

Subject:

Vision and Mission

Date Issued: 7/27/15

Effective Date: 7/27/15

Revision Number:1

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VISION STATEMENT

The vision of the Police Services Department is to facilitate and strengthen partnerships with UW-La Crosse students, faculty, staff, and within the La Crosse community to ensure a safe learning environment that supports academic freedom, respect for the individual, tolerance, and the open exchange of ideas.

MISSION

The select mission of the UW-La Crosse Police Services Department is to enhance a high quality of learning and life opportunity for the campus community through dedicated and professional service. The department serves with integrity, discretion, and expediency; and in a fair, proper, and thorough manner. The conduct of each member of the department will be professional and honorable. We work with other organizations to create a campus environment that is socially rich and diverse.

VALUES and GOALS

Work with students, faculty, and staff to reduce crime.

- Reduce crimes against and affecting students and employees through community policing practices.
- Provide reactive visual patrols and encourage prevention awareness.
- Provide a secure and safe campus environment that has the effect of reducing fear of criminal activity.
- Protect and preserve the assets of the University.

Protect the constitutional rights and freedoms of all persons.

- Apply integrity and honesty as the most important basis for public trust.
- Protect all people's rights through fair and impartial enforcement of university policies, Federal laws, and the State statutes.

Provide a department that is open and accessible to our customers.

- Work with other departments and agencies to maximize benefits to the University.
- Strive to always act in the best interest of the University.
- Provide outreach educational opportunities to students, faculty, and staff.

Recognize that Police Services officers are capable, caring people who are doing important and satisfying work for the University of Wisconsin - La Crosse.

- Self-evaluate to improve the department.
- Make the department of Police Services the best possible place to work by encouraging professional development and growth opportunities of all members.
- Understand and respect our roles and responsibilities as part of the educational process at UW-La Crosse.



Scott McCullough
Chief

Subject:

Oath of Office

Date Issued:

Effective Date:

Revision Number:1

OATH OF OFFICE

Sworn personnel, prior to assuming active status, shall take a written oath of office to enforce the law and uphold the Constitutions of the United States and the State of Wisconsin, and to faithfully carry out the duties of a police officer as provided by Wisconsin Statute. Oaths of office shall be filed in the office of Human Resources. When taking office, sworn personnel will be afforded the opportunity to take the Law Enforcement Oath of Honor.

WRITTEN OATH

State of Wisconsin, County of La Crosse

I, the undersigned, who have been appointed to the office of Police Officer, but have not yet entered upon the duties thereof, swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Wisconsin, and will faithfully discharge the duties of said office to the best of my ability. So help me God.

Officer Signature

Subscribed and sworn to before me this ____ day of _____, 20____

State of Wisconsin, County of La Crosse

Notary Public(Section [19.01](#) Wisconsin Statutes)

My Commission Expires on _____

Oral Oath (in addition to the written oath prescribed above)

"I, ..., swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Wisconsin, and will faithfully and impartially discharge the duties of the office of Police Officer to the best of my ability. So help me God."

Law Enforcement Oath of Honor

"On my honor, I will never betray my badge, 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."

9/22/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:

Code of Ethics

Date Issued: 7/27/15

Effective Date: 7/27/15

Revision Number:1

OATH OF HONOR

All personnel shall take and abide by the Oath of Honor:

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.

CODE OF ETHICS

All sworn personnel shall abide by the Law Enforcement Code of Ethics:

1. **AS A LAW ENFORCEMENT OFFICER**, my fundamental duty is to serve humanity; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all persons to liberty, equality and justice.
2. **I WILL** keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.
3. **I WILL** never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.
4. **I RECOGNIZE** the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession.... law enforcement.

9/22/2017

X



Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:**University of Wisconsin Code of Ethics**

Date Issued: 2/12/15

Effective Date: 2/12/15

Revision Number:1

PURPOSE

To relay the code of ethics established by the University of Wisconsin System.

UNIVERSITY OF WISCONSIN CODE OF ETHICS

The observance of high moral and ethical standards by State employees is essential to the conduct of free government. Employees hold their positions as a public trust, and any effort to realize personal gain through a university position is a violation of that trust. The Wisconsin Code of Ethics clarifies what actions are protected rights of classified employees. The code relates, but isn't limited, to the following:

1. The right to engage in outside employment as long as it does not conflict with performing the duties of a State position.
2. Employees retain their rights as citizens to personal or economic interests and gains.
3. The right to accept fees for appearances made on the employee's own time and not as the result of official duties.

Employees also retain all rights under the Constitution of the United States, the State Statutes and other regulations of the State of Wisconsin, and any labor agreements negotiated pursuant to Wisconsin Statutes. Corresponding to these rights, employees have responsibilities under the Code of Ethics. For example, the code requires that employees adhere to the following:

1. An employee cannot use a State position to obtain financial gain, unlawful benefits, advantages, or privileges for self, members of the immediate family, or any business with which the employee has a significant trustee relationship.
2. Employees must notify their supervisor before accepting outside employment to ensure that no conflict of interest exists.
3. Employees must notify their supervisor before accepting a fee for an outside appearance.
4. An employee cannot use State property, including property leased by the university, for private activities. No personal use may be made of long-distance telephone lines or the campus mail service. Tools, equipment, or supplies may not be borrowed for personal use.

The Code of Ethics protects your rights. Violation of any provision under the Code of Ethics will cause disciplinary action.

9/22/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Policy and Procedure

Number: 1.05

Subject:

Locker Room

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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PURPOSE

This policy establishes the assignment, control, and inspection of Department lockers by supervisory personnel as well as to communicate Wisconsin law relating to an individual's right to privacy within an area operated as a locker room facility. This policy will comply with Wisconsin Statute 175.22 requiring a written policy on privacy in locker rooms.

POLICY

It is the policy of the UW La Crosse Police Department that lockers assigned to Department Personnel are the property of the Police Department and may be subjected to inspection. Additionally, no recording devices capable of video recording or taking photographs will be used/operated in department locker rooms.

DEFINITIONS

Recording device: is defined as a camera, a video recorder, a cellular phone, tape recorder or any other device that may be used to record or transfer audio and/or images.

Surveillance device: any device, instrument, apparatus, implement, mechanism or contrivance used, designed to be used or primarily intended to be used to observe the activities of a person. Surveillance device includes a peephole.

LOCKER ROOM PRIVACY

1. All persons who utilize Department locker rooms may reasonably expect a high level of privacy, which includes being safe from being observed or having their image captured by a recording or surveillance device without his/her knowledge and consent. The following are expressly prohibited in Department locker rooms:
 - A. Use of any recording or surveillance device by the media or other persons not associated with the Department.
 - B. Use of a recording or surveillance device, which includes a cellular phone, to capture, record, or transfer an image of a nude or partially nude person in the locker room.
 - C. Capturing a representation of a person depicting that person nude or partially nude without that person's knowledge and consent.
 - D. Capture, record, transfer, display, reproduce or distribute, a representation of a nude or partially nude person depicted without that person's knowledge and consent.

LOCKER PROCEDURES

1. Lockers are assigned to employees by the Sergeant or Chief as available and are subject to removal or moving based on promotions, need or other management decision.
2. Members will not keep anything in their lockers that they do not wish to have inspected. All issued or

assigned equipment and supplies are subject to immediate call-in if a supervisor calls for an inspection.

3. Members will use only the locks provided with the lockers. Any other locks are prohibited and may be removed by a supervisor at no cost to the Department or any of its staff if authorized entry is required.
4. It is recommended that Officers keep a spare uniform in their locker should circumstances dictate a change of clothing during their shift.
5. Members are responsible for the upkeep and condition of their assigned lockers, along with the upkeep of the general area of the locker room.
 - A. No labels, stickers or signs shall be attached to the outside face of lockers. No derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, e-mails, note, bulletin, drawing or pictures may be placed on or in a locker. Unauthorized pictures or posters are not permitted on locker room walls.
 - B. When not in immediate use, lockers are to remain closed and secured.
 - C. Member's personal uniform items (shirts, pants, shoes, coats, bags, etc.), personal belongings, clothing and personal hygiene items shall be kept in their personal locker. Only non-uniform shoes of members working may be left on the locker room floor.
 - D. Personal uniform items, personal belongings, and towels should not be kept on the locker room, shower room, or bathroom racks, hangers, counters, or floor, except when damp items need to be dried. Personal hygiene items shall not be left or stored in the shower facility or the adjacent sink area.
 - E. Any damage or other problems noted by members will be reported to his/her supervisor immediately.

X

Scott McCullough
Chief

Policy and Procedure

Number: 1.06

Subject:

Rules of Conduct

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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PURPOSE

It is the purpose of this policy to provide additional specificity to the standards of conduct embodied in the code of ethics and this department's statement of values so that members of this department will better understand prohibitions and limitations pertaining to their conduct and activities while on and off duty.

POLICY

The rules of conduct set forth in this policy are not intended to serve as an exhaustive treatment of requirements, limitations, or prohibitions on member conduct and activities established by the department. Rather, they are intended to (1) alert members to some of the more sensitive and often problematic matters involved in police conduct and ethics; (2) specify, where possible, actions and inactions that are contrary to and that conflict with the duties and responsibilities of police employees, and (3) guide members in conducting themselves and their affairs in a manner that reflects standards of department and professionalism as required of police employees. Additional guidance on matters of conduct is provided regarding specific policies, procedures, and directives disseminated by the department and from members' immediate supervisors.

PROCEDURE

1. Accountability

- A. Any member of the Department may be made the subject of disciplinary action for the commission of any prohibited act, for incompetence, insubordination, inefficiency, nonfeasance, or for failure to observe department rules and procedures. This policy includes, but does not limit, those offenses for which disciplinary action may be taken.
- B. Authority is necessarily delegated to employees. Although the ultimate responsibility rests with the delegating authority, each member is held accountable for their individual actions. Each employee is accountable for his or her use of delegated authority and shall not abuse nor misuse the authority delegated to them.
- C. Supervisory personnel are accountable for the performance of employees under their immediate supervision. Supervisors shall take every reasonable action to ensure that subordinates adhere to department policies, procedures and standards of conduct. Supervisors shall not knowingly permit personnel under their command to violate any law, University policy, or department policy, procedure or rule.

2. Compliance with Department Directives

- A. It is the responsibility of members of the Department to be familiar with and periodically review Department Directives, Orders and Procedures. No member shall act or fail to act in such a fashion that constitutes a breach of any directive, order, or established procedure of the Department. It will not be received as an excuse or justification that the member followed the advice or suggestion of any other person, except when an officer of higher rank may take the responsibility of issuing direct and positive orders.

3. Insubordination

- A. Members shall promptly obey any lawful order emanating from any ranking officer, including any order relayed by an employee of the same or lesser rank. Should any such order conflict with a previous order,

or with any directive or established procedures of the Department, the member to whom such order was given shall respectfully call attention to such conflict or any other conflict which may arise from such order. If the ranking officer does not change the order, to obviate the conflict, the order shall stand and is the responsibility of the ranking officer. If any unlawful order is given to any member, such member will promptly report such fact to the Chief.

- B. Members shall not directly display disrespect for a ranking officer through overt action or communication.
- C. Members shall not publicly criticize the operations, directives, or personnel of the Department if such criticism is defamatory, obscene, unlawful (under the clear and present danger test), or likely to disrupt the efficiency and morale of the Department.
- D. Members are prohibited from engaging in concerted work stoppages or job actions. It is the policy of the Department to seek the removal from office of any officer or civilian employee who plans or engages in any work stoppage or job action.
- E. Members must report all breaches of directives and cooperate in any official internal investigation of alleged misconduct, illegal activity or impropriety. Failure to answer questions or submit to proper investigative techniques constitutes insubordination.

4. Reporting Off-Duty Contacts

- 1. Members are required to report all off-duty official law enforcement contacts with members of other Law Enforcement Agencies when members have been cited, arrested, become witnesses to a crime or ordinance violation, or become the subject of an investigation (i.e. are questioned as a possible suspect in an official investigation).
- 2. Members shall send a memorandum to their immediate supervisor as soon as possible and must do so on or before the next regularly scheduled duty day. The supervisor will forward the memorandum to the Chief.
- 3. On an annual basis, the Department will conduct a criminal history records check on all employees and a driver's license check on all police officers.

5. Unbecoming Conduct

- A. A police officer is the most conspicuous representative of government, and to the majority of the people he/she is a symbol of stability and authority upon whom they can rely. An officer's conduct is closely scrutinized, and when his/her actions are found to be excessive, unwarranted, or unjustified, they are criticized far more severely than comparable conduct of persons in other walks of life. Since the conduct of an officer, on or off duty, may reflect directly upon the Department, an officer must at all times conduct him/herself in a manner which does not bring discredit to him/herself, the Department, or the University.
- B. Members shall not engage in unlawful conduct which, if committed in Wisconsin would constitute a violation of law, unless the conduct is lawful in the jurisdiction in which it is committed.
- C. Members, while on duty, shall not engage in any conduct evincing moral turpitude, that is conduct that is considered contrary to community standards of justice, honesty, or good morals.
- D. Members shall avoid personal associations with persons or places known to them as being engaged in frequent illegal activity, unless it is appropriate in the performance of an official assignment.
- E. Members, while on duty, must treat a person with as much respect and courtesy as that person will allow. Members must be constantly mindful that the people with whom they are dealing are individuals with human emotions and needs. Courteous and respectful conduct is not a duty imposed in addition to our primary responsibilities, it is inherent in them.

- F. Members, while on duty, shall not use insulting, defamatory, or obscene language when communicating with members of the public, Department, or other agencies, unless it is appropriate for tactical advantage or in the performance of an official assignment.
- G. No member shall, in an official capacity, knowingly be untruthful or misrepresent any matter, make any false official statement or report, or give false testimony before any court, grand jury, board, commission, official hearing, or Department hearing. No member shall take, alter, forge, copy, tamper with, or disseminate any kind of police records, reports, citations, documents or information without proper authority.
- H. Members shall not feign sickness or injury to avoid duty, or falsely claim a duty injury or corroborate a false worker's compensation claim.
- I. No member shall smoke or chew tobacco while in uniform and in the public view. Smoking and chewing tobacco is prohibited in University buildings, Police Department, and in all State owned vehicles. The University gives reasonable assistance to help members quit the use of tobacco products.

6. Alcohol and Drugs

- A. Officers and other uniformed employees shall not consume intoxicants or illegal controlled substances while on duty, in uniform, or armed, unless it is appropriate in the performance of an official assignment and is expressly authorized by the Chief.
- B. No members shall report for duty, nor perform any on duty work, with a detectable odor of intoxicants on their breath or with any measurable level of alcohol or any illegal controlled substance in the body, except as authorized above. Officers and other uniformed members are required to avoid on duty impairment resulting from the use of any drugs (whether controlled substances or not).
- C. Officers, while off duty, shall refrain from consuming intoxicants in public places to the extent that it results in significant impairment, or obnoxious or offensive behavior which discredits them or the Department, or, under any circumstances, renders the officer unfit to report for their next regular tour of duty.
- D. Members, while off duty, shall not carry or possess a firearm while under the influence of or consuming intoxicants or illegal controlled substances.
- E. A member shall, at the request of any ranking officer, be required to submit to a chemical test of his/her breath, blood or urine for the purpose of determining the presence of alcohol or controlled substances. The appropriate test(s) shall be determined and administered at the direction of a ranking officer. A confirmation test shall always be given after a positive test result is obtained. If the test does not render an immediate result, a second sample should be contemporaneously obtained for the confirmation test. The sample(s) shall be treated as evidence and a chain of custody maintained. Test results are confidential. Tested members shall be notified of test results and have the right to appeal the findings through normal appeal procedures.
- F. Chemical testing may be required in the following situations:
 - a. Testing applicants and recruits for drug or narcotics use as part of their pre-employment medical exam;
 - b. Testing current employees when there is reasonable suspicion that they have violated the directive on alcohol and drugs, or when documentation indicates that the employee is impaired or incapable of performing assigned duties, or experiences reduced productivity, excessive vehicle accident, high absenteeism, or other behavior inconsistent with previous performance;
 - c. Testing a current employee when an allegation involves the use, possession, or sale of drugs or narcotics, or the use of force, or there is serious on-duty injury to the employee or another person;

7. Abuse of Authority

- A. Members shall not act in such a manner as to deprive any member of the community of the equal protection of the law.
 - B. Members shall not be overbearing, oppressive, or tyrannical in their relations with members of the community.
 - C. Ranking officers shall not act so as to exhibit disrespect for subordinate members of the Department.
8. Use of Force
- A. Members shall act at all times within the standards established in the use of force policy.
9. Care, Maintenance & Use of Equipment/Property
- A. Members shall be responsible for the good care of Departmental property, whether fixed or moveable, assigned to their use or keeping, and will promptly report to their commanding officer, in writing, the loss, damage to, or unserviceable condition of such property. Roughness or carelessness in handling such property shall not be tolerated. Any member found responsible for the destruction or loss of University property, either through willfulness or negligence, may be required to pay all costs of repairs or replacement thereof, besides suffering any penalty imposed for violation of this directive.
 - B. Members shall not appropriate any lost, found, stolen, evidentiary, or Department property. Property and evidence items shall be handled consistent with the standards established in the property management policy. Members shall not use or lend any Departmental property for private purposes, unless authorized by the Chief. Members may possess only those Departmental keys that have been issued to them. Members shall not duplicate or possess duplicated Departmental keys without authorization.
 - C. Members shall drive Department vehicles with safety at all times, consistent with the directives on vehicle and emergency vehicle operation.
 - D. Members shall not use the police communication system except for official police communications. At no time shall a member use discourteous, obscene, or disrespectful language during a radio, telephone or computer communication.
 - E. Except when authorized by the shift commander, work areas, lockers, mailboxes, and equipment assigned to specific employees, and their personal property, shall not be entered, used, taken, tampered with, or looked through by other employees. (This provision is not intended as a bar to legitimate managerial inspections).
 - F. Members shall not store personal information or belongings with an expectation of personal privacy in such places as lockers, desks, departmentally owned vehicles, file cabinets, computers, or similar areas that are under the control and management of the department. While the department recognizes the need for members to occasionally store personal items in such areas, members should be aware that these and similar places may be inspected or otherwise entered - to meet operational needs, internal investigatory requirements, or for other reasons - at the direction of a member of the Command Staff.
 - G. No member shall maintain files or duplicate copies of official department files in either manual or electronic formats at his or her place of residence or in other locations outside the confines of the department without express permission.
10. Dereliction of Duty
- A. Members shall not ignore flagrant violations of the law which may come to their attention through citizen complaints, by their own observations, or through their investigations. Members shall properly respond to calls for service or suspicious circumstances, without unreasonable delay.

- B. Members shall not engage in any activity which does not pertain to Departmental business while that member is on duty, unless prior permission has been given. Members shall not sleep, idle, or loaf while on duty or carry articles that distract from the proper performance of their duty.
- C. Officers shall not willfully or negligently allow a prisoner to escape.
- D. Members shall not fail to meet or maintain established minimum performance standards.
- E. Members shall not withhold any information on criminal activity or undertake any self-assigned investigations without prior or prompt documentation. All reports shall be complete, accurate, and submitted on a timely basis.
- F. Members shall not be absent from duty without permission from their supervisor. In the event of illness, proper notification to a supervisor is necessary prior to the time designed for reporting for duty. Members shall be punctual in reporting for duty at the time designated by their supervisor. Habitual failure to report for duty promptly at the designated time will be deemed neglect of duty.
- G. Members shall not, by specific action or omission, create a situation of unnecessary risk of injury to themselves, other members of the Department or to any other person.
- H. Ranking officers shall not knowingly permit members of their command to violate any law, directive, or procedures.

11. Interpersonal Relations

- A. Every member shall refrain from making any statement or allusion which discredits or disparages any member, except when reporting to a superior as required by this directive. Every member shall accord courtesy, consideration and cooperation to every other member. Members shall avoid the manifestation of any unfriendliness toward any member.
- B. Members on duty, in uniform, or on University property may not make statements, gestures, or suggestions, or reproduce, circulate, or post materials that may be considered offensive on the basis of sex, race, creed, color, marital status, sexual orientation, national origin, or ancestry. Members shall not violate the harassment policy (infra).

12. Gratuities

- A. The UW La Crosse Police Department has a no gratuity policy. Professional police officers serve the public to the best of their ability without intent to seek gratuities. Police service will be of a high quality and rendered in a fair and consistent manner at all times without question of special payment of consideration. It is not the intent of this policy to prohibit employees from "negotiating a good deal" or "driving hard bargains" if they so desire provided the same results are available to any other citizen and there are no understandings, implied or otherwise, which are job related. Likewise, an employee may take advantage of special considerations or gifts offered by merchants or other businesses with which they do business regularly if other regular customers are included in that offer.
 - a. No employee shall at any time, accept, retain or avail oneself or family, friends, or business associates of any gratuity whatsoever when it may be reasonably inferred that such gratuity is for service, past, present, or future, rendered in connection with the duties, responsibilities or other functions of the department, or when such gratuity is a result of one's employment by this department.
 - b. Violations of this regulation will be considered a serious infraction. Officers, particularly supervisors, with knowledge of a violation who fail to report the violation, will be considered to have violated this policy.
 - c. Officers who are in doubt as to the propriety of a particular gratuity should consult with their immediate supervisor for resolution.
 - d. The implementation of this policy may, in some cases, prove difficult and awkward and may tend to embarrass citizens who offer expressions of gratitude in good faith. Officers should be firm

yet avoid any interference of wrong doing on the part of a citizen if it is not warranted. There will be no exceptions. Insist on paying the regular price for food and services even if it means leaving the proper amount on the table or counter. If, under extraordinary circumstances, it is not possible to decline a gratuity, it should be reported to the supervisor on duty immediately, who in turn will either deal with the matter or refer it to a ranking officer for action.

- e. Every effort should be made to educate the public as to this policy. The vast majority of citizens want their police department to be free of any taint and will respond positively to this policy. Citizens who feel that the particular actions of an officer or the department deserve special recognition, should be encouraged to write a letter to either the department or the chancellor of the university.
- f. This policy does not regulate the anonymous donation or gift to the Department as a whole.

13. Miscellaneous Provisions

- A. Members shall not wear their uniforms during a suspension or release from active duty, nor shall they take police type action other than what might be expected of a citizen performing a civic duty. During a suspension or release from active duty, members shall remain subject to Departmental rules and procedures. At the discretion of the Chief, members receiving notice of a suspension or release from active duty may be required to surrender any badge, equipment, or identification card issued by the Department.
- B. Members shall maintain a telephone and keep the Department informed (within 48 hours) as to their current address and all telephone numbers, including cell phone numbers.

14. Personal Appearance

All members of the Department are visible representatives of the University and its Police Department. Members, while on duty, shall maintain proper attire (see uniform directive) and a state of cleanliness and orderliness, except when appropriate in the performance of an official assignment and authorized by a supervisor.

A. Hair

a. Sworn Employees

1. Male Employees.

- A. Hair and hair pieces shall be neat, clean, and present a groomed appearance. Hair and/or hair pieces will not extend past the bottom of the shirt collar at the center of the back, or interfere with the wearing of a uniform hat.
- B. Extreme or unnatural artificial hair colors are prohibited.
- C. If an employee chooses to wear sideburns, they will be neatly trimmed and tapered in the same manner as the haircut. Sideburns will be evenly trimmed on each side of the face. Employees may wear beards, vandykes, goatees, mustaches or other arrangements that are maintained in a neat, clean manner presenting a groomed appearance and that do not interfere with the wearing of necessary police equipment or expose the wearer to undue risk or hazard.

2. Female Employees.

- A. Hair and hair pieces shall be neat, clean, present a groomed appearance and shall not interfere with the wearing of a uniform hat. Hair and or hair pieces left down will not extend past the bottom of the shirt collar at the center of the back. Hair or hair pieces that extend

beyond the bottom of the shirt collar shall be secured or fastened in a way that the hair does not extend past the middle of the shoulder blades.

B. Extreme or unnatural artificial hair colors are prohibited.

3. Civilian Employees

A. Civilian employees' hair should present a professional appearance and be of appropriate length for their assignment.

B. Jewelry

a. Sworn Employees

1. Sworn personnel may wear one wristwatch.
2. Medical bracelets can be worn but all other bracelets will be prohibited unless authorized by the Chief of Police or his/her designee.
3. Employees shall wear no more than a total of two rings and the rings must be of a style and size that they do not present a hazard to the employee or others. (Wedding and engagement rings will be considered one ring.)
4. Employees shall not wear any visible necklaces. This does not include Department approved necklaces (i.e. Department ID chain) or medical notification necklaces or bracelets.

b. Civilian Employees: Civilian employees shall wear no more than a total of four rings and the rings must be of a style and size that they do not present a hazard to the employee or others. (Wedding and engagement rings will be considered one ring.)

C. Tattoos

a. Sworn and Civilian Employees

1. Tattoos, scarifications and brands that depict nudity or violence, sexually explicit or vulgar art, words, phrases or profane language, symbols that would likely incite a strong reaction, or initials, acronyms or numbers that represent criminal or historically oppressive organizations are strictly prohibited.

D. Body Piercings

a. Sworn and Civilian Employees

1. The wearing of body piercing jewelry in areas visible to the public is prohibited. Examples include lip studs/piercings, tongue studs/piercings, nose studs/piercings, and eyebrow studs/piercings.

E. Earrings

a. Sworn Employees

1. No more than one stud post earring in each earlobe will be worn by sworn personnel while in uniform or while in civilian attire. These earrings will not exceed a diameter of one quarter inch (1/4"). Deviation from this section will be allowed depending upon the sworn personnel's assignment and with approval from a Department supervisor.

b. Civilian Employees

1. Civilian employees will not wear more than two earrings in each earlobe and will not wear earrings that present a hazard or give an unprofessional appearance.

F. Fingernails

a. Sworn and Civilian Employees

1. Fingernails shall be clean, neatly trimmed and shall not be such a length to present a hazard to the employee, others, or to interfere with the ability to perform their job. Fingernail polish or designs, if worn, should present a professional appearance.

G. Personal Hygiene

a. Sworn and Civilian Employees

1. It is the responsibility of all employees to ensure that their body odor is not offensive to others.

H. Cosmetics

a. Sworn and Civilian Employees

1. Cosmetics, if worn, shall be conservative and shall not detract from an employee's professional appearance.

X

Scott McCullough
Chief

Policy and Procedure***Number: 1.07*****Subject:****Off-Duty Employment****Date Issued:** 4/5/17**Effective Date:****Revision Number:** 1**PURPOSE**

This order governs the types of off-duty employment in which police personnel may engage. The purpose of this policy is to establish a department policy defining and promulgating rules pertaining to off-duty employment and activities.

POLICY

To ensure on-duty efficiency and to eliminate possible conflicts of interest, the Chief of Police shall provide guidelines to law enforcement employees to inform them of the types of secondary employment that are appropriate, and to establish procedures to maintain accountability for the welfare of the agency. It is, therefore, the policy of this Department that off-duty employment will be permitted when it does not impair on-duty efficiency or conflict with the duties and responsibilities of departmental employees and/or the mission of the Department.

PROCEDURES

1. Before beginning any off-duty employment/business it must have the Chief's approval. Inappropriate off-duty employment/business will be denied. Some examples of conditions that may lead to off-duty employment being denied are:
 - A. Conditions which could compromise the confidentiality of department records and/or investigations or bring discredit to the department, or where the position could undermine public trust, could compromise the officer's ability to enforce the law, exert command authority, or control or affect discipline. In addition, if the officer's official position may be used to serve private interest or if the employment would assist any principal in any criminal or civil proceeding.
 - B. In addition, outside employment/business may not be authorized if, in the opinion of the Chief, it would constitute a conflict of interest or would tend to bring discredit to the Department or any of its members. In addition, it shall not:
 1. Interfere with the employee's employment with the Department.
 2. Render an employee unavailable during an emergency.
 3. Physically/mentally tax the employee wherein on-duty performance may be affected.
 4. Require any special consideration be given to scheduling regular duty hours.
 5. Bring the Department into disrepute; impair the operation/efficiency of the Department or employee.
 6. Use the Department name, employee's position or equipment in the pursuit of any outside or off-duty interests.
 7. Wear the uniform while in off-duty employment unless authorized by the Chief.
 8. Use State owned vehicles, radios, or other equipment while traveling to/from or engaging in off-duty employment unless authorized by the Chief.
 9. Engage in any business/employment as an operator, agent, or bouncer of any business/premise licensed with a class B alcohol permit. Exceptions to this can be made on an individual basis by the Chief.
 10. Injuries incurred during any off-duty employment activity are not covered by the State's Worker's Compensation Program or duty related retirement plans.

9/22/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Chief of Police**Date Issued:** 7/27/15**Effective Date:** 7/27/15**Revision Number:** 1**PURPOSE**

The purpose of this order is to outline the duties and responsibilities of the Office of the Chief of Protective Services.

DUTIES AND RESPONSIBILITIES

The Chief of Protective Services will be responsible for the general administration and control of the Protective Services Department at the University of Wisconsin – La Crosse. He will ensure the efficiency, effectiveness, and general good conduct of the Department. His duties and responsibilities include, but are not limited to:

1. MANAGEMENT OF SECURITY OPERATION AND CAMPUS LAW ENFORCEMENT

- A. Plan and recommend crime prevention programs for the institution to the Director of University Services. Implement approved programs on the campus. Coordinate with Student Affairs and Residence Halls Staff members those programs affecting students and their safety.
- B. Develop the security operation budget for submission to the Director of University Services.
- C. Maintain a non-emergency medical transportation service.
- D. Develop and maintain University policing operations.
- E. Coordinate law enforcement procedures with local, state, or federal law enforcement agencies.
- F. Review, follow-up, and bring to closure campus incident reports.
- G. Serve as the campus La Crosse County Court Officer.
- H. Serve as resource person on campus committees dealing with security issues.
- I. Represent UW-La Crosse at state security and safety meetings.
- J. Provide reports as directed by the Director of University Services.

2. DEVELOPMENT, MAINTENANCE, AND SUPERVISION OF PARKING PROGRAM

- A. Recommend parking procedures and controls and implement decisions of the administration.
- B. Supervise and train student parking attendants.
- C. Develop one (1) year and five (5) year budgets for submission to the Director of University Services.
- D. Maintain all parking lots.
- E. Sell and record parking permits.
- F. Respond to parking appeals as University representative.
- G. Work with the Campus Planner and the Director of University Services in the development of any new parking lots.

3. COORDINATOR OF THE RISK MANAGEMENT AND SAFETY PROGRAMS.

- A. Serves as the University liaison for the State Insurance Program with Central Risk Management.
- B. Informs University personnel of various requirements of the State Insurance Program which includes: general insurance coverage; agent liability for the protection of students and the University; insurance coverage on all buildings and contents, motor vehicles, and art displays.

- C. Investigates automobile accidents involving University vehicles.
- D. Recommends claim adjustment levels against the University and refers them to Department of Administration Risk Management.
- E. Maintains the insurance claims files.
- F. Provides driver's license record checks.
- G. Serves as the University Safety Officer and as such performs the following tasks: Proposes, conducts, and/or implements safety programs for the University and coordinates them with department heads; investigates complaints of safety hazards and recommends corrective action; investigates personal injuries which occur on campus; serves as a consultant on the University Safety Committee.

4. SUPERVISION AND TRAINING OF DEPARTMENTAL STAFF

- A. Interviews and selects new employees with approval of the Director of University Services
- B. Develop, implement, and/or conduct training programs.
- C. Develop and update procedures manual and make it available to the staff.
- D. Provides discipline as needed.
- E. Develop and implement work schedules.
- F. Train employees and insure that proper procedures are followed in search-and-seizure, arrests, and other acts concerning law enforcement.

9/25/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:**Sergeant**

Date Issued: 7/27/15

Effective Date: 7/27/15

Revision Number:1

PURPOSE

The purpose of this order is to outline the duties and responsibilities of the University Police Sergeant.

DUTIES AND RESPONSIBILITIES

The primary responsibility of the Police Sergeant is supervision of the University's Police Officers and other staff under the general direction of the Director of Police Services (Chief of Police). Due to the nature and the size of the department, the Sergeant must frequently perform many of the same duties as the police officers within the department. The Sergeant will be expected to make operational and personnel decisions affecting the safety of the campus, student, staff, as well as general public, and security for the capital assets and buildings of the University. The Police Sergeant will perform administrative duties such as direct patrols and investigative operations of the sworn officers; provide supervision to the dispatch staff; provide administrative support to the parking operation; and perform police activities.

The duties will also include, but are not limited to, the following:

1. Performance of administrative duties.
 - A. Direct, supervise, and assume responsibility for all areas in police services in the absence of the Chief.
 - B. Assist Chief in developing operational policies and procedures of the work unit to facilitate achievement of department mission, goals, and special needs of the university community and meet State and Federal mandated requirements.
 - C. Advise Chief on law enforcement problems and training needs of the university community; analyze criminal/security information and statistical data; assist Chief in developing and coordinating special programs to solve those problems.
 - D. Propose budgetary recommendations to Chief.
 - E. Resolve citizen complaints and conflicts with police, security, and other personnel, and rules or policies in the absence of or at the direction of the Chief.
 - F. Initiate/coordinate security/customer surveys. Analyze the results and make recommendations.
 - G. Maintain professional level of expertise in law enforcement field by consulting with appropriate legal professionals.
 - H. Ensure that information regarding actual and potential problems is communicated to the Chief and to the appropriate university personnel.
 - I. Assist Chief in coordinating, developing, and revising the campus emergency plan. Make evaluations and recommendations to the Chief.
 - J. Serve on campus/community committees at the request of Chief to provide police and security input and coordinate police and security intervention in specific activities.
 - K. Establish and maintain effective professional working relationships with university administration, faculty,

staff, and students to enhance the police, security, and safety function.

- L. Establish and maintain effective professional working relationships with law enforcement agencies (city, county, state, and federal), with District Attorney's office, and members of the criminal justice system to enhance coordination of law enforcement functions.

2. Direction of Patrol Operations of all sworn police officers

- A. Develop and implement policies and procedures relating to police operations and investigations at direction of the Chief.
- B. Review all reports to determine an appropriate course of action and assure proper procedures are being followed. Provide the following:
 - a. Initiate filing of criminal complaints with the District Attorney's office for appropriate disposition of case on approval of the Chief.
 - b. Initiate referrals of cases to Dean of Student Affairs or Resident Life for appropriate disposition of cases.
 - c. Consult with police personnel to direct course of investigations and offer guidance.
- C. Coordinate criminal and other investigations and department programs among all personnel.
- D. Analyze equipment and supply needs of police and security operations and makes recommendations to Chief for procurement of necessary equipment and supplies to meet department needs.

3. Supervision of police and security officer and parking personnel.

- A. Evaluate job performance of police and security officers to facilitate improving productivity and job satisfaction.
 - a. Prepare formal evaluations, sign as first-line supervisor, and discuss evaluations with employees to assess areas of concern and professional development.
 - b. Periodically, informally evaluate employees to correct problems and provide guidance.
- B. Counsel employees on an ongoing basis relative to daily work performance to provide guidance and direction.
- C. Recommend formal commendations and discipline to Chief to facilitate compliance with work rules, policy, and procedures.
- D. Determine when verbal and/or written reprimands are necessary and issue the appropriate reprimands in conforming to the employee handbook to ensure compliance with work rules, policies, and procedures.
- E. Participate in new employee interviews to effectively recommend hiring to Chief.
- F. Evaluate overtime requests and call-ins.
- G. Performance of Training Officer duties for police operations.
 - a. Plan and direct department training program for police operations to ensure awareness, understanding, and compliance with department policies and procedures, and State regulations.
 - b. Direct necessary schedule changes to facilitate training needs.
 - c. Instruct personnel on new and revised laws, policies, and methods of enforcement and procedures by scheduling training programs and/or providing detailed written instructions.
 - d. Analyze training deficiencies, needs of police and security operations personnel, and make necessary arrangements to meet those needs by procuring and developing training programs.

4. Performance of Law Enforcement, Security, and Investigative Functions

- A. Detect violations of State Laws and WI Administrative Code which occur on University property.
- B. Take appropriate action including warning, referring, citing, or arresting suspects (criminal, traffic, ordinance, or University rules).
- C. Conduct investigations of alleged or suspected criminal activity to determine the facts, to arrest or to deter occurrences of criminal activity.

- D. Interview complainants, witnesses, suspects, and others who may have knowledge of the incident or violations in order to obtain facts and information.
 - E. Record and document incidents by preparing written reports concerning those incidents.
 - F. Collect and preserve physical evidence at a crime scene to be used later for prosecution of arrested individuals, and to maintain the chain of evidence.
 - G. Make lawful arrests or detentions of suspects by taking them into physical custody and independently determining whether perpetrators should be incarcerated or released pending court appearance.
 - H. Photograph and fingerprint suspects who have been arrested.
 - I. Provide testimony for cases designated by the District Attorney's office or university administration.
 - J. Enforce parking regulations by taking appropriate actions.
 - K. Patrol all areas of campus by foot, bike, or motor vehicle to provide safety, security, and protection to those areas.
 - L. Provide assistance to other law enforcement agencies as necessary.
 - M. Respond to all emergencies, and coordinate the campus response to emergencies, until relieved by the Chief of Police Services.
5. Performance of security and various other services to the university community.
- A. Develop and give presentations to various groups as assigned.
 - B. Provide money escorts to local banks.
 - C. Provide crowd control and traffic direction.
 - D. Identify and make necessary reports of security, safety, and repair problems.
 - E. Secure University buildings and classrooms at assigned times; unlock and open buildings and classrooms at assigned times.
 - F. Provide directions and information to faculty, staff, student, and the general public, as individual situations require.
6. Performance of technical aspects or law enforcement.
- A. Maintain proficiency in CPR, first aid, defensive tactics, physical fitness, and emergency vehicle operation.
 - B. Participate in and successfully complete all training required and as assigned (i.e., defensive and arrest tactical weapons; EVOC; use of force; first aid; CPR; physical fitness; and all job-related skills). This list is not all inclusive.

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Scott McCullough
Chief

Subject:
Police Officer**Date Issued:** 2/12/15**Effective Date:** 2/12/15**Revision Number:**1**PURPOSE**

The purpose of this order is to outline the duties and responsibilities of the University Police officer.

PREFACE

Your work affects the safety of University property, students, faculty, staff, and the general public while they are on the University grounds, and insures compliance with all applicable campus, state, and local rules and laws.

DUTIES AND RESPONSIBILITIES

1. Police officers shall exercise authority commensurate to his/her responsibility. He/she will be responsible to the Director of Police Services (Chief of Police). The duties and responsibilities of a Police Officer will include, but are not limited to, the following:
 - A. Preservation of law, order, and personal safety of all persons on the UW-La Crosse campus.
 - B. Provide Security and Protection to the University of Wisconsin - La Crosse campus through enforcement of various campus policies and procedures.
 - C. Protects the public against offenses and property damage from fire, theft, and vandalism.
 - D. Make routine checks of all academic buildings and residence halls.
 - E. Report and record all equipment/facility malfunctions, discrepancies, or safety hazards of University property to their supervisor.
 - F. Work special functions to maintain order and provide assistance to the public and students.
 - G. Patrol University buildings and grounds observe and detect violations of State law and safety standards, and to enforce University policies and procedures.
 - H. Investigate complaints, crimes committed, suspicious circumstances and people.
 - I. Develop complete and accurate written police reports of all complaints, violations, safety hazards, etc.
 - J. Conduct investigations as assigned.
 - K. Conveyance of non-emergency medical cases to the University Health Center and/or the hospital.
 - L. Ensure that all fire lanes and drives are open to emergency equipment.
 - M. Consistent with university jurisdiction officers shall control vehicular traffic within the University Boundaries.
 - N. Issue parking tickets for violations of University parking regulations.
 - O. Transport monies to bank from University. Pick up and deliver packages to shipping points for payroll.
 - P. Properly taking care of Police issued equipment including but not limited to weapons, vehicles, lockers, etc.

9/25/2017

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Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Authority

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

This order requires all personnel to abide by an oath of office to enforce the law, uphold the nation's Constitution or basic law of the land, and where applicable, those of governmental subdivisions to include the State of Wisconsin to include the UW System. This order delineates the Department Jurisdiction and specifies its responsibilities and authority. It provides personnel with the limitations of their geographical jurisdiction pursuant to WI §175.40(6). This order requires all sworn officers to abide by a code of ethics as adopted by the Department published as the Law Enforcement Code of Ethics by the IACP. This order defines the legal authority to carry and use weapons by Department personnel in the performance of their duties.

PROCEDURES**LEGALLY MANDATED AUTHORITY OF SWORN OFFICERS**

The following shall define the legally mandated authority vested in sworn agency personnel:

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), University of Wisconsin—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), University of Wisconsin–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 his or her 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 his or her 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. University of Wisconsin–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. University of Wisconsin–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 his or her 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 will 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 his or her employment for worker's compensation purposes.
- f. Personnel taking action under this policy should immediately notify a supervisor unless unable to, due to injury or other extenuating circumstances.

9/25/2017

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Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:

Seatbelt Use

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

This operation order mandates the use of safety belts and restraining devices when operating, or as a passenger, in, department/University-owned vehicles by all officers and staff of the UWL Police. Evidence indicates that the use of safety belts and restraining devices have significantly reduced the number of traffic-related deaths and serious injuries. Restraints also help the officer maintain operating control of their vehicles during emergency driving as well as day-to-day driving.

PROCEDURE

Use of safety belt restraining systems, [§347.48\(2m\)](#) refers.

1. All officers, staff, and passengers seated in a University-owned vehicle are required to use safety belt restraining devices.
2. All officers and staff operating a University-owned vehicle will ensure that all passengers, who are prisoners or under the age of 16, are properly restrained by using safety belt restraining systems.
3. No officer or staff member shall operate a University-owned vehicle in which the safety belt restraining system is inoperable, unless a replacement vehicle is not available.
4. Exceptions:
 - A. Officers citing [§347.48\(2m\)\(dm\)](#) as an exclusion from mandatory use must submit to the Chief of Police Services a written request for exemption explaining the circumstances in which compliance could endanger the safety of the operator or another. The Chief will approve or disapprove the request in writing.
 - B. Personnel requesting an exemption for medical reasons must submit written documentation from a physician.
 - C. Officers that are actively patrolling are exempt from seatbelt use as stated in [§374.48\(2m\)\(dr\)](#). However, the use of safety belts is strongly encouraged, as safety belt use could have a significant effect in reducing the number of deaths and severity of injuries resulting from traffic crashes

9/21/2017

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Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:

Trespassing

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

To establish a standard of dealing with trespassers to University owned housing according to WI [§943.14](#) and [UWS §18.07](#). Also in accordance with [2015 Wisconsin Act 176](#).

POLICY

Officers are often contacted by University Staff/Faculty requesting assistance with removing unwanted people identified as trespassers from Residence Halls. It is the policy of the UWL Police Department that its officers, when investigating a Trespass to Dwelling complaint and where probable cause for arrest exists, it is mandatory that the suspect(s) are removed from said property.

PROCEDURE

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

1. 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.
2. 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:
 - A. Entering an outbuilding accessory to a main house may be a violation.
 - B. This policy does not require the officer to follow through on an arrest protocol after removal, which is left to the discretion of the police.
 - 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, an ordinance 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.
3. 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 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.

9/21/2017

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Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Uniforms**Date Issued:** 4/5/17**Effective Date:****Revision Number:**1**PURPOSE**

The purpose of this policy is to set forth a procedure for the wearing, maintenance, replacement or disposal of the Department uniform. The Chief of Police Services or his designee must make all exceptions to this policy.

POLICY

It is the policy of the UW La Crosse Police Department to do everything within reason to present a positive and professional image to the community. To accomplish this, Department personnel will be required to maintain a neat appearance while on duty and in conformity to the standards listed below.

PROCEDURE

1. 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.
2. 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-monogramed (those parts that are visible) in the color of black, navy blue or white.
3. Shoes worn on duty shall be a polished black in color.
4. 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.
5. When summoned to appear in court, the prescribed uniform of the day shall be worn.
6. Officers assigned to patrol will wear the Department assigned bullet-resistant vests at all times when on duty.
7. The Chief may approve special uniform days in which he mandates/directs officers to wear specific types and colors of uniforms to be worn.
8. Uniform polo shirts maybe worn during training (either by instructors or by trainees) or presentations.
9. 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.

10. Disposal of Uniforms: 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:

- A. Pants and shorts may be thrown away.
- B. 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.
- C. 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.

11. Plain clothes

- A. Detectives and Command Staff
 - a. 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.
- B. Officers on Special Duty
 - a. 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.

9/21/2017

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Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:

Use of Force

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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PURPOSE

The purpose of this policy is to provide law enforcement officers with guidelines for the use of deadly and nondeadly force.

POLICY

It is the policy of this law enforcement agency that officers use only the force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer and others. It must be stressed that the decision to use force is not a subjective determination and the decision is not left to the unfettered discretion of the involved officer. A use of force must be objectively reasonable. The officer must use only that force which a reasonably prudent officer would use under the same or similar circumstances.

DEFINITIONS

Reasonably Believe

When facts or circumstances the officer knows, or should know, at the time the officer acted, are such as to cause an ordinary, prudent, and reasonably intelligent police officer to act or think in a similar way under similar circumstances.

Deadly Force

The intentional use of a firearm or other instrument, the use of which would result in a high probability of death. Behavior which justifies deadly force is defined as: Any behavior which has caused or imminently threatens to cause death or great bodily harm to you or another person or persons.

Target-Specific Directed Fire

Target-specific directed fire is an application of deadly force that may be appropriate in certain limited situations. It is purposeful, controlled, sustained fire directed at a perpetrator who has caused or imminently threatens to cause death or great bodily harm to you or others, but whom you may not be able to clearly observe. The purpose of target-specific directed fire is to stop the threat when no other reasonable course of action would allow officers to perform a rescue, escape from danger, or otherwise prevent death or great bodily harm.

Great Bodily Harm

Bodily injury which 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 any other serious bodily injury. ([§939.22\(14\)](#))

Lawful Force

A physical act by a police officer in the performance of duty when it is used to accomplish a legitimate law enforcement goal and the level of force used is reasonable considering all the facts and circumstances of the incident.

Non-Deadly/Non-Lethal Force

Any use of force other than that which is considered deadly force.

Active Resistance

Active resistance occurs when an officer encounters behavior which physically counteracts his or her attempt to control and which creates risk of bodily harm to the officer or another person.

The approved definition of active resistance generally prohibits, for examples, use of control devices against verbal aggression; people who are running away; children and older persons; and/or persons engaged in peaceful civil disobedience, unless there is justification of reasonableness from Approach Considerations.

Bodily Harm

[§939.22\(4\)](#) of the Wisconsin Statutes defines Bodily Harm as: “physical pain or injury, illness, or any impairment of physical condition.”

Passive Resistance

Passive resistance occurs when a subject refuses to comply with a directive from a law enforcement officer but does not attempt to engage in physical action likely to cause bodily harm to the officer or to another person.

Physical Restraint

Holding, restraining, pushing, pulling or other physical manipulation without the use of any weapon by one or more officers acting alone or in concert to control a person or to affect an arrest.

Oleoresin Capsicum (Pepper Spray)

Oleoresin Capsicum (OC) is a powerful inflammatory agent that occurs naturally in cayenne peppers. OC has a low likelihood of causing injury, but a high potential for control. OC is biodegradable and all symptoms should disappear within 15 to 45 minutes with no after effects.

Electronic Control Device

An Electronic Control Device is a conducted energy weapon that utilizes compressed nitrogen to deploy two small probes. These probes are connected to the weapon by high-voltage insulated wire. When the probes make contact with the target, it transmits powerful electrical pulses along the wires and into the body of the target. This produces involuntary contraction of skeletal muscle tissue, overriding the motor nervous system, blocking command & control of the human body, directly stimulating motor nerve and muscle tissue, causing incapacitation.

USE OF ONLY NECESSARY FORCE

Police officers shall exert no more force than is reasonably necessary in the discharge of their sworn duty. Officers shall exercise extreme care in the use of deadly force and that the use of deadly force is consistent with law and this Policy. Should any portion of the Use of Force Policy be less restrictive than State Statute, the more restrictive shall have precedence. Should any portion of the Use of Force Policy be more restrictive than the State Statute, the more restrictive shall have precedence.

1. When Necessary Force May Be Used

- A. Sworn officers of this agency are authorized to use "Necessary Force" toward another person without their consent when one or more of the following circumstances exist or an officer reasonably believes they exist:
 - a. Detaining a person reasonably suspected of criminal involvement.
 - b. Affecting an arrest.
 - c. Overcoming resistance.
 - d. Preventing escape, or to retake following an escape.
 - e. Protecting oneself or another from physical harm.
 - f. Maintaining order.
 - g. Taking into protective custody a subject who poses either a threat to him/herself or others.
 - h. Enforcing an order of the court.
 - i. In executing any other duty imposed by law.

2. Degree of Force That May Be Used

- A. Officers shall use only the degree of force they reasonably believe is necessary to control the situation and/or perform their duty. In determining the degree of force that is reasonably necessary, an officer shall consider the following factors:
 - a. The existence of alternative methods of control.
 - b. Officer-subject factors, including physical size, relative strength, age, and skill level of the subject.
 - c. The nature of the encounter.
 - d. The actions or statements of the subject.
 - e. Subject's ability to escalate force rapidly, i.e., proximity to weapons.
 - f. Exigent conditions such as availability of backup, number of persons involved, etc.

3. Verbal Commands

- A. Control of a person through verbal commands is a lesser degree of force and may be an alternative to the use of physical force and/or non-deadly weaponry.
 - a. It is recognized that this method alone is not always effective or appropriate in gaining compliance and it may become necessary to escalate the degree of force.
 - b. When it is determined that verbal commands alone are neither effective nor appropriate, an officer may escalate the degree of force based on the actions of the person (s)he is attempting to control.
 - c. Whenever possible, an officer should continue to give verbal directions and commands while using higher levels of force.

4. Intervention Options

- A. Intervention options available to officers fall into five categories, or modes, each with a different purpose:

Mode	Purpose
A. Presence	To present a visible display of authority
B. Dialog	To verbally persuade
C. Control Alternatives	To overcome passive resistance, active resistance, or their threats
D. Protective Alternatives	To overcome continued resistance, assaultive behavior, or their threats
E. Deadly Force	To stop the threat

- B. The concept of escalating/de-escalating degrees of force is based on an officer's reaction to a specific action of the person (s)he is attempting to control. Officers are not required to begin a confrontation at the verbal command level and escalate step-by-step until control is gained. Which mode an officer chooses in a given situation depends on the officer's tactical evaluation and threat assessment. The criteria, as articulated in the landmark case of *Graham vs. Connor*, is whether the level and degree of force is objectively reasonable.
- C. Once a person has stopped resisting or attempting to escape, or is under control, the amount of force used should be reduced to the minimum necessary to maintain control of the subject.

5. Responsibility to Monitor Subject for Signs of Injury

- A. Whenever physical force is used to control a subject, it is the officer's responsibility to monitor the subject for signs of injury. If an injury is such that it requires medical treatment, every effort will be made to provide such treatment. If the subject refuses medical treatment for his/her injury this fact shall be documented in the officer's report. Officers should use their medical training and other resources

available to them to determine if the injury is treatable.

USE OF DEADLY FORCE

1. Sworn officers of this agency have the authority to discharge firearms or use other deadly force options in connection with the performance of official police duties under, and only under, the following circumstances:
 - A. To protect the officer or another person(s) from apparent death or great bodily harm.
 - B. After exhausting or ruling out all other reasonable means to effect the arrest or capture, or prevent the escape, of a person whom the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony involving the use or threatened use of deadly force and the officer reasonably believes that the person will cause death or great bodily harm if the person's apprehension is delayed. (Tennessee v. Garner)
 - C. In situations where target-specific directed fire is justified.
 - D. To destroy a dangerous animal or one so badly injured that humanity requires its relief from further suffering. The latter case requires, when practical, an owner authorization to destroy prior to use of a firearm to destroy a domesticated animal. Officers who destroy an injured animal must be especially sensitive to the presence of bystanders and witnesses that may be emotionally attached to the animal.
 - E. Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer's alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or unintentional discharge of the firearm. An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief that there is a substantial risk that the situation may escalate to the point where deadly force may be justified. When an officer has determined that the use of deadly force is not necessary, the officer shall, as soon as practical, secure or holster the firearm.
 - F. If chemical or electric weapons are employed (or threatened) against an officer, if reasonably possible, (s)he should attempt to protect their eye area, control breathing, disengage, and maintain weapon control. The fact that a subject is armed with or uses chemical or electric weapons does not in and of itself justify the use of deadly force. In determining the appropriate response, an officer shall consider the situational factors described in "Use of Only Necessary Force". It is recognized that an officer will likely be completely vulnerable if successfully attacked with these weapons and that deadly force may be necessary to protect the officer from death or great bodily harm.
 - G. Before using deadly force, officers shall identify themselves and state their intent, where feasible. The use of deadly force shall not be threatened unless such force would be justified under this policy.
2. Deadly Force Against a "Fleeing Felon"
 - A. Use of deadly force against a fleeing felon will be limited to the force allowed, as stated in this policy and applicable law.
3. Medical Care
 - A. Whenever Deadly Force is used, EMS will be summoned to provide aid as necessary.
4. Copies and Instructions to All Personnel
 1. All sworn personnel will be issued copies of and demonstrate their understanding of this policy before being authorized to carry any firearm.
5. Unauthorized Discharge of Firearms

- A. An attempt to halt a person because of a mere suspicion and/or one who simply flees to avoid arrest.
- B. From a moving vehicle, unless "Use of Deadly Force" applies.
- C. At a moving vehicle, unless "Use of Deadly Force" applies (also see High-Speed Pursuit Policy for special restrictions in pursuits).
- D. To affect the arrest or prevent the escape of a misdemeanor.
- E. An attempt to recover a stolen vehicle when the only facts known to the officer pertain to the offense of stealing a vehicle.
- F. Warning shots.
- G. At unseen subjects, (for example, through a door or into a building) unless a deadly force threat exists.
- H. When the officer is in doubt as to whether or not (s)he has legal justification to use deadly force.
- I. Under any circumstances not authorized by this Policy.

USE OF NON-LETHAL WEAPONS

1. Prohibited Tactics and Weapons

- A. "Strangle holds" and other similar holds which choke or restrict the ability to breathe are prohibited, except when the officer reasonably believes there exists a threat of serious bodily injury or death to the officer or a third person.
- B. The use by an officer of an impact weapon to strike a blow above the shoulders is prohibited except when the officer reasonably believes there exists a threat of apparent death or great bodily harm. This section is not intended to apply to accidental strike to the head due to resistance. An impact weapon is any item used to gain control of a subject by striking.
- C. The carrying or use of "filled" batons, numchucks, brass knuckles, saps, and sap gloves is prohibited.
- D. Department approved batons are the only authorized impact weapons. The department recognizes that emergency situations involving other objects and instruments may occur.

2. Oleoresin Capsicum (Pepper Spray)

- A. Officers, who have been trained in and certified for use of OC by a certified Wisconsin DOJ D.A.A.T. instructor, may carry and use department issued and approved OC. All authorized officers in a uniformed patrol capacity are required to carry department issued OC on their duty belt in department issued holders. Sworn administrative personnel and officers in non-uniform assignments may carry OC on an as needed basis. Before using OC, officers should identify themselves, and state their intent to use OC, where feasible.
 - a. Officers are permitted to use OC when necessary to overcome active resistance or its threat.
 - b. Mere passive resistance or verbal arguments against being arrested do not justify the use of OC without words and actions showing intent to physically resist or to harm the officer.
 - c. OC may be used on animals only if they demonstrate a threat to the officer or other persons.
 - d. When using OC, officers shall consider the potential for cross-contamination to the user, other officers and bystanders.
 - e. Absent extraordinary circumstances, officers should not utilize OC if it appears children less than two years of age are in the area that would be contaminated.
 - f. Blood should be the primary test for persons arrested for an alcohol related driving offense if they have been sprayed with OC.

- A. Medical Aid and Decontamination Procedures Departmental personnel who use OC against a person shall

ensure the person is decontaminated as soon as practical after the person has been subdued. At a minimum, officers shall:

- a. Summon EMS as soon as possible to provide aid as necessary.
- b. Expose the person to fresh air and flush exposed areas with large amounts of cold water as soon as practical.
- c. Inform the subject additional relief may be gained by showering and washing affected areas with soap and water. Do not apply salves, creams, or lotions.
- d. Monitor the subject for 45 minutes after application and, if incarcerated, notify confinement personnel of the use of OC. Transport to a medical facility shall be arranged if there is no recovery within 45 minutes, an adverse reaction occurs, there are contact lens related complications, or if requested by the subject.
- e. Ventilate any enclosed areas where OC was used for at least 45 minutes.
- f. If circumstances permit, and it can be done without endangering departmental personnel, reasonable efforts to decontaminate animals should be made or the information conveyed to the animal's owner.

B. Carrying of OC Off-Duty

- a. The carrying of Oleoresin Capsicum while off duty is limited to the circumstances and conditions stated in this Policy.
- b. Off-duty officers may, at their discretion, carry OC. Off-duty officers carrying OC shall possess department issued police credentials and, if practical, identify themselves as police officers before taking any police action. Off-duty officers acting under color of law will comply with department policies.
- c. An off-duty officer will not consume or be under the influence of alcoholic beverages or any other drug when carrying Department issued OC.

3. Less Lethal Impact Projectiles

- A. Less Lethal Impact Projectiles** provide officers with an additional use of force intervention option. Their use is authorized when a subject's behavior poses a threat of significant physical harm. The use of Less Lethal Impact Projectiles is considered an intermediate force option and their use is not a substitute for deadly force. The use of Less Lethal Projectiles shall be in accordance with this policy and the UW La Crosse Police Department's overall policy regarding the use of force.

B. Training

- a. Less Lethal Impact Projectiles may only be used by members of the UW La Crosse Police Department who have attended and successfully completed an authorized training course as designated by the UW La Crosse Police Department. The use of Less Lethal Impact Projectiles shall be in compliance with this training and UW La Crosse Police Department policy.
- b. At least biennially, members of the UW La Crosse Police Department will receive training and show an acceptable level of proficiency in the use of Less Lethal Impact Projectiles.

C. Less Lethal Impact Projectile Weapon and Storage

- a. The UWLPD Less Lethal Weapon shall consist of a dedicated Remington model 870 12gauge shotgun and approved ammunition. All such shotguns will be equipped with an orange colored stock and fore grip to assist on scene officers and users in ready identification of the weapon as being less lethal. The shotguns will be stored in patrol vehicles in a locked shotgun mount. The shotgun will be unloaded while in storage and will only be loaded for actual deployment or training.
- b. Only approved less lethal impact projectiles will be stored with the shotgun. The rounds will be stored in a receiver mounted shell holder attached to the shotgun.

D. Deployment

- a. The deployment and use of Less Lethal Impact Projectiles shall be in accordance with UWLPD approved training. The department recognizes that use of force situations are dynamic. Consequently, specific authorization for Less Lethal deployment by a supervisor or OIC is not required. However, supervisory or OIC notification and/or authorization is recommended in situations that allow sufficient time for the notification and authorization process to occur.
- b. Whenever possible or practical, a two person loading procedure will be followed. In all cases, the shotgun chamber and magazine shall be checked prior to loading to ensure that no rounds are in the weapon. Each round shall be inspected and verified as a UWLPD authorized Less Lethal Impact Projectile before it is loaded into the weapon.
- c. Less Lethal Impact Projectiles should, whenever possible, be deployed from a position of cover or concealment.
- d. Less Lethal Impact Projectiles are not a substitute for lethal force. Therefore, Less Lethal Weapons shall not be deployed unless another officer, providing cover with a lethal firearm, is also available on scene.
- e. The officer deploying a Less Lethal Weapon shall, whenever possible, advise other officers in the area of its intended use.
- f. Primary target areas for Less Lethal Impact Projectiles are the thighs, lower legs, calves, and buttocks. Secondary target area is the abdominal area. Intentional deployment of impact projectiles to the areas of the chest, spine, head, neck, and face is considered deadly force.
- g. After Less Lethal Impact Projectiles are fired at a subject, officers should reassess the threat and take appropriate steps to stabilize and control the subject and the scene.
- h. Once stabilized, the subject should be assessed for injury. The subject should be advised that Less Lethal Impact Projectiles have been used and that he/she will receive appropriate medical treatment.
- i. If possible, EMS should be placed on standby prior to the deployment of Less Lethal Impact Projectiles and/or be called to the scene to evaluate and/or treat the subject if the injuries warrant immediate medical treatment. No EMS personnel shall be on the immediate scene until the subject is secured.

E. Evidence

- a. Once the subject and scene have been secured, an attempt shall be made to recover the fired projectile(s). Any recovered projectile(s) shall be retained as evidence.
- b. Consideration should be given to video recording the use of Less Lethal Impact Projectiles, if possible or practical. Any and all recordings shall be retained as evidence.

F. Medical Treatment Requirement

- a. Department personnel who use less lethal impact projectiles against a person shall insure the person is monitored for injury as soon as practical after the person is under control. In all cases, as soon as practical, EMS will be summoned to the scene or location of prisoner transport.
- b. All persons who have been struck by Less Lethal Impact Projectiles shall be taken to an emergency room for medical clearance. Photographs shall be taken of impact areas and any injuries resulting from the use of Less Lethal Impact Projectiles. Any photographs taken shall be retained as evidence.
- c. If, due to the nature of injuries, immediate emergency medical treatment and transport by EMS is necessary, the arresting officer shall remain with the subject during treatment/transport, if practical.

G. Reporting Impact Projectile Use

- a. All officers and supervisors or OIC's involved in the deployment of Less Lethal Impact Projectiles shall complete a UWLPD Critical Incident Report, accompanied with a narrative report detailing their involvement in the incident.

- b. The narrative report of an officer who deploys Less Lethal Impact Projectile(s) shall minimally include the following:
 - 1. Subject (actions, weapons(s) involved)
 - 2. Estimated distance to subject at time of deployment.
 - 3. Number of projectiles fired and impact locations of each.
 - 4. Medical attention and aftercare.
 - 5. Other pertinent information supporting the officer's decision to deploy Less Lethal Impact Projectiles

4. Electronic Control Device

- A. Electronic Control Devices provide officers with an additional use of force intervention option. Electronic Control Devices are a less lethal force weapon utilized by trained personnel that cause Neuromuscular Incapacitation (NMI) to a combative or potentially combative subject. The use of this weapon is intended to incapacitate the subject with a minimal potential for causing death or great bodily harm. The use of Electronic Control Devices shall be in accordance with this policy and the UW La Crosse Police Department's overall policy regarding the use of force.
- B. Training
 - a. Electronic Control Devices may only be used by members of the UW La Crosse Police Department who have attended and successfully completed an authorized training course as designated by the UW La Crosse Police Department. The use of Electronic Control Devices shall be in compliance with this training and UW La Crosse Police Department Policy.
 - b. At least biennially, members of the UW La Crosse Police Department will receive training and show an acceptable level of proficiency in the use of authorized Electronic Control Devices.
- C. Carrying of Electronic Control Devices
 - a. Electronic Control Devices shall be carried by uniformed patrol officers on their duty belt attached to the reaction side to allow officers to readily identify them as less lethal weapons and insure that they will not be mistaken for their duty firearm. Officers will be allowed to carry Electronic Control Devices in a leg holster on their reaction side if approved by the Chief of Police or his designee. The Electronic Control Device shall be carried in a department approved holster in a cross-draw manner. Plain clothes officers who carry an Electronic Control Device are subject to the same restrictions.
 - b. Only Electronic Control Devices approved by the UW La Crosse Police Department shall be carried by officers. The Taser X-26 and Taser X2 are the only authorized Electronic Control Devices currently approved by the Department.
- D. Testing Procedures for Electronic Control Devices
 - a. TASER International requires a spark test prior to each shift or a minimum of once per work day. It is not necessary to spark test the Electronic Control Device on days off, as long as a spark test is conducted prior to the start of the next shift. The only way to determine the proper functioning of all components is to conduct a daily spark test. There is no display or other method to verify proper Electronic Control Device operation other than seeing the actual spark between the electrodes.
 - b. To spark test a Taser X-26p Electronic Control Device, ensure that the safety is on and remove the cartridge from the unit. Physically verify the unloaded electronic control device. Aim the Electronic Control Device in a safe direction and away from any other personnel who are present. Arm the unit by moving the safety switch to the fire mode activating the light and laser sight. Pull the trigger and listen for normal arching and watch for sparking at the probes. Once the arching is heard and observed for a full 5 second cycle, re-engage the safety switch to disarm the unit and to stop the test. After this testing procedure is completed, the cartridge can be reattached to the Electronic Control

Device. Officers should take additional precautions when reattaching their cartridge to make sure the Electronic Control Device is pointed in a safe direction and not pointed at themselves or other personnel who are present.

E. Deployment

- a. An Electronic Control Device may be used by trained personnel when a subject is threatening to actively resist or is actively resisting an officer and the subject poses an articulable threat to an officer or another person. It may also be used when the subject poses a threat of harm to him/herself such as self-inflicted injury or a suicide attempt or when other exigent circumstances exist.
 1. Officers may also include in the decision to use this force option information known to the officer at the time of the incident, including conduct or statements of the subject or prior history of resistive or assaultive behavior.
 2. Passive resistance without posing an articulable threat of harm to officers or others does not permit the use of Electronic Control Devices.
- b. An officer shall not brandish, display or threaten use of an Electronic Control Device unless they can reasonably conclude its use may become justified and is anticipated.
- c. Each and every application of an Electronic Control Device must be legally justified.
- d. When using an Electronic Control Device in drive-stun mode to gain compliance from a suspect who is “actively resisting” arrest, the officer must give the suspect reasonable opportunity to comply with the officer’s commands prior to each Electronic Control Device’s application. Specifically, the officer:
 1. Must perceive that the suspect is “actively resisting”;
 2. Must be certain that the suspect is capable of compliance with the officer’s commands;
 3. If practical, give a warning prior to each application of the Electronic Control Device;
 4. Must give the suspect time to recover from the “extreme pain” experienced during the Electronic Control Device application;
 5. Must give the suspect a reasonable amount of time to regroup; and must give the suspect a reasonable opportunity to consider the consequences of refusal to comply with commands before each ECD application.
- e. Officers may not use an Electronic Control Device on a visible pregnant woman (or one who informs the officer of her pregnancy) unless deadly force is the only other option. These same restrictions would apply to children and the elderly.
- f. The reporting requirements contained in the policy must provide that an officer is required to include in a report specific information indicating that all of these guidelines were followed prior to the application of an Electronic Control Device.
- g. In each instance when an Electronic Control Device is deployed on an incident, a determination will be made regarding the need for lethal cover.
 1. Lethal cover shall be required in all cases in which a subject possesses a dangerous weapon.
- h. Department personnel who use an Electronic Control Device against a person shall insure the person is monitored for injury as soon as practicable after the person is under control. In all cases, as soon as practical, EMS will be summoned to the scene, or location of prisoner transport.
- i. Officers and Paramedics must recognize the behaviors and elements associated with the potentially life threatening medically significant event known as Excited Delirium. Excited Delirium is a medical condition that is usually brought on by stimulant drug abuse or non-compliance with psychiatric medications. Any person who is delirious requires prompt medical evaluation and treatment. The delirious person is likely to manifest an acute behavioral disturbance. These individuals can appear normal until they are questioned, challenged or confronted. When confronted or frightened these

individuals can become oppositional, defiant, angry, paranoid and aggressive. Further confrontation, threats and use of force will almost certainly result in further aggression and even violence. Attempting to restrain and control these individuals can be difficult because they frequently possess unusual strength, pain insensitivity and instinctive resistance to any use of force. The failure of officers to recognize this life-threatening condition may delay the urgent help that is needed to save the affected person. (Also see Excited Delirium Protocol in 7.1.01, p 8.)

- j. If an adverse reaction to the Electronic Control Device occurs, or if requested by the subject, transport to a medical facility shall be arranged.
- k. If the probes are imbedded in sensitive areas, i.e. neck, face, groin, or the breast of a female, officers shall arrange transport to a medical facility for removal. If the probes are imbedded in other non-sensitive tissue areas, a trained officer may remove them according to the trained procedure.
- l. After the probes have been removed they shall be handled as a biohazard and packaged according to trained procedures.

F. Reporting Electronic Control Device Use

- a. All officers who use an Electronic Control Device against a person or animal shall complete a UWLPD Critical Incident Report, accompanied with a narrative report detailing their involvement in the incident. This does not include verbal threats of use when the Electronic Control Device is not displayed.
- b. The narrative report of an officer who uses an Electronic Control Device shall minimally include the following:
 - 1. Subject (actions, weapon(s) involved)
 - 2. Number of probes fired and impact locations
 - 3. Number and duration (if known by reporting officer) of firings of an Electronic Control Device applied to subject.
 - 4. Aftercare and medical attention (if needed)
 - 5. Other pertinent information supporting the officer's decision to use conducted energy weapon.
- c. The internal data recorded by the Electronic Control Device shall be downloaded and included with report as soon as practicable.
- d. All trigger activations (i.e.: training, deployment in use of force incident or accidental) of the Electronic Control Device shall be reported to the shift supervisor or OIC as soon as practicable. Standard testing procedures do not apply.

- G. Evidence Collection** Following a deployment of the Electronic Control Device (which involves the firing of the probes at a subject) and the subject and scene have been secured, a reasonable effort should be made to collect the fired probes, wires and spent cartridge. Once collected, these items shall be entered as evidence and packaged in accordance with the department's evidence collection/packaging policy.

REPORTING USE OF FORCE

1. Purpose of Use of Force Reports

- A. The purpose of filling out the Use of Force Report is for the immediate documentation of the force used so that should a complaint be filed, the pertinent facts would be readily available. The reports will also be used to assist in evaluating the incident, policy, training, and equipment. The mere existence of one or more Use of Force Reports cannot be used in an officer's performance evaluation. Furthermore, since the report merely records a historical event, the mere existence of one or more Use of Force Reports cannot be the basis for discipline. Force which is justified is permissible, regardless of the number of usages.

B. Use of Force Situations Requiring Reporting

- a. The following are examples of situations where a Use of Force Report and detailed incident report must be completed, however, they are required in any situation which clearly involves a use of force.
 1. An officer is injured in a use of force situation, or injured as the result of an unlawful use of force against the officer.
 2. An officer exercising police authority uses force which causes death or any visible or apparent physical injury, or which results in the subject saying that they are injured.
 3. Whenever lethal or less lethal weapon(s) are used.
 4. An officer exercising police authority uses any object to strike a subject.
 5. An officer exercising police authority uses force which in any way causes a subject to suffer a blow to the head.
 6. An officer exercising police authority decentralizes or physically removes or drags a struggling subject from one place to another.
 7. An officer uses OC, tear gas, or other chemical irritant. In the event that such irritants are used to disperse rioters, mobs, crowds, or barricaded subjects, the Shift Commander or Officer-in-Charge on the scene shall initiate the Use of Force Report.
 8. An officer discharges his/her departmentally sanctioned firearm, regardless of duty status and regardless of whether the discharge was accidental or intentional. Recreational and range use are exempt.
 9. An officer exercises police authority on a subject resulting in the subject losing consciousness.
 10. When the level of force used is a "Compliance Hold" or higher in the intervention options.
 11. When a firearm is pointed at any person.
 12. When any agency member witnesses or is party to any apparent unauthorized Use of Force by a member of this or any other law enforcement agency.
 13. When required by the Shift Commander for situations, acts, and omissions that should be documented and reviewed but are not explicitly covered by policy.

C. Method of Reporting Use of Force

- a. Each officer who uses force shall make a verbal report to the on-duty Shift Supervisor as soon as circumstances permit, but in no case later than the end of his/her tour of duty. He/she shall file a detailed incident report and Use of Force Report as soon as practical thereafter describing all the circumstances surrounding the incident. If the officer is hospitalized during the tour and incapable of filing the required reports, his/her on-duty supervisor is responsible for filing as complete a report as possible pending further departmental investigation. Off-duty officers who, under color of law, are involved in a use of force situation are subject to the same reporting requirements and procedures as on-duty officers. Dispatchers and other employees may be required to file a report or memorandum in some situations.

D. Shift Supervisor's Responsibility

- a. The Shift Supervisor is responsible for evaluating use of force incidents, and completing the Shift Supervisor's portion of the Use of Force Report. An investigation is required for any "critical incident" involving the use of force. The Shift Supervisor shall promptly conduct or coordinate this investigation. The information gathered shall include at a minimum the following information:
 - a. Witness information and statement.
 - b. Subject information and statement
 - c. Event information - time and location
- b. The Chief of Police shall be notified as soon as possible whenever injuries have been inflicted by or to a department employee sufficient to cause death, great bodily harm or hospitalization.
- c. Absent the objection of the injured person, the Shift Supervisor shall have photographs taken of the

injuries. If consent for photographs cannot be obtained it shall be noted in the report. Employees with visible injuries shall be photographed.

- d. If an officer encounters a degree of resistance sufficient to justify a charge of resisting/obstructing, or battery to a police officer, these charges will be made immediately.
- e. An officer who discharges a firearm at a human being or at a vehicle in which human beings are contained or who is involved in any other use of force or traffic accident which results in death or great bodily harm shall be required to submit to a timely chemical test or tests for the purpose of determining the presence of alcohol or drugs.

REVIEW OF USE OF FORCE INCIDENT

1. Administrative Review of Use of Force Incidents

- A. All reported uses of force will be reviewed by the Shift Commander to determine whether:
 - a. Department rules, policy or procedures were violated.
 - b. The relevant policy was clearly understandable and effective to cover the situation.
 - c. Department training requires revision.
- B. All Use of Force reports shall be forwarded to the Chief of Police or his/her designee. All Use of Force reports shall be retained and the data derived there from shall be compiled and periodically analyzed to assess the effectiveness and adequacy of policy, training, equipment and personnel.
- C. All critical incidents involving Use of Force shall be forwarded to the Chief of Police or his/her designee, and if appropriated.

2. Critical Incident Review Board

- A. For the purposes of this section, a critical incident is defined as one where:
 - a. An officer is injured in a use of force situation, or injured as the result of an unlawful use of force against the officer.
 - b. A subject receives an injury requiring medical treatment, whether such treatment is accepted or not.
 - c. Deadly Force is used.
 - d. A firearm is discharged, whether on-duty or off-duty. (This standard does not apply to firearms training, hunting, authorized destruction of injured animals or participation in legitimate sporting events).
 - e. There is an alleged or actual unauthorized use of force.
 - f. A review is requested by the Agency Administration.
 - g. A review is requested by either party to address a Use of Force issue in a disciplinary action.
 - h. A civil lawsuit or claim for damages is filed.
- B. All Critical Incidents involving the use of force shall be formally reviewed within one month by a Critical Incident Review Board. The review board will review all reports, statements, and any other relevant information or materials, and may take testimony. The purpose of the review is to determine whether:
 - a. The force used was within policy.
 - b. The relevant policy was clearly understandable and effective to cover the situation.
 - c. Department training is adequate or requires revision.
 - d. Department equipment is adequate or requires modification.

3. Report of Findings

- A. The Critical Incident Review Board shall make a written report of findings to the Chief of Police. This

report should include the relevant facts and circumstances surrounding the incident. All findings of policy violations or policy, training or equipment deficiencies shall be reported to the appropriate unit for resolution and/or discipline.

ADMINISTRATIVE LEAVE OF DUTY

1. Whenever an officer uses deadly force, or where an officer's use of force results in death or serious bodily harm, the officer shall be placed on administrative leave of duty, after completing all internal investigative requirements, until returned to his or her assignment by the Chief of Police. The purpose of this standard is twofold: (1) to protect the community's interest when officers may have exceeded the scope of their authority in the use of deadly force and (2) to shield officers who have not exceeded the scope of their authority from possible confrontations with the community.

PSYCHOLOGICAL DEBRIEFING

1. In order to help the officer involved cope with the stress the incident has created a psychological debriefing may be done. This shall be done as soon as possible hours after the incident, preferably with between 24 and 72 hours of the incident. Anything said during a debriefing is strictly confidential and off the record. It has been found that such debriefings greatly aid in the effective psychological handling of such incidents by those involved. The officer will, at any time, for a period of up to 14 months after the incident, be given the option of seeking professional help and counseling which will be paid for by the Department, if not covered through the University's Employee Assistance Program (EAP) or by insurance. However, the officer must set up time outside his/her regular duty times. This assistance, if not covered through the University (EAP) or by insurance, must be approved in advance by the Chief of Police. This counseling will be confidential, except the Department may be advised as to the Officer's ability to function as a Police Officer.

9/21/2017

X



Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:

Arrest Procedure

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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PURPOSE

This policy defines the authority to make arrests and guidelines for effecting arrests, both with/without a warrant, and releasing from custody arrested individuals. Guidelines ensure that rights/privileges are afforded to citizens during arrest situations.

POLICY

It is our policy that officers shall investigate violations of laws/ordinances and shall make arrests for violations in accordance with procedures imposed by the U.S./WI Constitution; federal, state and municipal legislation and department policy. Members, take into consideration new case laws, which can affect citizen's rights.

DEFINITIONS

Arrest

Depriving a person his/her liberty by legal authority for a civil, or criminal law violation.

Custodial Arrest

Depriving a person his/her liberty by legal authority for the purpose of holding/detaining him/her to answer a criminal charge or civil forfeiture action.

Non-custodial Arrest

Temporarily depriving a person of his/her liberty by legal authority for the purpose of issuance of a citation or summons relating to a civil forfeiture action.

Crime

Conduct prohibited by law, punishable by fine, imprisonment or both. Conduct punishable by forfeiture only is not a crime.

Pat Down/Frisk

The feeling/touching of outer garments of a person temporarily detained for the purpose of locating weapons or articles capable of causing injury.

Search

The feeling/touching of garments of a person taken into custody for the purpose of locating weapons, evidence, or personal property.

Legal Standing

In cases of warrant-less arrest, a person with legal standing would be a person whom the officer reasonably believes is the person with the authority to grant permission to enter/search. Examples homeowner, renter, long-term guest or as otherwise dictated by case law.

Hot Pursuit

Pursuit of a suspect from the scene of a crime.

Warrant (Arrest)

A written order issued and signed by a judge, and directed to a law enforcement officer, commanding the officer to arrest the person identified in the order. An arrest warrant may be for the violation of a criminal law (criminal arrest warrant) or in connection with a civil proceeding, e.g. failure to appear at a divorce, family support or paternity hearing, a civil arrest warrant.

Probable Cause

The amount of evidence that would lead a reasonable police officer to believe that a crime probably has been committed and that the person in question has probably committed it. It is more than a hunch or suspicion, but is less than sufficient evidence to bind over for trial. For the purpose of interpreting Wisconsin statutes, “probable cause” is used interchangeably with “reasonable grounds.”

1. Arrests

- A. For an arrest to occur, an officer must have the intent to take a person into custody and an understanding by the person arrested that s/he is in custody. When making an arrest, an officer should:
- B. Identify him/herself as a police officer. (If it is apparent by the wearing of a uniform or other means that the person making the arrest is a police officer, no further identification is necessary.)
- C. Inform the subject that s/he is under arrest.
- D. Restrict the arrested subject’s movements as required, using only force necessary to overcome any resistance by the person being arrested.
- E. In all cases where an arrested person is taken into physical custody, a report number shall be assigned and the arresting officer shall be responsible for completing a detailed report.

2. Arrests with a Warrant

- A. Law enforcement officer may arrest a person when any of the following exists:
- B. Have probable cause to believe a warrant for the person’s arrest has been issued in this state.
 - a. Have probable cause to believe a felony arrest warrant has been issued for the person in this or another state. A Wisconsin officer may not arrest a person on a misdemeanor warrant issued in another state.
 - b. Arrest warrants may be served at any time to the individual on the warrant in a public place, however, discretion should be used when serving a warrant to ensure serving it at a reasonable time. Factors such as the nature of the offense, potential to escape and for doing further injury/damage should be considered when selecting a time to serve an arrest warrant.
 - c. As soon as practicable after arresting on a warrant, the officer shall inform the person of the reason for the arrest and if able the officer should read the warrant to the person, then endorse the warrant with arrest time/place. The warrant shall be returned to the issuing court through the jail booking procedure.

3. Arrests Without a Warrant

- A. An officer may make an arrest without a warrant if s/he has probable cause to believe a person is committing or has committed a crime.
 - a. For an officer to enter a person’s home to arrest a person without a warrant, permission by a person of “legal standing” or probable cause plus “exigent circumstances” must exist. (Exigent circumstances do not include minor traffic offenses. *Welsh V. Wisconsin*) Exigent circumstances include:
 - 1. The immediate threat of escape;
 - 2. The immediate threat of destruction of evidence;
 - 3. The immediate threat of death or great bodily harm to the officer or another.
 - 4. Hot pursuit
 - 5. Fleeing Felon
 - 6. As directed by Case and/or State laws
- B. If exigent circumstances do not exist, it is necessary to obtain an arrest warrant or consent to enter the premises from someone authorized to give consent to make an arrest of a person in his/her own

residence.

4. FORCIBLE ENTRY without Exigent Circumstances

- A. When forcible entry is required in the effect of an arrest, officers shall perform the following:
 - a. Make a reasonable attempt to contact a supervisor
 - b. Locate and control all persons and property, which might potentially serve as a weapon
 - c. Photograph damage occurring as a result of the forced entry; complete a detailed report describing same.
 - d. Make reasonable efforts to contact the owner and secure the property to prevent further damage/loss.

5. Search Incident to a Lawful Arrest

- A. WI [§968.10\(1\)](#), authorizes officers to conduct searches “incident to a lawful arrest.”
- B. “Incident to a lawful arrest” requires that the search shall occur as soon as practical after the arrest. The search shall be made at/near the arrest location. Such searches made of the premises where the person was at the time of the arrest shall be made while the person arrested is still at the location of the arrest unless extenuating circumstances exist and are noted in relevant reports. A search of the arrested person “incident to a lawful arrest” may occur after the person has been transported to the department/detention. A search of a vehicle the arrested person was in at the time of the arrest is not permitted unless there is probable cause that further evidence shall be found within the vehicle.
- C. “Lawful arrest” for the purpose of a search incident to an arrest, means any arrest action to include issuance of a citation/summons if the person is taken into physical custody and removed from the scene.
- D. WI [§968.11](#), scope of a search incident to a lawful arrest: permits officer to reasonably search the person arrested and an area within the person’s immediate presence for the purpose of:
 - a. Protecting the officer from attack
 - b. Preventing the person from escaping.
 - c. Discovering/seizing the fruits of the crime.
 - d. Discovering/seizing instruments or things which may have been used in the commission of, or which may constitute evidence of, the offense.
- E. The area within an arrested person’s immediate presence can be defined as that area within lunge, reach, or grasp of the person at the time of the arrest.
- F. Protective Sweep
- G. Officers making a lawful arrest or executing a lawful search in a private residence may conduct a protective sweep of the residence if they have a reasonable belief that the areas to be swept may harbor individuals posing a danger to those on the scene. Officers should be prepared to articulate the reasons for the protective sweep.

6. Stop and Frisk

- A. WI [§968.24](#) & [§968.25](#), an officer may stop a person and conduct a limited search of that person if/when:
 - a. After identifying him/herself as an officer, may stop a person in a public place for a reasonable time when the officer reasonably suspects that the person is committing, about to commit, or has committed a crime and demand the name/address of the person and an explanation of conduct. Such detention/questioning shall be conducted in the vicinity where the person was stopped.
 - b. Refusal to answer the officer’s questions in itself is not “obstructing an officer.” If no further facts lead the officer to probable cause for arrest, the person must be released.
- B. When stopping a person for temporary questioning and reasonably suspecting that person or another, is

in danger of physical injury, the officer may search the person for weapons or an instrument/article/substance readily capable of causing injury and of a sort not ordinarily carried in public places by law abiding persons. If such a weapon/instrument or other property possession of which the officer reasonably believes may constitute the commission of a crime, or which may constitute a threat to the officer, that officer may take and keep it until the completion of the questioning, at which time the officer shall either return it or arrest the person.

7. Strip Searches

- A. Refer to policy [3.20](#)

8. Determining Criminal Charges or Civil Forfeiture

- A. The arresting officer should consider the following factors
- Injury to person
 - Extensive property damage
 - Violence or threat of violence
 - Prior record of the offender indicates a continuing pattern of deviant behavior, and/or
 - The offender's attitude.

9. The decision to charge a person will not be based upon the offender's race, creed, color, or sex.

10. Cases should not be referred for prosecution unless sufficient evidence.

11. Alternatives to Arrest

- A. Discretion - When confronted with situations involving non-serious conduct/minor violations, officers have the discretion to examine possible alternatives to arrest/confinement, (e.g. bail, citations, warnings, etc.).
- B. Specific Responsibilities
- Officer action/discretion may be further regulated by specific policies or supervisory discretion.
 - The severity of action/inaction is not being influenced by race, sex, ethnic background, religious belief, or political reasons.
 - Enforcement action must not be more severe than can be reasonably and objectively justified to further department goals and objectives.
 - Enforcement action or contact may not be extended unnecessarily for the purpose of delaying the release or inhibiting the free movement of any person.

12. Forfeitures and Deposits

- A. Traffic and Misdemeanor Crimes: The forfeiture/deposit amount for traffic violations or misdemeanor crimes shall conform with the State Traffic Deposit and Uniform
- B. Misdemeanor Bail Schedule.
- C. Non-traffic Forfeitures: The forfeiture/deposit amount for ordinance violations shall be in accordance with the current Deposit Schedule as set by law and the courts.

13. Release from Custody (Non-Felony Arrests)

- A. Persons arrested for a forfeiture shall be released from custody without a cash bond if they:
- Have a valid WI driver's license or show sufficient evidence of ties to the community; or
 - The officer is satisfied that the accused will make court appearances.

- c. By direction of the Court
- B. Persons arrested for a misdemeanor shall be released from custody without cash bond unless:
 - a. Does not have proper ID, refuses to identify him/herself, or refuses to submit to booking procedures authorized under WI [§165.83](#).
 - b. Appears to represent a danger of harm to him/herself, another person or property.
 - c. Not a Wisconsin resident.
 - d. Cannot show sufficient evidence of ties to the community.
 - e. Accused has previously failed to appear in court or failed to respond to a citation.
 - f. Arrest/detention is needed to carry out legitimate investigative action in accordance with policy.
- C. All persons not released for a forfeiture, misdemeanor or misdemeanor traffic offense shall be released upon compliance with the state deposit or misdemeanor bail schedules unless bail is otherwise set by a court.
- D. The guidelines on release from custody for non-felony arrests do not supersede specific statutorily mandated detention, judges' orders or direction by a supervisor.
- E. An officer need not release an arrested person if it is the officer's opinion the person in custody is not in a fit condition to care for his or her own safety or would constitute, because of his or her physical condition, a danger to the safety of others. If an arrested person is not released under this provision, the person shall be taken before a judge within a reasonable period of time. Refer to WI [§969.07](#) and [§970.01](#).

14. Mandatory Incarceration

- A. Arrested persons are held in custody upon verification of any of the following:
 - a. An arrest warrant exists for the person who is unable to post required bond and the issuing agency requests the person detained.
 - b. An apprehension request has been issued by Corrections or Probation and Parole.
 - c. A state/federal judge has issued a capias for the individual in custody.
 - d. As directed by written judicial orders of the County of La Crosse Circuit Court Judges.

15. Persons Held in Custody for Other Agencies

- A. Transported to the jail or turned over to the issuing agency.

16. Juveniles

- A. Refer to policy [3.06](#) for UWLPD policy on Juveniles.

9/21/2017

X



Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Juveniles

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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PURPOSE

The department, in order to achieve the goal of providing for a juvenile's wellbeing and safety, shall always have as its primary consideration the best interest of the juvenile. The department shall also consider the interest of the parent or guardian as well as the interests of the community. The department and its officers shall attempt to remove the consequences of delinquent behavior for juveniles who portray such behavior and substitute therefore a program of supervision, care, and rehabilitation.

DEFINITIONS

Juvenile

A person who is less than 18 years of age, except that for purposes of 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 attained 17 years of age [WI §928.12(10m)]

Age of Delinquency

Establishes that the juvenile court has exclusive jurisdiction over any juvenile 10 years of age or over who is alleged to have committed an act that would be a crime if committed by an adult.

Adult

A person who is 18 years of age or older, except for the purposes of prosecuting a person who is alleged to have violated any state, federal, civil law, or municipal ordinance, "adult" means a person who had attained 17 years of age.

Taking into Custody

Taking a juvenile into custody shall not be considered as an arrest (§938.19). A police officer may take a juvenile into immediate custody when one or more of the circumstances exist as are enumerated in §938.20, §938.205, and §938.07.

Release

The returning of a juvenile to either the parent or guardian or legal custodian without further action or pending action in Juvenile Court.

Parent

Means either a biological parent or a parent by adoption. If the juvenile is born out of wedlock but not subsequently legitimated or adopted, "parent" includes a person adjudged in a judicial proceeding to be the biological father. "Parent" does not include any person whose parental rights have been terminated.

NOTE: If a person has reached 17 years of age, they are treated as an adult for arrest purposes and prosecution. A person must still be 18 years of age to purchase tobacco products or 21 years of age to purchase alcohol. The age for victims of abused children or battery to a child, uncontrollable, truant from school, run away from home, remains 18 years of age.

Procedure

1. Role of Police Officers

- A. Police officers are in a position to materially aid in the prevention of delinquency by:
 - a. Detecting and observing unfavorable conditions and "high risk" areas through active observant patrol and then using every available legal means of eliminating.

- B. Handling minor offenders in a protective yet firm and fair manner.
- C. Alerting parents to antisocial acts of their children.
- D. Referring juveniles and parents to agencies which can assist them with their problem.
- E. Alerting the Department of Human Services of situations of neglect and abuse (physical or sexual) which are often the forerunner of delinquency.
- F. Vigorously seeking the prosecution of adults who commit offenses against children.
- G. Making appropriate referrals to Juvenile Intake.
- H. Working with the courts, Juvenile Intake, schools, and related agencies, in their role of delinquency prevention and control.
- I. The prevention of delinquency and respect for authority are closely tied together. In juvenile contacts, the police officer's attitude and manner will have an influence on delinquency prevention. If the officer conducts himself or herself in a manner that commands respect and admiration, it will help develop respect for authority. Respect for authority and an appreciation for the rights of others are often qualities absent in delinquents and criminal§ It is the first contact a juvenile has with police that will most often form a lasting impression. It should always be positive.

2. INTERVIEW OF JUVENILES

- A. An Officer that conducts a custodial interview of a juvenile will video record said interview.

3. PHYSICAL CUSTODY OF JUVENILES

- A. A juvenile may be taken into custody under:
 - a. a warrant;
 - b. a capias issued by a court under [§938.28](#);
 - c. an order of the court if made upon a showing satisfactory to the court that the welfare of the juvenile demands that the juvenile be immediately removed from his or her present custody. The order shall specify that the juvenile be held in custody under [§938.207](#);
 - d. Circumstances in which a law enforcement officer believes on reasonable grounds that:
 - 1. A capias or warrant for the juvenile's apprehension has been issued in this state, or that the juvenile is a fugitive from justice;
 - 2. A capias or warrant for the juvenile's apprehension has been issued in another state;
 - 3. The juvenile is committing or has committed an act which is a violation of state or federal criminal laws;
 - 4. The juvenile has run away from his or her parents, guardian, or legal or physical custodian;
 - 5. The juvenile is suffering from illness or is in immediate danger from his or her surroundings and removal from those surroundings is necessary;
 - 6. The juvenile has violated the terms of court-ordered supervision or after-care supervision administered by the department;
 - 7. The juvenile has violated the conditions of an order under [§938.21](#) or the condition of an order for temporary physical custody by an intern worker, or;
 - 8. The juvenile has violated a civil law or a local ordinance punishable by forfeiture, provided that in any such case the juvenile shall be released as soon as reasonably possible under [§938.20](#).
 - 9. "[§938.19\(2\)](#): When a juvenile is taken into physical custody as provided in this section, the person taking the juvenile into custody shall immediately attempt to notify the parent, guardian, or legal guardian of the juvenile by the most practical means." The person taking the juvenile into custody shall continue such attempt until the parent, guardian, or legal guardian of the juvenile is notified, or the juvenile is delivered to an intake worker under [§938.20](#), whichever occurs first. If the juvenile is delivered to an intake worker, or another person at his or her

direction, they shall continue to attempt to notify the parent, guardian, or legal guardian of the juvenile until they are notified.

10. "§938.19(3): Taking into custody is not an arrest except for the purposes of determining whether the taking into custody or the obtaining of any evidence is lawful."

4. TYPES OF DISPOSITIONS

- A. Disposition (Detention or Release). Section §938.20 of the Juvenile Justice Code reads in part: "(1) Juveniles taken into custody shall be released from custody as soon as reasonably possible. (2) A person taking a juvenile into custody shall make every effort immediately to release the juvenile to: the juvenile's parent, guardian, or legal custodian or, if the parent, guardian, or legal custodian is unavailable, unwilling, or unable to provide supervision for the juvenile, may release the child to a responsible adult, and verbally counsel or warn as may be appropriate, or in the case of a child 15 years of age or older, may release the child without immediate adult supervision, counseling or warning the child as may be appropriate, or...."

- a. Released

1. As is the case with adult apprehensions, on occasions after a juvenile has been properly taken into custody, investigation reveals that we are unable to pursue the charges because we find the juvenile was not involved in the offense, there is insufficient evidence to adequately support the charge, etc. As a result, the juveniles must be released and no charges are pursued.

- b. Released to Parent or Guardian

1. When an offense is of a minor nature and a check of the juvenile's record reveals no prior offense, this disposition should be considered.

- c. Referral to Juvenile Intake

1. Juvenile offenders should be referred to Juvenile Intake when one or more of the following conditions or circumstances exist and when other dispositions are deemed adequate:
 - A. The offense is a felony or is a serious misdemeanor.
 - B. The offense is one of a series of offenses which were heretofore handled without being referred to Juvenile Intake.
 - C. The parental attitude towards the juvenile or the offense is negative or they display an inability to cope with the problem.
 - D. The attitude of the juvenile towards the offense, towards the juvenile judicial process, or towards authority itself is negative or contemptuous.

2.3.6

- d. Detention at the La Crosse County Juvenile Detention Center

1. Such dispositions should be made by the Juvenile Intake Worker on call. His/her decision should be based on one or more of the criteria set forth in §938.205:
 - A. Probable cause exists to believe that if the juvenile is not held, he or she will commit injury to the person or property of others or cause injury to himself or herself or be subject to injury by others;
 - B. Probable cause exists to believe that the parent, guardian, or legal custodian of the juvenile or other responsible adult is unavailable, unwilling, or unable to provide adequate supervision or care; or
 - C. Probable cause exists to believe that the juvenile will run away or be taken away so as to be unavailable to proceedings of the court or its officers or proceedings of the Division of Hearings and Appeals in the Department of Administration for revocation of aftercare

supervision."

5. REPORT CRITERIA

- A. Arresting officers shall complete an Incident Report detailing the circumstances of the arrest and an investigative summary of the charge to substantiate probable cause. This should include information as to the victim's consent, suspect identification, physical evidence, witnesses, names of accomplices, and statement of the suspect.
- B. If a juvenile is to be referred to Juvenile Intake the arresting officer shall complete the Intake Referral Notice and forward that form, along with his/her incident report and Juvenile Report form (JD-1701) to Juvenile Intake. It should be noted that the La Crosse County's Judicial Policy is that the investigating officer has 14 days after completion of his/her investigation to make a referral to Juvenile Intake. If this time has lapsed, the case may be dismissed with prejudice.
- C. Senior officers and supervisors shall monitor case progress and review all arrests and incident reports to assure that they are properly and accurately completed before the juvenile is conveyed to the Juvenile Intake worker or to the Juvenile Detention Center.

6. SECURE OR NON-SECURE DETENTION

- A. The Intake Worker has the responsibility of determining whether the juvenile will be held in secure or non-secure detention (§938.20)
- B. Non-Secure Detention may include:
 - a. The home of a parent or guardian
 - b. The home of a relative
 - c. A licensed foster home
 - d. A licensed private or public shelter facility
 - e. A hospital or other approved public treatment facility

NOTE: Placement in non-secure detention renders the juvenile subject to the orders of the Intake Worker or the court pending disposition of the case.

- C. Secure Detention: Only by criteria set forth in §938.208:
 - a. Probable cause exists to believe that the juvenile has committed a delinquent act and either presents a substantial risk of physical harm to another person or a substantial risk of running away as evidenced by previous acts or attempts so as to be unavailable for a court hearing.
 - b. Probable cause exists to believe that the juvenile is a fugitive from another state and there has been no reasonable opportunity to return the child.
 - c. The juvenile consents in writing to being held in order to protect him or her from an imminent physical threat from another and such secure custody is ordered by the judge in a protective order.
 - d. Probable cause exists to believe that the juvenile, having been placed in non-secure custody by an intake worker under §938.207 or by the court or a juvenile court commissioner under §938.21, has run away or committed a delinquent act and no other suitable alternative exists.
 - e. Probable cause exists to believe that the juvenile has been adjudged or alleged to be delinquent and has run away from another county and would run away from non-secure custody pending his or her return. A juvenile may be held in secure custody under this subsection for no more than 24 hours unless an extension of 24 hours is ordered by the court for good cause shown. Only one extension may be ordered by the court.

7. DEPENDENT, ABANDONED, ABUSED, OR NEGLECTED CHILD CASES

- A. When any officer of the department is called to or happens upon any of the above they shall promptly investigate and contact their immediate supervisor and the Department of Human Services for assistance.
- B. Whenever possible, photographs taken by a department photographer should be obtained which tend to show neglect or injury. Further, if untreated injuries are present, the child shall be taken to a hospital for treatment. Written statements shall always be obtained from the attending physician of an injured child. If statements are unavailable, the medical records may be subpoenaed.
- C. Officers finding an apparent dependent, [§938.19](#) juvenile shall make every effort to locate the parents, guardian, or legal custodian of the child. The Department of Human Services shall be contacted if the parent, guardian, or legal custodian cannot be located.
 - a. If the injured juvenile is a runaway or missing juvenile from another jurisdiction, said jurisdiction shall be contacted and informed. If the parents, guardian, or other jurisdiction will respond within a reasonable amount of time, the juvenile will be turned over to them. If the parents, guardian, or other jurisdiction cannot respond within a reasonable amount of time, the officer will notify the Department of Human Service. The officer shall notify the other jurisdiction as to the disposition of the child.
- D. Wisconsin Statutes dealing with Dependent, Abandoned, Abused, or Neglected Children
 - a. [§938.13](#) of Wisconsin Statutes related to Jurisdiction Over Children Alleged to be of Protective Services
 - b. [Chapter 948](#) of Wisconsin Statutes deals with Crimes against Children
 - c. "Neglect"
 - 1. Any person who is responsible for a child's welfare who, through his or her actions or failure to take action, intentionally contributes to the neglect of the child is guilty of one of the following:
 - A. Class A misdemeanor.
 - B. Class H felony if bodily harm is a consequence.
 - C. Class F felony if great bodily harm is a consequence.
 - D. Class D felony if death is a consequence.
 - d. "Physical" Injury
 - 2. includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe bruising, or great bodily harm as defined under [§939.22\(14\)](#).

8. MANDATORY CHILD ABUSE/NEGLECT REPORTING LAW

- A. State statute requires that certain persons, including police officers, to report any known or suspected child abuse or neglect situation. It spells out the duties and procedures to be followed.
- B. [§48.981\(2\)](#): Persons Required to Report:

- a. A(n) physician, coroner, medical examiner, nurse, dentist, chiropractor, optometrist, acupuncturist, medical or mental health professional not otherwise specified, social worker, marriage and family therapist, professional counselor, public assistance worker, including a financial and employment planner, as defined in §49.141 (1) (d), school teacher, school administrator, school counselor, school employee not otherwise specified in this paragraph, mediator under §767.405, child care worker in a child care center, group home, or residential care center for children and youth, child care provider, alcohol or other drug abuse counselor, member of the treatment staff employed by or working under contract with a county department under §46.23, §51.42, or §51.437 or a residential care center for children and youth, physical therapist, physical therapist assistant, occupational therapist, dietitian, speech-language pathologist, audiologist, emergency medical technician, first responder, police or law enforcement officer, having reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected or having reason to believe that a child seen in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur shall report as provided in sub. (3). Any other person, including an attorney, having reason to suspect that a child has been abused or neglected or reason to believe that a child has been threatened with abuse or neglect and that abuse or neglect will occur may make such a report. Any person, including an attorney having reason to suspect that an unborn child has been abused or reason to believe that an unborn child is at a substantial risk of abuse may report as provided in sub (3). No person making a report under this subsection may be discharged from employment for so doing.

9/21/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject: Eye Witness Identification		
Date Issued: 4/5/17	Effective Date:	Revision Number:1

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PURPOSE

The purpose of this policy is to establish guidelines and instruments for eyewitness identification procedures involving photo arrays (independent, folder), show-ups, live lineups, facial composites, and photo collection displays and to reduce the risk of wrongful conviction of innocent persons while increasing the probability of convicting the guilty.

POLICY

Research and nationwide experience suggest that eyewitness evidence can be fragile, and that eyewitnesses can be mistaken. To reduce the risk of wrongful conviction and aid in the detection and apprehension of the guilty, officers should adhere to procedures set forth in this policy to maximize the reliability of identifications, minimize unjust accusations of innocent persons and to establish evidence that is reliable and conforms to established legal procedure.

DEFINITIONS

Photo Array

The showing of multiple photographs (array) to an eyewitness to discover or confirm the identity of a suspect.

Live Lineup

The live presentation of a number of individuals, including a suspect, individually shown before an eyewitness for the purpose of identifying or eliminating suspects. Live lineups are sometimes called “physical lineups.”

Show-up

The presentation of a suspect to an eyewitness within a short time following the commission of a crime.

Blank Photo

A sheet of paper the same size as the photos utilized in an array that is blank, with no photo showing.

Filler

An individual or photo (non-suspect) bearing a resemblance to the description of the suspect for use in photo arrays and live lineups.

Administrator

An Officer who actually shows a photo array, lineup or suspect to a witness.

Independent Administrator

An Officer administering a lineup or photo array who has no knowledge of the suspect’s identity. (Sometimes referred to as a “Blind Administrator.”)

Single Officer Photo Array

A process in which the administrator is the investigating officer and/or has knowledge of the suspect's identity, sometimes referred to as the folder method.

Folder Method

A procedure used during a single Officer Photo Array wherein photos are placed in folders and the folders shuffled before presentation to ensure the administrator is not in a position to unintentionally influence the witness’s selection. (Sometimes referred to as the Functional Equivalent Procedure.)

1. Photo Array - Independent Administrator Method

a. Preparation

- a. Gather one suspect's photo, a minimum of five filler (non-suspect) photos, and at least two blank photos. If there are multiple suspects, include only one suspect's photo in the array. If there are multiple photos of the suspect available, choose the photo that most resembles the suspect's appearance at the time of the crime. If you do not know what the suspect looked like at the time of the crime, choose the photo that most resembles the description of the perpetrator.
- b. Set aside one lead filler, so the administrator will know to place it in the lead position. (Research suggests witnesses are reluctant to identify someone in the first position.)
- c. Set aside two blank photos, so that the administrator will know to place them at the end of the array. (Research suggests witnesses should not know when they are viewing the last photo.)
- d. Assess the array to make sure that no person stands out from the rest.
- e. Bring in an independent administrator to conduct the procedure.
- f. Give the administrator the suspect's photo and the remaining filler photos. Do not tell the administrator which photo is the suspect's. Have the administrator mix these photos and place them after the lead filler photo and before the two blank photos. Then have the administrator number all the photos in the series. If the same suspect is to be shown to a new witness, the administrator should remix all but the lead filler and the two blank photos and renumber them accordingly. If a different suspect is to be shown to the same witness, do not reuse the same filler photos.

b. Conduct the Array

- a. If practical, record the identification procedure. Ensure that no writings or information concerning previous identification results are visible to the witness. No one should be present during the photo array procedure who knows the suspect's identity. Witnesses should not be aware how many photos will be shown.
- b. Witnesses should be instructed separately and, to the extent possible, not allowed to confer before, during or after the procedure. The administrator should give the witness a written copy of the following instructions and should read the instruction sheet aloud at the beginning of each identification procedure:
 1. *In a moment, I am going to show you a series of photos. The person who committed the crime may or may not be included. I do not know whether the person being investigated is included. Even if you identify someone during this procedure, I will continue to show you all of the photos in the series. Keep in mind that things like hair styles, beards, and mustaches can be easily changed and that complexion colors may look slightly different in photographs. You should not feel you have to make an identification. It is as important to exclude innocent persons as it is to identify the perpetrator. The photos will be shown to you one at a time and are not in any particular order. Take as much time as you need to look at each one. After each photo, I will ask you "Is this the person you saw (insert description of act)?" Take your time answering the question. If you answer "Yes," I will then ask you, "In your own words, can you describe how certain you are?" Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results. Do you understand the way the photo array procedure will be conducted and the other instructions I have given you?*

- A. Witnesses should then be asked to read the following additional paragraph and sign and date below. (Some witnesses may decline to sign. When a witness declines to sign, it is sufficient for the investigating officer to document that the witness was appropriately instructed.)

- a. *I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to review the photographs that will be presented to me,*

and I will follow the instructions provided on this form.

- c. Present each photo to the witness separately, in order. When the witness is done viewing the photo, have the witness hand the photo back.
- d. After the witness has looked at a photo and handed it back to you, ask, "Is this the person you saw (insert description of act)?" If the witness answers "Yes," ask the witness, "In your own words, can you describe how certain you are?" Document the responses. Show each photo only once and never suggest a second viewing. However, upon the request of the witness, one or more photos may be shown again. If there is a second showing of one or more photos, it must be documented. Even if the witness makes an identification, show the witness the next photo until you have gone through all the photographs. If asked why, indicate that the procedure requires it.
- e. Do not give the witness any feedback regarding the individual selected or comment on the outcome of the identification procedure in any way.
- f. Once the procedure is completed, show the witness the written record of the results, and ask the witness to sign and date that record.
- g. The administrator shall preserve the array and document the:
 - a. Incident number
 - b. Name of the person who compiled the array
 - c. The administrator's name
 - d. The procedure employed
 - e. Date, time, and location of the procedure
 - f. The total number of filler photos and blank photos
 - g. Names of persons present during the array
 - h. If additional viewing occurred
 - i. Whether the procedure was recorded.

2. Photo Array – Folder Method

- A. In some situations, it may be difficult to have an independent administrator conduct the array. In those situations, the investigating officer may conduct the array, but only with safeguards to ensure that he/she is not in a position to unintentionally influence the witness's selection. The folder system is a method to ensure this safeguard.
- B. Use the independent administrator procedure (supra) but with the following modifications:
 - a. Gather folders, each large enough to hold and fully conceal one photograph. Place the lead filler photo in one folder and set it aside. Set aside two empty blank folders.
 - b. Place the remaining filler photos and suspect's photo into the folders (one photo per folder). Shuffle the filler and suspect's folders so that you no longer know which folder contains the suspect's photo.
 - c. Place the lead folder on top of the pile. Place the empty blank folders on the bottom of the pile. Number the folders.
 - d. When presenting the array, position yourself close enough to the witness to verbally communicate with him/her but in a place where the witness will be able to open a folder and look at the photo without you being able to see the photo.
 - e. The procedures and instructions are the same as they are for an independent administrator, except the references is to folders containing photos, rather than photos. (See instruction sheet.)

3. Show-Ups – General Considerations

- A. A show-up occurs when law enforcement officials show one suspect to one witness for the purpose of eyewitness identification. Show-up procedures can be suggestive, but may have benefits for both public safety and innocent suspects.
 - a. A single suspect show-up conducted on the street is permissible only if there is reasonable suspicion but not probable cause to make the arrest or if there are exigent circumstances (e.g. the victim or witness is in imminent danger of death).
 - b. The use of show-ups shall be secondary to the use of photo arrays or lineups. When exigent circumstances require the use of a show-up, the following guidelines should be considered:
 - 1. Document the eyewitness's description carefully prior to the show-up.

2. Whenever practical, transport the eyewitness to the location of the suspect. The showup shall be conducted at the scene of the incident or within close proximity to the scene. Show-ups should not be conducted at the police station, other public safety buildings, squad cars or with the suspect in handcuffs visible to any witness, unless exigent circumstances are present, i.e. extremely violent suspect or officer/witness safety concerns.
3. The officer shall read the "Show-up Instructions" sheet and have the eyewitness sign and date it.
4. Show-ups shall be conducted with only one witness at a time. Multiple witnesses shall not be permitted to communicate before or after any show-up regarding the identification of the suspect.
5. The same suspect shall not be presented to the same witness more than once.
6. Show-up suspects shall not be required to put on clothing worn by the perpetrator. They may be asked to speak words uttered by the perpetrator or to perform other actions of the perpetrator.
7. Words or conduct of any type by officers that may suggest to the witness that the individual is or may be the perpetrator shall be scrupulously avoided.
8. Assess eyewitness confidence immediately following an identification.

4. Live Lineups – General Considerations

- A. The investigating officer will be responsible for preparing the live lineup.
 - a. Whenever possible, all live lineups shall be videotaped.
 - b. If videotaping is not available, a photograph of each participant shall be taken prior to the live lineup.
 - c. The photographs of each participant shall be numbered in their order of appearance.
 - d. The photographs shall be placed in evidence and documented in a report.
 - e. A minimum of four non-suspect fillers are to be included in the line-up.
 - f. The fillers need to resemble the physical description of the suspect such as sex, race, height, weight and distinguishing characteristics such as hair color, facial hair, glasses, scars, etc.
 - g. The first person shown must be a filler, never the suspect.
 - h. Each of the other participants can be arranged in any other order.
 - i. The investigating officer must provide the administrator with any need to have the participants act or speak in a specific manner while being viewed by the witness.
- B. Once the participants have been selected and placed in the order to be shown, the investigating officer will turn control over to the administrator who will conduct the live lineup. Anyone knowing the identity of the suspect shall not be present while the live line-up is being conducted.
 - a. The administrator shall read the live line-up instruction sheet and have the eyewitness sign and date it.
 - b. All participants in the live lineup must be shown individually even after an identification is made.
 - c. The administrator shall direct the participants to speak or act during the lineup if so requested by the investigating officer. While each participant is being viewed by the witness the administrator shall ask, "Is this the person you saw ... (description of act)."
 - d. Following an identification of a suspect by the witness the administrator shall ask the witness, "How confident are you in your identification?" Let the witness respond in their own words. The witness's response shall be documented in the administrator's report.
 - e. The administrator shall permit the re-viewing of the participants only if requested by the witness.
 - f. The administrator shall document the proceedings of the live lineup in a report.
 - g. If the live lineup was videotaped, the administrator shall cause a DVD to be burned and file it into the evidence system.
 - h. The administrator shall convey the results of the live lineup to the investigating officer.

5. Facial Composites

- A. In some investigations, police may have an eyewitness description but no specific suspect or no visual likeness of a known suspect. The use of composite images can yield investigative leads in cases in which no suspect has been determined. In these situations, police may produce a facial composite of the perpetrator based on the eyewitness's description. Various methods exist for carrying out this goal, including manual sketches, mechanical systems such as Identikit, and, more recently, computer-based systems such as E-fit. Composites produced with these methods have been used to gather suspects who resemble the composite or to confirm that an unavailable suspect's appearance matches the description given by an eyewitness. Because of concerns about the reliability of composites and their potential to taint eyewitnesses' memories, facial composites should be used cautiously. In the rare situation in which a composite must be used, a double-blind composite procedure, in which both the witness and the person making the composite are unaware of external information about the case, is recommended. It may not be feasible in some circumstances to conduct a completely double-blind procedure because it may not be possible to prevent both the witness and the administrator from learning about the case. In such situations, witnesses should be told to rely on their independent recollection of the event - not information learned from other sources - and administrators should be mindful of the natural tendency to incorporate prior knowledge into the interaction with the witness and into the production of the composite itself.
- B. Procedure for Preparing a Composite
 - a. Assess the ability of the witness to provide a description of the perpetrator.
 - b. Select the procedure to be used from those available (e.g., Identikit-type templates, artist, or computer-generated images).
 - c. Unless part of the procedure, avoid showing the witness any photos immediately prior to development of the composite.
 - d. Select an environment for conducting the procedure that minimizes distractions.
 - e. Conduct the procedure with each witness separately.
 - f. Determine with the witness whether the composite is a reasonable representation of the perpetrator.

6. Photo Collection Displays

- A. "Mug books" (i.e., collections of photos/images of previously arrested persons) may be useful in cases in which a suspect has not yet been determined and other reliable sources have been exhausted. This technique may provide investigative leads, but results should be evaluated with caution. Avoid individual photos/images that are suggestive or cause anyone to stand out unnecessarily.
- B. Mug books must be objectively compiled to yield investigative leads that will be admissible in court. Individuals should be selected who are uniform with regard to physical characteristics such as race, age, gender, etc. The witness should be read and asked to sign the [Photo Collection Display](#) instruction sheet.

FORMS

[Photo Array Folder Method](#)

[Photo Array Independent Administrator](#)

[Show-Up Identifications](#)

[Live Line-Up Identifications](#)

[Photo Collection Display](#)

9/21/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
High Speed Vehicular Pursuits

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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PURPOSE

Chapter 346.03(6) of the Wisconsin statutes provides the following:

"Every law enforcement agency which uses authorized emergency vehicles shall provide written guidelines for its officers and employees regarding exceeding speed limits when 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."

Motor vehicle pursuits are the most dangerous of all ordinary police activities. Our duty to apprehend offenders competes with our fundamental mission - the protection of life and property. Our primary goal is to avoid excessive or unjustifiable risks. The purpose of this policy is to give clear direction on when a high speed pursuit is allowed.

GENERAL POLICY

Considering the scope of employment at UW-La Crosse, officers shall not become involved in high-speed chases unless the use of lethal force is warranted.

Should a suspect leave an area of suspicious activity, officers will obtain as much information as possible and may request assistance from other LE agencies. If conditions permit an officer may safely follow a suspect until a stop is conducted, but should it develop into a high-speed chase the officer will not become involved.

All emergency vehicle operations shall be conducted in strict accordance with existing statutes. Officers engaged in motor vehicle pursuits shall continuously utilize both audible and visual emergency warning equipment. All members operating departmental vehicles shall at all times exercise due regard for the safety of all persons and will be held strictly accountable for their actions. Members must exercise that degree of care which a reasonably prudent officer in the discharge of similar duties, under like policy guidelines and under like circumstances would use.

The decision to pursue is not irreversible. Even if lethal force is deemed necessary officers must continually question whether the seriousness of the offense or the need for immediate apprehension justifies the danger of the pursuit. When it becomes apparent that the need for immediate apprehension is outweighed by a clear and unreasonable danger to the officer or others, the pursuit must be terminated. Any doubt concerning the propriety of a pursuit should be resolved in favor of the safety of the officer or others.

Failure to activate either audible or visual emergency warning equipment on a police vehicle operated in excess of posted speed limits does not remove the officer's conduct from the proscriptions of this order. All caveats and regulations addressed herein to pursuits also apply to operation of police vehicles in other emergency situations. Shift Commander means the person in operational command of the shift.

HIGH SPEED POLICE PURSUIT DEFINED

For the purpose of this policy, a high speed police pursuit is an active attempt by an on-duty police officer, operating an authorized emergency vehicle utilizing emergency light(s) and/or siren, to apprehend one or more occupants of a moving motor vehicle, providing the driver of such vehicle is aware of the attempt and is resisting apprehension by evasive driving tactics (increasing speed, extinguishing lights, disobeying traffic laws, ignoring the officer).

Please note that prior to initiating the stop of a vehicle, officers are expected to make a reasonable effort to 1) Observe and call in the vehicle registration number and make a note of the vehicle description and; 2) Activate emergency lights and ensure that the audio/video of the in-car digital camera is activated.

BASIS FOR PURSUIT

Officers are authorized to pursue and apprehend, as expeditiously and safely as possible, any person in a vehicle who the officer has reasonable cause to believe has committed a violent felony and where lethal force is necessary. When evaluating the initial offense, officers should consider only what they have reasonable grounds to believe and articulate, not the mere possibility of a violent felony. Knowingly fleeing an officer is not, for the purposes of this policy a violent felony warranting lethal force.

Violent Felony means a felony that involves an attack on a person or persons that involves the use of force.

FACTORS TO CONSIDER

The pursuing officer and Shift Commander must continually consider a variety of information to determine whether the pursuit presents an unreasonable danger of death or great bodily harm which outweighs the public interest involved in apprehension. The conditions identified below are among those which must receive consideration when determining to initiate, continue, or terminate a pursuit. Although they are identified individually, each can have an effect on another. Their value for decision-making purposes may be enhanced when considered in combination.

A. The Nature of the Initial Offense Research findings indicate that the officer's perception of the event preceding the pursuit is usually confirmed by the booking charges. When evaluating the nature of the initial offense, officers should consider only what they have reasonable grounds to believe and can articulate, not the mere possibility of a violent felony. The degree of risk that is justified depends upon the seriousness of the known offense for which the pursuit is being conducted. Knowingly fleeing an officer is not, for the purposes of this policy a violent felony.

B. Necessity of Pursuit If officers know the identity of or obtain sufficient information to identify the suspect for apprehension at a later time, officers must consider whether the need for immediate apprehension justifies the risks of pursuit.

C. Ability of the Officer in Pursuit Every operator has a limit to his or her ability to safely operate a high-speed vehicle on a given roadway. Some of the limiting factors include:

- Experience and training in high-speed operation.

- The degree of familiarity with the roadway being traveled.
- The degree of understanding of the handling characteristics of the vehicle being operated.
- The visibility and illumination available to the operator in the area being traveled.
- The obstacles, both present and potential, that must be avoided.

D. Condition of Pursuit Vehicle The suitability of a vehicle for pursuit must be assessed, evaluating such things as tire and suspension suitability, speed capability and vehicle recognizability, if devoid of rooftop lights and agency insignia.

E. Road and Weather Conditions Every roadway has a maximum speed at which a particular vehicle may be operated safely. Some of these limiting factors include:

- Condition, type, grade and curvature of the road surface.
- The presence of fog, rain, snow, ice, loose gravel, or other foreign substances on the road surface.
- The presence of intersections that could allow other vehicles to suddenly and unexpectedly obstruct the roadway.

F. Time of Day/Day of Week Police pursuits occurring during a high level of business, school, or other activities are deemed more hazardous than those occurring during periods of low activity.

G. Volume of Vehicular/Pedestrian Traffic Pursuits occurring during periods of heavy traffic flow are deemed more hazardous than those occurring at other times. The pursued vehicle is an even greater threat to the driving public and to pedestrians because, unlike the police vehicle, the pursued vehicle is without warning devices. In addition, the operators of these vehicles generally have had less experience in high-speed driving than the pursuing officers and are often in a panic controlled mental state.

H. Speeds Involved The officer shall maintain a speed consistent with public and personal safety, those factors taking precedence over apprehension in most cases.

I. Location of Pursuit Pursuits through residential or business areas or along streets near or adjacent to schools and parks are deemed more hazardous than those in lightly populated areas.

J. Passengers in Squad Pursuits shall not be undertaken by any unit which contains prisoners, suspects, complainants, witnesses or other non-sworn passengers.

TERMINATION RULES

Pursuits may be terminated by the apprehension of offender, by decision of the pursuing officer, or by order of the Shift Commander. The termination of a pursuit does not prohibit the operation of a vehicle at the legal speed limit in the last known direction of travel, or remaining in an area, to re-initiate a stop of the vehicle if the opportunity and conditions permit. At the point of apprehension, the suspect(s) should be assumed to be dangerous. A pursuit shall be terminated when the degree of danger outweighs the necessity for immediate apprehension

INDUCE TO STOP TECHNIQUES

As department officers are not actively trained to conduct many of the induce to stop techniques these techniques are not allowed to be performed with the exception of a roadblock with escape.

A. Roadblock (With Escape Route)

A roadblock is the placement of vehicles or other objects on the roadway to impede or alter the normal flow of traffic. In a roadblock with an escape route, the roadway is either not completely blocked, or an alternate "escape route" is provided. The intention is to provide a show of force to convince the suspect that escape is impossible and induce him or her to give up. Here are some guidelines for using roadblocks with an escape route:

- The roadblock should be set up on a straight, level stretch of roadway with adequate sight distance to give the suspect time to stop.
- If possible, other traffic should be diverted away from the location.
- Officers should be out of their cars and in a position of safety, due to probability of a collision with their parked vehicle.

FORCE TO STOP TECHNIQUES

If possible, Shift Commander approval should be gained prior to performing a Force to Stop Technique. All force to stop techniques requires the justification for use of deadly force against all occupants of the vehicle, unless

justification can be made under the greater danger theory, and should be used only:

1. As a last resort, and where there is definite knowledge that the violator is committing or has committed a felony which involves the use, or threatened use, of deadly force, and there is a substantial risk that the pursued law violator will cause death or great bodily harm to others if apprehension is delayed, and
2. The officer reasonably believes that if the pursued vehicle went out of control as a result of police use of deadly force that such vehicle would not endanger the safety of innocent citizens. For clarification on when deadly force is justified see the Use of Force policy.

A. Ramming

Ramming is the deliberate act of hitting a law violator's vehicle with a pursuit vehicle for the purpose of functionally damaging or forcing the violator's vehicle off the roadway. Ramming is allowed if the pursued vehicle is already out of control and might collide with another occupied vehicle or pedestrian. Otherwise, ramming will be used only when specifically authorized by the Shift Commander or exigent circumstances exist.

B. Roadblocks (No Escape Route) A roadblock with no escape route; the roadway is completely blocked, and no alternate route is provided. If the suspect does not voluntarily stop, he or she will crash, with great potential for injury to the suspect and others in the area. For that reason these guidelines must be applied:

1. If possible, traffic should be diverted or stopped before reaching the roadblock area.
2. The roadblock must be identified with emergency lighting to give warning.
3. The suspect must have adequate sight distance and time to stop if he or she chooses to do so.
4. Officers must communicate to ensure that their actions are coordinated and officers are not put at risk.
5. Officers must be out of, and away from, their squad cars in a protected area due to the high probability of a crash.

C. Firearms See the Use of Force policy for policy on discharge of a firearm and justification for its use.

OTHER CONSIDERATIONS

A. Traffic Control Devices

Extreme care shall be used whenever officers disregard traffic signs or signals, even though statutes specifically permit such conduct. Officers shall make use of all available warning devices to alert other motorists and pedestrians.

B. Channelization

Channelization is not a technique that induces a fleeing driver to stop; it is used to divert a driver to a preferred location. That location might be one that is less populated, less traveled or it might be one more conducive to a forcible stop. As with roadblocks with an escape route, the goal is to leave the driver with only one available route to travel, by blocking off all other alternatives. The number of squads required depends on the number of alternative routes that must be blocked. The same guidelines as roadblocks apply with respect to providing sufficient warning and adequate distance for the driver to avoid the blocked-off road and choose the preferred route.

C. Alternatives to Pursuits

In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle should, when practical, be within a close proximity to the vehicle prior to activating the emergency lights and siren. Following at a safe speed and calling and waiting for assistance is preferable to a highspeed pursuit in high risk stop or hostage situation, or if the officer

suspects that the suspect may flee. Boxing-in tactics are permitted in these pre-pursuit situations.

D. Involvement in the Pursuit of Another Jurisdiction

Officers will not become actively involved in another jurisdiction's pursuit, in or out of Middleton, unless specifically requested to do so by the agency involved and the reasons for pursuit follow the guidelines set forth in this policy.

E. Pursuit Into Another Jurisdiction

When acting in accordance with the provisions of this policy, officers may pursue vehicles into adjoining jurisdictions. In this event, the jurisdiction involved should be notified by the Dispatcher of the pursuit, the reason for it, and whether direct assistance with the pursuit is requested.

DISCLAIMER

This policy is for department use only and does not apply in any civil or criminal proceeding. This policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for departmental administrative actions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

ANNUAL REPORTING

The department shall annually compile information relating to all police pursuits involving department officers. Such information shall include the circumstances of the pursuit, including the distance, location and maximum speed of the pursuit; the reasons for commencing the police pursuit; and the outcome of the police pursuit, including the number, if any, of resulting deaths or great bodily injuries and an estimate of the value of any resulting property damage, if any. This information, along with any other data requested, shall be forwarded to the Department of Transportation in accordance with the provisions of statute 85.07(8).

9/21/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:

Racial Profiling

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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PURPOSE

It is the department's position that profiling based on race, ethnicity, skin color, gender, sexual orientation, physical/mental handicap, or religion, is unacceptable and prohibited.

POLICY

It is the policy of this department that all people will be treated in a fair manner consistent with our Policy and Procedures and Mission Statement. Reasonable suspicion shall be the minimum basis for stops.

DEFINITIONS

Racial Profiling

Any enforcement action, detention, or disparate treatment that relies upon a person's race, ethnicity, national origin, or other characteristics, rather than their behavior. Officers **may not** use racial or ethnic stereotypes as factors in selecting who to stop or whom to search. Officers **may** use race, ethnicity, or other specific characteristics to determine whether a person matches a specific description of a particular suspect.

Reasonable Suspicion

Suspicion that is based on a set of facts and/or circumstances that can be articulated, and that would warrant a reasonable person to believe that a violation of the law has occurred, is about to occur, or is occurring and that the person under suspicion did it, It can be developed by the observations of an officer combined with their training and experience or through reliable information received from credible sources,

PROCEDURE

1. Training
2. Officers will receive initial and ongoing training in proactive enforcement tactics, including officer safety, professional communication, culture diversity, search and seizure.
3. Enforcement Procedures
4. Law enforcement decisions (to stop, detain, further investigate search, warn or arrest) made by department personnel will be made solely on the basis of reasonable suspicion and probable cause irrespective of the race, gender, ethnicity, national origin, or sexual orientation of the people involved.
5. Each time a citizen is detained, the officer should radio to dispatch the location of the stop, the description of the person or vehicle being stopped and other relevant information.
6. Citizen Contacts
7. All Law enforcement actions should be recorded with dispatch, logging location, vehicle registration and the identification of the driver, passenger, or pedestrian involved.
8. When making any contact with a person, officers should identify themselves, their department and state the reason for the contact. During traffic stops, officers should use the following procedure however, the department recognizes that individual officers may develop approaches that work better for them and still minimize conflict during the contact.
 - A. Greeting
 - B. I.D. Self and Department

- C. Reason for Stop
- D. Request Driver's License
- E. Obtain other needed documentation
- F. Make Enforcement Decision

9. No citizen, once cited or warned shall be detained beyond the point where there exists no reasonable suspicion for further criminal activity and no searches executed in the absence of a warrant, legally recognized warrant exception, or the person's voluntary consent exists. In cases of voluntary consent, it is advised to complete the proper department form for consent searches.
10. Enforcement actions will be accompanied by consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting such activities.

DATA COLLECTION

1. All enforcement activity, to include traffic and ordinance citations, warnings and arrest reports, shall contain the person's race and gender.

COMPLAINTS

1. Any person may file a complaint pursuant to the department's citizen complaint policy. This is also true if they feel they have been stopped, searched or otherwise detained based on racial, ethnic, or gender based profiling. No person shall be discouraged, coerced, or intimidated, from filing such a complaint, nor shall they be discriminated against because they have filed such a complaint.
2. Any officer contacted by a person wishing to file a complaint shall immediately advise a supervisor or should a supervisor not be available, provide them with the phone number to the department.
3. Supervisors shall take appropriate action whenever it appears that this policy is being violated, they shall be particularly alert to any pattern or practice of possible discriminatory treatment by individual officers.

9/21/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Domestic Incidents

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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PURPOSE

This order establishes guidelines concerning investigation, documentation, and interagency cooperation regarding domestic related situations. It is our policy to comply with all mandates in WI ss 968.075 and judicial orders relative to domestic situations. This policy applies to all sworn personnel. An officer is immune from civil/criminal liability arising out of a decision by the officer to arrest or not arrest an alleged offender, if the decision is made in a good faith effort to comply with WI ss 939.621 and 968.075. Custodial arrests serve to protect victims, deter repeat violence, deter other potential offenders and facilitate ordered treatment for arrested offenders.

POLICY

This department's official response to cases of domestic violence will stress the enforcement of the laws, protection of the victim, and communicate the attitude that violent behavior is neither excused nor tolerated and that criminal laws will be enforced.

DEFINITIONS

Domestic Relationship Adult perpetrator (17 or older) -vs-

1. Spouse
2. Former Spouse
3. Adult with whom the perpetrator resides
4. Adult with whom the perpetrator formerly resided (as adults)
5. Adult with whom the perpetrator has created a child in common

Domestic Abuse

Any of the following engaged in by an adult person against his or her spouse or 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. First, second or third degree sexual assault.
4. A physical act, or a threat in conjunction with a physical act, which may cause the person reasonably to fear imminent engagement in the conduct described in A, B, or C above.

Party

A person involved in a domestic abuse incident.

Probable Cause

The quantum of evidence, which would lead a reasonable police officer to believe that the defendant probably committed a crime. It is not necessary that the evidence is sufficient to prove guilt beyond a reasonable doubt, nor must it be sufficient to prove that guilt is more probable than not. It is only necessary that the information lead a reasonable police officer to believe that guilt is more than a possibility. This belief may be predicated in part upon hearsay information.

Predominant Aggressor

The most significant, but not necessarily the first, aggressor in a domestic abuse incident. Officers shall consider all of the following in identifying the predominate aggressor. The history of domestic abuse between the parties, statements made by witnesses, the relative degree of injury inflicted on the parties, the extent to which each person present appears to fear any party, whether any party is threatening or has threatened future harm against another party or another family or household member, or whether either party acted in self-defense or in defense of any other person.

PROCEDURE

1. Procedure Upon Intervention

- A. Approach the scene remembering that you are entering a potentially dangerous event.
- B. Make legal entry.
- C. Check the scene for potential hazards to both yourself and others.
- D. Attempt to separate the parties to prevent escalation. Protect yourselves and others from injury.
- E. If injury has occurred, provide emergency medical services as needed.
- F. Attempt to defuse the situation.
 - a. Allow the parties to vent their feelings and relieve tension in a non-destructive manner.
 - b. Diverting the attention of the disputants may calm their behavior.
- G. Ascertain the relationship between the parties.
- H. Determine if there is probable cause to believe a crime has occurred. Probable cause refers to that quantum of evidence which would lead a reasonable police officer to believe that the suspect probably committed a crime. The procedure to be used to determine if probable cause exists includes, but is not limited to the following action:
 - a. A statement should be sought from victim(s), witness(s) and suspect(s), conforming to the constitutional rights of each. In particular, note any excited utterances, admissions against interest, and other informal statements as well as the formal statements. Whenever possible, these statements should be obtained outside the presence of the suspect.
 - b. A detailed description of alleged illegal acts should be obtained.
 - c. A specific description of the victim's injuries should be recorded.
 - d. Evidence should be collected according to proper investigative techniques. Photographs should be taken of visible injuries.
 - e. The victim's statement of non-consent must be included in the report.
 - f. 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.
 - g. Determine if there is a history of police calls/threats/abuse incidents involving the parties. In particular, check for existing Restraining Orders against the suspect.

2. Mandatory Arrest; Presumption Against Certain Arrests

- A. The officer will arrest and take a person into custody if:
 - a. The officer, after investigating the incident, has reasonable grounds to believe that the person is committing or has committed domestic abuse and that the persons' actions constitute the commission of a crime **and**
 - b. Any of the following circumstances are present, and the officer is in a position to legally make an arrest:
 - 1. The officer has a reasonable basis for believing that there is a possibility of continued violence against the alleged victim.
 - 2. There is evidence of physical injury to the alleged victim.
 - 3. The person is the predominant aggressor.
- B. It is generally not appropriate to arrest anyone other than the predominant aggressor.
- C. The decision whether or not to arrest may not be based on the relationship of the parties, consent of the victim to prosecution, or solely on the absence of visible indications of injury or impairment.
- D. If not at the scene, a reasonable effort will be made to locate and take the predominant aggressor into custody.

- E. An officer may not issue a citation to a person for an offense which the officer is required to make a custodial domestic abuse arrest.
- F. A person arrested for a domestic abuse offense may not be released until the person posts bail or appears before a judge.

3. Report Required Where No Arrest

- 1. If an officer does not make an arrest under this section when the officer has reasonable grounds to believe that a person is committing or has committed domestic abuse and that person's acts constitute the commission of a crime, the officer will prepare a written report stating why the person was not arrested.
- 2. The report will be sent to the District Attorney's office for review to determine whether the person involved in the incident should be charged with the commission of a crime.
- 3. The department will maintain a compilation of all domestic violence incidents that did not result in an arrest, and forward the compilation to the District Attorney's office, on a schedule established by the District Attorney, for inclusion its annual domestic abuse report to the Wisconsin Department of Justice. (RMS, Incident Module, Saved Search, Public Searches, "Domestic Non-Arrest Compilation.")

4. Domestic Abuse Restraining Orders/Injunctions

- 1. A Violation of a Domestic Abuse Restraining Order/Injunction is a misdemeanor under Wisconsin Law.
 - a. A victim may have sought a restraining order/injunction to keep an offender from any contact with him/her.
 - b. If there is reason to believe a restraining order/injunction exists ordering a subject to avoid the premises, the officer will immediately contact the UW La Crosse Police Dispatcher who shall determine the status and contents of the order via the La Crosse County Communications Center.
 - c. Determine if the restraining order/injunction has been served on the suspect.
 - d. A mandatory custodial arrest is required if an officer has established probable cause that a person has violated a domestic abuse restraining order/injunction
 - e. If there is a restraining order/injunction in existence and the Communication Center records indicate that the subject has not been served, the officer will inform the subject of the contents of the order/injunction and direct the subject to obey the order. If the subject does not leave the premises, then the officer will arrest the subject for violation of the order/injunction.
 - f. When the subject is informed by the officer of the existence of a restraining order/injunction and its contents, the officer will communicate this to the Communications Center for entry in the file indicating time and manner in which the subject was so informed.

5. Use of Referrals and Resources

- 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. The officer should advise the parties involved of the availability of services in the community and, in particular, give the victim immediate notice of the availability of shelter. The department may share information relating to domestic violence incidents with victim service organizations that are eligible to receive (state) grants under §49.165(2) (for Domestic Abuse Victim Services) or 165.93 (2) (for Sexual Assault Victim Services).

6. Children

- A. Because of the correlation between domestic violence and child abuse, the officer should always be alert for evidence of child abuse. Note the names and ages of children and whether they were present when the incident occurred.

- B. In the event that a minor child appears to be the victim of physical and/or sexual abuse, it is the responsibility of the officer to take immediate action, including notifying the La Crosse County Department of Social Services immediately.
- C. If the disposition of a dispute leaves minors in the home without a responsible adult, the officers are to contact the La Crosse County Department of Social Services for temporary arrangements.

7. Contact Prohibition

- A. Unless there is a waiver as described below, 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 or a law enforcement to contact the alleged victim.
- B. If the arrested person commits an act of domestic abuse during this 72-hour period, and the act constitutes commission of a crime, the penalty increases to a felony.
- C. An individual arrested for a domestic abuse incident will be informed by an officer, both orally and in writing, of the requirements and the consequences of violating the no contact prohibition.
 - a. A form entitled Victim Notification of No Contact Provision will be used for this purpose.
- D. The officer responsible for the arrest of a person for a domestic abuse incident will ensure that the alleged victim is notified of these requirements and the possibility of, procedure for, and effect of a waiver of contact prohibition described above. Notice of the Contact Prohibition and Waiver should be done outside the presence of the suspect.
- E. When an on-scene arrest is made, the victim shall be advised at the scene of the procedure, likelihood and probable time of the offender's release. (Offenders charged with misdemeanors can post bail and be released at any time, failing that they could be released after an initial appearance or probable cause hearing, potentially the next business day. Offenders charged with a felony will be held until the offender is arraigned or has a probable cause hearing, potentially the next business day.) As required by Policy [5.01](#) and Wisconsin [§950.08\(2g\)](#), a Crime Victim Information Form shall be provided to crime victims. This form contains references for local services and shelters, and information about injunctions and the VINE service which will allow the victim to register to be notified of changes in the offender's status or location. The victim shall be re-contacted, whenever an arrest is made other than at the immediate scene, to notify the victim(s) and to complete the Victim Notification of No Contact Provision form. The department informational sheet titled, "Quick Facts About Injunctions" should also be provided to Domestic Abuse Victims.

DOMESTIC ABUSE REPORT PROCEDURE

1. In general, Reports of Domestic Abuse will be processed accordingly.
 - A. Low risk of Escalated Violence – The majority of Domestic Abuse reports will fall into this category. All reports will be completed prior to the completion of the officer's shift, unless otherwise approved by the shift commander. All reports, with or without accompanying arrests, will be forwarded to the ISB supervisor for review. The ISB supervisor will review the report, as well as any previous reports involving the same individuals, and make a determination as to any appropriate follow-up or intervention procedures. Unless unusual circumstances exist, the victim will be re-contacted and made aware of any available victim's services.
 - B. Probable Cause for Arrest – Suspect not in custody – Any incident which results in probable cause for arrest, but which the suspect is not located or in custody, shall receive priority status for report processing. The shift supervisor shall verify that briefing information is prepared for future shifts and that the briefing information contains the name and description of the suspect, pending charges, and any officer safety concerns. Upon completion of report processing, all reports and arrest paperwork shall be

forwarded to the court officer. If the suspect is not located and taken into custody within 48-72 hours, the court officer shall prepare the case for submission to the District Attorney's office and request an arrest warrant be issued.

- C. High Risk of Escalated Violence – Any incident which results in a determination that there is a high risk of escalated domestic violence shall receive immediate attention by the shift supervisor and priority status for report processing. The primary officer, in coordination with the shift supervisor, shall ensure that appropriate safety plans are discussed with the victim and that any law enforcement safety plans which are desired by the victim are enacted to the extent possible. The shift supervisor shall verify that briefing information is prepared for future shifts and that the briefing information contains the name and description of the suspect, pending charges, and any officer safety concerns. Upon completion of report processing, all reports and arrest paperwork shall be immediately forwarded to the court officer.

VIOLENCE INTERVENTION AND SAFETY PLAN

1. It can't be emphasized enough that the problem of domestic violence can't be resolved by effecting changes in the victim's behavior. The problem is the offender's conduct and sense of entitlement to coercive, controlling and terrorist behaviors. Victim-focused measures are an essential element of a domestic violence intervention strategy. Battered victims can and do find ways to reduce the level of risk and danger in their lives, and to reclaim freedom of choice and action. Risk assessment and safety planning provide a method of identifying problems, options and resources, for evaluating those options, and for committing to a plan of action.
2. The goals of victim-focused interventions are:
 - A. To reduce offender access to victims and other vulnerable parties; Access needs to be understood as a physical, social, emotional, informational and financial. Access can be gained directly, through agents or intermediaries, and through the actions of social institutions like the courts, the schools, or the child support system.
 - B. To re-establish or expand a victim's zone of free choice and activity, and strengthen her ability to resist and repel her abusive partner and;
 - C. To increase the level of community "guardianship" surrounding the victim and other vulnerable people (children, witnesses.)

LAW ENFORCEMENT SAFETY PLANS

1. Ensure that the victim has an easy and quick method for contacting law enforcement when help is needed. Provide, or make arrangements for, a cell phone to be loaned to the victim, if necessary.
2. Explain to the victim how to dial 911 on a cell phone and to leave the phone line open, which may allow the victim to be located.
3. Encourage the victim to leave any residence, building, or other area where the suspect is likely to return. This can be accomplished by staying with a friend, battered women's shelter, hotel, etc.
4. If possible, provide the victim with a Varda or personal alarm system which allows the victim to contact law enforcement in an emergency.
5. Develop a code phrase for the victim to use when calling a friend or law enforcement while in the abusers presence to call for help. The code phrase should not be something that would alert the abuser that the police have been contacted.

6. Contact a "safety partner" for the victim. This can be a friend or relative that can periodically check on the victim, or would be willing to travel with the victim when the victim is away from home.

VICTIM SAFETY PLANS

1. The following elements of safety plans should be shared with victims who are "staying" or "staying in contact".
2. Getting a cellular phone and programming it for an emergency call;
3. Pay attention to the fact that cellular and cordless phones, baby monitors, household intercoms and even some hearing aids can be picked up on a scanner.
4. If you sense trouble, or find yourself in an argument, move to a "low risk space" - rooms with two exits and where there are fewer things that can be used as weapons; rooms where you can be seen or heard from the outside.
5. Learn - and teach your children - to get positioned "between trouble and the door."
6. Learn defensive tactics. If you are going to be around someone who is likely to hit you, learn how to position your body to reduce the damage.
7. Create signals and/or code words that will let your children know to get out and go to a pre-arranged place of safety, or that will let your neighbors'/family members know to come over (and create a supportive or defusing presence) or to call for help. Examples of signals are a turned-on porch light or a drawn shade, or an "I can't come over on Thursday after all" phone call to a friend or family member.
8. Have an escape plan and a back-up. Rehearse getting out: in the dark and with your children. Keep spare keys and important documents where you can get to them readily.
9. Do whatever it is you need to do to buy time and/or space, to defuse the situation, or to protect yourself and your children.
10. Teach your children how to call 9-1-1.
11. Tell trusted friends, family members, and neighbors what is going on.
12. Arrange to have a safe place to go to. A domestic violence shelter is one option. Ideally a safe place is one that your abusive partner doesn't know about.
13. Prepare a bag of clothing, medications, and other essentials for yourself and your children to use if you have to leave quickly. Hide the bag where you can get to it in a hurry.
14. Make several copies of your important papers and keep one set in the bag (other copies could go to trusted friends or family). You may need things such as your identification, birth certificates, financial and insurance information, social security cards, any court Order for Protection. Keep your address and appointment books with you.
15. If you have a car, make an extra set of keys and hide them where you can get to them if you need to. You could hide them on the car; a magnetic key holder is one way to do that.
16. If you cannot get out, stay away from the kitchen, bathroom, garage, or other potentially dangerous rooms. Call for help; if neighbors hear, they may call 9-1-1.
17. If your abusive partner has left the home, you might change the locks and the phone number and you might need to reinforce doors and windows. Have a plan in case you encounter your abuser.

The following elements of safety plans should be shared with victims who are separating from their abusers

1. Moving. Try to use a "no name" mover, so you can't be easily traced, or move your things to storage, then use a different company to move them to where you're going.
2. Protecting the confidentiality of your new address, notify the local postal service that it is not to release the change of address information;
3. Changing your mailing address to a private box; using a private mailing service, or renting a post office in a

- different location from where you live;
4. Getting dropped from commercial mailing lists that get rented or sold (especially with companies who send your catalogs or publications);
 5. Advising phone company, utilities, banks and creditors of the change and asking them to put a "code word" on your file to restrict inquiries. (TRW has a service which will let you know if someone runs a credit check on you.)
 6. Registering your vehicle at and having your driver's license list your "mailbox" address;
 7. Placing property or other assets in trust so that your address cannot be obtained through a title records search;
 8. Teaching children to keep address and phone numbers confidential; change window and door locks
 9. Install peepholes, window bars, and/or poles to wedge sliding doors; if you can afford it or negotiate with your landlord for it; install outdoor (motion sensitive) lighting, timed indoor lights, and/or electronic security systems and alarms;
 10. Program emergency numbers into home and cellular telephones
 11. If you are eligible, get involved in victim/witness programs that utilize "panic button" security alert systems, and/or dedicated cellular phones programmed to 911.
 12. Changing or modifying social habits - Moving won't help if you can be found at familiar places. As much as you possibly can, vary your patterns places: join a new congregation; shop at different stores; go to a new dry cleaner; frequent different restaurants and theaters; change banks; work out at a different gym; find a new hairdresser.
 13. Change the route you take to get to work or school.
 14. Learn to spot someone following you. If you're in the car, make four right turns in succession, or get off and then immediately back onto the highway (then check to see if the car/s you're concerned about is/are still there. If you're on foot, go into a large building through one entrance and out a door on another side. If you're being followed, go immediately to a police or fire station.

GENERAL CONSIDERATIONS FOR ALL SAFETY PLANS

1. Remember, the more precautions you take, the safer you will be.
2. Keep a record of incidents and contacts
 - A. Include the date, time, what happened, who else heard or saw anything, photographs, tapes, and the names and badge numbers of responding officers.
 - B. Workplace safety
 - a. Inform your supervisor, EAP program and/or the security office about the situation. Some companies have developed protocols for handling these cases. If you have security in your building, give them a photograph of the abuser, a vehicle description, and a copy of your order of protection, if you have one.
 - b. Work-site security may also involve changing your work space or shift; screening calls, mail, packages and visitors; arranging for special or different parking spaces and/or accompaniment to and from your car, bus or subway stop. In larger organizations, it may be possible to arrange a transfer to a different office, or another branch.
 - c. Similarly, if you are in college or a vocational educational program, you can notify your adviser and the security office, and get their help in keeping safe.
3. Children
 - A. Keep copies of orders of protection, custody and visitation with everyone who takes care of your child, and with their schools;
 - B. Teach children how to make collect and emergency calls, and that they can give their address and phone

number to "safe" adults (i.e. police;)

- C. Identify locations to re-group and rehearse "escape plans" with your children. (You should do this in case of fire, in any event.)

4. Personal supports and skills

- A. Find a "positive mirror" - friends, family members, spiritual supports - to affirm your self-worth and ability to cope with the abuse (and for that matter, with the changes you're making in order to get free of it!);
- B. Get involved in peer support groups for victims of domestic violence, sexual assault and/or stalking; or in individual or group psychotherapy where trauma and continuing stress begin to compromise your ability to function;
- C. If you've "left", even if it makes you anxious, try to restrict your contact and communications with your ex-partner, to have witnesses present when it can't be avoided, and to keep a record of calls, messages, or unwanted contacts;
- D. Be alert to your own "flashpoints": don't let your abuser provoke you - through fear or anger - into a more dangerous situation;
- E. Learn techniques for stress reduction;
- F. Participate in self-defense training or the martial arts.
- G. Make a commitment to good self-care: nutrition, sleep, regular health care, attention to one's use of alcohol, prescription medications and other drugs.

X

Scott McCullough
Chief

Subject:

Motorist Assist

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

This order establishes a policy of when this department will and will not assist people locked out of their vehicles. Due to the technology applied to all new vehicles, the tools need to get into a vehicle, and the greater chance for damage to the vehicle while attempting to enter them, the following order is placed into effect.

PROCEDURE

1. Motorist Assists
 - A. Officers will provide assistance to people on campus property when able and when no other calls have precedence.
 - B. Officers will assist people into vehicles that they have locked themselves out of using the provided equipment.
 - C. Officers have a battery pack for jump starting a vehicle; they will not use jumper cables under any circumstances.
 - D. Officers will have a supply of lock de-icer for those occasions when car door locks are frozen.
 - E. Officers are not to change flat tires.
2. This assistance will be free of charge but as already stated will be given when other duties allow and if the assistance is not repeatedly requested by the same person. When providing this assistance an incident number will be issued, the person's name and vehicle description (and the fact that they are either the legal owners or operator of the vehicle must be verified) given to dispatch
3. Department [Waiver of Liability Form](#) will be given to the owner/operator. The person who is requesting assistance will be advised that any damage to the vehicle is their responsibility and to reference the waiver of liability. If they do not acknowledge this waiver of liability, then no assistance can be provided.
4. If a vehicle is blocking traffic flow or posing a hazard, officers shall reference the policy of vehicle towing.

9/21/2017

X



Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Accident Procedures & Reporting

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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DEFINITIONS

Traffic Accidents

Occur when a vehicle collides with any other vehicle, object, or person resulting in death, injury, or property damage of any nature. A traffic accident can occur upon highways, park roads and driveways, and upon all premises held out to the public for use of their motor vehicles (whether such premises are publicly or privately owned and whether or not a fee is charged for use thereof). A collision occurring on property not held out to the public for use of their motor vehicles or involving only snowmobiles, all-terrain vehicles, vehicles propelled by human power or drawn by animals does not constitute a traffic accident.

Reportable

Means an accident resulting in injury to or death of any person, any damage to state or other government-owned property (except a state or other government-owned vehicle) to an apparent extent of \$200 or more, or total damage to property owned by any one person or to a state or other government-owned vehicle to an apparent extent of \$1,000 or more [346.70(1)].

Injury

Means injury to a person of a physical nature resulting in death or the need of first aid or attention by a physician or surgeon, whether or not first aid or medical or surgical treatment was actually received.

1. Traffic Accident Investigation

- A. Traffic Accident Investigation means the collection of factual information identifying and describing people, roads, and vehicles involved describing the results of the accident in terms of damage to vehicles and roadside objects, injuries to people, marks and residue on the road, and final positions of vehicles and bodies; interpretation of these facts in terms of behavior of road users involved; and, sometimes an attempt to specify the peculiar combination of factors required to produce that particular accident. A traffic accident investigation, in addition to an accident report, should include photographs, measurements, diagram, written or oral statements from the principals and witnesses, and collection of relevant physical evidence.
- B. It is the policy of the department to conduct a traffic accident investigation for all traffic accidents involving:
 - a. Death or incapacitating injury
 - b. Hit and Run to attended vehicle or pedestrian
 - c. Impairment due to alcohol or drugs
 - d. Hazardous materials

2. Traffic Accident Reporting

- A. Traffic Accident Reporting means the basic data collections to identify and classify a traffic accident and the person, vehicles, time/location, and planned movements involved, and possible contributing factors such as traffic law violations. Beyond basic documentation, the degree of the investigation should be commensurate with the seriousness of the accident.
- B. It is the policy of the department to complete an accident report for all "reportable" traffic accidents, and for all "non-reportable" traffic accidents upon the timely request of a principal. The department will not routinely complete an Accident Report in cases involving untimely reports of "non-reportable" traffic accidents if the principals have fulfilled their statutory duties, except when the principals appear together at the department with the unrepaired vehicles involved, in all other cases the State self-report form should be given to the principals.
- C. Accidents are documented in two ways:

- a. Non-Reportable
 - 1. Use TRACS non-reportable accident or;
 - b. Accident Report
 - 1. Use the MV4000 or TRACS Accident
- D. All reportable and "non-reportable" accidents in which a report has been written also require that a department of public works accident mapping diagram be completed should the accident occur at a targeted intersection.
- E. Government Property Damage Tags When there is accident related damage to State or County property (or a spill requiring government cleanup) on an Interstate (IH), US Highway (USH), State Highway (STH), or County Highway (CTH) a Property Damage Tag (Yellow Tag), should be completed (only one per accident). Attach a portion of the tag to the damaged property, submit the other portion with the accident report, and enter the 6 digit tag number in the "Govt Damage Tag #" field on the accident report. The Records Bureau should send the Yellow Tag and a copy of the accident report to the county highway office. Tags are free and are shipped free from WisDot.
3. Officer Response to Traffic Accident Scene
- A. Generally, officers should respond to the scene of all traffic accidents. However, officer response may be influenced by the workload and by the availability of officers. If the immediate demand for police service exceeds the capabilities of the department, the Shift Commander (OIC) may direct the dispatcher to instruct the principals reporting the accident to exchange all pertinent information and, in the case of a "reportable" traffic accident, to obtain and complete a "Drivers Report of Accident" form. An officer response to the accident scene is required in cases involving:
- a. Death or injury
 - b. Hit and Run
 - c. Operator impairment due to alcohol or drugs
 - d. Hazardous material
 - e. Disturbance between principals
 - f. Major traffic congestion
 - g. Damage to vehicles to the extent towing is required
 - h. Any accident in which a University of Wisconsin La Crosse vehicle is involved
4. Crash Scene Procedures
- A. An officer's responsibilities at the scene of a traffic accident include:
- a. Providing basic life support/emergency medical care and fire suppression services until properly relieved;
 - b. Summoning ambulance and/or additional assistance (e.g. officers, extrication, tow trucks, etc.);
 - 1. In the event a wrecker is needed, the driver of the vehicle to be towed must name the wrecker they want to do the towing, and dispatch may contact that wrecker.
 - c. Protecting the accident scene;
 - d. Preserving and collecting evidence;
 - e. Establishing a safe traffic pattern around the scene;
 - f. Locating witnesses and recording accident information;
 - g. Take statements from persons involved
 - h. Expediting the removal from the roadway of vehicles, persons, and debris; and
 - i. Whenever the investigating officer detects a violation of traffic law, whether or not it occurs in the officer's presence, and when evidence exists to satisfy all the elements of that particular offense, enforcement action should be taken for "reportable" accidents. (Officers may use discretion for

minor “non-reportable” accidents). On private property, only traffic laws relating to Reckless Driving, Hit and Run, Driving over a Firehose, and Operating While Under the Influence of Intoxicants or Drugs may be enforced.

- B. In the case of hazardous material incidents, officers should isolate the hazard area, remain at a safe distance upwind and uphill, and evacuate nonessential personnel. The department is responsible for preliminary hazard identification (spill, leak, fire), and identification of vehicle and container placards. Only properly trained and equipped department personnel should attempt to enter areas where hazardous materials may be encountered.
- C. In the case of property damage only accidents, whenever possible and/or practical, motorists and/or the police should immediately remove the vehicles involved from traffic lanes, to eliminate unnecessary blockage.
- D. When in the course of an officer’s duties, the officer observes an item of apparent value exposed to jeopardy and the owner, authorized operator, or someone on their behalf is not present at the scene or capable of arranging safekeeping, the officer may take reasonable steps to diminish the risk. Possible actions include notifying a tow service driver before a vehicle is removed, locking a car’s door, locking the item in the car glove box or trunk, or removing the item for storage in the property room under its own inventory number.
- E. The security of vehicles (and contents) towed from an accident scene are the responsibility of the towing service.
- F. At the scene of an accident, the ranking officer, or among officers of equal rank the senior officer, has the prerogative of command.
- G. See OWI for procedures for intoxicated drivers involved in injury accidents.

9/21/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Alarms

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

With the technological advances of the day, the UWL campus is installing a variety of different alarm systems and camera/surveillance systems. With this in mind officers should be prepared to respond to new and possibly unfamiliar systems. This procedure will define the process of the responding to and the reporting of the common alarms used on the UW-L campus.

PROCEDURE**1. Fire Alarms**

- A. Officers will know the location of all fire alarm control panels for all the buildings on campus and how to reset and silence all the fire alarms being used on campus.
- B. If an alarm is sounding in an occupied building, an officer will immediately respond and verify that the LCFD has been notified and asked to respond. The Officer will verify that the building is being evacuated, will attempt to determine the cause of the alarm, and standby to assist the Fire Department. In no cases will the alarm be silenced without the permission of the LCFD. If the alarm is a malfunction, the alarm can be reset with the permission of the LCFD, an electrician will be notified, and an incident report shall be completed. If the alarm was set off by mistake, the alarm may be reset with the permission of the LCFD, and an incident report shall be completed.
- C. If the alarm was activated falsely and maliciously, the alarm may be reset with the permission of the LCFD, a criminal investigation shall be initiated, and an incident report shall be completed.
- D. If the alarm was activated as the result of an actual fire and damage was done, a supervisor shall be notified immediately. An arson investigation shall be initiated, and at the direction of a supervisor, an arson investigator may be requested. The crime scene shall be secured for further investigations and an incident report shall be completed.

2. Trouble Alarms

- A. The fire alarm sounding on the alarm panel in the office needs to be reset. Because this is not a fire alarm, alarms will not be sounding in the building and the LCFD does not need to be called. In this situation, if the alarm can be reset on site and there is not a malfunction in any of the smoke detectors or heat sensors, no report needs to be taken and maintenance need not be called out. No reports need be completed, but the incident shall be documented in the log and an incident number shall be issued.

3. Loner Alarm

- A. The UWL Power Plant is staffed 24 hours a day and the employee wears a "loner" alarm that sends an alert if they do not move or fall down. When activated Officers will respond to the Power Plant and ascertain the condition of the employee then take appropriate action. A report shall be completed.

4. Lab Alarm

- A. UWL operates a lab in its science building that utilizes controlled nuclear material and which is alarmed to alert with unauthorized entry. Upon receiving the alarm, a police officer will respond and attempt to determine the cause without entry as dispatch is utilizing the call in list. If there is an unauthorized entry the officer shall take appropriate remedial action to stabilize the scene and any suspects. A report shall be completed.

5. Alarm in Cashier's Office

- A. Officers will have knowledge of the location of the alarm in the Cashier's Office and the codes needed to reset the alarm. The alarm does not specify the exact room in the business office.
- B. Officers responding to this alarm should ask the dispatcher to attempt to verify the validity of the alarm over the phone and determine if assistance from the LCPD is needed. Dispatchers also have the ability to monitor this area through the video cameras located in their office. If the dispatcher is able to determine that the alarm was activated falsely, the responding officer (s) should verify this and an incident report will be completed. If the dispatcher is unable to make contact with the office or is advised that the alarm is valid, the responding officer shall respond with backup and assess the safest way to investigate based on all the available information. The safety of the officers and public shall be the primary concern. An incident report shall be completed.

9/21/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:**Interviews**

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

To provide a guideline for officers to use when conducting interviews of witnesses, suspects, complainants or other members of the public that are providing information to the UWLPD for possible use during an investigation or court.

PROCEDURE

1. Recording of Interrogations/Interviews-In Custody or Suspects
 - A. Consistent with Wisconsin State Statue 968.073(2) ALL custodial interrogations/ interviews of ANY person suspected of committing a felony shall be audio recorded with a preference for both video and audio recording. Officers will use the department's provided equipment to capture video as well as audio or may use the squad mobile video equipment or handheld recording devices in order to record the interview.
 - a. The recording of the custodial questioning should begin at the start of the contact and continue without interruption until the questioning ends.
 - b. Officers are not required to inform the subject of the interrogation/interview that they are being recorded.
2. The following conditions may apply as reasons for not recording an interrogation/interview of a suspect under this section. Officers will detail in their written reports why a recording was not made when required.
 - A. The person refused to respond or cooperate in the interrogation if an audio or audio/video recording was made of the interrogation. If so, the officer shall make a contemporaneous audio or audio/visual recording or written record/statement of the subject's refusal.
 - B. The statement was made in response to a question asked as part of the routine processing of the person.
 - C. The officer in good faith failed to make a recording because the recording equipment did not function or the officer inadvertently failed to operate the equipment properly or without the officer's knowledge the equipment malfunctioned or stopped.
 - D. The statement was made spontaneously and not in response to a question by an officer.
 - E. Exigent public safety circumstances prevented the recording or rendered the making of a recording infeasible.
 - F. The officer reasonably believed the offense for which the person was taken into custody or for which the person was being investigated, was not a felony.
3. Interview of people not in custody, witnesses, or complainants
 - A. Per the Body Worn Camera, officers shall activate or insure remote activation of the BWC to record all contacts with citizens in the performance of official duties. Whenever practical, officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence or medical setting, they may decline to be recorded unless the recording is

being made pursuant to official law enforcement duties. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy. The fact that an interview was recorded shall not alleviate the officers from the responsibility of attempting to get a written statement from the person.

4. Squad Video

- A. When equipped with a functioning video system all Officers shall engage the department owned squad video system at the beginning of their patrol shift. This video system starts to record when emergency lights or sirens are activated but must be manually turned off at the end of the contact. If the video system is also equipped with a functioning microphone it shall be worn by one of the officers in the squad.

5. Maintenance of Recordings

- A. All recordings shall be forwarded to and maintained by the Departments electronic evidence custodian and will be maintained consistent with the UW System's records retention policy.

9/21/2017

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Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Life-Threatening or Death Emergencies**Date Issued:** 4/5/17**Effective Date:****Revision Number:**1**PURPOSE**

This order established the procedure to follow in the event of a life-threatening emergency or death of a student at UW-La Crosse.

PROCEDURE

When notified, the officer will proceed to the scene and render medical aid per training and/or request ambulance for those in need of medical attention. Once all assistance has been given, the officer will follow a basic police procedure which includes securing the scene and starting a preliminary investigation. Once the basic facts have been ascertained notification will be made to the Chief of Police or another police supervisor. In the event that the Chief or other police supervisor is not available the officer will contact the Dean of Student Affairs.

9/21/2017

X



Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Animal Calls

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

To set forth a policy when dealing with stray animals or animal bites in order to establish procedures for the investigation of animal complaints and liaison with the County Health Department and Humane Society. WI ss. 95,170,172-174,948

PROCEDURE

1. Stray

- A. It is often a police function to encounter animals abandoned or running astray. Members shall make a reasonable effort to locate the owner of such animals. In cases where an animal comes into the possession of this department, the Coulee Region Humane Society shall be notified without delay and preparation shall be made for impounding.
- B. Such complaints are referred to the Humane Society for investigation who may request police assistance. This does not prohibit our agency from conducting a cruelty investigation or making appropriate charges as a result of an investigation.
- C. For animals in distress within locked vehicles an officer does have permission to enter the vehicle if: the officer is unable to contact the owner in a timely manner, the animal is in immediate jeopardy, the animal can be safely controlled once removed from the vehicle, and access to the vehicle can be made without damaging the vehicle. This type of incident should be considered as a cruelty to an animal complaint.

2. Animal Bites

- A. Require investigation as to the type of animal and ownership for Health Department follow-up.
 - a. ALL bites/marks that penetrate the skin are investigated by our Department with copies routed to the Health Department and Humane Society
 - b. The Animal Report shall be as complete as possible; questions regarding confinement are referred to the Humane Society prior to clearing; the owner will sign relevant confinement orders, if known; if the owner is unknown and the animal is located, the Humane Society will be called to confine the animal.
 - c. Quarantine procedures as specified by ordinance are necessary for observation purposes and possible medical treatment of the victim. Information is to be documented on proper incident report forms. All follow-up will be conducted by the initial investigating officer in a timely manner.

3. Injured/Deceased Animals

- A. Motorists are required to report accidents with animals to the owner or police; animals may be removed by the owner or Humane Society. DNR notifications may be necessary for endangered or wild species. Refer to policy [3.12](#) for Accident Reporting.

9/21/2017

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Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:

OWI – Operating Motor Vehicle while Impaired

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

This policy establishes procedures for the detection, testing, arrest and processing of impaired drivers due to intoxicants, controlled substances or any other drugs.

POLICY

Impaired drivers are a serious threat to public safety. It is department policy that officers will actively apprehend persons operating vehicles while under the influence of intoxicants, controlled substances or any other drugs in accordance with WI [§346.63](#) and all related sub sections as well as [§346.71\(2\)](#) and [§343.305](#) and all related sub sections.

DEFINITIONS***Drive***

The exercise of physical control over the speed and direction of a motor vehicle while it is in motion [§346.63\(3\)\(b\)](#).

Operate

The physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion. [§346.63\(1\)\(c\)](#).

Vehicle

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, an all-terrain vehicle, and an electric personal assistive mobility device shall not be considered a vehicle except for purposes made specifically applicable by statute [§340.01\(74\)](#).

Motor Vehicle

A vehicle that is self-propelled, including a trackless trolley bus, except that a snowmobile, ATV, electric personal assistive mobility device shall only be considered a motor vehicle for purpose made specifically applicable by statute [§340.01\(35\)](#).

Negligent

One is considered "NEGLIGENT" when he/she fails to exercise ordinary care in the operation of a vehicle.

Substantial Bodily Harm

Bodily injury that causes a laceration that requires stitches, staples, or a tissue adhesive; any fracture of a bone; a broken nose; a burn; a petechia; a temporary loss of consciousness, sight or hearing; a concussion; or a loss or fracture of a tooth [§939.22\(38\)](#).

Great Bodily Harm

Bodily injury which creates a high probability of death or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury [§939.22\(14\)](#).

Under the Influence of an Intoxicant

The actor's ability to operate a vehicle or handle a firearm or air gun is materially impaired because of his or her consumption of an alcoholic beverage, a controlled substance, a controlled substance analog under [Ch. 961](#), any other drug under [§939.22\(42\)](#).

Private Road or Driveway

Every way or place in private ownership and used for vehicular travel only by the owner and those having expressed or implied permission from the owner and every road or driveway upon the grounds of public institutions other than public schools, as defined in [§115.01\(1\)](#), and institutions under the jurisdiction of the county board of supervisors [§340.01\(46\)](#).

Roadway

The portion of a highway between the regularly established curb lines or that portion which is improved, designed or ordinarily used for vehicular travel, excluding the berm or shoulder. In a divided highway, the term "roadway" refers to each roadway separately but not to all such roadways collectively [§340.01\(54\)](#).

Street

Every highway within the corporate limits of a city or village except alleys [§340.01\(64\)](#).

Highway

All public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel. It includes those roads or driveways in the state, county or municipal parks and in state forests which have been opened to the use of the public for the purpose of vehicular travel and roads or driveways upon the grounds of public schools, as defined in [§115.01\(1\)](#), and institutions under the jurisdiction of the county board of supervisors, but does not include private roads or driveways as defined in sub. (46) [§340.01\(22\)](#). (Chapter 346 applies exclusively upon highways except as otherwise expressly provided in [§346.02\(1\)](#).)

Drug Recognition Expert (DRE)

A law enforcement officer who has successfully completed the National Highway Traffic Safety Administration (NHTSA) approved curriculum for the Drug Evaluation and Classification process, and is certified by the NHTSA and the International Association of Chiefs of Police as a Drug Recognition Expert.

Drug Evaluation and Classification (DEC)

A systematic, standardized method of examining a suspect to determine whether the person is under the influence of one or more categories of drugs.

Restricted Controlled Substance – WI [§340.01\(50m\)](#)

Any of the following: a controlled substance included in schedule I under [Ch. 961](#) other than a tetrahydrocannabinol, a controlled substance analog as defined in [§961.01\(4m\)](#) of a controlled substance, cocaine or any of its metabolites, methamphetamine, or delta—9—tetrahydrocannabinol.

PROCEDURES

1. Detection
 - A. Officers will be alert for signs of impairment. When observing such behavior, officers will gather evidence to stop the vehicle; officers will not permit unsafe driving that endangers others.
 - B. Upon contact with the operator, officers will watch for signs of impairment and shall request a backup unit if one is available.
 - C. Officers will note the demeanor, actions of the suspect such as speech, balance, attitude, and odors.

2. Tests and Screening

- A. Officers will attempt field sobriety tests on drivers suspected of being OWI; tests should be conducted at the scene unless other factors necessitate moving. When possible, tests should be on a flat, lighted area out of traffic and conducted in a consistent manner.
- B. Unless the driver is uncooperative or physically unable to perform, tests will be given as follows:
 - a. Standardized Field Sobriety Tests (SFST): horizontal gaze nystagmus (HGN), walk/turn (heel to toe), and one leg stand.
 - b. Officers not trained in SFST shall request an officer that has been trained to administer SFST to the operator.
 - c. Officers may use other optional tests including alphabet recital, finger to toes, and Romberg balance.
 - d. Officers may use a Preliminary Breath Test (PBT).
- C. Other, non-standardized, test may be given at the officer's discretion. These tests include alphabet, finger dexterity, counting backwards, etc. These tests are only to be given by officers specifically trained in these tests.
- D. If the officer suspects that the person may be under the influence of a controlled substance or other drug, the officer should administer both SFST's and non-standard SFT's, and attempt to contact a DRE to perform an evaluation (especially for a serious crash investigation).

3. Arrest

- A. The officer will decide if there is probable cause to arrest based on SFST, other tests and his/her observations. If arrested, the driver will be handcuffed and searched, including a search of the vehicle (for evidence supporting the OWI charge, alcohol and/or open containers) while the driver is at the scene, and will remain handcuffed for transport unless extenuating circumstances are present.
- B. If the officer suspects that the person may be under the influence of a controlled substance or other drug, the officer will place the person under arrest and may attempt to arrange for a DRE (see DRE infra).
- C. In the case of a crash involving serious injury or death, blood shall be taken from every involved operator where alcohol or drugs are detected, or there is reason to believe the operator violated any traffic law. In other circumstances, officers shall make every attempt to obtain a blood sample with the consent of the operator involved in a serious injury or fatality.
- D. In the case of a crash involving serious injury or death, notification shall be made to the Chief or another supervisor, District Attorney's Office (on-call DA), and crash reconstruction team (State Patrol).

4. Arrestee's Vehicle

- A. The officer will attempt to secure the person's vehicle and its contents prior to leaving the scene if it is legally parked.
- B. If there is no sober passenger in the vehicle that possesses a valid driver's license and with the owner/driver's permission, it may be left legally parked; if it is illegally parked please refer to the tow policy.
- C. If there is a sober passenger in the vehicle with a valid driver's license, it may be turned over to such person if the driver/owner consents.
- D. This does NOT mandate release if the officer wants the vehicle for evidence.
- E. If there are other occupants in the vehicle and it is being secured or towed, the officer will attempt to make reasonable arrangements for them.
- F. If the vehicle has been involved in a crash that results in serious bodily injury or death, the vehicle must be taken to a secure impound facility and held pending release by the District Attorney's Office.

5. Chemical Tests

- A. The Department designates the breath test as the primary chemical test of intoxication for 1st, 2nd, and 3rd offenses (forced blood for 3rd offense refusal), and blood for 4th and subsequent offenses and all felonies.
- B. If drug use is suspected, blood should be considered as the primary test as it is the only means to quantify the level of drugs present. As you would for alcohol cases, ask relevant what, when, and how much questions for drugs. If you suspect a specific drug, not only put the facts and circumstances in your report, it is helpful to technicians if you identify the suspected drug on the test document.
- C. Prior to requesting a person to submit to such test, the officer will inform the driver of the charge they will be receiving a citation for and take a citation number.
- D. The officer will read the driver the Informing the Accused form and should avoid further explanation or interpretation of the form. If consent is given, an appropriate test is administered. For cases of second or subsequent offenses where consent is not obtained due to a language barrier, officers should apply for a search warrant**)
- E. Blood may be drawn from a person who is unconscious or otherwise not capable of giving consent if there is probable cause to believe the person violated WI [§346.63\(1\)](#), [\(1\)\(am\)](#), [\(2\)](#), [\(2m\)](#) or [§940.25](#), [§940.09](#) or an ordinance that adopts such laws (OWI, OWI Injury, OWI Controlled Substance, Absolute Sobriety, Injury by Intoxicated Use of a MV, Homicide by Intoxicated Use of Vehicle). (**State v. Padley, 2014, WI APP 65 it is recommended officers apply for a search warrant in cases involving unconscious drivers for second and subsequent offenses**)
- F. If charged with a crime and the person refuses a test, blood may be ordered and taken as evidence of the crime (OWI 3rd and subsequent, and felonies).
- G. If the results show a prohibited alcohol concentration or prohibited amount of some form of drug, the officer will write a citation for such charge or refer the data to the District Attorney if the driver was charged with a felony.
- H. Operators of vehicles involved in alcohol related fatal crashes that are killed are required to be tested under WI ss. 346.71(2) (the Medical Examiner's Office handles the sampling and testing of deceased individuals). Surviving drivers involved in fatal crashes shall be processed in accordance with this policy. If no probable cause exists to require chemical testing of a surviving driver, the officer should encourage the driver to voluntarily submit to testing.

6. Post Test/Refusal Processing

- A. Notice of Intent to Revoke - completed by officer, read to the driver refusing a test and issued a copy.
- B. Notice of Intent to Suspend - completed by officer, read to the driver, and issued a copy, if the chemical test shows a prohibited alcohol concentration. If the results are delayed, the form should be mailed. Officers should not complete the "notice date" until the form is mailed.
- C. Alcohol/Drug Influence Report - completed by officer, if Miranda is waived, questions may be asked of the driver.

7. Release of Driver after Processing

- A. First Offense OMVWI: Drivers may be released to responsible sober adult who accepts responsibility for the driver. Persons accepting responsibility must read and sign a Release Form. If the person refuses to sign the form, the driver will not be released.
- B. Drivers who do not have a responsible party, those charged with operating under the influence of drugs, or those charged with second or subsequent offense shall be transported to jail and confined on a twelve-hour hold or is below a .04 BAC (per jail guidelines).

INTOXICATED DRIVERS INVOLVED IN INJURY ACCIDENT

1. Unique circumstances exist when an officer suspects that a driver, involved in an injury or fatal accident, is

intoxicated. Officers are not likely to regularly encounter these situations and thus should be aware that special procedures are to be followed. This policy deals with those procedures.

2. 346.63(2) Causing Injury by OWI

A. Elements

- a. Defendant must have driven or operated a motor vehicle.
- b. Defendant must have been under the influence of an intoxicant (alcohol, drugs or combination).
- c. Defendant must have caused injury to another person. (Injury means any injury, and does not rise to the level of great bodily harms, as defined above.)

- B. Procedure For cases involving violations of 346.63(2), standard OWI procedures are followed (UTC, Informing the Accused, etc.) Upon a refusal, and barring exigent circumstances greater than the basic fact that alcohol dissipates quickly in the bloodstream, obtain an OWI search warrant.

3. 940.25 – Great Bodily Harm by Intoxicated Use of a Vehicle

A. Elements

- a. Defendant must have operated a vehicle.
- b. Defendant must have been under the influence of an intoxicant (alcohol, drugs or a combination).
- c. Defendant's operation of a motor vehicle must have caused great bodily harm to another.

B. Procedure

- a. The on-call DA should regularly be consulted in all serious injury or fatal crashes.
- b. Where there is probable cause, the operator should be arrested (no citation) for violation of 940.25, read the Informing the Accused, and taken to a medical facility for a blood draw, following normal procedures. Upon refusal, see search warrant procedure. Note that an unconscious person is presumed to have consented.

- C. In the case of a crash involving substantial bodily harm, where the officer detects any presence of alcohol, drugs or a combination, but does not yet have probable cause, the operator should be read the informing the accused, and taken to a medical facility for a blood draw (343.305(3)(ar)1), following normal procedures. Upon refusal, arrest the operator under 343.305(3)(a) and follow the search warrant procedure.

- D. In the case of a crash involving great bodily harm or death, where the officer has reason to believe that the operator violated any state or local traffic law, but does not yet have probable cause for arrest under 940.25, the operator should be read the informing the accused, and taken to a medical facility for a blood draw (343.305(3)(ar)2) Upon refusal, arrest the operator under 343.305(3)(a) and follow the search warrant procedure.

Pending the appeal of State v. Padley it is recommended officers take the following approach in serious crash cases:

- i. *First, try to make a case for an OWI arrest. If the officer has probable cause to make an arrest for an OWI offense, he/she can take the blood pursuant to standard implied consent procedures.*
- ii. *Second, if the officer cannot make an OWI case, he/she should seek to obtain consent for a blood draw. In asking for consent, officers should not read the Informing the Accused form. Instead, consent should be properly documented in the officer's police report.*
- iii. *If officers are unable to obtain a blood sample under either of the two above options, it is recommended that officers use Act 163 as a last resort. Officers should read the Informing the Accused form to the subject, and if the subject refuses, under the Act,*

*the officer can arrest the subject for that refusal. (See Wis. Stat. §343.305(3) (ar) (1) & (2), §343.305(3) (a)). After the arrest for the refusal the officer should read the Informing the Accused form for a 2nd time. If the subject again refuses, the officer should apply for a search warrant on the grounds that the subject was involved in a serious crash, and have refused a request for a blood test under the Implied Consent law.***

4. 940.09 Homicide by Intoxicated use of Vehicle

A. Elements

- a. Same as 940.25 except that the defendant must have caused the death of another.

B. Procedure

- a. Same as 940.25

5. Officers are reminded to:

- A. Properly identify defendants and to document the method of identification.
B. Establish that the defendant was actually the driver using driver and witness statements, physical evidence, and admission by the defendant.
C. Establish at what time the accident happened using driver and witness statements and police records. In cases where persons involved are uncertain of the time of the accident, they may be able to state that the accident happened so many minutes before the police arrived.

OWI SEARCH WARRANT

1. In light of Missouri v. McNeely, a Search Warrant is required for a forced OWI blood draw, absent exigent circumstances greater than the basic fact that alcohol dissipates quickly in the bloodstream (although a defendant may create their own exigency by withdrawing consent late in the process). Currently, McNeely has no effect on Wisconsin's Implied Consent law. In cases where departmental policy specifies that a forced blood draw is indicated upon refusal to submit to testing (3rd and subsequent offenses and felonies), the OWI Search Warrant procedure is as follows:
- A. Read the "Informing the Accused" form to the defendant as soon as practical. If the defendant consents, proceed with testing under implied consent. If the defendant refuses or stands mute, follow the procedure for obtaining a Search Warrant, and then complete the test. (Note that this does not apply to a person who is unconscious or otherwise not capable of giving consent; that person has legally given consent under the Implied Consent law.)
- B. Prepare the preformatted TraCS Affidavit and start the Search Warrant form (to the extent possible) in electronic formats, and call La Crosse Emergency Dispatch Center (LEDC 785-5962). The TraCS Search Warrant and Affidavit shall be e-mailed to lacrosse.dutyjudge@wicourts.gov.
- a. Officer calls on-duty DA. Call LEDC to get this information.
- b. Officer e-mails paperwork to Judge via e-mail listed above.
- c. Subsequently, the officer calls LEDC to commence a recorded call. LEDC adds the Judge to the call and remains on the line.
- d. The Judge swears the officer over the phone and obtains the officer's statement supporting probable cause (read the duplicate original warrant, verbatim, to the judge; the Judge may direct that the warrant be modified).
- e. If the Judge finds probable cause, the Judge will electronically sign and e-mail a return to the officer.
- f. At the end of the recorded call, the audio recording will be emailed to both the officer and court officer by the LEDC Dispatcher. Once received, the email should be promptly forwarded to the court officer or person who will be handling court duties the next business day. Please note in the incident

report the date and time the online request was made.

- C. The officer who will execute the search warrant should
 - a. Ask for consent again.
 - b. If the defendant consents, the officer should document it and proceed with the blood draw.
 - c. If the defendant refuses, the officer should execute the Search Warrant, entering the exact time of execution on the face of the duplicate original warrant (even if there is no field for this). The warrant (but not the affidavit) should be read to the defendant and a copy provided. The statute expressly authorizes the use of "all necessary force" in executing a search warrant.
- D. The officer who executes the Search Warrant completes the Search Warrant Return.
- E. The Affidavit, Search Warrant and Search Warrant Return are submitted with reports for urgent handling.
- F. If not accomplished in 2f above, the court officer should request a digital copy of the recorded call from LEDC.
- G. The court officer submits the Affidavit, duplicate original Search Warrant, Search Warrant Return, and recorded call to the office of the Judge.
- H. The Judge's office transcribes and certifies the recorded call and submits the Search Warrant, Affidavit and Search Warrant Return to the Clerk of Courts.
- I. See [OWI Forced Blood Flow Chart](#) and 968.12(3).

USE OF DRUG RECOGNITION EXPERT (DRE)

1. The purpose of this section is to improve enforcement and deter impaired driving by recognizing signs of drugs other than alcohol, and using a trained Drug Recognition Expert (DRE).

DRE Procedure

1. Patrol officer makes initial contact with suspect. This normally occurs via a traffic stop, but may occur through any police contact – complaint received, disabled vehicle, accident investigation, etc.
2. Observations and Indicators: During contact with the suspect, the officer should look for clues or other signs of drug use, including but not limited to:
 - A. Drugs or paraphernalia in the vehicle.
 - B. Drugs or paraphernalia on suspect's person.
 - C. Observations of suspect's speech, eyes, mannerisms, and/or balance.
 - D. Needle marks or scratch marks on suspect.
 - E. Distinctive odor (particularly of THC).
 - F. Lack of odor of intoxicants.
3. Field Sobriety Testing and Arrest:
 - A. Officer shall proceed as per OWI policy.
 - a. If probable cause exists, arrest is made [346.63(1)(a)].
4. If alcohol does not appear to be a factor, or if alcohol level is low compared to level of impairment (PBT), officer will contact supervisor to request DRE. If the PBT registers greater than 0.12, the DRE will not be called unless extreme/extenuating circumstances exist. (EX: traffic fatality)
5. Supervisor will determine if DRE will be called, using available information – if DRE is on- or off-duty / available to assist, length of DRE response time, signs of other drug use, or other information from officer on scene. Comment: Supervisor may request a DRE to respond and assist other law enforcement agencies if mutual assistance is requested. Dispatch will page the appropriate DRE.

6. If the DRE is able to respond he/she will coordinate with the supervisor where to meet with the officer.
Comment: Drug evaluations are normally not performed at roadside, but in a controlled environment.
Examples: hospital facilities or Intoximeter/pre-booking room.
7. Drug Evaluation and Classification: DEC is a highly technical function performed by the DRE. Persons performing the evaluation and classification must possess the proper certification and credentials.
8. The arresting/contact officer will provide the DRE with the results of field sobriety testing, the PBT result if administered, and any other observations or evidence collected which would indicate impairment.
9. The primary OWI test must be blood or urine if the DEC process is to be used. The DRE can still respond if there is a refusal.
10. The arresting officer must stay with the suspect during the DEC. Once the DRE is finished, the suspect will be returned to the arresting officer.
11. Drug evaluations will be conducted by a minimum of two (2) officers if possible; at least one of who will be a certified DRE. The DRE may direct an officer to record information related to the drug evaluation checklist.
12. Persons arrested will be read the Miranda Warning before a DEC procedure is implemented.
13. The DRE will prepare a supplemental report concerning the Drug Evaluation and Classification procedure.
14. The arrest/contact officer will continue to process the suspect. If a Prohibited Alcohol Concentration (PAC) is not indicated, the officer should consider a citation for 346.63(1)(am) Operating Motor Vehicle with a detectable amount of a Restricted Controlled Substance.

9/25/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Underage Alcohol**Date Issued:** 4/5/17**Effective Date:****Revision Number:**1**PURPOSE**

The purpose of this policy is to give officers a guideline when dealing with a case of underage alcohol consumption or purchase during their patrols.

POLICY

The Department in cooperation with the Countywide Alcohol Task Force initiative has a zero tolerance for any person who the officer finds to be in possession of or having consumed an alcoholic beverage when they are not at least 21 years of age. The Department follows an incident based approach to this violation and violations are most often discovered during the course of some other investigation or contact.

PROCEDURE

1. The officer's first responsibility for any person shall always be the person's safety and the officer will without delay seek medical assistance for any person they feel needs it.
2. An officer will issue a citation to people they have probable cause to believe are in violation of the state's age requirement for alcoholic beverages. An officer should attempt to obtain a breath sample (by PBT) but failure to do so isn't justification for not following this policy. If the officer has probable cause (i.e. odor of alcohol on breath, admission, possession of alcohol, etc) to believe the person is in violation the person shall be cited even if hospitalized.
3. Underage persons who have consumed alcohol are exempt from this policy if they have:
 - (a) called emergency services for another individual who is in need of medical assistance or
 - (b) are the victim of a violent crime.
4. First Time Offender Diversion Program
 - A. The Department is participating in an alcohol diversion program for those people WE cite for this violation for the first time. Violations from other agencies does not prevent possible referral to this program. Persons that are cited for underage alcohol may be offered this program if all the following conditions are met:
 - a. The person has not been booked into jail or issued any other citation that is NOT eligible for a department's diversion program.
 - b. It is believed by the officer the person has not been in the program before
 - c. Exhibits behavior consistent with someone who will take responsibility for their actions.

CONTINUES ON NEXT PAGE

5. Sharing of Information

It is also the Department's responsibility to inform the office of Student Life of any student the Department has charged with a violation of this type.

9/25/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Emergency Vehicle Warning Devices

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

The purpose of this policy is to establish guidelines for the use of emergency vehicular warning devices both audible and visual.

POLICY

It is the purpose of this policy to ensure that all members of the Department will adhere to statutory restrictions on the use of emergency warning devices and that such devices are employed only in prescribed conditions and circumstances and in ways that will minimize the risk of accidents or injuries to employees or the public.

DEFINITIONS***Emergency Vehicle***

An authorized law enforcement vehicle equipped with emergency lights (red/blue/white), siren, and other emergency warning devices required by law and used for emergency response situations.

Emergency Warning Devices

Devices placed in/on each agency emergency vehicle that emit audible or visual signals in order to warn others that law enforcement services are in the process of being delivered.

PROCEDURES

1. Assigning/Determining Response Modes to Calls for Assistance.
 - A. Officers will ultimately determine the response mode they will use based on information from dispatch and/or in response to a sudden occurrence unbeknown to communications personnel and include the:
 - a. The nature of the situation, and
 - b. The location and destination of the field unit.
 - B. Use of Emergency Warning Devices While in Emergency Response Mode.
 - a. During an emergency response, emergency lights and/or siren and other emergency signal devices shall be activated as required by law.
 - b. When responding in the emergency mode, the headlights of the emergency vehicle shall be activated to augment the emergency vehicle's visibility.
 - c. During an emergency response, four-way flashers shall not be used when the emergency vehicle is in motion because they may interfere with brake lights and turn signals.
 - d. The spotlight is primarily utilized to facilitate building and stationary vehicle checks and shall at no time be directed at the windshield or vision of oncoming traffic.
 - e. When responding in an emergency response mode, emergency signal devices may be deactivated at

a distance from the scene (to be determined by the vehicle operator) so as to not alert subjects to law enforcement proximity.

- f. When emergency signal devices are deactivated, the operator of the emergency vehicle shall comply with posted speed limits, obey all traffic control devices and signals, and proceed in a manner consistent with normal traffic flow.

C. Use of Emergency Warning Devices While Conducting Vehicle Stops.

- a. Audible and/or visible warning devices shall be used to make adequate notice of intent to stop a motor vehicle and to provide a safe environment for the vehicle operator, officer, and public.

D. Discretionary Use of Emergency Warning Devices.

- a. Officers may activate emergency signal devices when required to assist in handling any perceived emergency situation. The officer shall advise communications personnel of the nature of the emergency and the emergency response mode that has been taken.
- b. In other than emergency situations, when expediency is required to effectively eliminate a potential hazard to the public or fellow officers, law enforcement officers may activate emergency warning devices to allow orderly and safe transit through heavily congested roadways. Examples of permissible uses of emergency warning devices during nonemergency response situations include, but are not limited to:
 - 1. Using emergency lights as “beacons” to protect disabled motorists, or
 - 2. Using emergency lights when it is necessary to use agency vehicles as protective barriers.
- c. Operators of emergency vehicles shall deactivate emergency warning devices as soon as possible.

9/25/2017

X



Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Strip Searches

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

The purpose of this policy is to provide officers with guidelines for determining if and under what conditions the use of strip searches and body cavity searches are legally permissible and to establish guidelines for the appropriate conduct of such searches.

POLICY

This department recognizes that the use of strip searches and body cavity searches may, under certain conditions, be necessary to protect the safety of officers, civilians and other prisoners; to detect and secure evidence of criminal activity; and to safeguard the security, safety and related interests of this agency's prisoner detention and holding facilities. Recognizing the intrusiveness of these searches on individual privacy, however, it is the policy of this department that such searches shall not be conducted by any member of the department.

DEFINITIONS***Detained***

Any of the following:

1. Arrested for any felony.
2. Arrested for any misdemeanor under:
 - A. [167.30 \(1\)](#) Use of firearms near park
 - B. [940.19](#) Battery; substantial battery; aggravated battery
 - C. [941.20\(1\)](#) Endangering safety by use of dangerous weapon
 - D. [941.23](#) Carrying concealed weapon
 - E. [941.237](#) Carrying handgun where alcohol beverages may be sold/consumed
 - F. [948.60](#) Possession of a dangerous weapon by a person under 18
 - G. [948.61](#) Dangerous weapons other than firearms on school premises
3. Taken into custody under s. [938.19](#) and there are reasonable grounds to believe the juvenile has committed an act which if committed by an adult would be covered under subd. 1. or 2.
4. Arrested for any misdemeanor not specified in subd. 2., any other violation of state law punishable by forfeiture or any local ordinance if there is probable cause to believe the person is concealing a weapon or a thing which may constitute evidence of the offense for which he or she is detained.

Physically Disabled Person

A person who requires an assistive device for mobility, including, but not limited to, a wheelchair, brace, crutch or artificial limb.

Strip Search

Any search of an individual requiring the removal or rearrangement of some or all clothing to permit the visual inspection of any or all skin surfaces including genital areas, breasts and buttocks.

1. Strip Search

- A. Strip searches will be conducted by Jail Staff at the La Crosse County Jail. The officer shall notify the staff of the knowledge or belief of contraband being hidden under suspect's clothing.

2. Body Cavity Search

- A. No person may be the subject of a Body Cavity Search unless he or she is a detained person.
- B. A Body Cavity Search may not be performed without reasonable, individualized suspicion that the detainee possesses a weapon, evidence of a specific crime, controlled substance or other contraband.
- C. The suspected offense must be of a serious nature and/or present a threat to the safety of officers or others and/or the security of the jail.
- D. The officer shall make a documented request for a Body Cavity Search clearly defining the basis for suspicion and receive prior written permission from the Chief of Police or a Sergeant.
- E. Prior to a Body Cavity Search, the officer should attempt to obtain the detainee's consent.
- F. All body cavity searches shall be conducted by a physician, physician assistant or registered nurse in accordance with [§968.255](#) with or without a warrant.
- G. Officers should generally not be present during Body Cavity Searches so as to ensure the detainee's privacy. However, there are times when officers may be present, such as when the detainee is a security risk. Specifically, if the medical professional performing the Body Cavity Search requests that an officer be present for safety or security reasons, that would be a good reason. In such a case, the best procedure would be to have the officer be of the same sex as the detainee being searched.
- H. Searches should be conducted in private, in a medically acceptable manner and environment, under sanitary conditions, and conducted in a professional and dignified manner.
- I. The officer managing the search shall prepare a report identifying the person detained, all persons conducting the search, the time, date and place of the search and the required written authorization (*supra*), and provide a copy of the report (Strip Search Authorization Report, page one) to the person detained at the earliest opportunity. An incident report shall be completed.

3. Search of Body Orifices

- A. A search of the mouth, nose or ears of a detainee which involves nothing more than touching the outside surfaces or observing what is in plain view is permissible.
- B. Officers should refrain from probing into those body orifices with a finger or instrument.
- C. Intrusive searches of the mouth, nose, or ears are not considered body cavity searches; however, searches of those body orifices should be conducted by medical personnel to comply with the 4th and 5th amendments.
- D. Officers who have probable cause to arrest a suspect and who are searching the suspect incident to the lawful arrest and that have a "clear indication" (more than "mere suspicion" or "reasonable suspicion") that the arrestee has seize-able contraband in his mouth may, either with a warrant or when exigent circumstances (either an "urgent need to preserve evidence" or a "medical emergency") are present, use objectively reasonable force to acquire the contraband. Any action that could prevent breathing or an obstruction to the blood supply to the brain is prohibited.

4. Search of Physically Disabled Person

- A. A search of a physically disabled person shall be conducted in a careful manner. If a search of a physically disabled person requires the removal of an assistive device or involves a person lacking sensation in some portion of his or her body, the search shall be conducted with extreme care by a person who has had training in handling physically disabled persons ([§968.256](#)) including a physician, physician assistant, registered nurse, paramedic, EMT or trained officer or jailer.

X

Scott McCullough
Chief

Subject:

Vehicle Inventory

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

The purpose of this policy is to provide officers with guidelines for determining when and how a motor vehicle inventory should be conducted.

POLICY

A motor vehicle inventory is an administrative measure designed to protect motor vehicles and their contents while in police custody; to protect the agency against claims of lost, stolen or damaged property; and to protect departmental personnel and the public against injury or damaged property due to hazardous materials or substances that may be in the vehicle. It is the policy of this law enforcement agency to safeguard the above property and interests and to conduct motor vehicle inventories only in accordance with the following procedures.

PROCEDURES

1. Legal Authority to Inventory
 - A. An authorized member of this agency may conduct a motor vehicle inventory without a warrant or probable cause when:
 - a. The vehicle has been lawfully seized or impounded pursuant to the arrest of the driver; after towing the vehicle for violations, or for related enforcement or safety reasons as defined by state law, and b. when officers conduct the inventory within the scope of this policy as an administrative procedure.
 - B. Examination of the contents of a motor vehicle pursuant to a criminal investigation or with the intent of discovering evidence of a crime is a search, not an administrative inventory. Officers shall be guided by this agency's policy on motor vehicle searches when engaged in these actions.
2. Scope of Inventory
 - A. The contents of all motor vehicles that are lawfully seized and/or impounded by this agency shall be subject to inventory in accordance with the provisions of section III-A of this policy.
 - B. An inventory should be conducted in the location at which the vehicle is seized unless limited by reasons of safety or practicality. If so, it may be inventoried at a later time following impoundment.
 - C. The owner or operator of the vehicle shall be asked to remove, if possible, all valuables from the vehicle prior to impoundment. If such items cannot be removed, they shall be inventoried before the vehicle is removed, and the owner/operator shall be requested to verify the completeness of the inventory by signature.
 - D. A motor vehicle inventory may extend to all areas of the vehicle in which personal property or hazardous materials may reasonably be found, including but not limited to the passenger compartment, trunk and glove compartment.
 - E. All closed containers found within the vehicle shall be opened for purposes of the inventory. Closed and

locked containers shall not be forced open but shall be logged on the impound report as such. If a key or lock combination is available, locked containers may be opened and inventoried.

3. Property Control

- A. All items of value shall be itemized on this agency's property inventory form and such materials turned over to the control of the property room for safekeeping.
- B. Control and safekeeping of hazardous materials shall be the responsibility of this agency's designated authority.
- C. Contraband and evidence discovered during the course of a motor vehicle inventory shall be deposited with the evidence custodian in accordance with procedures for control of criminal evidence. Notification of this fact shall be provided to the agency's designated authority.

X

Scott McCullough
Chief

Subject:

Vehicle Towing

Date Issued: 4/5/17

Effective Date:

Revision Number:1

Purpose

To set a policy for officers to follow when confronted with a situation that may warrant a vehicle to be towed.

Policy

A vehicle will not be towed without permission from a supervisor unless the vehicle poses an immediate traffic hazard or poses a threat to public safety in some way. Vehicles that are involved in custodial arrest situations can be towed or legally parked at the owner's request and cost. If a vehicle is towed the Officer shall inventory the contents of the vehicle.

9/25/2017

X



Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Body Worn Cameras

Date Issued: 8/8/2017

Effective Date: 8/8/2017

Revision Number: 1

Purpose

The following provides officers with instructions on when and how to use body-worn cameras (BWCs) so that officers may reliably record their contacts with the public.

Officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used for investigations or what is commonly referred to as undercover operations.

1. The use of BWCs is approved to accomplish the following objectives:
 - A. Allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
 - B. Audio and video recordings enhance the Department's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes, and to provide additional information for officer evaluation and training.
 - C. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
2. When and how to use the BWC:
 - A. Officers shall activate or insure remote activation of the BWC to record all contacts with citizens in the performance of official duties.
 - B. Whenever practical, officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence or medical setting, they may decline to be recorded unless the recording is being made pursuant to official law enforcement duties. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.
 - C. If an officer fails to activate the BWC, or an interruption in recording occurs, the officer will document the reason for the failure to start, interruption or termination of recording in a report. If an officer feels it is necessary to stop recording or mute the audio recording (e.g., talking to a victim, or a confidential informant) within constraints of policy, the officer will verbally indicate their intent to stop recording before stopping the device and upon reactivation of the camera, state that the camera was restarted. Documentation can be in the form of an incident report, arrest report, or other electronic means approved by the Chief of Police or his designee.
 - D. Civilians shall not be allowed to review the recordings at the scene. All viewing of recordings by non-police department personnel would fall under the departments open records policy.
 - E. If an employee is aware that a juvenile has been recorded during an incident, the employee will determine if the juvenile is identifiable within the context of the recording, be it either video and/or audio representation. If the juvenile is identifiable, the employee will ensure this is documented in the report.

- F. Employees are encouraged to record all victim or witness interviews with the BWC. Officers should notify victims and/or witnesses when recording is taking place. If a victim declines being video recorded, the officer shall document in their report the reason an interview was not recorded.
 - G. It may not be immediately apparent to an officer which subjects are witnesses, victims, suspects, or unrelated bystanders. Officers will keep the BWC activated while they determine the role each person took in the incident. Officers are not expected to make a positive determination of what each person's role was prior to conducting interviews, so the standard will be reasonable belief based on the available information.
 - H. Personal use of the BWC equipment on or off duty is prohibited.
3. Procedures for BWC use:
- A. BWC equipment is used primarily by uniformed personnel. All Officers who are assigned BWC equipment must use the equipment when patrolling unless otherwise authorized by supervisory personnel.
 - B. Police personnel shall use only BWCs issued by the Department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.
 - C. Police personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operations. Additional training may be required to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
 - D. BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall immediately be brought to the attention of the officer's supervisor so that a replacement unit may be procured.
 - E. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems.
 - F. Officers shall wear the BWC conspicuously on the outside of their uniform and in such a position as to best record their interactions with the public.
 - G. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of Police or designee.
 - H. Officers are encouraged to inform their supervisor or the training sergeant of any recordings that may be of value for training purposes.
 - I. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the Department reserves the right to limit or restrict an officer from viewing the video file.
 - J. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or designee in accordance with state record retention laws. All requests and final decisions shall be kept on file for a time equal to the record retention schedule for a similar state record.
 - K. Officers shall note in incident, arrest, and related report modules when recordings were made during the incident in question.
 - L. BWC recordings are not a replacement for written reports.
4. BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:
- A. Communications with other police personnel without the permission of the Chief of Police or designee.
 - B. Encounters with undercover officers or confidential informants.
 - C. When on break or otherwise engaged in personal activities; or
 - D. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

5. Storage

- A. All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier, and assigned officer.
- B. All images and sounds recorded by the BWC are the exclusive property of the Department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
- C. All access to BWC files must be specifically authorized by the Chief of Police or designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
- D. Files should be securely stored in accordance with state records retention laws per UW System Police and Parking Services General Records Schedule, for a minimum of 180 days, and no longer than useful for purposes of training or for use in an investigation or prosecution. Videos which are referred to in a written police report shall be considered part of the police report and retained the same as the written report. Those videos that are not documented will be retained at a minimum of 180 days, then deleted.
- E. Further information on record retention can be found in the University's records retention schedule.

6. Supervisory responsibilities:

- A. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
- B. Supervisors will review a sample of at least 5 random BWC recordings on a monthly basis to ensure the equipment is operating properly and that officers are using the devices appropriately and in accordance with the policy. The monthly reviews will be documented in a BWC review log located on the Department internal website.
- C. Supervisors will inform the training sergeant of any recordings that may be useful for future department training.

9/25/2017

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Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

**Subject:
Reports**

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

There are many forms that officers will be required to complete during the course of an investigation or incident. This policy is to give basic direction when a form that is unique to the UWL Police is to be used and guide officers to which report(s) to use and when to use them.

POLICY

1. When deciding whether to complete a written report an officer should take into account possible questions, complications, or follow-up that an incident may generate. When in doubt, the officer will complete a report, or may ask an on-duty supervisor for guidance. In the few cases where a report is not completed officers should take pertinent and complete notes for possible use at a later time.
2. Accurate and completeness will be observed whenever writing any kind of report. An officer will follow all other relevant policies to any given incident. An officer's credibility is largely based on the reports they complete. Any false statement, omissions, or evasions will be considered a violation of work rules and be subject to discipline. All reports will be done no later than the end of the shift in which the investigation was completed. For investigations that span more than one shift the officer's supervisor will be immediately notified and it is at the supervisor's discretion that a report may be completed at a later date.
3. It is the officer's responsibility to allocate their time appropriately in order to get the reports done within the officer's shift.
4. If an incident is cleared within the last hour of the officer's shift and that incident generated a report which will take longer than the time left in that officer's shift, the officer may complete the report at a later date if:
 - A. No other policy is violated (i.e., OWI, etc.)
 - B. The officer will be able to complete the report within 5 days of that shift (i.e., the officer isn't on extended leave, vacation, etc.)
 - C. The officer's supervisor hasn't directed it be done sooner.
 - D. The Courts don't need the report at an earlier time.
 - E. If overtime is generated and the OT hasn't been approved by a supervisor.

REPORTS

1. Daily Reporting
 - A. Records Maintained
 - a. CAD
 1. This is a database maintained by dispatch that logs all incident numbers with supporting documentation, notes on calls or items of interest that come to the attention of the UWL Police

either via dispatch, office or officer. The officers are responsible for ensuring the appropriate information is given to dispatch so that documentation is thorough, accurate and complete for later use. Like squad and on-body camera systems, recordings of radio and phone calls do not replace the information that is required to be placed in the CAD.

2. Dispatcher's Daily Log. This log documents all activities within a given shift or series of shifts regardless of whether a case number and/or folder number is assigned.
3. Daily Activity Summary. This document outlines the case number, description, location, disposition, time, and date of all incidents assigned case numbers. This activity summary will also serve as a log open for inspection under the new revised campus security act.

b. Field Reports (Headers)

1. These are reports generated as a result of officer action that is limited primarily for documentation and data collection purposes. These reports typically are not distributed to other agencies or departments. These are also seldom modified but are maintained in the computer database for statistical purposes. These are given their own incident numbers.

c. Incident Reports

1. These are reports that document specific incidents of activity whether it is an investigation or office-initiated activity. These reports typically are maintained both on the computer system and in hard copy form and are also distributed to appropriate departments throughout campus and to agencies off-campus if appropriate. Each Incident Report is individually numbered.
2. In addition, a new Incident Report/Number should be generated when the follow-up to a case number that had been issued more than two weeks earlier. The earlier case number should be referenced in the report.

d. Supplemental Reports

1. These are reports that are used to document further information, investigations, or actions to an Incident Report. They are never given a separate incident number. Some cases where a Supplemental Incident Report may be used are when two officers are involved and the backup/secondary officer has pertinent information. They may also be used to document follow-up investigations that have occurred recently (within the last two weeks of the number being assigned).

e. Squad checklist

1. To ensure that critical equipment is functioning properly for the officer starting their shift. Officers are required to complete this form at the beginning of their shift and annotate it at the end of their shift. Submitted electronically to supervisor.

f. Bike

1. Handwritten form used to record all bikes recovered by or reported stolen to the UWL Police. After the form is completed it is turned into dispatch. If the bike and to be securely stored by the UWL Police a copy is attached conspicuously onto the bike.

g. Motorist Assist

1. Handwritten form completed by the officer and given to the person requesting assistance with their vehicle. When cleared the form is turned into dispatch.

X

Scott McCullough
Chief

Subject:
Release of Information

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

To set forth guidelines that officers and employees must follow when encountering a situation where they are asked to release information and records.

PROCEDURE

1. No officer/employee shall release reports or information (verbally or otherwise) about incidents, cases, personnel, investigations, unless personally directed to by the Chief or his designee.
2. When asked for this information, the officer shall direct the person to place their request in writing, by using the [Open Records Request Form](#) and submitting it to the Chief of Police Services. Copies of accident reports with no charges involved are exempt from this policy.
3. For open record requests, refer to Policy [4.02 Open Records](#).

9/27/2017

X



Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Ride-Along Program**Date Issued:** 4/5/17**Effective Date:****Revision Number:**1**PURPOSE**

The purpose of this policy is to establish the UW La Crosse Department Police Observer (Ride Along) Program. The Police Observer program is intended to open lines of communication and foster community cooperation, support, and participation in the task of policing. The Police Observer program promotes a better understanding of the challenges, risks, and rewards of the police officer's role in the community.

POLICY

This department will encourage participation a "Police Observer Program" (ride-along) within the limits required by police staffing and procedures. Officers or employees who are assigned "Police Observers" shall maintain a high level of professional conduct and be mindful of the safety and welfare of the observer. To the extent possible, officers are expected to explain police functions and procedures, while respecting the confidential nature of certain types of information.

PROCEDURE

1. Eligibility
 - A. All persons wishing to participate in the Ride-Along Program must be at least 18 years of age, must not have a recent criminal history, charges pending, outstanding warrants, an inordinate number of police traffic contacts or other violations, or currently be under a drivers' license suspension or revocation. The Sergeant will conduct a check of the UW La Crosse records system, the Wisconsin Department of Transportation records and/or other resources to assist in the approval or denial of all ride along requests. The consent and signature of a parent or guardian allows persons under the age of 18 years of age to participate. Observers may not be armed even if they possess a concealed carry permit (law enforcement officers excepted). Police Observers are only allowed to ride for four hours or less at a time, twice a year, unless otherwise authorized.
2. Application & Approval Process
 - A. Persons wishing to participate in the Police Observer Program should complete a Waiver of Liability application form. Application forms can be obtained at the police department or online. The consent and signature of a parent or guardian is required for persons under the age of 18 years of age. The application should be delivered to the police department and routed to the Sergeant.
3. Processing
 - A. The sergeant will vet, coordinate scheduling, notify the applicant, and assign. Upon completion of the ride-along, the application should be returned by officer to the Sergeant for filing.

4. Officer's Responsibilities

- A. The officer will insure the following:
 - a. A completed application with a signed waiver is in hand before permitting a ride-along. The consent and signature of a parent or guardian is required for persons under the age of 18 years of age.
 - b. The observer is properly attired, unarmed (law enforcement officers excepted), issued observer identification, and assigned to an employee with permanent status.
 - c. The observer is notified that they are strictly an observer and are not authorized to engage in any police activity, unless expressly directed to do so by an officer.
 - d. Even if cameras or recording devices are cleared, notify the observer that recording images, audio, or video where there is a reasonable expectation of privacy is prohibited.
 - e. Discuss with the observer and assigned officer what the observer should do if left-off due to the potential hazard of a pending police activity, or they otherwise become separated.
 - f. Terminate the observer's participation when necessary due to the potential hazard, confidentiality, or sensitivity of pending police activity, the conduct of the observer, or other special circumstances.
 - g. After completion of the observation period, the application should be routed to a Sergeant for filing.

5. Police Observer Program Rules

- A. Observers shall be under the immediate and direct control of the officer to which they are assigned and must obey that officer's direction at all times.
- B. Observers are not to engage in any police activity unless expressly directed to do so by an officer.
- C. Observers shall wear an Observer Identification Card and are to be identified upon request as observers. In no way are observers to be identified as having police power.
- D. Observers must wear neat, clean, and appropriate clothing. Shorts, sweat suits or jogging suits, tank tops, halter tops, or clothing which is torn, soiled or displays offensive language or symbols shall not be allowed.
- E. Participants must wear their seat belts at all times while in police vehicles.
- F. Non-Campus personnel may not operate department vehicles.
- G. Participants will not use any drugs or alcohol prior to ride-along.
- H. If at any time during an observation period, the responsible officer or Shift Commander determines that it is appropriate to terminate the observer's participation, the observer must immediately comply. In determining if a police observer's participation should be terminated, an officer or Sergeant should consider the following factors.
 - a. The potential hazard of a pending police activity.
 - b. The confidentiality or sensitivity of pending police activity.
 - c. Conduct of the observer which would tend to jeopardize the safety of an officer or the public.
 - d. Conduct of the observer which detracts significantly from the efficiency or image of the department.
 - e. Failure to comply with a program rule.
 - f. Special circumstances.

X

Scott McCullough
Chief

Subject:
Mobile Video Recorders

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

The purpose of this policy is to provide law enforcement agencies with guidelines for the use, management, storage, and retrieval of audio-visual media recorded by in-car video systems.

DEFINITIONS

Recorded media

Refers to audio-video signals recorded on any of several storage devices, including analog tape (VHS, SVHS, Hi 8mm), digital tape (DV), or other portable digital storage devices (CD, DVD, hard drive, etc).

In-Car Camera System and Mobile Video Recorder (MVR)

These are synonymous terms and refer to any system that captures audio and video signals capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder, and monitor.

Supervisor

Sworn personnel officially appointed responsibility for a departmental component.

MVR Technician

Personnel trained in the operational use and repair of MVRs, duplicating methods, storage and retrieval methods and procedures, and who possess a working knowledge of video forensics and evidentiary procedures. (Dependant on the size and needs of the agency, the role of the MVR Technician may be delegated to the supervisor.)

POLICY

The use of an MVR system provides persuasive documentary evidence and helps defend against civil litigation and allegations of officer misconduct. Officers assigned the use of these devices shall adhere to the operational objectives and protocols outlined herein so as to maximize the effectiveness and utility of the MVR and the integrity of evidence and related video documentation.

PROCEDURES

Program Objectives

The agency has adopted the use of MVRs to accomplish the following objectives:

- A. To enhance officer safety.
- B. To accurately capture statements and events during the course of an incident.
- C. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
- D. To provide an impartial measurement for self-critique and field evaluation during recruitment and new officer training.
- E. To capture visual and audio information for use in current and future investigations.

1. General Procedures

- A. It shall be the responsibility of this department to ensure that the audio-video recording equipment is properly installed according to the manufacturer's recommendations.
- B. MVR equipment shall automatically activate when emergency equipment (lights) or a wireless transmitter is operating. The system may also be activated manually from the control panel affixed to the interior of the vehicle.
- C. Placement and operation of system components within the vehicle shall be based on officer safety requirements.
- D. All officers shall successfully complete this department's approved course of instruction prior to being deployed with MVR systems in operational settings.

2. Officers' Responsibilities

- A. Inspection and general maintenance of MVR equipment installed in departmental vehicles shall be the responsibility of the officer assigned to the vehicle.
 - a. MVR equipment shall be operated in accordance with the manufacturer's recommended guidelines and departmental training and policies.
 - b. Prior to beginning each shift, the assigned officer shall perform an inspection to ensure that the MVR is performing in accordance with the manufacturer's recommendations covering the following:
 - 1. Mobile video unit shall be powered on.
 - 2. Wireless mic. has power, functioning properly.
 - 3. Video camera is positioned to properly record events.
 - 4. Monitor is functioning, displaying correct time/date.
 - 5. All components are properly functioning.
 - 6. Digital storage should not be less than 1 GB. If 1GB or less and file transferring is not taking place, contact a supervisor for manual download.
- B. Malfunctions, damage or theft of in-car camera equipment shall be reported to the immediate supervisor prior to placing the unit into service.
- C. A subsequent written report shall include information on the suspected cause(s) of equipment failure, as available, and any recommendations for corrective action.
- D. The supervisor shall determine if the unit shall be placed in service. If the vehicle is placed in service without an operating MVR, the emergency communications center (e.g., dispatch) shall be so informed.

3. Mandatory Recording

- A. Traffic stops
 - a. to include, but not limited to traffic violations, stranded motorist assistance and all crime interdiction stops.
 - b. Priority responses
 - c. Vehicle pursuits
 - d. Prisoner transports

- e. Crimes in progress
- f. Any situation or incident that the officer, through training and experience, believes should be audibly and visually recorded.
- g. When the MVR is activated, officers shall ensure that the audio portion is also activated so all events are properly documented. Officers are encouraged to narrate events using the audio recording, so as to provide the best documentation for pretrial and courtroom presentation.

4. Operational Protocols

- A. Officers shall activate both audio and video recordings when responding in a support capacity in order to obtain additional perspectives of the incident scene.
- B. Officers shall review the recordings when preparing written reports of events to help ensure accuracy and consistency of accounts.
- C. With the exception of police radios, officers shall ensure that the volume from other electronic devices within the police vehicle does not interfere with MVR recordings (i.e. car stereo).
- D. Officers shall not erase, alter, reuse, modify or tamper with MVR recordings.
- E. MVR recordings shall be tagged when they record any event.
- F. When the MVR is activated to document an event, it shall not be deactivated until the event has been concluded unless
 - a. The incident or event is of such duration that the MVR may be deactivated to conserve recording times; and
 - b. The officer does not reasonably believe that deactivation will result in the loss of critical documentary information; and
 - c. The intention to stop the recording has been noted by the officer either verbally or in a written notation.

5. Technicians' Responsibilities

- A. A designated officer or other employee (MVR technician) shall be responsible for the storage, cleansing and duplication of all storage media.
- B. Recorded media may only be degaussed/erased
 - a. Pursuant to a court order; or
 - b. In accordance with established retention guidelines.
- C. The MVR technician shall be responsible for the following.
 - a. Long-term storage of media deemed to be of evidentiary value consistent with the department's evidence storage protocols and retention schedule.
 - b. The cleansing (degaussing) and other media deemed to be of no evidentiary value consistent with the department's document retention requirements.

6. Media Duplication

- A. All recording media, recorded images and audio recordings are the property of this department. Dissemination outside of the agency is strictly prohibited without specific written authorization of the agency's chief executive or his or her designee.
- B. At the conclusion of the trial proceedings or as otherwise authorized by the prosecutor's office for which the

media was required, all copies shall be submitted to the MVR technician for further storage.

X

Scott McCullough
Chief

Subject:
Firearm Storage – Non-Departmental

Date Issued: 4/5/17

Effective Date:

Revision Number:1

Purpose

The Department has the responsibility of storing and securing student owned firearms they bring to Campus but are not allowed to keep in the resident halls or when there are firearms on campus for some campus function such as ROTC. This policy gives Department police officers a set of guidelines to use when taking and releasing firearms from storage.

Policy

The Department will maintain a year round secure and locked facility, check in and check out record. All personal guns being turned over to the Department must be checked in or out by the on-duty officer, using the appropriate form and will be secured in the facility. Any officer may check in or out a firearm. Firearms will only be released to the owner after confirmation of their identity by use of a picture ID. The owner may drop off or pick up their firearm at any time.

Government owned firearms (i.e., ROTC) will be stored in a secure and locked facility but no check in form is necessary.

Procedure

1. Dispatch will gather and run all information from the student (i.e. Name, date of birth) to insure there is no active warrants or other information prohibiting the student from possessing a firearm. An incident number shall be created for all weapon check-in/out
2. Dispatch will contact the on-duty officer who will take possession of the weapon.
3. The officer will take the weapon to the Armory and shall log it in on the form provided which shall be located on the fence of the secured area inside the armory.
4. The officer will follow this same procedure for when the firearm is being returned to the student.

9/27/2017

X 

Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
DRMS Equipment and Property Disposal

Date Issued: 4/5/17

Effective Date:

Revision Number:1

PURPOSE

To establish guidelines for the use and disposal of property received through the 1033 Excess Military Property Program.

PROCEDURES

1. All equipment will be inventoried by the Chief or his designate upon receipt of property from the respective DRMO. The inventory will include acquisition date, current location and when disposed of the date, location and name of individual that is responsible for the disposal or destruction.
2. Property obtained from a DRMO will be placed into service within one year of receipt and utilized for one year, unless the condition of the property renders it unusable.
3. The Chief will dispose of or destroy the received property by
 - A. Discarding in trash unserviceable equipment (if not demilitarized).
 - B. Auction/bid process if the property is no longer needed but has value.
 - C. Returning all demilitarized required equipment to the respective DRMO.
 - D. Document method of disposal as noted above.

9/27/2017

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Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Crime Reporting**Date Issued:** 4/5/17**Effective Date:****Revision Number:**1**PURPOSE**

This section lists the different reporting of crime the Department is involved in.

POLICY

It is the policy of this department to ensure all annual mandated crime reports are completed and submitted on time. It is the duty of the department Investigator to file the Uniform Crime Reports (UCR). It is also the duty of the Sergeants and Chief to ensure the UCRs and Clery Reports are done in the appropriate time frame.

Uniform Crime Report-Office of Justice Assistance (OJA)

1. The Department completes a monthly report based on a review of case reports which are defined and collated into an annual report by the OJA and the Federal Bureau of Investigation's Uniform Crime Reporting unit. This report is made public by the FBI in print form and on the internet.

Annual UWL Campus Security Report

1. The Department also participates with other units on campus in preparing what is called the Annual Security Report. This report is mandated and monitored by the Department of Education (DOE). The information is presented and made available to anyone through the UWL website.

Daily Activity Summary

1. As part of DOE requirements, the Department is mandated to maintain a Daily Activity Summary of all police activities. The Department maintains the records and makes them available upon request at the police department during normal business hours which is defined as Monday through Friday 8am to 430pm.

Daily Crime and Fire Log

1. As part of DOE requirements, the Department is mandated to maintain a Crime and Fire Log. The Department maintains the records and makes them available upon request at the police department during normal business hours. In addition, the Department maintains recent versions of this report on its website.

Crimes Near Campus

1. In an effort to better educate our campus community the Department maintained a "Crime Near Campus Log until 2014 in paper form which was available to the public during business hours. This book was based on information from the La Crosse Police Department (LCPD). Since 2014 the UWLPD refers people by direct computer link to the LCPD crime mapping website they maintain.

9/28/2017

X



Scott McCullough

Chief

Signed by: 7f44a59c-491e-4a2f-8a15-24fb4de66883

Subject:
Citizen Complaints**Date Issued:** 4/5/17**Effective Date:****Revision Number:**1**PURPOSE**

The purpose of this policy is to fulfill the statutory requirements of 66.0511(3) requiring a specific procedure for processing and resolving a complaint by any person regarding the conduct of a law enforcement officer of the department. The Department puts emphasis on preventing these situations before disciplinary action with effective employee management practices. This policy also requires that all complaints against the department or its employees are investigated and specifies the authority and responsibility assigned by the type of complaint. It is recognized the University Police Officers serve in a very critical and sensitive position of trust on campus. This trust must be upheld at all times as Officers follow unique guidelines and policies that directly impacts the safety of the UWL campus and its citizens. University employees may be disciplined for violation of Work Rules for University Employees if there is just cause or for violations of these policies. In most instances, a progression of disciplinary measures will be applied in an effort to reinforce appropriate behaviors with an employee.

POLICY

Public and employee confidence is maintained by our ability to investigate and properly resolve complaints. The UW La Crosse Police Department will accept and investigate all complaints against its employees, policies, procedures, or practices, whether through an identified or anonymous complainant. Upon receipt of a complaint, the department will conduct an investigation in an open and fair manner, respecting the rights of the complainants and employees, with the truth as its primary objective. It is the responsibility of each member of the department to see that a complaint is handled in the prescribed manner.

PROCEDURE

1. Receiving Complaints
 - A. Every employee has the responsibility to ensure that a verbal or written complaint, on being expressed, is received and referred to a Supervisor. Complainants may be referred directly to the Supervisor. If the Supervisor is not immediately available, the employee shall attempt to obtain basic complaint information and record it on a complaint form. The complainant shall be advised that the Supervisor will contact them. If the complainant declines to provide information, the complainant shall be advised that a complaint form could be provided, mailed, or picked up, they could call back at a later time to speak with the Supervisor. Complaint forms shall be provided to anyone who asks for one. Employees receiving complaints shall notify the Supervisor and provide the Supervisor with the complaint form, even if the form simply documents that an unidentified person complained about a problem or concern.
2. Supervisor's Responsibilities
 - A. It is the responsibility of the Supervisor to receive written and verbal complaints, to contact and advise the complainant of their options, to gather information, document the complaint, and forward the complaint to the Chief. If practical, the receiving Supervisor shall immediately investigate and attempt to

resolve apparent Type I complaints. All apparent Type II complaints shall be referred to the Chief. Supervisors shall notify complainants that their complaint may be subject to public disclosure. The department will try to respect requests for confidentiality, but confidentiality cannot be guaranteed. Supervisors shall notify the Chief of Police as soon as practical.

- B. If a complainant sets forth specific believable facts relating to the allegation and wishes to remain anonymous, the Supervisor shall become the complainant. If the Supervisor has reasonable grounds to believe that the anonymous complaint is unfounded, he/she shall have the authority to require the person to identify himself or herself. If the person refuses to do so, and this refusal makes it impractical to move forward with the complaint, the Supervisor may refuse to initiate a complaint and shall so advise the person. The Supervisor shall submit a written report to the Chief of Police detailing the complaint and why he/she deemed it unfounded.

3. Complainant Options

- A. Informal
 - a. The complainant tenders a complaint, either written or verbal, alleging inappropriate behavior by an employee but does not give a sworn statement.
- B. Formal
 - a. The complainant tenders a written complaint alleging inappropriate behavior by an employee, and the complainant is duly sworn before an official authorized to administer oaths (e.g. Notary Public).
- C. Against Policy, Procedure or Practice
 - a. Citizen complaints of this nature will be referred, in writing, directly to the Chief of Police, and shall include a description of the complaint and information regarding how the complainant can be re-contacted.

4. Type I Complaint Process

- A. A complaint is classified as Type I if it alleges minor violations of department policy, operating procedures, rules, standards of conduct, or other minor misconduct. Type I Complaints will normally be referred to the employee's immediate supervisor for investigation and mediation, if the complaint is not resolved at intake. Employees who become the subject of an investigation shall be notified of the complaint/allegation, including the nature of the complaint/allegation, and provided a description of the employee's rights and responsibilities relative to the investigation, including the right to representation (164.02). However, if early notification may hinder an investigation, employee notification will be made as soon as practical.
- B. It is the responsibility of the investigating supervisor to fairly and objectively gather the facts, while respecting the rights and dignity of employees and complainants. This effort normally will include interview of the complainant, witnesses, and focus employee, and the gathering of evidence. If the supervisor finds probable cause that the employee violated department policy, procedure, rules or standards of conduct, the employee shall be informed of the specific alleged violation and given an opportunity to respond. If the employee provides new information warranting further consideration or investigation, it shall be done. After completion of the investigation, the investigating supervisor shall notify the complainant and employee of the finding. Formal complaints require a written notice. If either the complainant or employee is not satisfied with the investigation or finding, they may request a review by Human Resources. If the finding is "Sustained," "Misconduct Not Based on Complaint," or "Unintentional Error," the employee's supervisor shall take appropriate action (see Discipline Policy). A summary report and all supporting materials shall be forwarded to Human Resources.

5. Type II Complaint Process

- A. A complaint is classified as Type II if it alleges criminal behavior or a serious violation of department policy, operating procedures, rules, standards of conduct, or other serious misconduct. Examples of Type II Complaints include allegations of corruption, brutality, misuse of force, breach of civil rights, criminal misconduct, and other serious misconduct. Type II complaints shall be referred to the Internal Affairs function for assignment and investigation.
- B. The Chief shall review all Type II complaints to determine if the allegation requires an internal, external, or criminal investigation and shall then make such assignment. A written acknowledgement of the complaint shall be forwarded to the complainant, if known. Employees who become the subject of a Type II investigation shall be notified of the complaint/allegation, including the nature of the complaint/allegation, and provided a description of the employee's rights and responsibilities relative to the investigation. However, if early notification may hinder an investigation, employee notification will be made as soon as practical.
- C. It is the responsibility of the assigned department investigator to thoroughly, fairly and objectively gather the facts, while respecting the rights and dignity of employees and complainants. This effort normally will include interview of the complainant, witnesses, and focus employee, and the gathering of evidence. The investigator shall forward completed investigations to the Internal Affairs Officer for review. The Internal Affairs Officers shall review the investigation to ensure that it is complete, thorough, fair, and objective.
- D. If there is probable cause that an employee violated department policy, operating procedures, rules, or standards of conduct for which disciplinary action may be appropriate, the affected employee shall be given all rights and privileges as set forth by procedures enumerated in the UW La Crosse Work Place Expectation and Discipline Guidelines Police. In such case, the affected employee shall be given a written notice of allegations, as well as the date, time and place of a predetermination hearing. The purpose of the predetermination hearing is to provide the employee an opportunity for rebuttal. The employee may choose to appear or not, may bring representation if desired, and is entitled to make no response. Any new and pertinent information that comes to light shall be investigated before a decision is made. (It may be necessary to continue the hearing at a later date if additional investigation is required.) A decision shall be rendered only after the hearing has been completed and all available information has been given careful consideration. The complainant and employee shall be notified in writing of the finding. If the finding is "Sustained," "Misconduct Not Based on Complaint" or "Unintentional Error," the Internal Affairs Officer shall refer the matter to the Chief of Police for disposition.

6. Investigator Responsibility

- A. The Chief of Police shall designate a sergeant to be the Internal Affairs Officer who is responsible for a specific complaint. It is the responsibility of the Internal Affairs Officer for a complaint to notify the Chief of Police of the outcome of all complaints and investigations.
- B. Internal Affairs Investigations may also be assigned to members of the command staff, investigative component, or to an external agency/unit at the discretion of the Chief of Police.

7. Employee's Responsibility

- A. It is the responsibility of every employee to be familiar with department policy, procedures, rules and standards of conduct. When involved in an investigation, employees are required to cooperate, to fully and truthfully answer questions, and to render material and relevant statements to the investigating officers. Although employees have statutory protections under Section 7 of the National Labor Relations Act to communicate with coworkers about the terms and conditions of employment, there may be legitimate reasons for the department to instruct an interviewee to keep the subject matter of the interview confidential. The need for confidentiality will be weighed against the employee's right to communicate with coworkers on a case-by-case basis. The following factors weigh in favor of

confidentiality:

- a. Witnesses need protection;
- b. Evidence is in danger of being destroyed;
- c. Testimony is in danger of being fabricated; or
- d. There is a need to prevent a cover-up. A confidentiality order shall only be imposed for the length of time that is reasonably necessary.

8. Complainant Notifications

- A. If they wish complainants shall be periodically informed about the status of their complaint, including, but not limited to, acknowledgment of receipt of the complaint, periodic progress updates on the investigation, and final disposition upon conclusion. Formal and Type II complaint final disposition notifications shall be in writing.

9. Time Limits

- A. Citizen complaints will not be investigated if the complaint is received more than ninety (90) days after the alleged incident, except if the complaint involves an alleged law violation, or the complainant can show good cause for not making the complaint within the specified time limit.

10. Finding Definitions

A. ***Standard of Proof***

- a. The standard of proof is a preponderance of the evidence. The evidence must satisfy you to a reasonable certainty by the greater weight of the credible evidence. Greater weight of the evidence means that when weighed against opposing evidence, it has more convincing power. Credible evidence is evidence, which in the light of reason and common sense is worthy of your belief.

B. ***Unfounded***

- a. The investigation has produced sufficient evidence to prove that the act or acts alleged did not occur. This finding shall also apply when individual personnel named in the complaint were not involved in an act that did occur.

C. ***Exonerated***

- a. The act alleged did occur, but the employee's actions were justified, legal and proper.

D. ***Undetermined/No Finding***

- a. There is insufficient evidence to either prove or disprove the allegation.

E. ***Unintentional Error***

- a. The act (or omission) did occur and it is deemed improper, but was the result of an employee's mistake made in good faith. Ignorance of fact(s), policy, procedure, or standards of conduct the employee reasonably could have been expected to know does not constitute a mistake made in good faith.

F. ***Sustained***

- a. The investigation disclosed enough evidence to prove the allegation.

G. **Misconduct Not Based on Complaint**

- a. Investigation in to the complaint reveals other actions that would be a violation of policy, operating procedure, rules, standards of conduct, or law, but these actions were not a part of the original

complaint.

H. **Policy Failure**

- a. The employee's actions were in accordance with policy, procedure, or rules, but there is some flaw in the policy that permitted the actions, or there is no applicable policy to address the situation and/or the employee's actions.

I. **Withdrawn**

- a. The complainant has withdrawn the complaint, and no further investigation or action is warranted.

11. Miscellaneous

- A. Complaints relative to differences of opinion between police employees and members of the public over arrests, citations and parking tickets do not come under the purview of this policy, unless there is an allegation of a violation of law, policy, procedure, or standards of conduct.
- B. When there are allegations of insubordinate or disrespectful behavior towards a supervisor, or when the appearance of an interpersonal conflict exists, the Chief designate someone other than the directly involved supervisor to investigate. The intent of this policy is to reinforce the atmosphere of fairness and objectivity, and to ensure due process.
- C. Nothing in this policy shall be construed to limit the management prerogative of the Chief of Police, nor any other supervisory officer, to take corrective action whenever appropriate, nor to prevent the Chief of Police from filing formal charges against an employee with the appropriate authorities, irrespective of a citizen or internal complaint.

12. Complaint Records

- A. To protect the confidentiality and security of the information, records of completed investigations shall be maintained by Human Resources.
- B. Complaint/Allegation files shall be accessed only by the Chief, Sergeants, Human Resources Manager, and assigned investigators. The release of any or all information regarding citizen complaints and findings shall be controlled by the Chief of Police.
- C. The written complaint form shall include the procedures for filing a complaint and a notice of the prohibition against filing a false complaint as outlined in 66.0511(3) and 946.66.
- D. The instructions for the attestation and notarization for a formal written complaint follow.

13. Instructions for Use of "Form Required for Attestation and Notarization"

- A. Section 137.01(5) of the Wisconsin State Statutes provides, in part, that a Notary Public is empowered to administer oaths. The attestation form states that the complainant was first sworn on oath before s/he says that the matters in the complaint are true. Section 990.01(24) of the Wisconsin State Statutes states that if an oath is administered it shall end with the words "so help me God."
- B. When a formal complaint is filed with the department, the attestation and notarization form will be attached, unless the complaint is already notarized. Department notaries shall follow the procedure outlined below:
 - a. Have the complainant fill in his/her name.
 - b. Have the complaint read the attestation form and the attached facts forming the basis of the complaint.
 - c. Raise your right hand and ask the complainant to do the same while the oath is being administered.
 - d. Administer to the complainant an oath utilizing the following words, "Do you solemnly swear that the facts contained in your complaint are true and correct to the best of your knowledge, so help you God."

- C. The complainant must sign his/her name in the presence of the Notary, and the Notary must then sign as a witness and notarize the document in the presence of the complainant.
- D. If a translator, or alternate signer, has been utilized during the above, s/he must sign in the applicable space.

X

Scott McCullough
Chief

Policy and Procedure***Number: 4.09*****Subject:****Firearms - Department**

Date Issued: 4/5/17

Effective Date:

Revision Number:1

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.

POLICY

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.

DISCUSSION

Firearms are a necessary piece of equipment for all police officers. Proper training and demonstrated proficiency are necessary to ensure the safety of officers and the public should an officer be forced to use a firearm.

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 fellow instructors.

Armorer

Personnel appointed by the Chief of Police who will be responsible for registration, physical inspection and repair of all department issued firearms.

PROCEDURE

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.
- C. 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.
- D. Secondary "Back-up" Firearms
 - a. Secondary "Back-up" Firearms are not authorized for use while on duty.
- E. 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.
 - 1. Personal rifles will be armored yearly by the dept.
 - 2. Damage done to personally owned rifles on duty will not be the responsibility of the department.

- F. 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.
- G. All firearms used On Duty (department and personally owned), are NOT to be utilized for personal purposes, i.e sport, hunting, home defense, etc.

3. 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.

4. 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.
 - a. Secondary Firearm
 - 1. 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.
 - 2. 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.
- C. 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.

5. Off-Duty Use of Firearms

- A. Officers are prohibited from carrying firearms when
 - a. The officer's mental or physical capabilities have been impaired by the use of alcohol, medications or a combination thereof; or
 - b. 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.

6. 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 insure 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 shall notify their department supervisor, preferably by email of this fact. 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.

X

Scott McCullough
Chief

Subject:**Open Records****Date Issued:** 4/5/17**Effective Date:****Revision Number:**1**PURPOSE**

In our free society, the public's right to access information concerning the conduct of the people's business is fundamental. Under Wisconsin Public Records Laws there is a strong presumption of openness. Under the law, some records are required to be disclosed and others cannot be disclosed. The purpose of this policy is to provide employees with procedures and criteria for the release of the records maintained by the UW La Crosse Police Department, and to establish a public notice regarding the release of records.

POLICY

It is the policy of the UW La Crosse Police Department to disclose records unless they are exempt from disclosure under applicable law, or the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the records. A public notice containing Open Records information required under WI Statute 19.34(1) relating to department description, established times, places, costs and methods by which the public may obtain information shall be displayed in an appropriate location open to the public within the department and on the department's web page.

1. Making a Request for Records

- A. There is no specific form that must be used to request records, nor is there any language that must be used when making a request. Requests may be made orally or in writing; either in person, through the mail, via e-mail or over the telephone. The request, however, should contain a reasonable description of the desired records in order to expedite processing of the request. The requestor need not identify themselves or state their purpose in obtaining the record. A requester generally may choose to inspect a record and/or obtain a copy. The department will provide facilities for inspection of records comparable to those used by department employees and provide copies upon request. The department may impose reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.
- B. To facilitate records requests, the department will prominently display, make available for inspection and provide a copy upon request, a notice containing a description of the department, identity of the records custodians, and the times, places and methods where the public may obtain information and access to records. Requests for records will be received by Records Bureau personnel on normal business days during normal business hours. At the discretion of department personnel or when necessary, requests for information may be forwarded to the department records custodian or deputy records custodian. The department will also post the Public Records Statutes - Wis. Stat. ss. 19.31 to 19.39.

2. Form of Records Provided

- A. Records shall be made available in their original form or by a true and correct copy. Audio, photographic and computer data, or any other such records, shall be exact replicas unless the department determines it is impracticable to provide exact replicas. Any reasonably segregable portion of a record shall be provided to the public after deletion of portions that are deemed exempt from disclosure.

3. Time for Response

- A. Upon receipt of a written or oral request for records, the department shall make the records available to the requestor as soon as practical and without delay. In cases where the records are not readily identifiable or accessible, or additional time is needed to determine whether the request in whole or in part seeks disclosable records, the department will have up to ten (10) business days to provide its determination. The ten (10) day time period shall be calculated from the date the request is received. In unusual circumstances, the department may extend its time to respond by an additional fourteen (14) calendar days. Should this occur, the department will inform the requestor in writing of the extension within the initial ten (10) day period, setting forth the reasons for the extension, along with the estimated date of the department's further response. Unusual circumstances permitting the extension of time are limited to: (1) the need to search for and collect the requested records from facilities separate from the office processing the request; (2) the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that have been asked for in a single request; (3) the need for consultation with another department or another agency that has a substantial interest in the response to the request; and/or (4) the need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

4. Denials, Partial Denials, and Appeals

- A. If a written request for information is denied in whole or in part, the denial shall be in writing. The underlying facts supporting the reason for denial need not be revealed, however, the denial shall include the explicit reasons for the denial, as well as the names and titles or positions of each person responsible for the denial. (Reasons not stated in the response will not be considered by the court on mandamus.) If confidentiality of requested records is guaranteed by statute, citation to that statute is a sufficient explicit reason. Written denials may be appealed to the Records Custodian, who will consult with the City Attorney before making a final determination. Requester receiving a denial notice will be notified of this appeal option and, furthermore, that the denial is ultimately subject to review in an action for mandamus under Wis. Stat. 19.37(1), or by application to the district attorney or Attorney General (Wis. Stat. 19.35(4)(b)). The Chief of Police is the legal custodian for Police Department records. The Administrative Captain is the designated deputy legal custodian.

5. Fees and Charges

- A. The department will not charge any fees to cover the time and costs incurred in searching for, locating or collecting records, unless the cost exceeds \$50. The department, however, may charge for the "actual, necessary and direct cost" of reproduction and postage, consistent with the amounts set forth in the Schedule of Fees and Charges. The department may also charge for duplication costs in another medium (e.g. copying digital video, video tapes, cassette tapes, floppy disks, CD-ROMs). The department will not charge for access or transfer (USB flash drive, electronic mail, etc.) of digital records that are readily accessible without significant cost to the department. The cost of separating, or "redacting," the confidential parts of records from the public parts generally will be borne by the department. The department may require prepayment if the total amount exceeds \$5. Except for prisoners, there is no requirement for prepayment based on the requester's failure to pay fees for a prior request. The department may provide copies of a record without charge or at a reduced charge when it is in the public interest to do so.

6. What is a Record

A. **Record**

Any material on which written, drawn, printed, spoken, visual, or electromagnetic information is

recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept for official purpose or function of the department is a record. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes, (including computer tapes and disks and files), and computer printouts.

- B. **Record** does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working, materials which are purely the personal property of the custodian or employee and have no relation to his or her office or job; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of the department which are available for sale, or which are available for inspection at a public library.

7. Who is a Requester

- A. Generally, a requestor is any person who requests inspection or a copy of a record. However, any of the following persons are defined as "requesters" only to the extent that the person requests inspection or copies of a record that contains specific references to that person or his or her minor children for whom the person has not been denied physical placement:
 - a. A person committed under the mental health law, sex crimes law, sex predator law, or found not guilty by reasons of disease or defect, while that person is placed in an inpatient treatment facility.
 - b. A person incarcerated in a state prison, county jail, county house of correction or other state, county or municipal correctional detention facility, or who is confined as a condition of probation.

8. What is Personally Identifiable Information

- a. Personally Identifiable Information is information that can be associated with a particular individual through one or more identifiers or other information or circumstances.

9. Who is a Record Subject

- A. A "Record Subject" is an individual about whom personally identifiable information is contained in a record. A requester does have a greater right of access than the general public to "any record containing personally identifiable information pertaining to the individual." Wis. Stat. §19.35(1)(am). If an individual or an individual's authorized representative makes a public records request and states that the purpose of the request is to inspect or copy records containing personally identifiable information pertaining to the individual, the record custodian first should determine whether the requester has a right to access the record under the usual public records rules of Wis. Stat. § 19.35(1)(a). If the custodian determines that the requester is not entitled to access under the usual rules, the custodian then must determine if the requester has an enhanced right of access under Wis. Stat. § 19.35(1)(am). *Hempel v. City of Baraboo*, 2005 WI 120, ¶ 29, 284 Wis. 2d 162, 699 N.W.2d 551.
- B. The balancing test does not apply to requests under Wis. Stat. § 19.35(1)(am). *Hempel*, 284 Wis. 2d 162, ¶ 27. However, the following statutory exceptions to disclosure under Wis. Stat. § 19.35(1)(am) protect the integrity of ongoing investigations and the safety of individuals (including informants):
 - a. Any record containing personally identifiable information collected or maintained in connection with a complaint, investigation or other circumstances that may lead to an enforcement action, administrative proceeding, arbitration proceeding or court proceeding, or any such record that is collected or maintained in connection with such an action or proceeding. Wis. Stat. § 19.35(1)(am)1. This exception would most likely apply to a police investigation that remained ongoing, an investigation in which the government was still contemplating prosecution, or an investigation that overlapped with other ongoing cases. *Linzmeier*, 254 Wis. 2d 306, ¶ 18.
 - b. Any record containing personally identifiable information that would endanger an individual's life or safety if disclosed. Wis. Stat. § 19.35(1)(am)2.a.
 - c. Any record containing personally identifiable information that would identify a confidential

informant if disclosed. Wis. Stat. § 19.35(1)(am)2.b.

- C. Wisconsin Stat. 19.365(1) provides a procedure for an individual to challenge the accuracy of a record containing personally identifying information about that individual.

10. Records Request Considerations

- A. Is the Request Sufficient?
 - a. The request must be reasonably specific as to subject matter and length of time involved. The purpose of the time and subject matter limitations is to prevent unreasonably burdening a records custodian by requiring the custodian to spend excessive amounts of time and resources responding to a request.
- B. Is there a Record?
 - a. The public records law does not require the department to provide requested information if no record exists, or to simply answer questions about a topic of interest to the requester. The department is not required to create a new record by extracting and compiling information from existing records in a new format. The right of access applies only to records that exist at the time the request is made - “continuing” requests are not contemplated by the public records law. If no responsive record exists, the department should inform the requester.
- C. Is the Requestor Entitled to Access the record pursuant to Statute or Court Decision? Accident reports, daily arrest logs, police blotters. Even absolute statutory rights to access can be limited if another statute allows the records to be sealed.
- D. Is the Requestor Prohibited from Accessing the record pursuant to Statute or Court Decision. See Common Exemptions from Disclosure.
- E. Does the Balancing Test Compel Access? The department must balance the strong public interest in disclosure of the record against the public interest favoring nondisclosure. The department must identify potential reasons for denial, based on public policy considerations indicating that denying access is or may be appropriate. Those factors must be weighed against public interest in disclosure. Specific policy reasons, rather than mere statements of legal conclusion or recitation of exemptions, must be given. Blanket exemptions will not suffice. The balancing test is a fact-intensive inquiry that must be performed on a case-by-case basis. Because the balancing test is fact-specific and involves the totality of circumstances related to the particular records sought by a specific public records request, each balancing test analysis will involve a unique constellation of public policy considerations. Other factors in addition to those listed above, but relevant to the specific circumstances presented, may weigh for or against disclosure in a particular balancing test analysis. What the balancing test ultimately requires when records are withheld is that the relevant balancing test factors are identified and explained sufficiently so that the requester is able to understand the basis for the custodian’s decision, and that those factors are appropriately considered in determining whether or not to release public records.

11. Commonly Disclosed Records

- A. Uniform Traffic Accident Reports, including supplemental or additional reports, statements of witnesses, photographs and diagrams, retained by local authorities, the state traffic patrol or any other investigating law enforcement agency.
- B. Traffic Citations and Motor Vehicle Violation Records (including juveniles) for violations of chs. 340 to 349 and 351.
- C. Daily Arrest Logs or Police “Blotters”
- D. Mug Shots
- E. Closed Citizen Complaints (Specific information about complainants and employees shall be redacted

from any record furnished if necessary to protect the privacy rights and safety of individuals making complaints and employees and to protect an individual's right to petition government for redress of grievances.)

- F. Charges filed against sworn officers in police commission proceedings.
- G. Arrest and Booking records, jail records, and log-in records.
- H. Ambulance Call Records including EMT's/First Responders, date of the call, dispatch and response times, reason for the dispatch, location, destination of the transport, and the name, age and gender of the patient must be released unless the public's interest in nondisclosure outweighs the strong presumption of disclosure. These records are NOT specifically exempted from disclosure by the federal HIPAA law. Details of the medical history, condition or emergency treatment of any patient may not be released.
- I. Radio Logs, Internal Documents and Blood Test Records of deceased automobile driver.

12. Exempt from Disclosure

- A. DMV records containing DPPA protected personally identifiable information. However, the department may, but is not required to, disclose personal information obtained from DMV records which is incorporated in department records when responding to public records requests (Burke, AAG, WLEB, 6/6/08).
- B. Records specifically exempted from disclosure by state or federal law.
- C. Drafts, notes, preliminary documents, and similar materials prepared for the originator's personal use or by the originator in the name of a person for whom the originator is working;
- D. Records related to pending litigation;
- E. Published material available for sale or at the library;
- F. Purely personal property with no relation to the department or its purpose;
- G. Material with access limited due to copyright, patent, or bequest;
- H. Attorney-client communications;
- I. Records relating to investigative information obtained for law enforcement purposes whenever non-disclosure is required by federal law or regulations or as a condition to receipt of aids by this state.
- J. Computer Programs;
- K. Trade Secrets;
- L. Identities of Certain Applicants for Public Positions;
- M. Identities of Law Enforcement Informants where confidentiality is requested, promised, or reasonably implied;
- N. Employee home address, home electronic mail address, home telephone number, or social security number of an employee, unless the employee authorizes the authority to provide access to such information;
- O. Contents of e-mails which are purely personal and evince no violation of law or policy are not about the "affairs of government" are not open to the public. (Karen Schill v. Wisconsin Rapids School District). If any aspect of the email sheds light on government functions and responsibilities, the relevant content is subject to disclosure. If a document contains both personal and non-personal content, the records custodian may redact portions of the document so that the purely personal information is not released. Once a custodian determines the contents of certain e-mails are purely personal and evince no violation of law or policy, and do not pertain to the affairs of government, the custodian need not undertake a balancing of each request.
- P. Information relating to one or more specific employees that is used by the employer of the employees for staff management planning, including performance evaluations, judgments, or recommendations concerning future salary adjustments or other wage treatments, management bonus plans, promotions, job assignments, letters of reference, or other comments or ratings relating to employees.
- Q. Account or Customer numbers with a financial institution;
- R. Pupil Records;
- S. Social Security Numbers;

- T. Information relating to the current investigation of a possible criminal offense or possible misconduct connected with employment by an employee prior to disposition of the investigation;
- U. Information pertaining to an employee's employment examination, except an examination score if access to that score is not otherwise prohibited;
- V. Records consisting of analyses of evidence obtained from law enforcement officers by the crime lab is privileged and not available to persons other than law enforcement officers prior to trial. Wis. Stat. § 165.79(1). Upon termination or cessation of criminal proceedings, the privilege may be waived in writing by the Department of Justice and the prosecutor involved in the proceedings. Wis. Stat. § 165.79(2).
- W. Records of John Doe proceedings that are confidential under Wis. Stat. § 968.26.
- X. Records that have been ordered sealed by a judge—such as search warrants and supporting affidavits—should not be disclosed in response to public record requests. Cf. *State v. Cummings*, 199 Wis. 2d 721, 546 N.W.2d 406 (1996).
- Y. A Statement of Emergency Detention by Law Enforcement Officer (Chapter 51) in police possession is “treatment records” subject to the confidentiality and privilege provisions of s. 51.30(4), absent written informed consent or a court order *Watton v. Hegerty*.

13. Child and Juvenile Records

- A. Many, but not all, records related to children or juveniles have special statutory confidentiality protections. Except as provided in Wis. Stat. § 48.396(1)-(1d), (5), and (6), police records of children who are the subjects of investigations or other proceedings pursuant to Wis. Stat. ch. 48 are confidential. Subjects covered by Chapter 48 include children in need of protection and services (“CHIPS”), foster care, and other child welfare services.
- B. Except as provided in Wis. Stat. § 938.396(1), (1j), and (10), police records of juveniles who are the subjects of proceedings under the juvenile justice provisions of Wis. Stat. ch. 938, including matters which would be prosecuted as crimes if committed by an adult, are confidential.
- C. Other law enforcement records regarding or mentioning children are not subject to the confidentiality provisions of Wis. Stat. § 938.396 or 48.396. These records might involve children who witness crimes, are the victims of crimes that do not lead to Chapters 48 or 938 proceedings, or are mentioned in law enforcement reports for other reasons: for example, a child who happens to witness a bank robbery or be the victim of a hit and run automobile accident. Access to these records should be resolved by application of general public records rules. Balancing test consideration may be given to public policy concerns arising from the ages of the children mentioned, such as whether release of unredacted records would likely subject a child mentioned to bullying at school, further victimization, or some neighborhood retaliation. In such cases, redaction of identifying information about children mentioned may be warranted under the balancing test.
- D. Juvenile motor vehicle violation records for violations of chapters 340 to 349 and 351 or adopting municipal ordinance are not confidential, except for proceedings for violations of ss. 342.06 (2) (false title application) and 344.48 (1) (forged proof of financial responsibility), and ss. 30.67 (1) (duty to render aid - boating accident) and 346.67 (1) (duty – injury accident) when death or injury occurs.
- E. Child and Juvenile Records shall not be open to inspection or their contents disclosed except for the following exceptions:
 - a. Reporters, News Media;
 - b. Law Enforcement Agencies;
 - c. Officials of the school attended by the juvenile;
 - d. Social Welfare Agencies;
 - e. Domestic violence victim service organizations that are eligible to receive grants under s. 49.165(2) or 165.93(2).
 - f. Parent, guardian or legal custodian of a child;
 - g. If requested by the child, if 14 years of age or over;
 - h. If requested by an unborn child through the unborn child's guardian ad litem.

- i. Upon the written permission of the parent, guardian or legal custodian.
- j. Upon the written permission of the juvenile, if 14 years of age or over
- k. Department of Corrections;
- l. Department of Health and Family Services;
- m. Department of Justice;
- n. District Attorney;
- o. The department, on its own initiative or on the request of the school district administrator may disclose records to the school district administrator or designee relating to use, possession, or distribution of alcohol or a controlled substance, illegal possession by a juvenile of a dangerous weapon; an act for which a juvenile was taken into custody under s. 938.19 based on a law enforcement officer's belief that the juvenile was committing or had committed a violation of any state or federal criminal law, or for an act for which a juvenile was adjudged delinquent.
- p. If requested by a victim of a juvenile's act records relating to the injury, loss or damage suffered by the victim, including the name and address of the juvenile and the juvenile's parents;
- q. Insurer of the victim if the juvenile has failed to make that restitution within one year after the entry of the (court) order, records relating to the injury, loss or damage suffered by the victim, including the name and address of the juvenile and the juvenile's parents;
- r. Victim-witness coordinator including the name and address of the juvenile and the juvenile's parents; and
- s. If requested by a fire investigator.

14. Prosecution Cases, On-Going Investigation, and Closed Investigation Records

- A. Police files of cases turned over to Prosecutors, On-Going Investigation, and Closed Investigation Records are subject to the balancing test (*supra*). The department must weigh the public interest in deciding whether to release the record and cannot simply deny access to information by saying a matter is under investigation or has been referred to prosecutors. The balancing test is a fact-intensive inquiry that must be performed on a case-by-case basis.
- B. Public policy considerations that might weigh against public records access to police records in particular circumstances include, but are not limited to, the following:
 - a. Disclosure would interfere with an ongoing investigation or prosecution. *Linzmeyer*, 254 Wis. 2d 306, ¶ 30 (“First and foremost, there is a strong public interest in investigating and prosecuting criminal activity, and when the release of a police record would interfere with an on-going prosecution or investigation, the general presumption of openness will likely be overcome.”); *Journal/Sentinel, Inc. v. Aagerup*, 145 Wis. 2d 818, 824-27, 429 N.W.2d 772 (Ct. App. 1988) (access to autopsy report properly denied when murder investigation remained open). For example:
 - 1. Disclosure would compromise the police agency’s ability to identify or locate witnesses.
 - 2. Disclosure would jeopardize the police agency’s ability to conduct additional or follow-up interviews, or to obtain accurate and truthful information in those interviews.
 - 3. Disclosure reasonably might be expected to result in destruction, concealment, or alteration of evidence not yet obtained by the police agency.
 - 4. Disclosure reasonably might be expected to result in intimidation of potential witnesses.
 - 5. Disclosure reasonably might result in tampering with the testimony of potential witnesses, or in solicitation of perjured testimony.
 - 6. Disclosure would alert potential suspects, who reasonably might be expected to flee or escape.
 - 7. Disclosure reasonably might be expected to result in retaliation against persons who have cooperated with the investigation.
 - 8. Disclosure reasonably might be expected to discourage cooperation with future investigations or prosecutions (and explain why).
 - 9. Disclosure would compromise the prosecutor’s ability to make charging decisions.
 - 10. Disclosure in advance of a Preliminary Hearing in a felony case may interfere with the District

Attorney's ability to conduct a concise, expeditious Preliminary Hearing at the front end of a felony prosecution, which is a critical portion of the prosecution (Blanchard, 5/14/2008).

11. Disclosure would jeopardize the prosecution's or defendant's ability to obtain an unbiased jury pool.
 - a. Disclosure would violate the privacy of crime victims or their families. Crime victims should be afforded "fairness, dignity and respect for their privacy." Wis. Const., Art. I, § 9m. Cf. Wis. Stat. §§ 950.01, 950.02(4)(a). The Wisconsin Supreme Court has explained that "justice requires that all who are engaged in the prosecution of crimes make every effort to minimize further suffering by crime victims." *Schilling v. Crime Victims' Rights Bd.*, 2005 WI 17, ¶ 26, 278 Wis. 2d 216, 692 N.W.2d 623. Family members of deceased persons have personal rights of privacy, in addition to those of the deceased. "Family members have a personal stake in honoring and mourning their dead and objecting to unwarranted exploitation that, by intruding upon their own grief, tends to degrade the rites and respect they seek to accord to the deceased person who was once their own." *National Archives and Records Admin. v. Favish*, 124 S. Ct. 1570, 1578 (2004).
 - b. Disclosure would be contrary to the public interest in protecting the privacy and reputation of individuals. "This public interest is not equivalent to an individual's personal interest in protecting his or her own character and reputation." *Linzmeier*, 254 Wis. 2d 306, ¶ 31 (emphasis in original). Instead, "the public interest in protecting individuals' privacy and reputation arises from the public effects of the failure to honor the individual's privacy interests," such as resulting in fewer applicants for public positions where the privacy of persons holding those positions would be intruded upon regularly. *Id.* The public interest in protecting individuals' privacy and reputation may be heightened if relevant information in the police reports derives from rumor or uncorroborated hearsay, was obtained from persons of questionable veracity, or was obtained from biased persons. *Linzmeier*, 254 Wis. 2d 306, ¶ 38. In some circumstances, disclosure of information in reports that is clearly mistaken or outright untruthful might cause sufficient damage to the reputation of an innocent person that the public interest would tip toward non-disclosure.
 - c. Disclosure would expose law enforcement techniques and procedures, or guidelines for law enforcement investigation or prosecution, if such disclosures reasonably could be expected to risk circumvention of the law. *Linzmeier*, 254 Wis. 2d 306, ¶¶ 32, 41.
 - d. Disclosure would endanger persons named in a police report. *Linzmeier*, 254 Wis. 2d 306, ¶ 30.
 - e. Disclosure would deprive a person of a fair trial or an impartial adjudication. *Linzmeier*, 254 Wis. 2d 306, ¶ 30. 7. Disclosure would endanger public safety. Example: Specific description of homemade explosive device from which copycat devices could be constructed.
- C. Public policy considerations that might weigh in favor of disclosure also have been identified:
 - a. Public oversight of police investigations and prosecutorial actions is important. *Linzmeier*, 254 Wis. 2d 306, ¶ 27.
 - b. Release could not reasonably be expected to interfere with on-going investigation or enforcement proceedings. *Linzmeier*, 254 Wis. 2d 306, ¶ 39.
 - c. Information in the police report already has become public. *Linzmeier*, 254 Wis. 2d 306, ¶¶ 37-38.
 - d. Release could not reasonably be expected to disclose the identity of confidential sources. *Linzmeier*, 254 Wis. 2d 306, ¶ 40.
 - e. The subject of the police investigation is a public employee in a position of trust or visibility, such as a school teacher, elected official or senior policy-making official. *Linzmeier*, 254 Wis. 2d 306, ¶ 28.
 - f. Information in the police report is well-corroborated. *Linzmeier*, 254 Wis. 2d 306, ¶¶ 37-38.
 - g. Release would not reveal techniques and procedures for law enforcement investigations or prosecutions, because the reports concern well known and widely practiced techniques. *Linzmeier*, 254 Wis. 2d 306, ¶ 41.
 - h. Release would not reasonably be expected to endanger the life or physical safety of any individual. *Linzmeier*, 254 Wis. 2d 306, ¶ 41.

- i. Release would not deprive anyone of a fair trial or impartial adjudication. Linzmeyer, 254 Wis. 2d 306, ¶ 39.
- D. Because the balancing test is fact-specific and involves the totality of circumstances related to the particular records sought by a specific public records request, each balancing test analysis will involve a unique constellation of public policy considerations. Other factors in addition to those listed above, but relevant to the specific circumstances presented, may weigh for or against disclosure in a particular balancing test analysis. What the balancing test ultimately requires when records are withheld is that the relevant balancing test factors are identified and explained sufficiently so that the requester is able to understand the basis for the custodian's decision, and that those factors are appropriately considered in determining whether or not to release public records.

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Scott McCullough
Chief

UW-La Crosse Police Department**MEDICATION COLLECTION AND DISPOSAL (Drop Box)****4.11*****Number:***Subject:
Uniforms

Date Issued: 4/11/18

Effective Date: 4/12/18

Revision Number: 1

PURPOSE

This order establishes procedures and guidelines for providing the UW La Crosse community with a safe means to dispose of unused and unwanted medications, and the proper handling of these medications by authorized Department personnel.

DEFINITIONS

1. Prescription Medication: Medication that was prescribed by a physician for medical or psychological needs.
2. Over-the-Counter Medication: Medication purchased without a prescription and are commonly used to treat symptoms of common illnesses.
3. Medication Collection Box: Also referred to as - Prescription Drug Drop-Off Box, Drug Drop Box, Drop Box or Collection Box.
4. Medication Collection Sites: All Law Enforcement Agencies in La Crosse County have a Medication Collection Box.

PROCEDURE**A. Medication Collection Box Location and Availability:**

1. The UW La Crosse Police Department will provide access to a steel Medication Collection Box in which the citizens may deposit their medications.
2. The Medication Collection Box will be placed in the lobby of the Health Science Center Suite 1030 (Student Health Center) that is monitored by surveillance camera(s) and Health Science Center Staff.
3. The Medication Collection Box shall be clearly marked for this purpose.
4. Citizens place their medications into the collection box anonymously.
5. The regular hours for the Medication Collection Box are the same as the regular office hours for the Student Health Center.
6. After-hours access to the Medication Collection Box shall be discouraged; however, exemptions may be made for extraordinary circumstances as a service to the community.
7. Liquids, Drug paraphernalia, and Syringes will not be placed in the collection box.

B. Receiving Medications:

1. Citizens wishing to dispose of medications will be directed to the Medication Collection Box and will place the items into the box themselves.
2. Officers, Supervisors and Civilian Department Personnel shall not handle medications to be dropped off at the Medication Collection Box.
3. Department members shall not accept medication for disposal from individuals. If a citizen requests a Department member to dispose of their medication, the member should direct them to the collection box in the Health Science Center Suite 1030 or one of the other Medication Collection Sites.
4. If any Department member comes across lost or abandoned medication, the member shall create a found property incident report and the medication shall be handled as any other evidence and secure it properly in a evidence locker. The member shall not utilize the Medication Collection Box in lieu of completing a report.

C. Medication Security, Access and Handling:

1. The Lead Evidence Officer and Evidence Supervisor shall be the only individual's with access to the key to open the Collection Box.
2. The key will be secured in the secured key box located at the Police Department.
3. The evidence Supervisor and Evidence Officer will be responsible for emptying the Medication Collection Box as a team when needed. If either of the FSB or ASB Supervisors were unavailable, any other Department Supervisor would be able to assist as long as we maintain the 2 Officer requirement. There will always be 2 Officer's assigned to complete this task.
4. An incident number shall be taken and assigned as an "Other" for emptying the collection box and cleared with a "P" after the items have been processed and secured.
5. The medications are collected and the drop box is examined for any remaining medications that might have been caught in the door. The box will be secured/locked.
6. The time of the removal shall be noted.
7. The medications (contents of the box) are then moved to the evidence area of the UW La Crosse Police Department for processing by the listed personnel.
8. All medications/contents are weighed and the total combined weight (including the boxes) is recorded.
9. The medications are then placed in a plastic (non-transparent) garbage bag (double bagged) for disposal.
 - a. No sorting should be done.
10. Upon completion, the garbage bag is secured with evidence tape by either the Evidence Supervisor or Evidence Officer, tagged as evidence and secured in Evidence until a disposal date is determined.
11. Information Documented on the CAD Header:
 - a. Names of ALL persons assisting (and present) with this assignment.
 - b. The time the box was emptied / medications collected.
 - c. Weight or each storage container the total weight of the medications / containers.
 - d. Short Narrative... 1) Example: DRUG DROP BOX EMPTIED: CONTENTS OF BOX REMOVED @ 08:22 AM ON 04-11-2018 BY OFFICER NAME, and Sgt. NAME (LIST OTHERS IF PRESENT) AND PLACED THE CONTENTS IN ONE BOX AND WEIGHED THE BOX WITH THE CONTENTS - 23.5 LBS TOTAL WEIGHT. THE MEDICATIONS WERE THEN PLACED IN A NON-TRANSPARENT GARBAGE BAG AND SEALED BY OFFICER NAME VIA EVIDENCE TAPE. THE MEDICATIONS WERE TOT EVIDENCE OFFICER NAME @ 08:30 AM, TO BE TAGGED AS EVIDENCE AND SECURED UNTIL THE DISPOSAL DATE.
12. The Evidence Officer/Evidence Supervisor will provide a print out to the Chief of Police for records

showing what was placed into evidence.

13. The CAD Header will be printed out and placed in a file in the file cabinets for record purposes along with the print out from the Evidence Officer/Supervisor.
14. The medication will then be kept under secure conditions in the evidence room. The Evidence Officer/Supervisor will determine when the medications need to be disposed of.

D. Medication Disposal- Security/Handling/Transport:

1. Disposal will be conducted as necessary by the Evidence Officer and Supervisor.
2. The Evidence Officer and Supervisor will start an incident number labeled it as other.
3. The contents will weighed and recorded prior to delivery.
4. UW La Crosse Police will drop off their medications for transport to the City Of La Crosse Police and will use the approved method of storage and must be compliant with the boxing requirements per DEA/DOJ or Receiving Agency Regulations.
5. 5. A Receipt for property will be completed by the La Crosse Police Department Member taking control of the medications from UW La Crosse Police. A copy will be given to the UW La Crosse Police and will be placed with a copy of the incident report.

A handwritten signature in black ink, appearing to be 'D. J. Scher', is located on the left side of the page.

Subject:
Victims' Rights Information

Date Issued: 4/5/17

Effective Date:

Revision Number: 1

PURPOSE

This policy establishes the Crime Victim Information Form and ensures that Department personnel conduct operations in a manner that recognizes the rights of victims and witnesses as defined in the State of Wisconsin Victim's Bill of Rights and complies with Statutes relating to Crime Victim's Rights.

POLICY

Department personnel will treat victims and witnesses with dignity, respect, courtesy and sensitivity; provide crime victims with information relating to their rights as required by law; and honor and protect victim and witness rights in a manner no less vigorous than the protections afforded criminal defendants. This policy does not impair the right or duty of a police employee to conduct his or her official duties reasonably and in good faith.

LEGISLATION

Wisconsin ss. 950.08(2g) provides that "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 to the victim written information ..." relating to their rights as crime victims.

DEFINITIONS***Crime***

An act committed in this state which, if committed by a competent adult, would constitute a crime, as defined in s. 939.12 – that is "conduct which is prohibited by state law and punishable by fine or imprisonment or both. Conduct punishable only by a forfeiture is not a crime."

Victim

Any of the following:

1. A person against whom a crime has been committed.
2. If the victim is a child, a parent, guardian or legal custodian of the child.
3. If the victim is physically or emotionally unable to exercise their victim rights, a person designated by the victim or a family member of the victim.
4. If the victim is deceased, any of the following:
 - A. A family member of the person who is deceased.
 - B. A person who resided with the person who is deceased.
5. "Victim" does not include the person charged with or alleged to have committed the crime (for example a mutual combat bar fight).

Witness

Any 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 to call or likely to be called as a witness for the prosecution, whether or not any action or proceeding has yet been commenced.

PROCEDURE

1. Reporting Officers

- A. Officers receiving or investigating a complaint, which is or may be a state crime, must provide each victim of a state crime a copy of the Crime Victim Information Form no later than 24 hours after our initial contact with them. The reporting officer prior to issuing the form, must:
 - a. Fill in their last name (badge number is not acceptable).
 - b. Fill in the date and incident report number on the front of the form.
 - c. Fill in the arrested offender's name and DOB, if any.
- B. Officers taking complaints over the phone must mail or email, a completed form to all victims within 24 hours of initial contact.
- C. Officers must note on their incident report worksheet subject section that the victim has been notified, by what means (in person, mail, or email), and the time the notification took place. This will cause a statement to that effect to be generated in the incident report.
- D. A supervisor reviewing reports will ensure that the notation is made on the incident report worksheet where necessary in regards to Crime Victim Information forms being given out. Any failure will be brought to the immediate attention of the reporting officer and/or his/her supervisor for correction. Incidents coming to the attention of Records Clerks which appear to require Crime Victim Information notification, but is not reported, will be brought to the immediate attention of a supervisor for correction.
- E. The Office Manager will ensure that an adequate supply of forms is available at all times. Crime Victim Forms are available in Patrol Report Room, on the "N" drive in Forms folder, and on SharePoint in the Forms Library.

2. Crime Victim Information Form

- A. The Department has a written Crime Victim Information Form which provides information to be given to victims during the investigation. The form provides:
 - a. A list of rights of victims under §950.04(1v).
 - b. The availability of compensation and the address and telephone number at which to contact the department for information concerning compensation.
 - c. The address and telephone number of the intake worker, corporation counsel, or district attorney whom the victim may contact to obtain information concerning the rights of victims and to request notice of court proceedings and the opportunity to confer.
 - d. The address and telephone number of the custodial agency that the victim may contact to obtain information concerning the arrest and/or custody of a suspect in connection with the crime of which he or she is a victim.
 - e. The address and telephone number of the custodial agency the victim may contact for information concerning release of a person arrested or taken into custody for the crime of which he or she is a victim.
 - f. 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.
 - g. 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.

- h. Phone numbers and links to access information relating to local shelters and services for domestic violence victims, and a statement required by 968.075(3)(a)(4) relating to safety planning and domestic abuse and harassment injunctions.
 - B. The Court Officer will act as liaison with the District Attorney's Office and Court system to ensure compliance with related statutes. The Administrative Captain, in conjunction with the Court Officer, will monitor the need for any updates or modifications to the Victim Information Form. (Typically the current state recommended form is customized for MIPD.)
3. Emotional Support
- A. Officers should balance professional investigatory conduct with an honest effort to empathize with victims. Taking the time to listen to victims, ensuring that support services information is provided, and recognizing the victim's need for safety, information, and voice are appropriate means of projecting empathy and caring. Understanding the victim's feelings and reacting in a supportive way can build rapport and trust with the victim, gain information that can assist the investigation, and demonstrate true professionalism. Victims have indicated that how officers react and what they say to victims can have a positive effect, for example:
 - a. "I am sorry this happened to you."
 - b. "This is not your fault."
 - c. "I want you to be safe."
 - d. "I want your family to be safe."
 - e. "This crime does not define you."
4. Failure to Provide Information
- A. A civil action forfeiture of up to \$1,000.00 could be brought against any officer who intentionally fails to provide all involved crime victims the required information.

Subject:
University Keys

Date Issued: 4/18/2018

Effective Date: 4/18/2018

Revision Number:1

PURPOSE

This policy establishes the practices and procedure for personally issued university keys.

POLICY

All officers shall be issued a set of keys that is numbered and assigned. Officers will sign the Issued Keys Form indicating that keys were issued. These keys are to be used only when on duty and will always be in the officer's custody. When not on duty the keys will be stored in your assigned locker that shall be locked with a UW La Crosse Police provided lock. Keys shall not be loaned to other people even other employees, removed from the work place when off duty or left unattended.

Officers shall also be issued a FOB for the external doors to the police station, a police ID which is also a swipe card for access to buildings, and a locker key. These three items are exempt from the restriction of being taken home when not on duty and are not required to be stored in the officer's locker.

In the event that a key is lost or damaged, it shall be reported to a supervisor immediately in writing/email. If key is broken/damaged, the officer will turn the broken/damaged key into a supervisor. All keys will be accounted for, turned into and secured by a police supervisor when an officer leaves employment with UW La Crosse.

Subject:**Organization and Purpose**

Date Issued: 7/6/2018

Effective Date: 8/1/2018

Revision Number:1

PURPOSE

The purpose of the Police Communication Center is to provide for the prompt and efficient receipt, dissemination, retrieval and utilization of information required for the operation and administration of the police department and other emergency services with an emphasis on effective delivery both emergency and non-emergency public safety services to the public.

POLICY

It is the policy of the UW La Crosse Police Department that the Communication Center is staffed with capable, competent, and professional dispatchers at all times.

PROCEDURE**1. Organization and Administration**

- A. The UW La Crosse Police Communication Center is the primary public-safety answering point (PSAP) for the University of Wisconsin La Crosse Campus (UWL) and is responsible for answering non-emergency and emergency landline and wireless calls for police, fire and EMS services, directly dispatching UW La Crosse Officers and supporting the City of La Crosse Fire District, Tri-State Ambulance, UWL Maintenance, and other UW La Crosse functions 24-hours a day, seven days a week. By agreement, the La Crosse County Emergency Dispatch Center dispatches all EMS and fire units in La Crosse County.
- B. The UW La Crosse Communication Center is a component of the UW La Crosse Police Department and as such is subject to all department policies and procedures. The Communications Center Supervisor/Lead Dispatcher is in command of Communication Center operations and subordinate to the Chief of Police (or designee). In the absence of the Communication Center Supervisor, the Shift Supervisor is in operational command of the Communication Center.

2. Operations

- A. Functions of the Communications Component
 - a. A primary function within a law enforcement organization is communications. This unit exists to augment and provide support for all other police department functions. The dispatcher is the primary agency representative in the Communication Center
 - b. The following are functions of the communication center component and include the following:
 - 1. Dispatchers shall be attentive and courteous to all citizens making contact with the police department regardless of the nature of their business.
 - 2. Seek and disseminate information to University, Police, Fire and EMS personnel.

3. Obtain information from the public relevant to requests for public safety service.
4. Initiate a record of all requests for public safety service.
5. Provide the information link to other law enforcement agencies telephonically, by radio, electronically and personally.
6. Monitor and maintain continuously incoming information provided through a wide variety of electronic equipment (radio, recording alarm monitors, telephone conversations).
7. Provide the initial response and liaison between the general public and public safety resources available.
8. Report appropriate information to other components of the organization and University. A current record of all department personnel is available and updated as necessary. This information can be found within the University Directory. This resource includes the names and phone numbers of all agency members.

3. Uniform and Personal Appearance

- A. Dispatchers shall dress and present a personal appearance in a matter as to maintain professional, positive image when dealing with the public.
- B. Marked uniform apparel will not be worn off duty except traveling to and from the office but never in an establishment that serves alcoholic beverage.

4. Preparation and Reporting for Duty

- A. Dispatchers shall report on the hour for their assigned shift. They shall immediately report to the Communication Center to be briefed by the outgoing dispatcher.

5. Work Breaks, Absences from Work Station

- A. Dispatchers on work breaks or meal breaks away from their work station must be relieved by another dispatcher or by a certified relief dispatcher. The dispatcher(s) on duty shall be responsible for all Communication Center activities during his/her assigned shift and shall remain on duty unless properly relieved.

6. Certified Relief Dispatchers

- A. Those non-dispatchers (patrol sergeants, acting shift commanders and patrol officers) who give dispatchers a break will be trained as a Certified Relief Dispatcher. This training will be conducted by a full time dispatcher and will follow the Certified Relief Dispatcher checklist. All Certified Relief Dispatchers shall annually review the checklist with a full time dispatcher.

X 

Scott McCullough
Chief

Subject:
Radio Communications

Date Issued: 7/6/2018

Effective Date: 8/1/2018

Revision Number:1

PURPOSE

The purpose of this policy is to establish procedures and protocols for communications to and from the Communication Center.

PROCEDURE

The department shall provide for continuous communication between the Communications Center and officers on-duty. In addition, the department has the equipment necessary to access inter-jurisdictional, regional, and area law enforcement radio systems. A copy of all/any agreements with shared or multi-jurisdictional entities, regulations and standards are to be maintained by the Chief of Police.

All department and Communications Center verbal, written, radio and electronic communications shall be conducted in compliance with Federal Communications Commission (FCC) rules and regulations, as well as state, local, and department regulations.

All radio communication should be handled in accordance with established radio protocol and training. What is broadcast over the radio channel is a product of our work and is oftentimes the only exposure a person may have to the department – whether that person is here in at the University of Wisconsin La Crosse or across the country via web streaming. All radio communications to and from field personnel shall be clear, concise, complete and professional.

1. General Radio Protocols

- A. Dispatchers and officers are responsible for the organization, smooth flow, and efficiency of their communications. “Air time” is a valuable commodity that should not be wasted. To the extent possible, plan and organize thoughts before communicating them via radio.
- B. Operations are more efficient and officer safety is enhanced when dispatchers, supervisors, and fellow officers know the status of officers, their locations, the nature of cases, and developments in their investigations. Not all police vehicles are MDC equipped and officers and supervisors are frequently not in proximity to their MDC’s. Therefore, unless a special emergency or tactical situation dictates otherwise, when officers or dispatchers initiate a “call” (including traffic stops & subject contacts), they must communicate pertinent information via radio, even if this information has been transmitted by CAD. For non-hazardous one-officer calls, officers may timestamp themselves via CAD or the radio for the “acknowledge”, “enroute”, and “onscene” timestamps. Other “timestamps” should be communicated via radio, even if this information has been transmitted by CAD. For hazardous, emergency or multiple officer calls, all timestamps should be done via radio, even if this information has been transmitted by CAD.

- C. When officers or dispatchers change an officer's unit status, they must communicate pertinent information via radio, even if this information has been transmitted by CAD, except for On Duty, Off Duty, Briefing, Vehicle Check, Parking, Reports (Field Available), Traffic Assignment, Traffic Patrol, Building Checks, and (fueling) Equipment. Unit status shall be recorded in the CAD.
- D. Individual officers and detectives assigned to a multi-unit calls are responsible for reporting changes in their status. Officers may report that everyone is 10-8 only if they are fully aware of which officers are assigned to the call in CAD and have personal knowledge that they are all back in service.
- E. When receiving a message, the dispatcher should repeat a summary of only the key points such as location, suspect/vehicle description (during active incidents), 10-95 time, etc. The dispatcher shall include the radio number of the unit calling during the acknowledgement of the radio traffic. This will confirm the dispatcher has heard the message correctly. Repeating also provides other officers with an opportunity to confirm the information aired and react accordingly.
- F. A unit calling dispatch should wait for an acknowledgment before proceeding with radio traffic. Waiting for an acknowledgement helps eliminate missed radio traffic and ensures the dispatcher is prepared to act. It is understood that exigent circumstances may prevent a unit from waiting for an acknowledgement from dispatch before airing important radio traffic. In such cases the unit should consider declaring 'Emergency Traffic' before airing the information.
- G. Lengthy radio broadcasts should be interrupted by an announcement of 'break' and a brief pause in order to give others with priority radio traffic an opportunity to communicate. After a brief pause, announce "continuing" and proceed with the transmission.

2. Beginning & Ending Tour of Duty

- A. Dispatchers should "move up" personnel to an on-duty status based on the duty schedule and information supplied by supervisors. Dispatchers shall update unit status and confirm squad number and district assignment in the CAD.
- B. Each individual officer and detective is responsible for reporting his/her own duty status to the Communications Center. Officers and detectives should notify the Communications Center when they are poised to end their tour of duty and are at or in the building. This communication can be done by message, phone, radio (10-42), or in person. When such a communication is received, the officer or detective may be placed in an off-duty status at the end of their scheduled shift. Dispatchers should avoid clearing the CAD of units without confirmation that the unit is off-duty. If the status of an officer or detective is unknown, and the dispatcher is unable to reach them, the Shift Supervisor should be promptly notified.

3. Criteria for Assigning Personnel to Calls

- A. Criteria for the number of officers to be dispatched for each Call Nature has been established and entered into the CAD as a preset response plan. When a call nature is entered into a call for service, the CAD will recommend the number of units and which units to assign to the call. Some call natures generally pose a low risk to officers and the public and will have a preset one officer response, but the risk could be elevated in a specific instance or could change as new information is received. Preset response plans aside, based on the information available at the time, dispatchers should assign the number and types of units necessary to safely and effectively manage the call, or as directed by a supervisor. For example, an officer initiated traffic stop is typically a one officer call. However, if alcohol, drugs, or warrants are indicated, a backup unit is standard procedure.

B. Incidents of a serious nature often arise that require the presence of a supervisor who possesses the authority necessary to deal with the problem. A supervisor shall be contacted, dispatched, respond to, and take command of major incidents. Major incidents include the following situations:

- a. Major crimes (murder, robbery, sexual assault, aggravated assault, major burglary or theft, etc.).
- b. Fatal accidents or suspicious deaths.
- c. Catastrophic occurrences (large fire, explosion, etc.) or other unanticipated events requiring the commitment of additional resources.
- d. Serious incidents involving department employees.
- e. Injury to any employee which requires medical attention.
- f. Serious damage to department property.

4. Dispatching Calls for Service

A. Routine calls for service should be assigned to a patrol officer by giving basic information in the following format:

- a. Full address/Location (including common place name)
- b. Incident type
- c. Brief description of situation.
- d. Description should include information such as: weapons, officer safety tag on location, suspect description, vehicle information, direction of travel, injuries, history of calls at the location, etc.

(dispatcher) "1311"
(unit) "1311"
(dispatcher) "1311, 2050 Allen Blv for a lockout"
(unit) "10-04", "Copy" (etc...)

B. Dispatching Two-Officer Calls

(Dispatcher) "1311 and 1314"
(unit) "1311", "1314"
(dispatcher) "1311, 1314, Drake Hall, east side for the report of a fight"
(unit) "1311, 10-04, or copy"
(unit) "1314, 10-04, or copy"

C. Vehicle/Person Contacts

- a. Vehicle and person contacts have a potential for elevated risk and can change rapidly. Therefore, it is crucial that patrol officers call out all contacts over the air. The following information should be provided:
 1. Unit number
 2. License plate information, or, if no license plate displayed
 3. Specific Location of the contact
 4. Reason for the contact, number of occupants/persons being contacted, vehicle/contact description, if appropriate
- b. If all necessary information is not provided by the officer, the dispatcher should request it; and, if time allows, run the license plate as appropriate.

(unit) "1311, Traffic"

(dispatcher) "1311"
(unit) "1311, 345JPT University and Park"
(dispatcher): "University and Park"

- c. In a traffic/subject stop or call situation, the officer may request via radio that dispatch run additional queries, or after returning to their MDC, the officer will notify dispatch via radio that they are 10-2 with data and run the query him/herself. Queries should not be run via MDC whenever it is unsafe, impractical, or inefficient to do so. (For example, if the officer is too busy, there are too many subjects, or the officer cannot divert attention from the situation or subject, the queries should be run by radio. If, for example, under the circumstances present, the officer would be comfortable writing a citation or ticket on-scene, the officer may choose to run queries through the MDC.)

5. Radio Marker

- A. A radio marker is an automatic intermittent tone, activated by a dispatcher, which is transmitted on a radio channel. The radio marker serves notice that the air is closed to non-emergency radio traffic. Any time a dispatch channel is restricted to emergency radio traffic, the channel marker will be activated for the duration of the event and non-emergency traffic should not be transmitted.
- B. If a patrol officer requests emergency radio traffic, for any reason, the dispatcher will activate the channel marker on the channel and announce "Emergency Traffic."
- C. The dispatcher can also initiate emergency radio traffic at his/her discretion if there is any indication of an immediate officer safety issue, or other emergency situation. The channel marker can be removed when the officer(s) on scene advise routine traffic (which can be prompted by dispatch).
- D. When the radio marker is activated, officers should not use the channel for unrelated or nonemergency traffic, including car to car traffic. If non-emergency communications can't wait, please consider changing to Channel 2 or another non-marker channel. For prolonged situations, consider moving either the emergency or routine operations to a different channel. Examples of when the radio marker should be used include:

Fights with Officer on Scene;
Resisting Subject;
Sounds of Struggle from Officer Radio;
Officer Failing to Respond while on a call;
Foot Pursuit;
Vehicle Pursuit;

High Risk Traffic Stop;
Stolen Auto/Stolen Plate;
One at Gun Point;
One at Taser Point/Taser Deployment; and
Forcing Entry

6. Silent Dispatching

- A. Silent dispatching of calls for service will not normally occur. However, the dispatcher should be aware of officer safety information and scanner information associated with an address and consider silent dispatches when appropriate. The following are examples where silent dispatching could be appropriate:

Scanner Info associated w/residence
or suspect;
Bomb Threats;

Alarm malfunction/work at business or residence;
Drug Information;
and After hours work at a business.

- B. The dispatcher should avoid delivering access, alarm code information, and key holder names (if available) over the radio unless exigent circumstances exist and there is no other practical way to deliver the

information in a timely manner. Access and alarm information may be included in the call remarks or comments areas of the CAD and will normally be accessible by patrol officers via mobile data terminal.

7. Ten Codes & Plain Language

- A. For intra-department and intra-city radio communications, officers and dispatchers should use personal/radio numbers, and ten signal codes or plain speech communication. For interagency radio communication, officers and dispatchers should use personal/radio numbers with a "UW La Crosse" prefix, and ten signal codes or plain speech communication. The use of plain language to describe an incident is the preferred alternative to the use of ten codes, and preferred in high risk situations. If ten codes are used, the following is a list of acceptable codes and their associated plain language definitions:

Ten Codes
Code Plain Language

10-2	Signal Good/Good Status
10-4	Acknowledge/OK/Good/Copy
10-6	Busy Unless Urgent
10-7	Out of Service
10-8	In Service
10-9	Repeat
10-20	Location
10-27	Request Driver's License Information
10-28	Request Vehicle Registration Information
10-29	Check for Wanted Status
10-32	Person with Gun
10-33	Emergency
10-41	Begin Tour of Duty
10-42	End Tour of Duty
10-43	Information
10-46	Disabled Motorist
10-50	Vehicle Crash
10-55	Intoxicated Driver
10-61	In Contact with (complainant, suspect, witness, etc.)
10-95	Subject in Custody
10-96	Mental Subject
10-99	Wanted Person/Stolen Vehicle

Alphabetical Word Code

A – Adam	J – John	S – Sam
B – Boy	K – King	T – Tom
C – Charles	L – Lincoln	U – Union
D – David	M – Mary	V – Victor
E – Edward	N – Nora	W – William
F – Frank	O – Ocean	X – X-Ray
G – George	P – Paul	Y – Young
H – Henry	Q – Queen	Z – Zebra
I – Ida	R – Robert	

8. Radio Number Identification System

- A. The department utilizes a four-digit number assigned to specific employees as their badge number. The first two numbers represent the La Crosse County Law Enforcement Agency designator, the UW La Crosse prefix is 13. The second two numbers represent a specific employee, and is normally used for radio communication. Personal/radio numbers are permanent.

9. Resources Available for Communications Personnel

- A. Communications Center Personnel shall have immediate access to the following Department resources:
 - a. Current Officer in Charge, including name and contact information.
 - b. Current Duty Roster of all Personnel.
 - c. Contact information for both on and off duty agency personnel.
 - d. Maps and other information covering the agency's service area.
 - e. Officer Status Indicators.
 - f. Written procedures and contact information for securing support services from outside the agency.
 - g. Tactical Dispatching Plans.

10. Communications Center Recordings (Radio and Phone Lines)

- A. All radio communications occurring on designated police radio frequencies are recorded in the Communications Center. In addition, all telephone communications occurring within the Communications Center, including emergency calls and all incoming and outgoing calls on nonemergency phone lines, are recorded and retained. Other non-emergency phones within the police facility may be recorded for official and/or investigative purposes.
- B. Radio and phone recordings from within the Communications Center will be retained for a minimum of 180 days according to the department's retention schedule for electronic media and evidence.
- C. Recordings are securely stored and password protected.
- D. All requests to review recordings will be in accordance with the department policy regarding public records.
- E. In addition to Communication Center archival recordings, all radio and phone communications are recorded and available for immediate playback within the Communications Center by using the following procedure:
 - a. Dispatchers shall open and log into the Eventide Media Works program at the beginning of their shift.
 - b. A date column will appear on the left-hand side of the screen.
 - c. Double-click a date, then double click "1-Radio".
 - d. Recordings will appear on the right hand side of the screen.
 - e. To play the recording, double click on the desired recording.
 - f. Standard media controls are available including pause, back, forward, and playback speed.
 - g. For telephone recordings [see this document](#).

X



Scott McCullough

Chief

Subject:
Radio Communications

Date Issued: 7/6/2018

Effective Date: 8/1/2018

Revision Number:1

PURPOSE

This policy establishes that the UW La Crosse Police Department Communication Center is a Public Safety Answering Point (PSAP) and, as such, receives both landline and wireless emergency and non-emergency calls.

POLICY

It is the policy of the UW La Crosse Police Department that each request for help via the emergency line will be handled as a request for emergency assistance and that this service is provided on a 24-hour basis.

The UW La Crosse Police Department Communication Center is a Public Safety Answering Point (PSAP) and, as such, receives both landline and wireless emergency calls. The UW La Crosse Police Department occasionally receives emergency calls for incidents with locations not within the campus of UW La Crosse and in those instances will transfer the emergency call or call information to La Crosse County Emergency Dispatch Center (LCED). Given the variability in call routing, dispatchers should greet the callers with, "University Police, what is the address of the emergency?"

PROCEDURE**1. Normal Call Handling Procedure**

- A. All emergency calls, except prearranged emergency tests, are considered a request for emergency assistance and communications personnel will to the extent possible:
 - a. Initiate EPD (Emergency Police Dispatch) and a CAD call;
 - b. Determine the location of the emergency;
 - c. The number the caller is calling from;
 - d. The nature of the emergency;
 - e. Initiate the necessary public safety responses and/or transfer;
 - f. Provide post-dispatch instructions as appropriate;
 - g. Support the public safety response;
 - h. Document the call, response, and disposition in the CAD call.

2. Transferring Calls

- A. There is a strong presumption that EMS, Fire, and non-University calls will be transferred to LCED. Call transfers in general, and to other PSAP's specifically, should be introduced. It is understood that at times it is difficult to get a word in, but callers can be prepped. For example, "Please stay on the line while I transfer you to medical (or fire) dispatch – I will give the dispatcher some information and they will then ask you some questions." The information and sequence that works best for LCED and their CAD is address, callback number and then call nature. For example, "This is UW La Crosse transferring a call at

1400 State Street, 397-0000, for a fire, go ahead caller.” For UW La Crosse calls, it is also appropriate to inform the caller that you are dispatching an officer. Knowing that someone is coming may make the caller a little more patient with the subsequent interrogation. For example, “I am dispatching an officer, please stay on the line while I transfer you to medical dispatch (fire dispatch).”

- B. Where the call nature is chiefly under the purview of law enforcement, the incident location is on the UW La Crosse Campus, and there is significant officer safety, response, tactical or investigative consideration, the dispatcher must weigh whether the public interest is best served by transferring the call, sharing the call, or transferring call information. If a determination is made to delay transfer of the call, call information should be delivered as soon as practical.

3. Medical Calls

- A. When dispatchers receive calls requesting an ambulance, medical transport or reporting an injury/illness, the caller should be transferred to a medical dispatcher at LCED. For calls on the UW La Crosse Campus, a University officer shall be dispatched. As in any transfer situation, the phone number and address should be obtained before the transfer. Where the caller is debating requesting an ambulance or asking questions about arranging transport to a medical facility, transfer the call to a medical dispatcher. The medical dispatcher will determine what response is appropriate.

4. Fire Calls

- A. When dispatchers receive calls requesting a fire department response or reporting a fire, smoke/odor, smoke in the area, fire alarm, or carbon monoxide alarm, the Dispatcher shall call LCED to request a Fire response. If the caller is on a portable or mobile phone, they should be instructed to move to place of safety. If the caller is on a tethered phone in a place of danger and is capable of evacuation, the caller should be instructed to evacuate and the call information transferred to LCED, rather than the call. For calls on the Campus of UW La Crosse, University officers shall be dispatched using the Fire Call Dispatch Procedure.

5. Silent Calls

- A. A silent emergency call occurs when the line is open but no voice communication is heard on the initiating caller’s end. If contact is established, dispatchers should follow normal call handling procedures.

6. Duplicate/Subsequent Calls

- A. Apparent Duplicate/Subsequent calls may be disposed of as duplicates if the call nature and location match a current active call (duplicate is a disposition and does not delete the CAD call from the system). Supplemental call information, if any, gleaned from the duplicate call should be entered into the active call and communicated to officers. Where the duplicate call information only probably matches dispatchers and officers should treat the matter as an independent incident until and unless it is verified as a duplicate.

7. Non-Emergency Information, Request, or Question

- A. Calls received on the emergency line where the caller legitimately intends to impart non-emergency information, make a service request or pose a question, should be transferred to non-emergency trunks or the caller instructed to call the non-emergency number. The CAD call number automatically generated may be used to document the caller’s issue, after the caller is transferred or calls back. If there is no need

B. If the manner or tone of the caller, context, background sounds, or other factors in any way indicate the caller may be concealing an emergency, or if the caller fails to call back as instructed, officers will be dispatched to investigate, verify, and close the call.

A. In the event the caller reports a mistake, misdial, unintentional, children playing, or non-prearranged test, officers will be dispatched to investigate, verify, and close the call.

A. When the caller has hung up prior to the emergency dispatcher answering the call, or disconnects prior to answering key questions, officers will be dispatched to investigate, verify, and close the call. Furthermore, the dispatcher shall attempt call back as soon as practical (except where call information is transferred). Multiple calls may be necessary. If the call goes to voice mail, a message may be left ("This is the University Police Department calling on (day/date) at (time). We received an emergency call from (telephone number) and are notifying an officer."). The responding officers shall be notified of the status and outcomes of call backs.

AT&T:.....1-800-635-6840
Sprint:.....1-877-7330 Ext 1
US Cellular:.....1-630-875-8270 (Business Hours)
 1-865-777-8300 (After Hours)
T-Mobile:1-866-537-0911
Verizon:.....1-800-451-5242 Ext 4

Bob Murphy

6.03 – Communications – Emergency Calls for Service

Subject:
Criminal Justice Information Systems

Date Issued: 7/6/2018

Effective Date: 8/1/2018

Revision Number:1

PURPOSE

This policy establishes the access to and operation of the TIME system, and Wisconsin's Criminal Justice Information Systems.

POLICY

It is the policy of the UW La Crosse Police Department that the Communications Center has access to local, state, and federal criminal justice information systems. Personnel shall conform to all TIME system, CIB, NCIC and department policies and procedures. All operators of the TIME System shall receive appropriate training and necessary certifications.

PROCEDURE

The TIME (Transaction Information for Management of Enforcement) System was implemented to achieve the efficient exchange of information between local, state and federal law enforcement agencies. It provides a central point for the collection and dissemination of information of mutual concern to law enforcement agencies. Portions of the information from the TIME System are maintained for officer safety functions.

It is essential that all TIME System data entries are complete and are up to date, with strict controls on data file entries, system access, information dissemination and operator training.

This document will detail the procedures that the UW La Crosse Police Department will follow when accessing the TIME System.

1. Security

- A. The UW La Crosse Police Department is responsible for the operation and security of the TIME System terminal and access information. To comply with the security requirement, the following controls will be followed:
 - a. The TIME terminal will be used to send authorized and official messages only (see TIME System Manual).
 - b. The TIME System information will be restricted to authorized law enforcement personnel, or person(s) authorized by State Statute. (See UW La Crosse Police Department TIME System liability agreement).
 - c. No TIME System data will be released for personal or monetary gain purposes.
 - d. The TIME System Terminal will be located in the UW La Crosse Police Department Communication Center at a location away from public view. Unauthorized personnel will not be allowed in the dispatch area.

- B. NLETS (National Law Enforcement Telecommunications System) restrictions:
 - a. Only authorized criminal justice agencies/personnel can access CHRI (Criminal History Record Information).
 - b. The TIME System Operator will comply with the policies and procedures set forth in the TIME System Manual and the US Department of Justice Rules and Regulations for the access, response inter-state exchange and legitimacy of criminal CHRI information.
- C. DOT (Department of Transportation) Records Restrictions:
 - a. The UW La Crosse Police Department is not the custodian for DOT Records and the DOT Records will be released for law enforcement purposes only to authorized personnel and agencies.
 - b. Public/Private purpose request for DOT Registration information will be forwarded to:

Wisconsin Department of Transportation
Vehicle Registration Files
PO Box 7911
Madison, WI 53707-7911

Or

Wisconsin Department of Transportation
Driver Record File
PO Box 7995
Madison, WI 53707-7995

- c. Juvenile DOT Records will be disseminated according to Wisconsin Statute. This restriction releases juvenile violations of DOT regulations to the Court, City Attorney, Law Enforcement Agencies, the minor involved and the minor's parent/guardian. The use of the juvenile DOT Record will be for UW La Crosse Police Department internal use only. The same information will not be broadcasted on UW La Crosse, City of La Crosse, or La Crosse County frequencies unless there is an officer safety concern involved.
- D. CHRI (Criminal History Record Information) records restrictions:
 - a. CHRI information will be released to authorized law enforcement authorities. Purpose codes are used to access CHRI files to provide further security.
 - 1. Purpose Code (C) and (J) are used by Criminal Justice Agencies for CIB (Wisconsin Crime Information Bureau) and III (Interstate Information Index) Inquiries.
 - 2. Purpose Code (C) will be used for on duty law enforcement personnel to assist them with criminal activities, such as suspicious circumstances, potential arrest or actual arrest. The purpose code (C) will also be used for validation purposes.
 - 3. Purpose code (J) will be used for obtaining information regarding background for prospective employees. The prospective employee would be candidates for law enforcement positions.
 - 4. Purpose Code (E) will be used for CIB inquiries. This code is used for specific administrative and statutory licensing, regulation or permit responsibilities of the UW La Crosse Police Department. Use of this (E) Code will result in UW La Crosse Police Department being billed by CIB for the inquiry. This is the only purpose code (E) that can be used for the purpose of licensing. III will not accept purpose code (E) and III cannot be accessed for licensing information.
 - b. All requests for Criminal information must always have an ATTENTION LINE with the person requesting the information, whether it be the DA's Office requesting the information for charging purposes, or any officer, whether from the UW La Crosse Police Department or any officer requesting

it from other departments. Anytime any Criminal Information is requested the ID Segment must stay with the file.

- c. Private person requests for their own CIB records will be directed to CIB, no information shall be released.
 - 1. Persons requesting access to their own FBI record (III) may get this information by contacting the FBI in writing, transmitting a set of their fingerprints and prepayment of the required fee.
- d. As the CHRI records become a local agency record, (upon release from CIB,) the records are subject to release under the Open Records Law. CHRI records will not be maintained in case files as the records are not necessarily up to date. Identifiers obtained from CIB may be maintained in case files, but the actual criminal record may be disposed of properly (not open to public contact) once the case has been forwarded to the prosecuting attorney, or, if not forwarded; when the case is closed.
- e. CHRI records obtained through III are exempt from disclosure from the Open Records Law based upon The Privacy Act of 1974. A criminal penalty is provided for "ANY PERSON WHO KNOWINGLY AND WILLFULLY REQUESTS OR OBTAINS ANY RECORD CONCERNING AN INDIVIDUAL FROM AN AGENCY UNDER FALSE PRETENSES."
- f. Disposal of any and all records produced or copied by the Communication Center shall be secured until permanently destroyed by the means provided by the University.

E. Time System Training

- a. The UW La Crosse Police Department Communication Center Supervisor will function as the terminal agency coordinator (TAC). The administrator will be responsible for ensuring that the UW La Crosse Police Department Communication Center will comply with the TIME System and NCIC policy/regulations regarding TIME Terminal operation and validation requirements. To ensure compliance, the UW La Crosse Police Department will take every possible measure to comply as follows:
 - 1. Certify all terminal operators as required by NCIC guidelines.
 - 2. Train a terminal operator or the TAC (Time Agency Coordinator) as Validation Officers.
 - 3. Only certified Time System Operators will serve as primary duty terminal operators.
 - 4. Certify all officers who operate Time terminal in relief of a TIME certified Dispatcher.
 - 5. Re-certify all currently certified dispatchers whenever required.
 - 6. All new TIME Dispatchers will read and be trained with the Operator Training Handout, until the new Dispatchers can be TIME System Certified.
 - 7. Primary duty assignment dispatchers will stay current of any TIME System changes by reading the TIME System Newsletter published by the State of Wisconsin Crime Information Bureau.

X



Scott McCullough

Chief

Subject:
Information Capture

Date Issued: 7/6/2018

Effective Date: 8/1/2018

Revision Number:1

PURPOSE

The purpose of this policy is to establish procedures and guidelines related to information recorded and maintained for each request for service (criminal or non-criminal) as well as officer initiated activity.

POLICY

It is the policy of the UW La Crosse Police Department that the Communication Center shall create and maintain information related to each call (request) for service (criminal or non-criminal), each officer initiated call, and officer reported non-call activity.

1. Computer Assisted Dispatching or Log
 - A. When handling requests for public safety service, dispatchers will obtain as much relevant information as possible given the circumstances surrounding the call for service. This is done to enhance officer safety, anticipate the conditions to be encountered, and provide the highest level of service possible to the individual citizens.
 - B. Calls for service shall be generated and documented through the Log. Information should include, but need not be limited to:
 - a. A unique auto-generated Call For Service Number for all Calls for Service,
 - b. A unique Incident Number (if required or requested).
 - c. Date and time of the service request or officer initiated activity.
 - d. Complainant information (name, address, phone), whenever possible.
 - e. Call Nature.
 - f. Call Location.
 - g. Officer(s) assigned/responding.
 - h. Dispatch time.
 - i. Arrival time.
 - j. Officer return-to-service time.
 - k. Disposition or status of the call for service

X



Scott McCullough
Chief

Subject:

Communication Center Resources and Equipment

Date Issued: 7/6/2018

Effective Date: 8/1/2018

Revision Number:1

PURPOSE

The purpose of this policy is to establish guidelines for the use of equipment and resources available in the Communication Center.

POLICY

It is the policy of the UW La Crosse Police Department to provide personnel in the Communications Center with all equipment and resources necessary to provide emergency communications with field personnel, access information necessary to assist with shift and department operations, and communicate efficiently and effectively with outside agencies.

1. Communication Center Television
 - A. Televisions in Communications Centers can be a useful tool, are a common practice and supported by NENA Model policy (54-001). Televisions provide access to breaking news, emergency weather reports and other useful information, can maintain employee alertness during periods of inactivity, and can improve employee morale. The police department will maintain a television in the Communications Center. Television programs should be limited to programming that is conducive to a professional work environment. Dispatchers should be cognizant that although the Communication Center television is not open to the view of the general public, various guests may visit the Communication Center during the course of a day. Volume levels shall be non-disruptive and not audible on radio, telephone, paging and intercom systems or to the public. Dispatchers may turn off the television if there is no active locally pertinent weather or news situation.
2. Duress Alarm
 - A. Duress Alarms are activated by pushing the alarm button. A tone will be emitted from the silver plate located behind the secondary dispatch station.
 - B. Duress Alarms are deactivated by pressing the duress button again at the location it was initiated.
 - C. Duress Alarms are located in the parking office.
 - D. Duress Alarms will also come in via the Fire Panel for the Cashier's Office.
3. Motorola 2-Way Radios
 - A. The Communications Center is provided with 2-way radios to communicate with police officers and parking officers. The Communication center is provided with a base station and a portable radio. The base station shall remain on UWL Police 1 unless a specific emergency need arises. The portable radio is provided to ensure ease of use when communicating on multiple channels such as with parking officers. During the academic year, the "Safe Ride" bus, operated by the City of La Crosse operates from 10:30pm until 3:30am, Thursday thru Saturday. The buses have radios which use the UWL Parking channel when a need for police presence arises. The portable radio shall utilize the scan feature when not on the parking channel.

4. Weather Radio
 - A. A weather alert radio for severe weather is located by the entrance to the Communication Center. The alert will sound when the National Weather Service issues a variety of weather warnings. When the alert sounds, the dispatcher shall go to the radio and verify the alert. It is prudent the dispatcher then notify the officer on-duty of such alert.
 - B. The radio shall remain plugged into a red outlet to maintain constant power, even during an outage. The weather radio also has a battery back-up that may sound when the battery reaches a critical level. The dispatcher shall replace the battery as soon as practical or notify a supervisor of the need for a replacement.
5. Emergency Siren
 - A. A two-way radio labeled with "Tornado Siren" is located next to the entrance to the Communications Center. This radio is used to notify campus of a severe weather emergency (tornado, severe thunderstorm, etc...). The weather siren shall be used at the direction of the supervisor, Chief, on-duty officer or in conjunction with the La Crosse County Emergency Dispatch Center.
6. VoIP Phones
 - A. There are two (2) VoIP phones located at each dispatch station within the Communications Center. The phones work over an internet connection compared to a traditional phone line. The VoIP network is centrally located in Wing Technology center and is maintained by the University IT department. Phones are intended for department related calls and are recorded for open records purposes. The phones are set to receive multiple lines (e.g. Elevators, Blue-Lights, Non-Emergency, Emergency, and switchboard lines).
7. Emergency Back-Up Phone
 - A. In case of a loss of the VoIP service on campus, a back-up phone has been provided to ensure emergency calls can still be received by the Communications Center. The phone is located to the right of the secondary dispatch station. When a failure of the VoIP system occurs, the back-up procedure is initiated. The dispatcher shall place the phone next to the primary dispatch station as to ensure continued operations of the Communications Center.
8. RAVE
 - A. RAVE is a mass notification system implemented by the University to ensure prompt delivery of messages to students, faculty, and staff when an emergency arises. RAVE will be utilized at the direction of a supervisor. All dispatchers shall be trained on the operation of RAVE and how messages are created and delivered.

X



Scott McCullough
Chief

Subject:**Communication Center Security**

Date Issued: 7/6/2018

Effective Date: 8/1/2018

Revision Number:1

PURPOSE

The purpose of this policy is to establish security procedures designed to limit access to the Communications Center for the purpose of maintaining full operational integrity.

PROCEDURE**1. Communication Center Security**

- A. The Communication Center(CC), by the very nature of its existence and function, requires that both personnel and equipment be protected from security risks. This includes limiting public access and restricting access to the communication center. Protection of transmission lines, antenna and power sources are also provided.
 - a. Access to the Communication Center is restricted to police department personnel. Only authorized maintenance and service personnel are allowed in the CC, but will not be left alone in the Communication Center.
 - b. All computer, radio, telephone, recording and electronic equipment utilized in the communication center is positioned so that it is under the immediate control of dispatching personnel. Exposure of this equipment allows no intrusion or interruption of performance without the knowledge of the dispatch employee.
 - c. Support equipment that allows the Communication Center to function properly is housed in a room which has no unauthorized access to the public and limited access by department authorized personnel.
 - 1. Back up radio transmission capability is provided by a portable mobile radio not connected to the primary base station. This unit requires no external power source, thereby eliminating its vulnerability to outside factors.
 - 2. Telephone trunks can be manually switched and re-routed during an outage. Telephone communications are supported by both UPS and an emergency generator capable of powering the system. Computing equipment that drives software to maintain (CAD) is supported by both UPS and an emergency generator capable of powering the system.
 - 3. All additional electronic equipment that requires electrical power in the Communication Center is also maintained by UPS and an emergency generator.
 - d. A telephone directory is listed in the Cisco Attendant program which is maintained in the Communication Center and houses a majority of all numbers that may be required during an emergency.
 - e. A Primary function of the communication center necessitates that it provides two-way radio capabilities around the clock throughout the year. As a result, dispatch staff is scheduled to work shifts in order to provide manpower resources to accomplish communications tasks. This includes accepting calls from citizens for public safety service and maintaining radio communications with the

personnel responsible for responding to those requests for service including Police, Fire and Paramedics.

X 

Scott McCullough

Chief

Subject:
Alarms

Date Issued: 7/6/2018

Effective Date: 8/1/2018

Revision Number:1

PURPOSE

The purpose of the policy is to identify alarm monitoring systems in place in the Communications Center and to establish procedures for monitoring and responding to alarms.

POLICY

It shall be the policy of the UW La Crosse Police department to respond to all alarms promptly and without delay for the purpose of apprehending offenders engaged in criminal activity.

PROCEDURE

The Communications Center shall not monitor private alarm systems, but may monitor public alarms including for several departments and buildings on campus. All alarm notifications come into the Communications Center via telephone or through a digital alarm receiver (Fire Panel). The CAD (Computer Aided Dispatch) computer shall contain information on all licensed alarms located in our service area including emergency contact names and numbers for each business, apartment complex, or facility. The same information in paper form shall also be filed according to business name in the Communications Center.

1. Alarm Response

Alarms fall into the following categories:

- A. Alarm – Fire
- B. Alarm – Trouble
- C. Alarm – Supervisory
- D. Alarm – After Hours
- E. Alarm – Business Open
- F. Alarm – Financial Institution
- G. Alarm – Other
- H. Alarm – Tests

2. The following procedures shall be followed when responding to alarms:

- A. Alarm – Universal Procedure.
- B. No Alarms should be considered routine.
- C. Officers' greatest concern in responding to alarms shall be their safety and the safety of employees and citizens in the area.

- D. The dispatcher shall dispatch a primary and a secondary unit, when available, to all alarm calls. If only one unit is available, extreme caution shall be exercised, and, if available, a mutual aid unit should be requested.
 - E. The primary unit should contact any outside agency back up units car to car directing them to their surveillance position(s).
 - F. Given the prevalence of false alarms, the receipt of an alarm does not, in and of itself, authorize an emergency response. Nonetheless, if the receipt of an alarm in conjunction with other facts results in the reasonable belief that a felony is in progress, emergency vehicle operation is authorized.
 - G. Units should respond promptly and without delay, or if emergency vehicle operation is justified, in a reasonable manner after giving due consideration to the conditions present. Only police units that have been dispatched to respond to an incident shall respond in emergency fashion. When approaching the alarm site, responding units shall maintain the element of surprise by not being heard or observed. This may mean turning off the siren and emergency lights when entering the audible and visual ranges of this equipment. This procedure may help avoid a hostage situation.
 - H. Upon arrival, units should take positions of surveillance and proceed as described below.
3. Alarms – Fire
- A. All available units proceed to fire location
 - B. If alarm is coming from a residence hall, Fire Department shall be called, or;
 - C. If during normal business hours, Fire Department shall be called
 - D. If after normal business hours, ask officer on-duty whether to call fire
 - E. Units responding should verify alarm on panel and be ready to assist fire to the location of the detected fire.
4. Alarms – Trouble
- A. If during normal business hours, contact maintenance
 - B. If after normal business hours, but before 10:30pm M-F, contact 2nd shift maintenance.
 - C. If outside of these hours, give the location and information displayed on panel to officer and initiate a call on the CAD.
5. Alarm – Supervisory (e.g. Cashier's Duress Alarm, Nuclear Lab Alarm)
- A. Cashier's Alarm
 - B. Nuclear Lab Alarm
 - a. Emergency Situation
 - 1. Notify Officer of the Nuclear Intrusion Alarm
 - 2. Begin the call in list either the Business Hours or After Hours, depending on time of day, until you speak to a Radiation Security Officer (RSO)
 - A. Voicemails must be left for home phone numbers.

- b. When a RSO is reached, inform them of the current status of the alarm, or any other pertinent information the officer relays to the dispatcher.
- c. If a RSO is unable to be reached, the Wisconsin Department of Health and Family Services must be contacted:
 - 1. 608.266.8135

3. Alarm - After Hours

- A. All units shall take positions suitable for surveying all exits.
- B. Possible points of entry should be checked for obvious indications of break in; officers should then effect surveillance and await the arrival of the owner or agent.
- C. If a point of entry is open, extra units should be called to assist in a search of the building. One officer must remain outside the building, and officers entering shall be equipped with a portable radio.
- D. The owner or agent should inspect the facility before the officers leave the scene, but not until the officer in charge is satisfied that it is unlikely that suspects are inside.

4. Alarm - Business Open

- A. Extra care should be taken to survey all exits.
- B. The second unit should move to a position of surveillance and hold that position for several minutes. All units should note activity and vehicles in the area.
- C. The dispatcher should make telephone contact with the business and instruct them to have the person in charge meet an officer outside the front door.
- D. After several minutes, one unit should approach the business and instruct them to have the person in charge meet an officer outside the front door.
- E. This is the most hazardous alarm. Sound judgment and caution is important.

5. Alarm - Financial Institutions

- A. When an officer is dispatched to an alarm, they should pick their response locations based on their current location. They should then tell dispatch and other officers which location they are going to meet with the bank employee.
- B. Officers should hold their designated surveillance positions for several minutes. Officers should note activity, persons and vehicles in the area. (Officers shall maintain radio contact). CAUTION: Criminals may also have "partners"; parties to the crime could be in the same area.
- C. If all appears normal, the primary officer shall notify the dispatcher to telephonically contact one of the designated employees from the list for that particular institution. Without identifying themselves, dispatchers shall contact a bank security officer or supervisor (if their switchboard is hesitant about connecting you, be innovative and insistent i.e., "connect me with one of these people or I'm coming in to see the president of the bank").
- D. Once in contact with the proper bank official, the dispatcher shall inform them of the alarm and remind them to exit the bank and meet the primary officer.

- E. The above employee will then exit the building and approach and identify him/herself to the primary officer. The primary officer shall not approach the employee until safe to do so. The decision as to exactly where they meet shall be the officer's.
 - F. The bank employee shall then use the "code word" alone or in a sentence, indicating there is no criminal activity or a hostage situation. If this word is not used, the officer should assume some type of emergency exists. In this event:
 - a. The officer shall notify the dispatcher and request additional assistance.
 - b. Officers should go "car to car" with responding units, advising officers where to place themselves and their vehicles in the most advantageous positions.
 - c. Dispatchers shall notify the Sgt. or Chief of Police, if the situation warrants it.
 - d. Officers shall not approach or enter the building. The La Crosse County or La Crosse City ERT should be summoned if the situation warrants it.
6. Alarm – Man Down
- A. Notify officer of "Man-Down" in the power plant and give the location of the alarm.
 - B. The monitoring center will call to verify you have received the alarm, inform them you have received it and an officer is en route.
 - C. When time permits, notify Tim Merrill, 608.386.3709 (W), 608.781.5356 (H).
 - a. Leave voicemails if no answer.
7. Alarm – Bait Bike
- A. Notify officer that bait bike alarm has been activated (fog-horn alarm)
 - B. Go to 3Si Tracker Tool, click "Tracker Web Login"
 - C. On the left hand side click "Bait Bike"
 - D. Give constant updates of the location of the bike to the officer.
8. Alarm – Parking Duress
- A. Notify officer of Parking Alarm
 - B. Call the Parking Office to verify alarm by use of passphrase or code.
 - C. Duress alarm cannot be silenced and must be deactivated by same switch in parking office.
9. Alarm – Test
- A. Legitimate alarm tests must be preceded by a telephone call from the business or UWL maintenance team. Tests not preceded by a call are to be treated as legitimate alarms.
 - B. Officers should take reasonable care for any actual or potential hazard that may exist. No report is necessary.

X



Scott McCullough

Chief

Subject: Electronic Door Locks

Date Issued: 7/6/2018

Effective Date: 8/1/2018

Revision Number:1

PURPOSE

The purpose of the policy is to establish a procedure for unlocking University doors remotely.

POLICY

It shall be the policy of the UW La Crosse Police department to verify all personnel requesting access to buildings outside of normal business hours.

PROCEDURE

The Communications Center has access to remotely lock and unlock outside doors on campus. All dispatchers and officers will log in with their own credentials so an audit trail is created. The following procedure shall be adhered to when a request for entry into a building is conducted by the remote locking software:

1. The system shall only be logged into with work-issued computers. Use of the system outside of the scope of employment can constitute disciplinary action up to termination.
2. The individual requesting entry shall be verified by gathering the required information ID information.
3. The individual shall be ran through the online CBORD portal and verify access to the building.
 - A. If the individual does not have access to the building, inquire what reason they need for access. If access is only needed momentarily such as checking for a lost item or dropping off a paper the person may be escorted by a police officer but only if and when one is available.
 - B. If the individual and access is verified, the individual can be allowed into the building.
4. When a door unlock is requested, a call shall be created and labeled as "Assist". The individual requesting access shall have their information entered and all other pertinent information into the CAD.
5. If any questions arise, or identity of the individual is questioned. Contact the on duty officer for final verification and approval.

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Scott McCullough

Chief