



MIDDLETON POLICE DEPARTMENT

7341 Donna Drive Middleton, WI 53562



Charles Foulke - Chief of Police

MIDDLETON POLICE DEPARTMENT PROGRESS ON SPECIAL COMMUNITY/POLICE TASK FORCE USE OF FORCE RECOMMENDATIONS

A. Institutionalize major incident debriefings:

Critical Incident Debriefings are routinely offered to staff involved in critical incidents. Debriefings are held to discuss and learn from major incidents. Supervisors routinely review squad car videos (and soon body worn cameras) to evaluate officers' response to incidents and use those incidents as training scenarios. Training scenarios (such as the full-scale active shooter scenario held at the Middleton High School) are routinely debriefed.

B. Create a system of data tracking and analysis:

Complaint allegations and dispositions have been tracked since 2001. Critical Incidents/Use of Force have been tracked since 2005. The data is available in the Department's Annual Report, which is accessible on the Department website.

C. Cameras:

MIPD has utilized squad car cameras since at least 2000. All marked squads have digital cameras and policies are in place for their use, review and retention. Body Worn Cameras will be introduced in the fall of 2016. Money has been allocated for the body worn cameras and storage. Policies are being developed in line with National best practices.

The Wisconsin Chiefs of Police Association is advocating for common sense Open Records laws which protect the privacy of citizens.

Update, March 2017: Body Worn Cameras have been received and have been distributed to all patrol officers as of March, 2017. Policies were developed by a team of sworn and civilian staff, using IACP Model Policies as a base. Additional Records Personnel and Informational Technology staff have been hired to deal with the expected increase in reproduction of digital video and IT related issues.

D. Restorative Justice:

Middleton Schools use Restorative Justice in the two high schools and middle school and School Resource Officers are well versed and use the system. Municipal Court Judge Schuett has indicated a willingness to use Restorative Justice practices, if the current system expands to the suburbs.

Update, March 2017: The Restorative Justice project now includes Fitchburg. Ron Johnson spoke to the Dane County Chiefs of Police Association at our February meeting and confirmed that it is the project's intention to expand to any community in Dane County that expresses an interest. Middleton is very interested in implementing this program in conjunction with our Municipal Court.

E. Expand the coaching role of sergeants and mid-level managers:

While I think this is a fairly common practice among police departments, it is difficult to quantify. MIPD Sergeants mentor younger officers, review video of them, are expected to back up new officers or officers on the street and we have attempted to reduce their administrative duties to free them up for street supervision.

Update, March 2017: MIPD Sergeants have received specific supervisory training. While conducting annual evaluations of the officers that they supervise, Sergeants are tasked with reviewing the Oath of Honor, Harassment Policy and they discuss the officers career goals and aspirations and then develop a training plan for their future.

F. Develop Strategic Partnerships to strengthen recruitment efforts:

MIPD had an officer recruitment in the spring of 2016 with mixed results. Strategic partnerships have been made with a number of minority groups, such as United Way, Urban League, African American Council of Churches, Boys and Girls Club and minority leaders in our community. A number of past practices were changed or discontinued to attract non-traditional applicants or not to reward an applicant that was a current officer or who had already attended the Academy (no written test, no physical fitness test, reduction of points for law enforcement experience). Although MIPD received 300 applicants, only 17 were African American, 11 Asian and 27 Hispanic. We did hire two great candidates, a woman who was a police officer in suburban Philadelphia for eight years and a first generation Korean-American with a Master's and Law Degree.

Update, March 2017: We have not had another officer recruitment since the spring of 2016, but it is hoped our continual outreach will pay dividends in attracting minority candidates.



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G. Continue to reward Police GUARDIAN behavior:

In early 2015, MIPD held a Department meeting and discussed racial relations, disproportionate arrests and our effect on people of poverty. A number of changes were implemented, including no longer evaluating an officer's effectiveness on the number of citations issued, but on the number of citizen contacts they had, the number of problems solved, the number of neighborhood meetings attended, etc. One indicator of the success of these redefined expectations and manner of judging an officer's effectiveness was the increase in warning tickets from 936 in 2014 to 3,817 in 2015.

MIPD issues awards monthly called "Caught in the Act". These awards are nominated by fellow officers and it is for instances when officers have a positive impact on a community member or group. Officers receive public praise within the Department and a \$5.00 Culver's gift certificate.

H. Revise curriculum in academy training and continue training on key elements throughout an officer's career:

- 1. Dane County agencies should train on the GUARDIAN form of policing.**
- 2. Dane County agencies should train officers to become equally competent in de-escalation and empty hand techniques, as they are in weapons use. De-escalation training and repetitions should be similar to the continual firearm training in that there should be ongoing training and repetitions that are graded and evaluated. Ensure weapons transition training is a key element of the course. The course may be based on scenario de-escalation techniques:**

MIPD is in a training consortium with Fitchburg and Sun Prairie Police Departments. The Chiefs of each department met with the Training Staffs in 2015 and discussed ways to bring this training and mindset to the officers. The Training Staffs designed training for 2015, 2016 and beyond, which included use of less lethal weapons, weapons transition and de-escalation techniques. This training included lecture, policy revision and training and scenario based training.

3. Train and emphasize professional police communications protocols at all times. Expectations should be that officers will speak to and treat all members of the public with respect and dignity.

MIPD supervisors routinely monitor squad car videos of the officers they supervise to ensure professional communication expectations are met. Complaints against staff involving poor professional communication techniques are taken seriously. Scenario based training includes proper use of these techniques.

Update, March 2017: Review of Officers interactions with the people we come in contact with will be further scrutinized with the introduction of Body Worn Cameras. One part of the Body Worn Camera Policy includes random, regular, reviews of Officer Interactions.

4. Continue to train regarding when and how to use force, up to and including deadly force. This training should include less than lethal and less lethal force, how to render aid to those wounded, including the suspect, and dealing with the aftermath of a deadly force encounter in a humane and professional manner:

The aftermath of a deadly force encounter was added to 2015 in-service scenario training, which included radio communication and rendering aid. Briefing training in mid-2016 included what to expect if you are involved in an Officer Involved Shooting, which included a step by step review of what officers will go through if they are involved in a deadly force situation.

5. Train Chief Executives to deal with the aftermath of an officer-involved shooting. This training should include best practices on working with Community Leaders, as well as policies on the release of information in officer-involved shooting cases:

MIPD Command staff recently reviewed the Department of Justice COPS guide on "Officer Involved Shootings-A Guide for Law Enforcement Leaders". The Dane County Chiefs of Police Association has a Committee on Use of Force which is an attempt to make Use of Force responses and investigations consistent. I would like to see training for Police Department Chief Executives on best practices in the aftermath of an officer involved shooting.

6. Regular training on implicit bias. This type of training should be infused throughout all aspects of officer training. Whenever possible, this training should involve individuals from the community:



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The Training Consortium of MIPD, FBPD and SPPD received a grant in 2015 and contracted with the YWCA to present Implicit Bias Training to all of our staffs during in-service. MIPD has sponsored Implicit Bias Training for our community, purchased the book "Just Mercy" for all police staff and elected officials and sponsored a book discussion at the Middleton Public Library. This needs to be an on-going effort.

Update, March 2017: Officers and Command Staff continue to receive this valuable training from a variety of sources.

- 7. Include best practices in working with multicultural communities and developing and maintaining cultural competencies during in-service training.**
- 8. We call on the Governor to ensure that the State of Wisconsin's Law Enforcement Standards Board (LESB) be comprised of racially and ethnically diverse professionals and citizens to ensure differing perspectives are considered when establishing law enforcement standards and academy training.**
- 9. Government entities responsible for funding law enforcement agencies in Dane County should provide agencies with additional funding to train officers more frequently on the following: 'Use of Force,' de-escalation, critical thinking, professional police communications, implicit bias, ethics, cultural competency and mental and behavioral illnesses. Currently the State requires 24-hours per year of on-going training. An increase to 40 hours is recommended for agencies in Dane County:**

MIPD officers are mandated to attend 32 hours of in-service training annually. In addition, MIPD officers attended an average of 79 hours of specialized training in 2015. An increase in the 2017 training budget has been requested for 2017.

Update, March 2017: In 2016, Middleton Officers received an average of 90 hours of training. The 2017 Training Budget was increased by \$5,000, the Use of Force recommendations were used as a justification for the request.

- 10. Officers need a holistic framework of realistic, scenario-based training on all levels of 'Use of Force.' Training should start in the academy and**

continue throughout the officer's career. The training should include skills on critical thinking, recognizing and dealing with stress, professional police communications, selecting best options, disengaging and waiting for back up, etc.:

This type of training has been emphasized in 2015, 2016 and beyond.

11. Allow officers to use Electronic Control Devices (i.e., Tasers) when no immediate back up is present. Remove the requirement of lethal cover for ECD use (Taser):

MIPD changed the Policy on lethal cover in mid-2015 and then introduced policy training and in-service scenarios based on the change.

12. For those agencies who train on the 21-foot rule for a person armed with an edged weapon, ensure the training incorporates strategies that emphasize the option of disengagement when appropriate: slowing things down if possible, maintaining at least 21 feet distance whenever possible, placing obstacles between the officer and the assailant. Verbal engagement from a safe distance should be emphasized. In essence – we wish to create time and distance as the primary objective when the situation allows. Be absolutely clear that if an officer is within 21 feet of a suspect with an edged weapon that 21 foot proximity does not in and of itself convey the justification to use deadly force.

MIPD does not train in the 21 foot rule, but does train in Edged Weapon threats and appropriate ways to deal with them.

13. Develop policy and training on foot pursuits. Foot pursuits, like car pursuits, are dangerous to the officers and members of the public. Few departments have specific policies and training on foot pursuits:

MIPD has had a foot pursuit policy since May, 2013.

14. Briefing training on a variety of subjects including cultural awareness, proper way to approach and greet, community feelings and concerns about the police (listening sessions). The African American Council of Churches (AACC) has offered to facilitate sessions.

Briefing training is routine. Sergeants are responsible for two briefing trainings per month. They are presented at the monthly Admin Staff Meeting, then presented to all officers in briefing throughout the month. Officers are required to view the training and affirm this by a sign off program.



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- 15. All Dane County law enforcement agencies should develop staffing policies and response protocols regarding the most appropriate ways to respond to emotionally disturbed persons and those struggling with mental illness:**

MIPD has a policy in place regarding Mental Health Issue Guidelines. Mental Health Liaison officers offer monthly training bulletins to staff. Six MIPD officers and one supervisor have been to CIT training and updates are required at monthly staff meetings on our frequent contacts.

Update March 2017: Middleton Police have sent 50% of our patrol staff to Crisis Intervention Training. They make up a Crisis Intervention Team, we provide specialized training to all of our staff in dealing with emotionally disturbed people, both at briefing training and we have incorporated it into our in-service scenario training. We assign officers to work long term with people in crisis, not only to deal with the immediate problem, but to look for long term solutions in a community holistic manner.

- 16. Dane County law enforcement agencies should provide Crisis Intervention Training (CIT) to some select officers and to utilize those officers and practices when dealing with people experiencing a crisis or those who are faced with mental or behavioral health challenges.**

See above.

- 17. Dane County agencies should train officers and detectives in the use of trauma-informed interviewing skills.**

MIPD Detectives are generalists, therefore they handle a variety of criminal investigations. They are all trained in sensitive crime investigations, which include interviewing techniques.

- 18. Dispatcher training should be enhanced to include the collection of additional information to improve officer preparedness, prior to their arrival on the scene of particular types of crisis (mental illness, drugs, alcohol, etc.). Components of this training should include Crisis Intervention Partner (CIP), implicit bias and cultural competency:**

MIPD Dispatchers are included in appropriate in-service training with officers.

19. Explore Scotland's de-escalation methods and national decision-making model for police. (Appendix C)

I. Create greater public awareness and educate the community on safe interactions for all.

K. Consistently engage the broader community:

MIPD has a number of community programs. MIPD is an Accredited Police Agency. During the last Accreditation assessment, third party assessors wrote: "It was clear during the course of our stay that the Police Department prides itself on the level of professional service it provides to the citizens of Middleton. The assessors were introduced to a number of programs that are worthy of special mention here. The Middleton Police Department has the most advanced social media outreach effort seen by this assessment team. The Police Department continues to expand community outreach efforts and works to enhance communication with the general public by building their social media efforts. In addition to an active website, the Department maintains an active presence on the most popular social media sites, including Facebook, Twitter, and You Tube. They have also launched a smart phone app, which provides mobile device users quick access to submit crime tips, view crime reports, download forms, and more. A review of the agency's Annual Report reveals an impressive list and description of community programs that the agency either offers or participates in".

1. Police and Fire Commission:

Middleton has a Police Commission, appointed by the Mayor. In discussions with the Commission, they are not interested, nor do they see the need to engage in community outreach. Complaint procedures, including those that go directly to the Police Commission, are prominent on our website and staff is well versed on how to begin a citizen complaint process.

2. Develop relationships with community leaders:

This is an ongoing effort, with staff involved with local Service Clubs, Chamber of Commerce, Middleton Equity Team, School Partnership for Student Support and Success, Law Enforcement/Leaders of Color Collaboration Group to name a partial list.

L. Encourage officers to have regular mental and physical wellness assessments and check-ups:



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MIPD has an EAP through Family Services, a contract with Healthy Minds LLC for Critical Incident Debriefing and specialized training has provided family training sessions and in-service training on this topic. MIPD has an Employee Council that meets bi-monthly to discuss issues within the Department. MIPD has an Employee Health Committee. MIPD pays officers who pass the physical fitness test.