluehelp.org*
- COPLINE; offers confidential 24-hour hotline answered by retired LE Officers (800) 267-5463
- FREE 24/7 Crisis Text Line for LE Officers; Text BLUE to 741741
- *UW-La Crosse EAP Kepro 833-539-7285 www.SOWI.MyLifeExpert.com Company code: SOWI*

BY ORDER OF



Allen Hill
CHIEF OF POLICE