

TITLE 1

Administration

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Title 1 ► Chapter 1

Philosophy and Goals

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Sec. 1-1-1 Mission Statement.

- (a) **Mission Statement.** The mission of the City of Stanley Police Department is to enhance the quality of life in the City of Stanley by working cooperatively with the public to enforce the law, preserve the peace, reduce the fear of crime, and provide for a safe environment. The City of Stanley Police Department will strive to provide quality police services and promote a "partnership for a safer community" through police and citizen interaction, with emphasis on education, respect, fairness and integrity.
- (b) **Organizational Values.** We, the members of the City of Stanley Police Department, are committed to these values:
 - (1) **Human Life.** We revere human life and dignity above all else.
 - (2) **Respect.** We respect the cultural and ethnic diversity of the community that we serve and protect. We strive for a sensitivity to, and an understanding of, this diversity.
 - (3) **Integrity.** We believe that integrity is the basis for personal and public trust.
 - (4) **Laws and Constitution.** We believe in the principles embodied in the Constitution of the United States, and the Constitution of the State of Wisconsin. We recognize the authority of federal, state and local laws.
 - (5) **Excellence.** We strive for personal and professional excellence, dedication to duty, and service to the public.
 - (6) **Accountability.** We are accountable to each other and to the citizens we serve and protect, who are the source of our authority.
 - (7) **Cooperation.** We believe that cooperation among ourselves, members of the community, governmental entities, and other law enforcement agencies will enable us to combine our diverse backgrounds, skills, and styles to achieve common goals.
 - (8) **Ourselves.** We are capable, caring people who perform important and satisfying work for our community.

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- (9) **Problem Solving.** We are most effective in our work when we identify and solve problems. In this way, we not only help the community we serve and protect, but we make the City of Stanley Police Department more efficient and responsive.

Sec. 1-1-2 General Principles of Police Conduct.

POLICY:

- (a) The prime functions of the City of Stanley Police Department are the preservation of the public peace and order, the prevention and detection of crime, and the apprehension of offenders, the protection of persons and property, and the enforcement of the laws of the State and the ordinances of the City of Stanley. For these purposes, law enforcement Officers are endowed with legal authority.
- (b) To achieve true success, the City of Stanley Police Department must win and retain the confidence and respect of the public whom it serves. This can be accomplished only by constant and earnest endeavor on the part of all Officers and employees of the Department to perform their duties in an efficient, honest and businesslike manner, and by exemplary conduct cultivating in the public mind the fullest realization that the Police Department is a most vital requisite in public well-being.
- (c) A law enforcement Officer should remember that in the execution of his/her duties the Officer acts not for himself/herself, but for the public, and that the Officer's appointment is in no sense for his/her own advantage. The entire law regulating the functions of an Officer hinges upon this principle.
- (d) A law enforcement Officer should be fair and unbiased to whoever may be subject to the law, and he/she should never allow passion to become brutality, nor permit fear, favoritism or sympathy to seduce the Officer to illegal leniency or neglect of his/her duty. The Officer must bear in mind that he/she represents the dignity and authority of the State, and is the representative of the law to whose lawful demands all must submit. Such submission can be compelled when necessary. An Officer shall use no unnecessary force; but shall not hesitate to use necessary measured force when circumstances require.
- (e) In order to perform their duties properly it is essential that Officers and employees of the Department familiarize themselves thoroughly with those sections of the Wisconsin Statutes and the ordinances of the City of Stanley, that they may be called upon to enforce.
- (f) Each member should act in the interest of the City's business and the performance of his/her duties as if he/she were acting in his/her own interest, using at all times his/her very best ability, judgment and discretion. Members of this Department are ambassadors of the City of Stanley and each member is urged to act accordingly.

Sec. 1-1-3 Law Enforcement Officer's Bill of Rights.

POLICY:

The City of Stanley Police Department shall comply with the provisions of Chapter 164, Wis. Stats., the Law Enforcement Officers' Bill of Rights, the provisions of which are as follows:

Sec. 164.01 Definition. In Sections 164.015 to 164.05, "law enforcement officer" has the meaning designated in Sec. 165.85(2)(c), Wis. Stats.

Sec. 164.015 Engaging In Political Activity. No law enforcement officer may be prohibited from engaging in political activity when not on duty or not otherwise acting in an official capacity, or be denied the right to refrain from engaging in political activity.

Sec. 164.02 Interrogation.

- (1) If a law enforcement officer is under investigation and is subjected to interrogation for any reason which could lead to disciplinary action, demotion, dismissal or criminal charges, the interrogation shall comply with the following requirements:
 - a. The law enforcement officer under investigation shall be informed of the nature of the investigation prior to any interrogation.
 - b. At the request of any law enforcement officer under interrogation, he or she may be represented by a representative of his or her choice who, at the discretion of the officer, may be present at all times during the interrogation.
- (2) Evidence obtained during the course of any interrogation not conducted in accordance with Subsection (1) may not be utilized in any subsequent disciplinary proceeding against the law enforcement officer.

Sec. 164.03 Recrimination. No law enforcement officer may be discharged, disciplined, demoted or denied promotion, transfer or reassignment, or otherwise discriminated against in regard to employment, or threatened with any such treatment, by reason of the exercise of the rights under this Chapter.

Sec. 164.04 Rights Not to Be Diminished. The rights under this Chapter shall not be diminished or abridged by any ordinance or provision of any collective bargaining agreement. These rights may be supplemented and expanded by ordinance or collective bargaining agreement in any manner not inconsistent with this Chapter.

Sec. 164.05 Applicability. Sections 164.01 to 164.04, Wis. Stats., apply only to law enforcement officers employed by first class cities or counties having a population of five hundred thousand (500,000) or more.

Sec. 164.06 Officers May Be Candidates.

- (1) In this Section, "law enforcement officer" means any person employed by a city, village, town or county, other than a first class city or a county having a population of five hundred thousand (500,000) or more, for the purpose of detecting and preventing crime and enforcing laws or ordinances, who is authorized to make arrests for violations of the laws or ordinances which he or she is employed to enforce.
- (2) No city, village, town or county may prohibit a law enforcement officer from being a candidate for any elective public office, if that law enforcement officer is otherwise qualified to be a candidate. No law enforcement officer may be required, as a condition of being a candidate for any elective public office, to take a leave of absence during his or her candidacy. This Section does not affect the authority of a city, village, town or county to regulate the conduct of a law enforcement officer while the law enforcement officer is on duty or otherwise acting in an official capacity.

Title 1 ► Chapter 2

Compliance With Policies and Procedures

- 1-2-1** Officer Conformance to Policies, Procedures, Rules and Regulations
- 1-2-2** Use of Manual
- 1-2-3** Disciplinary Sanctions

Sec. 1-2-1 Officer Conformance to Policies, Procedures, Rules and Regulations.

STATEMENT OF PURPOSE:

In order to assure that all members of the City of Stanley Police Department are aware of and conform to departmental policy, procedures, rules and regulations, the following policy is established.

POLICY:

- (a) All members of this Department shall make themselves aware of and operationally knowledgeable as to any and all policies, procedures, rules and regulations of this Department. Policy establishes operational standards to assist Department employees in the necessary exercise of discretion in discharging their responsibilities.
- (b) It is the policy of this Department that all members of the Department shall strictly adhere to departmental policies, procedures and regulations in order to assure this community's support and to maintain effective law enforcement services.
- (c) Officers violating the policies and guidelines contained in this Manual, as amended from time to time, may be subject to disciplinary actions which may result in suspension, loss of compensation, demotion or dismissal.
- (d) Any departmental policies, procedures, rules, general orders or special orders contained herein which are in conflict with any collective bargaining agreement or any city, state or federal law shall be null and void.
- (e) The policies of this Manual are for Departmental use only and do not apply in any civil or criminal proceeding. The directives found in the Manual should not be construed as a

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creation of a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims.

- (f) Violations of any procedures in this Manual will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

PROCEDURES:

- (a) All Officers of this Department have received a copy of all policies, procedures, rules and regulations in this Manual (or have access available) and shall consult with a supervisory officer as necessary should any areas of uncertainty arise.
- (b) All Officers shall maintain and keep current his/her copy of the *City of Stanley Department Policies and Procedures Manual* and shall assure inclusion of any new and/or changed policy.
- (c) All Officers shall sign a statement indicating that they have received a copy of, or have access to, the policies, procedures, rules and regulations of this Department.
- (d) Any policy revision or addition to this Manual will be effective the date of posting. All personnel are required to read and understand these changes. If there is any question on interpretation, the Officer should contact the Chief of Police or his/her designee.

COMMENTARY:

- (a) The purpose of these general regulations, policies and procedures is to control and prohibit conduct that tends to undermine the policies, goals, good order and/or efficiency of the Department. The regulations herein established are primarily intended to promote thorough and efficient law enforcement service for the community. Further, these regulations are intended to be equitable to those who are expected to work by them. Fairness to both the community and Department personnel is achieved through a process of careful consideration and constant review.
- (b) These policies, procedures and regulations are not designed to make every irregular, mischievous or improper act a disciplinary offense. Rather, their reach is limited to conduct that is directly and obviously—as distinguished from indirect and remotely—prejudicial to good order, discipline, morale and efficiency and tends to destroy public respect and confidence.
- (c) Police personnel comprise a special class of public employee. Members of the Police Department are the most conspicuous and visible representatives of government. Members' conduct is closely scrutinized and, when it is found to be excessive, unwarranted or unjustified, criticism is more severe than it would be for similar conduct of persons in other

walks of life. The end result of criticism is lost community support and respect—both are necessary ingredients in the Department's capacity to perform the police function.

- (d) None of the benefits or policies in this Manual are intended, by reason of their publication, to confer any rights or privileges or to entitle a Department member to be or remain employed by the Department. The contents of this Manual are presented as a matter of training and information only. While the Department believes wholeheartedly in the plans, policies and procedures described here, they are not conditions of employment and are subject to unilateral change.

Sec. 1-2-2 Use of Manual.

POLICY:

(a) Issuance of Manual.

- (1) In the case of sworn and non-sworn or part-time Department members, a copy of the Manual will be made available at the Police Department. Contained within this Manual are policies, procedures and rules and regulations which are designed in the best interests of law enforcement within this community.
- (2) All sworn and non-sworn members of this Department shall be held responsible for reading, absorbing, understanding and adhering to all information contained within this Policies and Procedures Manual.
- (3) Any policy revision or addition to this Manual will be effective the date of posting. All personnel are required to read and understand these changes. If there is any question regarding interpretation, the Officer should contact the Chief of Police or his/her designee.

- (b) **Maintenance of Manual; Updates.** Each sworn member of this Department shall maintain his/her copy of this Manual in an up-to-date fashion and ensure that all additions, deletions and insertions are placed in the proper position within his/her copy of the Manual. Each Manual will be updated as needed with policies and procedures as needed.

- (c) **Loss of Manual.** Loss and/or destruction of this Manual will be subject to appropriate disciplinary action, and replacement costs shall be paid by the employee.

- (d) **Manual is Department Property.** This Manual is the sole property of this Department and shall be returned to the Department upon termination of the employee, regardless of the method of termination.

- (e) **Gender-Neutral Language.** Every effort has been made to use inclusive, gender-neutral language in this Manual. However, occasional use has been made of gender-specific language where necessary (example: gender-specific appearance standards) or where such

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language improves readability of a passage; occasional use of such language indicates no discriminatory intent, actual or implied. Occasional references to the masculine gender in this Manual shall also generally be construed to females, and vice versa.

- (f) **References to Chief of Police; Designees.** Throughout this Manual, references to "Chief of Police" shall also be construed to mean "Chief of Police or his/her designee," or, if a Chief of Police is not appointed by the Common Council, shall refer to the officer-in-charge or similar supervisory officer.

COMMENTARY:

- (a) This Department Manual has been developed for the purpose of assuring uniformity of effort and action by the entire Department in pursuing the objective of providing members of this community with the highest quality of law enforcement.
- (b) Permanent policies, procedures, rules and regulations, and also temporary orders, directives and memoranda have been placed in this Manual for the convenience of members of the Department and to ensure control over dissemination and revision of the materials within this Manual.
- (c) The Manual is designed to facilitate ease in making additions and revisions. The notebook itself consists of a heavy-duty three-post binder in which has been placed 8-1/2 x 11 inch paper which has printed information on both sides. When an addition or revision has to be made, the Manual posts are snapped open, one or more pages or sections can be removed, and then the revised page can be easily inserted.

DEFINITIONS:

For the purpose of uniformity and continuity, the following definitions are given to assist in the segregation and differentiation of materials to be placed in certain sections of the Manual:

- (a) **Policy.** Although policy can be defined to mean a guideline for carrying out even the most detailed action, the term usually refers to the broad statement of principle. Unless a policy is further defined and restricted, it allows a degree of flexibility within the limits set out by the policy maker. A common form or policy statement is the general order, which often combines an opening statement of principle, followed by procedural guidelines.
- (b) **Procedure.** More specific than a policy but less restrictive than a rule or regulation, a procedure describes a method of operation while still allowing some flexibility within limits.
- (c) **General Orders.** These shall define policy and direct procedures for the indefinite future and for the Department as a whole or for subordinate elements within the Department. The immediate changes or additions to policy and procedure should be disseminated in this form

until such time as they can be made a permanent part of the regular policies, procedures and rules through retyping and updating.

- (d) **Special Orders.** Their intent is to define policy and direct procedure for special situations or events. Included should be orders covering temporary or self-cancelling circumstances, specific instructions for the accomplishment of a specific purpose. Once accomplished, there will be no need for continuing instructions.
- (e) **Memoranda.** These shall be considered primarily as a device to inform or inquire and, secondarily, to direct. Memoranda are also more personal in nature and thus oriented to one person or a restricted number of persons. Uses of the memoranda may be classified as follows:
 - (1) To disseminate information or instructions which do not warrant a formal order, such as notice of an outside training program available to police personnel or an announcement of promotional examination and procedures for applying.
 - (2) To direct the actions of subordinates in specific situations or circumstances at a level of command or supervisors not authorized to issue general or special orders. Such directions should not deviate from or conflict with established policy or procedure.
 - (3) To explain or emphasize portions or previously issued orders. To inform members of the actions of policies of other agencies.
 - (4) To inquire.
 - (5) To record matters relating to the quantity and quality of subordinates or of work projects assigned to a member.

Sec. 1-2-3 Disciplinary Sanctions.

POLICY:

- (a) Department members violating the provisions of this Manual may be subject to disciplinary actions. Specifically, those provisions with the notation "Sanction" (either Class 1, Class 2, Class 3 or Class 4) are specifically designated as "Regulations;" the violation thereof shall subject the Department member to the disciplinary sanctions prescribed in the following "Schedule of Sanctions."
- (b) Department members in violation of any other provision of this Manual not designated with a specific disciplinary sanction shall be deemed to have committed a Class 1 offense.

Cross-Reference: Section 2-2-22.

SCHEDULE OF SANCTIONS

Class	First Offense		Second Offense		Third Offense	
	Min. Days	Max. Days	Min. Days	Max. Days	Min. Days	Max. Days
1	Informal Advisement	Documented Oral Reprimand	Written Warning	3	1	5
2	Written Warning	1	1	5	5	15
3	1	5	5	15	30	Dismissal
4	5	Dismissal	30	Dismissal	Dismissal	Dismissal

NOTE: These are guidelines only. Discipline imposed will be based on the totality of circumstances and applicable collective bargaining contracts.

Title 1 ► Chapter 3

Department Administration

- 1-3-1** Purpose of Personnel Administration
- 1-3-2** Education and Training; Reimbursement Agreement
- 1-3-3** Administration of Department
- 1-3-4** Organization
- 1-3-5** Command Decisions; Succession of Command
- 1-3-6** Equal Employment Opportunities
- 1-3-7** Basic Requirements for Sworn Position Applicants
- 1-3-8** Citizenship
- 1-3-9** Licenses and Certifications
- 1-3-10** Background Investigations; Police Applicant Drug Testing
- 1-3-11** Probationary Period
- 1-3-12** Scheduling and Vacations

Sec. 1-3-1 Purpose of Personnel Administration.

POLICY:

- (a) The goals of personnel administration in the City of Stanley Police Department are:
 - (1) To develop to the fullest extent possible the capabilities of every member;
 - (2) To encourage individual growth and improvement;
 - (3) To provide a fair method of hiring, promotion and reward;
 - (4) To provide the people of our community with the best qualified persons for all positions in the Department;
 - (5) To fairly motivate and control the personnel of the Department; and
 - (6) To encourage personnel to present themselves publicly in a manner consistent with their roles as representatives of the City of Stanley Police Department and the community.
- (b) Nothing in this policy or any other policy is intended to conflict with or alter contractual relations permitted by law with members of the Department.

Sec. 1-3-2 Education and Training; Reimbursement Agreement.

POLICY:

(a) Purpose and General Policy.

- (1) Education and training of the Officer aids the Officer in becoming an effective part of local government.
- (2) This Department is committed to providing its personnel with the best training and educational opportunities available on a continuing basis.

(b) Recruit Training.

- (1) The purpose of recruit training is to help the recruit better understand the community, the role of the Officer, the function of the criminal justice system, the proper exercise of discretion, and the methods by which the City of Stanley Police Department operates.
- (2) Recruit training for this Department shall consist of:
 - a. Training as required by the Wisconsin Law Enforcement Board;
 - b. Supervised field training until the recruit is competent to be in the field alone;
 - c. A probationary period of one year.

(c) In-Service Training.

- (1) In-service training will be conducted to refresh the Officer's memory, renew his/her awareness of law enforcement role, and inform him/her of any changes in policy, law and enforcement techniques.
- (2) Each Officer shall receive in-service training annually.
- (3) Tests may be administered to evaluate the Officer and the training program.

(d) Additional Training and Testing.

- (1) As manpower considerations allow, Officers will be sent to special schools that teach subjects which will be of assistance in the performance of their duties.
- (2) Each Officer must qualify in firearms use as prescribed by this Manual.
- (3) Each Officer may be tested annually to ensure that he/she has the basic skills necessary for job performance.

(e) Education.

- (1) Officers are encouraged to obtain all areas of education that will increase their usefulness to the Department and the community.

- (2) Officers are particularly encouraged to continue their education in the following areas:
 - a. Legal or other professional studies;
 - b. Technical and scientific areas of crime prevention, criminal apprehension, and evidence collection and preservation;
 - c. Public administration, with emphasis on the management of human resources, particularly if the Officer is interested in supervisory positions.
- (f) **Reimbursement Agreement Requirement.**
 - (1) The Department incurs considerable costs when hiring a new Officer. The Department, in effect, is making an "investment" in such Officer. Such costs include, but are not limited to, written and physical testing, background investigations, psychological testing (if applicable), equipment and training.
 - (2) As a condition of employment, the Department requires that all new Officers sign a reimbursement agreement addressing such departmental costs when an Officer voluntarily leaves employment with the Department during a designated post-hire period. The specific items and terms shall be as prescribed in the reimbursement agreement. Reimbursement areas which may be included in such agreement, but not limited to, are:
 - a. The Department's actual expenses incurred for mandatory and specialized training, including training required by the Department and/or State of Wisconsin.
 - b. All Department-purchased uniforms and equipment for the exclusive use of the Officer which cannot be re-issued, as pro-rated in the agreement.
 - c. Pre-employment physical examinations, drug screening, and any other requirements necessary for employment as a law enforcement officer, as pro-rated in the agreement.

Sec. 1-3-3 Administration of Department.

POLICY:

- (a) **Authority Over the Police Department.** The Police Department shall be governed by the Mayor and the Common Council. The Common Council shall establish guidelines by which the Police Department shall operate. The Common Council shall approve all members of the Police Department through an employment process and upon the recommendation of the Chief of Police; the Chief of Police shall approve all part-time Department members. The Common Council shall provide the necessary funds and physical resources for the Police Department to operate.
- (b) **Chief of Police.**
 - (1) The Chief of Police is the chief administrative and command officer of the Police Department and is the final Departmental authority in all matters of policy, operations and discipline. The Chief of Police shall have exclusive control of assignments, hours of duty, and transfer of all members of the Police Department. The Chief of Police

shall establish and promulgate such rules, policies, and procedures and prescribe such duties for individual members as he/she may deem necessary for the effective and efficient command and operation of the Police Department; provided no such rules, policy, procedure, duty, or assignment shall be in conflict with the statutes, ordinances, or with any rules approved by the Common Council. The Chief of Police shall plan, organize, staff, direct and control all the human and material resources of the Police Department for the most effective and efficient discharge of its duties to protect persons and property, preserve the peace, protect the rights of citizens, and enforce the laws of the United States, Statutes of the State of Wisconsin and Ordinances of the City of Stanley. The Chief of Police shall cause appropriate enforcement action to be taken whenever any violation of the laws or ordinances under his/her jurisdiction shall come to his/her attention.

- (2) Throughout this Manual, references to the position of "Chief of Police" shall also be construed to mean "Chief of Police or his/her designee", or, if a Chief of Police is not appointed by the Common Council, shall refer to the officer-in-charge or similar supervisory officer.
- (c) **Staff.** The administration of the Department shall be carried out by means of delegated authority from the Chief to his/her administrative staff members who are designated as those members of the Department who are within the Chief's immediate span of control.
- (d) **Authority of Mayor.** The Mayor is the general head of the Police Department.
- (e) **Authority of Common Council.** The Common Council shall have the management and control of City of Stanley property, finances, highways, navigable waters and the public service and shall have the power to act for the government and good order of the City, for the health, safety and welfare of the public. The Common Council approves the Police Department budget which includes operating expenses, salaries, equipment and employee additions.
- (f) **Relationships With Other Departments and Agencies.** The Chief of Police shall strive to maintain productive relationships with other City departments and other governmental agencies and private organizations concerning the law enforcement, crime prevention, administration of justice and public safety. The Police Chief shall cooperate and exchange information with other City departments in matters relating to their various functions.
- (g) **Participation With Other Authorities.** The Chief of Police shall maintain an active alliance with professional police authorities and participate in programs for mutual cooperation and improvement of proficiency in combatting crime and traffic problems. The Chief of Police shall prepare and keep current plans for operations of the Police Department

and shall participate in programs of mutual aid and cooperation for emergency police service with Federal, State and local government agencies. The Chief of Police will represent, or assign Officers to represent, the Police Department in committees, commissions, or associations which coordinate joint police activities and work in programs of improvement for law enforcement and public safety.

Sec. 1-3-4 Organization.

POLICY:

- (a) **Organization of the Police Department.** The Police Department shall consist of the Chief of Police and such other personnel as the Common Council shall authorize and prescribe by ordinance or resolution. Police personnel shall be divided into one (1) of the following categories:
 - (1) Full time, sworn Officers.
 - (2) Part time, sworn Officers.
 - (3) Part time civilian personnel (non-sworn).

- (b) **Personnel Management, Direction and Control.**
 - (1) **Recruitment Qualifications.**
 - a. Minimum age — 18 years.
 - b. Education — high school graduate (minimum).
 - c. Favorable background investigation.
 - d. Favorable recommendation by interviewing officials.
 - e. Wisconsin Department of Justice's Training and Standards Board regulations shall govern the selection of qualified candidates for appointment to the Police Department.
 - (2) **Promotions.** Promotions, when authorized by the Common Council, shall be made on the basis of a competitive examination or other criteria deemed appropriate by the Chief of Police, authorized by the Common Council and/or designated committee.

Sec. 1-3-5 Command Decisions; Succession of Command.

POLICY:

When command decisions are necessary, every effort will be made to contact the Chief of Police. In the absence of the Chief of Police, the ranking full time Officer of the Department, or Officer

as designated by the Chief of Police, will be contacted; if these Officers are unavailable, the Mayor or designated committee chairperson shall be contacted. The Officer assuming the responsibility is authorized to make any necessary command decision which is not in conflict with the law or the rules or policies of the Police Department.

Sec. 1-3-6 Equal Employment Opportunities.

POLICY:

- (a) **General Policy.** It shall be the policy of the City of Stanley to recruit and select the most qualified persons for positions in the City government, including full-time, part-time and limited term appointments. Recruitment and selection shall be conducted in an affirmative manner to insure open competition, provide equal opportunity, and prohibit discrimination because of race, color, age, religion, creed, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, family status, marital status, or economic status. Goals of this policy are that persons of disadvantaged groups be fairly represented by the City's work force and that promotional opportunities are provided for qualified employees.
- (b) **Discrimination Prohibited.** The Common Council, as the duly elected legislative authority, and the Mayor, as the duly elected executive authority, of the City of Stanley, reaffirm, endorse, support and are committed to the concept of equal opportunity employment as defined and/or implied under Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Act of 1972. Equal employment opportunity will be assured in the municipal personnel systems and affirmative action provided in their administration. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, separation, discipline, or any other aspect of personnel administration because of race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, family status, marital status, or economic status is prohibited.
- (c) **Equal Employment Opportunities.** It is the policy of the City of Stanley not to discriminate against any employee or applicant for employment because of race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, family status, marital status, or economic status. This policy not to discriminate in employment includes, but is not limited to the following:
 - (1) The Department will employ those applicants who possess necessary skills, education and experience, without regard to race, color, religion, creed, age, sex, sexual

- preference, national origin, ancestry, political belief, physical or mental handicap, marital status, or economic status.
- (2) The Department will promote, upgrade, transfer or demote, recruit, advertise or solicit for employment without regard to race, color, religion, creed, age sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, marital status, or economic status.
 - (3) The Department will train during employment and select for training and apprenticeship programs without regard to race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, family status, marital status, or economic status.
 - (4) No employee shall aid, abet, compel, coerce or conspire to discharge or cause another employee to resign because of race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, marital status, or economic status.
 - (5) The Department will establish rates of pay and terms, conditions or privileges of employment without regard to race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, family status marital status, or economic status.
 - (6) The Department will use for job referral purposes, only those employment agencies which do not discriminate on the basis of race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, family status, marital status, or economic status.
- (d) **Gender-Related Word Usage.** Use has been made of masculine pronouns in this Manual solely for the sake of brevity. Unless specifically stated to the contrary, words in this Manual referring to the masculine gender shall also be construed to apply to females, and vice versa. It shall also be construed to apply to the feminine gender as a matter of parallel construction.

State Law Reference: Sections 111.31 through 111.37, Wis. Stats.

Sec. 1-3-7 Basic Requirements for Sworn Position Applicants.

POLICY:

Applicants for sworn positions with the City of Stanley Police Department must meet the following minimum requirements:

- (a) Be a United States citizen a minimum of eighteen (18) years of age.

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- (b) Possess and submit proof of having a high school diploma, general education development (GED) certificate, or a high school equivalency diploma.
- (c) Possess and submit proof of having:
 - (1) A two-year associate degree from a Wisconsin vocational, technical and adult education district, or its accredited equivalent from another state; or
 - (2) A minimum of sixty (60) fully accredited college-level credits.
- (d) Meet all requirements as established by the Wisconsin Training and Standards Board (WTSB) and the City of Stanley Police Department.
- (e) Law Enforcement Certification is preferred.
- (f) Have no prior criminal record or domestic abuse convictions.

Sec. 1-3-8 Citizenship.

POLICY:

- (a) **Non-Sworn Personnel.** For regular full-time and part-time non-sworn personnel, United States citizenship will not be considered to be a requisite for Department employment. However, aliens must be in full compliance with prescribed federal law, in particular the Immigration Act of 1986, and they must move with the utmost dispatch to become naturalized citizens within the minimum period prescribed by federal law. Proof of an alien employee's action, in this respect, may be required by the Department at any time. If at any time during employment with the City, the alien employee is not in compliance with the federal law, then he/she shall be subject to dismissal by the Department.
- (b) **Sworn Personnel.** United States citizenship is required of all regular full-time and regular part-time sworn personnel in the Police Department. An applicant for a sworn police position must be a legal citizen of the United States at the time of appointment to a sworn position.

Sec. 1-3-9 Licenses and Certifications.

POLICY:

- (a) Applicants for a position requiring a license and/or certification must present valid proof of same prior to the first assigned starting date.
- (b) Persons operating a Department vehicle or equipment must possess an appropriate and valid operator's license and submit that license as proof. Those positions requiring special

certification by an agency of the state must submit proof of satisfactory completion, with certification to professionally practice in the State of Wisconsin.

- (c) Various other certifications may be requested as proof of completed education at a recognized institution or university. The Department reserves the right to obtain necessary information regarding academic achievement transcripts, educational files, health records, or prior employment records of any applicant.

Sec. 1-3-10 Background Investigations; Police Applicant. Drug Testing.

POLICY:

(a) Background Investigations; References.

- (1) Every new employee of the Department may have a routine background check made by the Department, and such report will be filed with personnel records maintained by the City of Stanley. This will be done before appointment. The personal background and criminal and/or civil action data will be evaluated in relation to the applicant's perceived ability to perform the duties and responsibilities of the specific position applied for.
- (2) During the employment application review process, the Department shall conduct itself in a manner consistent with the parameters in Sec. 995.55, Wis. Stats., the Wisconsin Social Media Protection Act, in regard to an applicant's social media accounts. The Department shall also comply with other state and federal laws regarding access to social media accounts and publicly available information on such sites which may relate to an applicant's protected-class status under equal opportunity laws, such as the Wisconsin Fair Employment Act [Sec. 111.31-395, Wis. Stats.], Title VII of the Civil Rights Act of 1964 [42 U.S.C. 2000e-2000e-17], Americans with Disabilities Act [42 U.S.C. 12101-12213], the Age Discrimination in Employment Act [29 U.S.C. 621-634], and the federal Stored Communications Act [18 U.S.C. 2701-2712].
- (3) The City may contact, at a minimum, two (2) references as shown on the employment application. All employment is subject to receipt of acceptable references. All applicants shall be checked for verification as to their employment and educational backgrounds.

(b) Police Applicant Drug Testing.

- (1) Applicants for the position of sworn law enforcement Officer shall be required to take a drug test as a condition of continued employment consideration. They will be

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notified further that the agency conducts drug testing on all sworn Officers and that refusal to take a such a test will constitute grounds for termination of employment.

- (2) The test may be administered on the basis of either a pre- or post-conditional offer of employment as determined by the Chief of Police.
- (3) Applicants shall be disqualified from further consideration for employment should they refuse to submit to a required drug test or fail a drug test.

Sec. 1-3-11 Probationary Period.

POLICY:

- (a) **Probationary Period Required.** All non-sworn personnel shall serve a twelve (12) calendar month probationary period.
- (b) **Reduction of Probationary Period.** At any time during the probationary period, the Common Council, upon the recommendation of the Chief of Police, may reduce the probationary period for nonsworn or sworn employees.
- (c) **Dismissal During Probationary Period.** During the Performance Probationary Period, the employee has the obligation to demonstrate proper attitudes and abilities for the position for which employed. The employee may be dismissed without prior notice, hearing, or cause during the Performance Probationary Period. Within thirty (30) days after the expiration of the probationary period, a determination shall be made as to retaining the probationary employee.
- (d) **Probationary Period for Promotions.** Employees promoted or transferred to a different position shall be on probation for the first six (6) months of employment in the new position. During such period such employees may be removed from the new position and returned to a position in the employee's former classification at the discretion of the Chief of Police, or as authorized by the Common Council, for any reason and without recourse of any appeal or complaint procedure.
- (e) **Field Training Requirements.** New full-time and part-time officers shall satisfactorily complete Department-required field training. In addition, Department members shall satisfactorily complete any Department-required field training during their employment with the City of Stanley Police Department.

Sec. 1-3-12 Scheduling and Vacations.

POLICY:

Scheduling will be conducted by the Chief of Police or his/her designee. This scheduling will include full-time and part-time officers of this Department.

PROCEDURES:

The following are guidelines to assist Department personnel on scheduling and vacations:

(a) **Scheduling.**

- (1) Full-time Officers will be scheduled by the Chief of Police, or his/her designee.
- (2) All part-time work will be assigned and worked according to each monthly schedule. If an Officer cannot work an assigned shift, it will be the Officer's responsibility to find a replacement. In case of an emergency, an exception may be granted. During special events throughout the year, all part-time Officers may be required to work at a certain function(s).

(b) **Vacations.** Vacations will be granted in accordance with City personnel policies.

Title 1 ► Chapter 4

Supervision of Operations

1-4-1 Supervision of Operations; Chain of Command

1-4-2 Shift Changes

Sec. 1-4-1 Supervision of Operations; Chain of Command.

POLICY:

(a) **Purpose and General Policy.**

- (1) The purpose of operations administration in the City of Stanley Police Department is to achieve the goals and objectives of the organization, primarily through a unified effort of all divisions, which are equally important.
- (2) The philosophy of management within the Department emphasizes appropriate participation by all members of the Department in management decisions. It also emphasizes the establishment and maintenance of open channels of communication.

(b) **Chain of Command.**

- (1) The Department functions with a formal chain of command established by regulation. The chain of command provides consistency throughout the organization by a flow of communications to all, and by providing necessary information to those who must make decisions. Members of the Department are responsible for ensuring that the chain functions properly and have the authority necessary to insure this.
- (2) When command decisions are necessary, every effort will be made to contact the Chief of Police. In the absence of the Chief of Police, the ranking full-time Officer of the Department, or Officer as designated by the Chief of Police, will be contacted; if these Officers are unavailable, the Mayor or designated committee chairperson shall be contacted. The Officer assuming the responsibility is authorized to make any necessary command decision which is not in conflict with the law or the rules or policies of the Police Department [see also Section 1-3-5].

- (c) **Command Staff.** The command staff is responsible for the overall planning and coordinating of the Department, at the direction of the Chief of Police. It is the executive level of the Department.

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- (d) **Support Staff.** Support staff exists to assist the line functions, which seek to achieve Departmental goals and objectives. Expert support staff work in reinforcement of line functions is necessary to achieve this.

- (e) **Organizational Communications.**
 - (1) Each member of the Department is responsible for maintaining open communications through the chain of command. Each member who supervises other members is responsible for seeing that his/her immediate subordinates also maintain open communications in the chain of command.
 - (2) Members are encouraged to openly communicate all suggestions and complaints to their superiors.

Sec. 1-4-2 Shift Changes.

POLICY:

Upon each change of shift, if practical, Officer(s) of the incoming on-duty shift shall review the recent and pertinent calls for service/incident reports in order to ensure good communications and follow through with recent and current Department involvements.

Title 1 ► Chapter 5

Legal Representation

- 1-5-1** Civil Actions Against Department Members
- 1-5-2** Legal Representation
- 1-5-3** Legal Advice

Sec. 1-5-1 Civil Actions Against Department Members.

POLICY:

Where the defendant in any civil action or special noncriminal proceeding is an employee of the Department and is proceeded against in an official capacity or as an individual because of acts committed while carrying out duties as an employee and that the employee was acting within the scope of employment, the judgment as to damages, attorney's fees and costs entered against the employee in excess of any insurance applicable shall be paid by the City of Stanley.

PROCEDURES:

- (a) Should any member of this Department receive notice naming him/her as the defendant in any civil action or special proceedings stemming from any act or omission on his/her part while functioning in his/her official capacity or arising out of their employment by the City, a written report, along with a copy of the civil summons, should be submitted to the Chief of Police within seventy-two (72) hours, advising him/her of the pending action and requesting legal counsel.
- (b) The notice of the action received by the employee must accompany the Chief's copy of the report. The notice, along with a report from the office of the Chief of Police, will then be forwarded to the City Attorney. Upon receipt, the City Attorney will issue a receipt for the notice acknowledging his/her receiving it. *It is very important that this procedure be implemented promptly upon receipt of the notice by the employee.*

Sec. 1-5-2 Legal Representation.

POLICY:

- (a) The Chief of Police will request the City Attorney to provide an attorney for an Officer's defense in civil actions or special proceedings resulting from acts or omissions of

employees acting within the scope of employment. If the City Attorney declines the request, the Police Chief will request special counsel be provided by the City of Stanley.

- (b) In the situation of criminal charges or proceedings resulting from acts, omissions or conduct of employees acting within the scope of employment, the City may reimburse the Department member upon a finding of not guilty or acquittal.

COMMENTARY:

Section 895.46, Wis. Stats., provides that failure by an Officer or employee to give notice to the Department head of action or special proceedings commenced against them as soon as reasonably possible shall be a bar to recovery by the Officer or employee from the state or political subdivision of reasonable attorney's fees. Expenses shall not be recovered if the state or political subdivision offers the Officer or employee legal counsel and such offer is refused by the dependent Officer or employee.

Wis. Stats. Sections 62.115, 895.35 and 895.46 set forth the obligations of the City to its employees.

Sec. 1-5-3 Legal Advice.

POLICY:

The Police Department shall have ready access to legal advice by the assumption of such responsibility by both the Offices of City Attorney and the District Attorney.

PROCEDURES:

(a) **City Attorney.**

- (1) The City Attorney is the general legal counsel for the City and as such may be consulted for questions or concerns regarding:
 - a. City ordinances.
 - b. State Statutes adopted by reference.
 - c. City operations and departments.
 - d. City liability issues.
- (2) The City Attorney represents the Department and its Officers as the prosecuting attorney for ordinance and state adopted statutory violations.

(b) **District Attorney.**

- (1) The District Attorney's office may be consulted for questions or concerns regarding:
 - a. Requesting State Attorney General's opinions.
 - b. State statutes not adopted by ordinance.

- c. Intake Court related matters.
 - d. Warrant (search or person) request.
- (2) The District Attorney's Office represents the Department and its Officers as the prosecuting attorney for statutory criminal offenses.

Title 1 ► Chapter 6

Budget; Purchases

- 1-6-1** Budget Management
- 1-6-2** Agency–Owned Property; Procurement
- 1-6-3** Purchases by Chief of Police

Sec. 1-6-1 Budget Management.

POLICY:

Budget development and control are an important part of the administrative process. Appropriations that are finally approved by the City are done through keen competition by all City of Stanley departments. Departments which justify their needs with factual evidence and comprehensive program outlines will most likely find that their requests are granted. The budget is an instrument which portrays work programs in terms of objectives to be accomplished by the Department in the coming year. Each program identifies the services to be rendered and the personnel and material necessary to accomplish the program goals. The daily Officer's report is a major control mechanism for determining the number of staff hours spent on each program. This in turn impacts budget management.

Sec. 1-6-2 Agency–Owned Property; Procurement.

POLICY:

(a) Introduction.

- (1) A well-structured property control system involves two (2) phases: (a) the identifying and recording of Department capital assets; and (b) the maintenance of the system as assets are added or replaced.
- (2) The system should identify each item of property, its costs and date of acquisition, and relevant maintenance and repair data.
- (3) It is the policy of the City of Stanley Police Department to establish that one (1) central function is responsible for procurement, distribution, issuance, and maintenance of Department-owned property.

(b) **Centralized Property Procurement.**

- (1) The Chief of Police shall assume the responsibility and accountability for the centralized procurement and control of all Department-owned property.
- (2) The Chief of Police or his/her designee shall maintain an inventory of all major Department-owned property to include, but not limited to:
 - a. Date of acquisition;
 - b. Purchase price;
 - c. State of readiness and condition;
 - d. Life expectancy;
 - e. Repairs;
 - f. Location; and
 - g. Maintenance.

- (c) **Accountability for Property.** The Chief of Police shall, through written directive, hold subordinate personnel accountable for Department-owned property assigned or under their control.

Sec. 1-6-3 Purchases by Chief of Police.

Without prior authorization from the Common Council, the Chief of Police is empowered to purchase materials, supplies, etc., provided the same is included in the Department's current year's budget. In addition, the Chief of Police is authorized to provide for gasoline, oils, normal minor repairs and maintenance to police equipment without previous authorization from the Common Council.

Title 1 ► Chapter 7

Awards and Commendations

1-7-1 Types of Awards and Commendations

Sec. 1-7-1 Types of Awards and Commendations.

POLICY:

- (a) **Official Acknowledgement.** A plaque or other suitable hardware or acknowledgement may be presented to a law enforcement officer, public safety civilian employee, or a citizen who performs an act or acts of outstanding bravery, gallantry, or courage while:
- (1) Protecting life or property;
 - (2) Enforcing laws;
 - (3) Preserving the public peace;
 - (4) Preventing criminal acts; or,
 - (5) Apprehending criminals; and who performs this act(s) without regard for personal safety or at great physical risk, and when such act(s) are above and beyond the ordinary call of duty and are performed without thought of reward or gain.
- (b) **Award for Distinguished Service.** A framed certificate or similar piece of hardware or acknowledgement may be presented to a law enforcement officer, public safety civilian employee, citizen, or an organization for acts which further the cause of law enforcement in the community as a result of exceptional accomplishments, diligence, devotion to duty or public service; or, for providing assistance in the apprehension of a criminal, extending oneself beyond one's own safety to provide prompt attention to aid people who are in danger, or in aiding the Police Department in the accomplishment of its mission, when the act is solely motivated by the desire to benefit the community without thought of personal gain or advantage.
- (c) **Letter of Commendation.** This award, in the form of a letter, may be issued upon recommendation of any supervisor in recognition of some noteworthy professional conduct or accomplishment by a Department member which advances or promotes the image of law enforcement. One (1) copy will be prepared and forwarded to the Chief of Police and a second copy will be filed in the Department's personnel records.

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- (d) **Letter of Appreciation.** This award, in the form of a letter, may be issued to a citizen or organization who unselfishly acts in a manner which aids the Police Department in the accomplishment of its mission or advances or promotes the image of law enforcement.

Title 1 ► Chapter 8

Racial Profiling

1-8-1 Racial Profiling

Sec. 1-8-1 Racial Profiling.

POLICY:

- (a) The City of Stanley Police Department recognizes enforcement decisions based on race or racial profiling alone as forms of discrimination that are both unethical and illegal. Therefore, it is the policy of the Department to prohibit any employee from using race or ethnicity as the basis for investigation or selective enforcement of any law, ordinance or rule. The City of Stanley Police Department does not condone nor will it tolerate race-based generalizations and acts, which include racial profiling, uttering of racial epithets, or making law enforcement decisions based on race.
- (b) Officers have a broad range of discretion when performing their official duties. Decisions to make traffic contacts, detain and investigate, and to take enforcement actions are among the most common examples. It is important for the Department to be fair and impartial in law enforcement. Specifically, the Department adopts the values of compassion, integrity and professionalism, and the goal of emphasizing service, courtesy, ethics, diversity, and cultural awareness. These values and this goal specifically contradict behavior and activities which would negatively generalize about people on the basis of gender, race or ethnicity.
- (c) Law enforcement decisions to stop, detain, question, further investigate, search, warn, or arrest an individual will be made solely on the basis of reasonable suspicion and probable cause irrespective of the gender, race, or ethnicity of the people involved.
- (d) Tactics used to determine gender, race, ethnicity, or other individual factors of a motorist or other vehicle occupants prior to obtaining reasonable suspicion or probable cause shall not be used.
- (e) Tactics to determine gender, race, or ethnicity shall only be used when such when such individuals factors are previously identified characteristics of a person whom Officers are lawfully attempting to locate.

DEFINITIONS:

- (a) **Racial Profiling.** Any law enforcement-initiated action which relies upon the race, ethnicity or national origin of an individual rather than the behavior of that individual or information that leads to a particular individual who has been identified as being engaged in or having been engaged in illegal or improper activity. Two (2) corollary principles flow from this definition:
 - (1) Racial or ethnic stereotypes may not be used as factors in selecting whom to stop and whom to search;
 - (2) Law enforcement officers may use race or ethnicity to determine whether a person matches a specific description of a particular suspect.
- (b) **Based Generalizations.** Broad, stereotypical conclusions about a person based on race or ethnicity.
- (c) **Racial Epithets.** Derogatory phrases and terms which are used to describe a person's race or ethnicity.

Note: These definitions are adapted from those used by the U.S. Department of Justice, Civil Rights Division, Special Litigation Section.

PROCEDURES:

The Department will take steps to preclude racial profiling by its employees. This following list of initiatives is not intended to be all-inclusive but rather highlights some measures:

- (a) **General Procedures.** All Department personnel shall avoid race-based generalizations and acts which contribute to negative personal and community relations. All Department personnel shall:
 - (1) Treat all persons contracted with the respect and dignity as one would wish to be treated if the situation were reversed.
 - (2) Take enforcement action based upon reasonable suspicion and probable cause.
 - (3) Refrain from using inappropriate phrases or terms.
 - (4) Report all infractions by co-workers to his/her supervisor.
- (b) **Policy Implementation and Review.** The Department will regularly review and implement relevant policies and procedures including those related to racial profiling, arrest, stops and frisks, motor vehicle searches and stops, and citizen complaints.

(c) **Supervision and Management.** Department supervisors will:

- (1) Remain alert and cognizant of indicators of racial profiling.
- (2) Monitor their personnel to ensure compliance with statutes, laws, policies and regulations related to law enforcement/citizen contacts.
- (3) Ensure that enforcement decisions are based on reasonable articulable facts related to behavior and exclude inappropriate factors related to the citizen's race or ethnicity.
- (4) Monitor personnel to ensure equal application of enforcement practices, and that discretionary decisions are not based on the race or ethnicity of any party involved.

Title 1 ► Chapter 9

Position Descriptions

- 1-9-1** Chief of Police — Position Description
- 1-9-2** Police Sergeant — Position Description
- 1-9-3** Police Patrol Officer — Position Description
- 1-9-4** Police-School Liaison Officer — Position Description
- 1-9-5** Administrative Support — Position Description

Sec. 1-9-1 Chief of Police — Position Description.

(a) **Position Summary.**

- (1) The position of Chief of Police involves organizational and administrative work in planning and directing the activities and services of the City of Stanley Police Department. The Chief of Police is responsible for the efficient operation of the Police Department in the maintenance of law and order. As such, the Chief of Police must have a thorough knowledge of criminal statutes and local ordinances.
- (2) As a professional, the Chief of Police has considerable independence and wide latitude in administering the Department and directing day-to-day operations. The Chief of Police also may serve as a general patrol officer during a portion of the time he/she is on duty. Law enforcement work involves an element of personal danger.

(b) **Reporting Relationships.** The Chief of Police reports to the Mayor and Common Council.

(c) **Description of Duties and Major Responsibilities.**

- (1) **General.** The Chief of Police shall:
 - a. Command the police force within the City, establishing Department objectives and planning operations, obeying all lawful written orders of the Mayor and Common Council, according to state law.
 - b. Provide for the enforcement of federal and state laws and county and municipal ordinances relating to crimes and traffic.

- c. Develop programs and procedures to prevent crime and to apprehend and prosecute offenders; preserves the public peace.
 - d. Organize, assign and exercise general supervision over the work of the Department.
- (2) **Administrative.** The Chief of Police shall:
- a. Prepare general orders to provide direction for operations; develop, administer and update Department rules, regulations, policies and procedures, train employees in their implementation; monitor internal affairs of the Department.
 - b. Review reports, assign Officers to follow up on various aspects of the reports, and guides the conduct or progress of cases or investigations.
 - c. Establish uniformity in operating procedures of the Department, including a system for response to calls for service.
- (3) **Personnel.** The Chief of Police shall:
- a. Participate in the recruitment, testing and selection of new recruits and the promotion of Department personnel; participate in employment negotiations, and administer provisions of applicable labor contracts.
 - b. Monitor performance of Department personnel and participate in employee counseling as necessary, make recommendations to the Common Council concerning discipline, demotions, suspensions and terminations.
 - c. Plan for general in-service training and specialized training.
- (4) **Finance and Records.** The Chief of Police shall:
- a. Prepare Department budget requests, maintain expenditures within the approved budget, prepare background materials and submit applications for federal or state grants.
 - b. Make purchases for the Department and prepare bids and invitations to purchase, as appropriate.
 - c. Direct the maintenance of a record system for recording complaints, arrests, traffic violations, convictions and dispositions, and ensure that Department personnel are using the system correctly; check completed reports before forwarding the same outside the Department; serve as custodian of all official police records and reports.
- (5) **Meetings.** The Chief of Police shall:
- a. Attend meetings of the Common Council, Council subcommittees, and other units of government as required.
 - b. Meet periodically with the City Attorney and District Attorney to review pending cases, and confer with those officials on recent court decisions or new laws, and how they will affect the City; meet and confer with other law enforcement agencies concerning mutual efforts, exchange of ideas and problem solving.
 - c. Meet individually with citizens and with crime victims and their relatives.

- (6) **Other Duties and Activities.** The Chief of Police shall:
- a. Oversee the preparation of a bi-monthly report of Department-related activities and matters for review by the Common Council; monitor expenditures under adopted budgets during the year.
 - b. Be responsible for all Department vehicles, equipment and other property, and their regular maintenance; provide for the demonstration and operational use of police equipment; establish procedures for ordering and maintaining materials and supplies.
 - c. Keep abreast of developments in the field of police science and police administration; attend workshops, schools and conferences relating to skills improvements of police chiefs; participate in some routine patrol activities and investigations.
 - d. Keep track of dog impoundment costs and statements from animal shelters used by the City.
 - e. Report to the Public Works Department traffic signs that need to be replaced, repaired or erected.
- (d) **External Relations.** The Chief of Police shall have the following responsibilities:
- (1) **General Public Relations.** Develop programs relating to areas of public concern and present such programs at public forums; inform the public of security measures to be used during emergencies.
 - (2) **Department Liaison Functions.** Serve as Police Department Liaison with schools, the media, community groups and the general public; attend meetings in schools and within the community to explain the activities and services of the Department; establish favorable community relations.
- (e) **Specific Position Specifications.** The following specifications are applicable for the position of Chief of Police:
- (1) **Job Knowledge, Training and Experience.** Must be able to learn and apply principles and practices of police organization, administration and operations. Know and practice techniques and methods as applied to police field patrol, crime prevention, criminal investigation, traffic patrol and safety, and other services or activities utilized in police operations. Must be familiar with rules of procedures and evidence, guidelines for the protection of criminal suspects, federal and state laws, county and municipal ordinances, rules and regulations of the Police Department, police training practices and procedures, personnel practices and procedures, and labor-management relations. Must have extensive responsible experience in a variety of police activities and services, with a high school diploma or its equivalent, certification as a police

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officer from the Wisconsin Training and Standards Board, or possess any equivalent combination of experience and training that provides the required knowledge and abilities.

- (2) **Abilities and Skills.** Must be able to provide leadership to the Department, and set by example high standards of conduct, integrity and honesty. Command respect of other police personnel. Exercise good judgment, tact and discretion. Prepare clear, accurate and comprehensive reports. Be able to maintain, analyze and utilize records and reports to improve the operation and efficiency of the Department. Establish and maintain effective relationships with the Mayor, Common Council, its subcommittees, municipal employees, civic leaders, businesses and the general public. Communicate effectively, both orally and through written reports.

Sec. 1-9-2 Police Sergeant — Position Description.

(a) Position Summary.

- (1) The Police Sergeant shall report directly to the Chief of Police and will substantially assist the Chief of Police to effectively and efficiently maintain law and order. As such, the Police Sergeant must have a thorough knowledge of criminal statutes and City ordinances.
- (2) The Police Sergeant also serves as a general patrol officer during a portion of time when on duty. The Police Sergeant shall cause the general day-to-day operations of the Department to function effectively and efficiently. He/she will see that general patrol officers operate effectively and in accordance with Department job descriptions, policies, procedures, rules and regulations, and various directives. The Police Sergeant will exercise supervisory control over all sworn and non-sworn Department personnel. The Police Sergeant will act on behalf of the Chief of Police, in the Chief's absence, and may appear at public functions and before the media as an official spokesperson for the Police Department.
- (3) The Police Sergeant will share on-call status with other Department supervisors and will be required, as necessary and prudent, to work various schedules.

(b) **Reporting Relationships.** The Police Sergeant reports directly to the Chief of Police.

(c) Description of Duties and Major Responsibilities.

- (1) **General.** The Police Sergeant shall:
 - a. Coordinate with the Chief of Police to ensure consistency and purpose in the delivery of police services to the community.

- b. Advise and assist in criminal investigations.
 - c. Assist the Chief of Police by recommending, developing, and, on the approval of the Chief of Police, implementing policy, directions and rules and regulations.
 - d. Assist with training and scheduling of training/in-service.
 - e. Develop work schedules.
 - f. Assist the Chief of Police in annual budget preparation and the subsequent utilization of the approved budget.
 - g. Assist the Chief of Police in analyzing equipment needs and purchasing procedures.
 - h. Perform other such duties as assigned by the Chief of Police.
- (2) **Personnel.** The Police Sergeant shall:
- a. Participate in the recruitment, testing and selection of new recruits.
- (3) **Essential Knowledge, Skills and Abilities.** The Police Sergeant shall have:
- a. Broad exposure to the general categories of police management.
 - b. Up to date knowledge of police operations and investigative functions, techniques, constitutional and statutory restrictions.
 - c. The ability to meet with persons within and outside of the Department to mediate and solve problems.
 - d. An ability to maintain an effective working relationship with others.
 - e. Excellent written and oral communications are essential.
- (d) **Job Knowledge, Training and Experience.** The Police Sergeant shall:
- (1) Possess a high school diploma or equivalent.
 - (2) Be a State of Wisconsin certified police officer.
 - (3) Have a minimum of sixty (60) months of consecutive full-time employment as a certified Wisconsin police officer.
 - (4) Possess a valid Wisconsin driver's license.

Sec. 1-9-3 Police Patrol Officer — Position Description.

- (a) **Position Summary.** Under the general direction of the Chief of Police, or his/her designee, performs a wide variety of tasks. A Police Patrol Officer assigned duties are to maintain public safety through enforcement of state laws and City ordinances. The Police Patrol Officer is a sworn law enforcement position with the City of Stanley Police Department. The Police Patrol Officer works under the immediate supervision of the Chief of Police. This position requires significant involvement in general lawn enforcement work including the protection of life and property, crime prevention, apprehension of criminals,

and the general enforcement of laws and ordinances. The Police Patrol Officer will be subject to rotating shifts, including night, weekend and holiday work; and various assignments, including mobile patrol, foot patrol or plain clothes assignments. Police Patrol Officers are subject to call-out. Exposure to danger is possible, and carrying a firearm is required.

(b) **Reporting Relationships.** A Police Patrol Officer reports to the Chief of Police and/or Sergeant.

(c) **Essential Position Functions; Description of Duties and Major Responsibilities.**

(1) **General.** A Police Patrol Officer shall have the following responsibilities:

- a. Support the Constitution of the United States, the Constitution of the State of Wisconsin, and City and other local ordinances; take appropriate action on all matters requiring police attention, whether in response to a specific assignment, by personal observation while patrolling the City of Stanley or performing the tasks associated with general assignments.
- b. Patrol the City of Stanley enforcing all pertinent local, state and federal laws.
- c. Patrol on foot as dictated by necessity.
- d. Ability to effect an arrest (forcibly if necessary) using handcuffs and other restraints, ability to subdue resisting suspects by using trained maneuvers, hands, feet and other approved force options. Have a full range of movement, physical strength, endurance, fitness, and condition to apprehend and control an individual and protect oneself and others.
- e. Prepare investigative and other reports, including sketches, using appropriate grammar.
- f. Exercise independent judgment in determining reasonable suspicion for further investigation, probable cause for arrest and proper use of force.
- g. Operate a law enforcement vehicle, during both daytime and nighttime, in emergency situations involving speeds in excess of posted limits, in congested traffic, and in unsafe road conditions by factors such as fog, smoke, rain, ice and snow.
- h. Pursue fleeing suspects and perform rescue operations which may involve quick entry and exit of law enforcement patrol vehicles.
- i. Ability to load, unload, aim and fire handguns, shotguns and other Department firearms, from a variety of body positions, under conditions of stress that justify the use of deadly force and at levels of proficiency described by certification standards.
- j. Perform searches of people, vehicles, buildings, and large outdoor areas which may involve feeling and detecting objects, walking for long periods of time,

- containing people and stopping suspicious vehicles and persons, and conduct a frisk and pat down of a person.
- k. Perform rescue functions at accidents, emergencies and disasters, but not limited to include directing traffic for long periods of time, administering emergency medical aid, lifting, dragging and carrying people away from dangerous situations and securing and evacuating people from areas.
 - l. Gather information in criminal investigations by interviewing and obtaining statements of victims, witnesses, suspects, and confidential informants.
 - m. Conduct visual and audio surveillance for extended periods of time.
 - n. Engage in law enforcement patrol functions that include such things as working rotating shifts, walking of foot patrol, and physically checking the doors and windows of buildings to ensure they are secure and to observe any criminal activity.
 - o. Ability to recall from memory details of persons and things. Demonstrate communication skills in court and other formal settings.
 - p. Maintain a professional demeanor when confronted with hostile views and opinions, verbal abuse and during antagonistic environments.
 - q. Detect and collect evidence and substances that provide the basis of criminal offenses and infractions that indicate the presence of dangerous conditions.
 - r. Process and transportation of prisoners and mental/detoxification patients using handcuffs and other appropriate restraints.
 - s. Extinguish small fires by using a fire extinguisher and other appropriate means.
 - t. Ability to process arrested suspects to include taking their photographs and obtaining a classifiable set of inked fingerprint impressions.
 - u. Ability to maintain a working knowledge and proficiency in all Department equipment including firearms, ammunition, police vehicles, communication equipment, batons, TASER and other less than lethal weapons, uniform issued flashlights, preliminary breath testing devices, armored vest, camera equipment, radar, evidence collection and preservation equipment, first aid equipment, fire extinguishers, drug testing equipment, vehicle opening tools, and basic functions of the Department's computer system.
 - v. Ability to follow orders, work and cooperate with others, including fellow law enforcement Officers and employees of the Police Department, governmental agencies, other law enforcement agencies, and the general public.
 - w. Ability to deal with individuals and groups with understanding, tact, compassion, sensitivity and courtesy.
 - x. Ability to acquire and retain for use a wide range of law enforcement techniques and procedures, investigative methods, evidence, development and preservation, court preparation and investigation, traffic and crowd control methods, and patrol procedures.

- y. Inspect taverns and other licensed premises.
- z. Investigate accidents and other crimes, prepare reports and do other necessary paperwork.
- aa. Investigate citizen complaints including those dealing with suspected criminal activity, stray animals and domestic disturbances.
- bb. Assist in prosecutions by preparing and testifying in court; maintain and assist in presenting evidence pursuant to Department policies.
- cc. Handle animal complaints; examine dog licenses when necessary.
- dd. Guard prisoners in transit and assist jailers in searching and booking prisoners; remain with the prisoner until the jailer releases the officer.
- ee. Assist other law enforcement agencies, along with fire and ambulance departments; assist any other governmental agency when requested.
- ff. Provide first aid and other assistance, including calling tow trucks and ambulances for accident victims and occupants of stranded/disabled vehicles.
- gg. Conduct follow-up investigations.
- hh. Patrol City parks, maintain security at parks and recreation areas; secure restroom facilities as needed.
- ii. Inspect and maintain all equipment owned by the City under the Department's jurisdiction, replacing supplies as needed; each Officer shall maintain an inventory of equipment owned by the City and equipment supplied by the Officer.
- jj. Respond to complaints and document all such complaints, responses, etc.
- kk. Promote good community relations between the Department and the general public.
- ll. Operate an Intoximeter (or similar testing equipment) as assigned.
- mm. Direct and escort traffic as necessary.
- nn. Investigate break-ins, trespass and prowler complaints, and tavern disturbances; take necessary action.
- oo. Keep abreast of current development through reading and attendance at continuing education training sessions.
- pp. Comply with policies and procedures of the Department.
- qq. Enforce laws, statutes, ordinances and administrative orders in accordance with Department policies, procedures and mission statement.
- rr. Issue warnings and citations as necessary to gain an acceptable level of voluntary compliance on the part of the public, and to maintain a safe and orderly social environment.
- ss. Practice a proactive policing posture which includes action or referral to appropriate agencies regarding circumstances conducive to criminal behavior or otherwise hazardous situations.

- tt. Possess and maintain a working knowledge and proficiency in all Department report forms, books and materials necessary for the proper recordkeeping processes of the Department, and adequately complete them as required.
- uu. Possess a working knowledge and proficiency of municipal boundaries, streets, businesses, residential areas, and parks.
- vv. Respond to, investigate, properly report on, and follow through with all authorized calls for service.
- ww. Ability to perform the many and various duties or assignments that are appropriate and reasonable for the Department in order to deliver service and protection to the community.
- xx. Serve as a community resource for residents and direct them to appropriate agencies and organizations which work with community problems.
- yy. Perform other duties as assigned by the Chief of Police or supervisor.

(**Note:** The above general requirements are intended to describe the general nature of work being performed by a Police Officer with this Department. These position responsibilities are not intended to be construed as either a limited or exhaustive list of all responsibilities of personnel so classified. Law enforcement work inherently involves dealing with diverse situations. An Officer with this Department shall be required to perform any other duties assigned.)

- (d) **External Relations.** Officers with the Department shall have the following external relations responsibilities:
 - (1) **General Public.** Maintain good relations in all contacts with the general public.
 - (2) **Other Agencies.** Maintain good working relations with the Office of District Attorney, County Sheriff's Department, and other law enforcement and public safety agencies.

- (e) **Required Position Skills.** A Police Patrol Officer shall possess the following skills and abilities:
 - (1) Ability to speak and communicate clearly when operating telephone and communications equipment, as well as personal interaction with persons.
 - (2) Ability to hear, comprehend, and understand radio, telephone and in person verbal communication. Fluency in the English language is required.
 - (3) Ability to communicate clearly in writing to include proper spelling, grammar and punctuation in the English language.
 - (4) Ability to make quick decisions and process information based on limited information when situations demand that an immediate decision be made.

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- (5) Ability to qualify for, obtain and retain a valid Wisconsin driver's license.
- (6) Ability to remain seated in a vehicle for extended periods of time.
- (7) The ability to move, pull or drag a person to safety if the person is in eminent danger.
- (8) The ability to bend, climb over, pull oneself over obstacles, run limited distances, jump down from elevated surfaces, climb through openings, jump over obstacles, ditches and streams, crawl in confined areas, balance on uneven or narrow surfaces, and use body force to gain entrance through barriers.
- (9) Ability to follow instructions furnished in oral and written forms and to apply these standards to a variety of situations.
- (10) Read and comprehend legal and non-legal documents, including the preparation and processing of such documents as citations, affidavits and warrants.
- (11) Ability to comply with all training requirements of the Department and in the State of Wisconsin.
- (12) Acceptable general intelligence and emotional stability to perform police patrol functions.

Sec. 1-9-4 Police-School Liaison Officer — Position Description.

(a) Position Summary; Position Philosophy.

- (1) Within our society, the school holds a central place among agencies that affect the ideas and activities of children. Beyond the family, schools are the first institution that have the opportunity to perceive and analyze the problems of children. It is logical, therefore, that if outward symptoms of anti-social behavior, such as delinquency, are discernible at the school level, then it is appropriate to implement a program aimed primarily at prevention of this behavior through education, communication, and understanding between the school/youth/law enforcement and the community — a Police-School Liaison Officer Program.
- (2) The concept of the Police-School Liaison Officer Program may be defined within several areas. The Police-School Liaison Officer is intended to serve as a counselor, referral agent and educational aide, in addition to serving as a law enforcement officer (who by definition has an obligation to serve, protect and uphold the law):
 - a. In the performance of the first role, it is intended that the Liaison Officer should fulfill an important task as a resident friend, counselor and listener to youth with personal problems which they could discuss with the Officer. This role is not a replacement for regular guidance counselors in a school, but rather is a complimentary relationship; the Liaison Officer should work in close cooperation with school counselors.
 - b. The second role is that of referral agent. The Liaison Officer should be closely acquainted with what help and resources are available on the local level for

students and their families. A major part of the Liaison Officer's helping function shall be to get people in contact with assistance agencies that can aid them in matters which are beyond the Police-School Liaison's role or resources to solve. Frequently, this can involve a shared client relationship with the school counselor.

- c. In the third role, the Police-School Liaison Officer may serve an educational function by assisting in providing courses of study designed to acquaint students with the law, how our society's system of law operates on the local/state level, and how it touches their lives.
 - d. The fourth role is that of law enforcement officer. In this role, the Liaison Officer would ensure the safety of students, staff and visitors in the schools and would uphold the law.
- (3) An important aspect of the Police-School Liaison Program is that youth view Liaison Officer as a positive, helping individual who serves as a resource person.
 - (4) Under the general direction of the Chief of Police, the Police-School Liaison Officer engages in crime prevention, detention and investigation activities, and, under the general direction of each school principal, serves as a liaison to the Police Department and resource person for school staff, students and parents on law enforcement matters.

(b) **Reporting Relationships.** The Police-School Liaison Officer:

- (1) Reports to the Chief of Police, Sergeant, or their designees, and to the school principal of each school served or to their designees.
- (2) Will maintain professional working relationships and have contact with other Police Department employees, school staff, school district employees, students, parents, and community groups and the general public.

(c) **Description of Responsibilities and Major Duties.** The general duties of the Police-School Liaison Officer are divided into the following general categories:

- (1) **Prevention/Education.** The Police-School Liaison Officer shall:
 - a. Engage in preventive patrol within schools and on school property.
 - b. Alert the Police Department regarding potential problems within the schools and/or community before they occur.
 - c. Provide in-service training for Police Department employees regarding youth and their problems and concerns.
 - d. Participate in law enforcement training and maintain required State of Wisconsin certification for police officers.
 - e. Meet with school administration, staff and students in an effort to reduce crime and help in responding to specific law enforcement concerns.

- f. Provide educational classroom presentations regarding the law, juvenile justice system, law enforcement, courts and student rights/responsibilities under state law and local ordinances.
 - g. Attend and provide assistance at selected school functions, athletic events, dances, concerts, etc.
 - h. Make presentations to school staff and parent groups on law enforcement-related subjects.
 - i. Serve as a contact person for school staff regarding questions or concerns about the law.
 - j. Serve as a contact person for students who have questions or concerns regarding the law as it affects them.
 - k. Attend school faculty meetings as required.
 - l. Alert school administration to potential problems within the school before they occur.
 - m. Work as a liaison to residents and businesses neighboring schools regarding their concerns or problems related to the schools and/or their students.
- (2) **Resource/Referral.** The Police-School Liaison Officer shall:
- a. Work with school counselors, psychologists, and social workers in making appropriate referrals to community agencies.
 - b. Facilitate organization of school events that require approval by local authorities as required by City ordinances.
 - c. Testify in court proceedings.
- (3) **Enforcement.** The Police-School Liaison Officer shall:
- a. Respond to and investigate incidents of crime, disorder and traffic offenses on or adjacent to school property.
 - b. Conduct follow-up investigations which involve students as victims or suspected offenders.
 - c. Enforce state statutes and City ordinances.
 - d. Conduct lawful search of persons and property, confiscate and secure evidence and contraband in compliance with the law and Department policy.
 - e. Make arrests and take offenders into custody in compliance with the law and Department policy.
 - f. Interview victims, witnesses and suspects in crime and disorder investigations.
 - g. Complete reports as required.
 - h. Alert Police Department officials to potential problems within the community before they occur.
 - i. Assist other investigative units or agencies when appropriate.
- (d) **Position Requirements.** The Police-School Liaison Officer shall:
- (1) Be a sworn officer with the City of Stanley Police Department.

- (2) Have certification from the State of Wisconsin as a law enforcement officer.
 - (3) Possess an ability to communicate effectively in verbal and written forms.
 - (4) Have the ability to effectively represent the Police Department and the school's concerns to the general public.
 - (5) Be able to work with students, and particularly teenagers, in a positive manner.
 - (6) Demonstrate sensitivity and respect for the educational environment.
- (e) **Intergovernmental Agreement.** In addition to the provisions of this position description, the Police-School Liaison Officer and his/her work and responsibilities shall also be subject to the conditions and requirements contained in the Police Liaison Intergovernmental Agreement between the school district and the City of Stanley Police Department.
- (f) **Hours of Work.**
- (1) Regular ("normal") workdays shall be as described in the pertinent labor contract.
 - (2) The Officer selected as the Police-School Liaison Officer will be assigned to the school district during the school year and to the Department's Patrol Division during the spring, winter and summer school breaks. Shift hours will be scheduled as necessary to meet the needs of the school district and Police Department, and may include some evening, night and weekend shifts.

Sec. 1-9-5 Administrative Support — Position Description.

- (a) **Position Summary.** An Administrative Support Person will facilitate the administrative and clerical duties of the City of Stanley Police Department as prescribed in this position description and as directed by the Chief of Police and his/her designees.
- (b) **Reporting Relationships.** Administrative Support Persons report directly to the Chief of Police.
- (c) **Description of Duties and Major Responsibilities.** Though not to be construed as exclusive, the following responsibilities and duties are normal for this position:
- (1) **Computer Duties.** The Administrative Support Person shall:
 - a. Be proficient in computer use, particularly word processing.
 - b. Assist officers and other Department employees in using computer-generated record keeping systems.
 - (2) **Office Procedures.** The Administrative Support Person shall:
 - a. Process complaints.
 - b. Assist in the preparation of cases for prosecution and citations for court.

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- c. Track and process parking citations.
 - d. Compile information and complete reports as required or requested.
 - e. Transcribe and/or prepare incident reports and correspondence.
 - f. Maintain records.
 - g. Provide information regarding Department services.
 - h. Direct inquiries to proper departments/persons.
 - i. Record and transcribe office meeting minutes.
 - j. Stock the supply cupboard.
 - k. Provide notary public services.
- (3) **General Procedures.** The Administrative Support Person shall:
- a. Maintain productive communications between citizens, the Common Council and City employees, local, state and federal law enforcement agencies, District Attorney's office, health and human services agencies, law enforcement officers, the City Attorney, etc.
 - b. Attend continuing education seminars and meetings as suggested and/or authorized by the Chief of Police and his/her designees.
 - c. Facilitate public relations and educational efforts of the Department.

Title 1 ► Chapter 10

Americans With Disabilities Act Policies

1-10-1 Complaints or Inquiries by Disabled Persons

1-10-2 Public Meeting Notice ADA Information

Sec. 1-10-1 Complaints or Inquiries by Disabled Citizens.

PROCEDURES:

In all cases of requests, comments or complaints by disabled citizens regarding matters relating to their special use of City facilities or services (including facilities administered by the Police Department), elected officials, appointed department heads, and employees of the City of Stanley should prepare a written memo with the date of the contact, the name, address and telephone number of the person making the contact, a brief description of the nature of the request, comment or complaint, and the resolution of the contact if it was handled through their office or department.

Sec. 1-10-2 Public Meeting Notice ADA Information.

POLICY:

- (a) When the Department is hosting a meeting covered by the Open Meeting Law of Wisconsin, it should state on all open meeting notices that sign language interpreters are available upon request and at no charge for deaf persons wishing to attend such meetings.
- (b) Such requests must be made to the authority holding the meeting at least three (3) days before the meeting. Requests may be made to the authority or department holding the meeting in writing or by voice telephone.

Title 1 ► Chapter 11

Mutual Aid

- 1-11-1** Mutual Aid
- 1-11-2** Assisting Law Enforcement Agencies
- 1-11-3** Fresh Pursuit Enforcement Actions
Outside Jurisdictional Boundaries

Sec. 1-11-1 Mutual Aid.

POLICY:

As prescribed by Sec. 66.0313(2), Wis. Stats.: "Upon the request of any law enforcement agency, including county law enforcement agencies as provided in Sec. 59.28(2), Wis. Stats., the law enforcement personnel of any other law enforcement agency may assist the requesting agency within the latter's jurisdiction, notwithstanding any other jurisdictional provision. For purposes of Secs. 895.35 and 895.46, Wis. Stats., law enforcement personnel, while acting in response to a request for assistance, shall be deemed employees of the requesting agency." Officers temporarily transferred will have all the rights, privileges, and authority of an Officer employed by the City of Stanley Police Department for the duration of the transfer.

PROCEDURES:

- (a) **Responsibilities of the Chief of Police.** Non-emergency requests for mutual aid to the City of Stanley Police Department shall be directed to the Chief of Police or designee. The Chief of Police or designee will evaluate the request and decide what resources, if any, will be required and requested. The Chief of Police will develop and maintain liasons with other agencies in order to enhance the Department's ability to cooperatively and effectively respond to any field situation or emergency. Interagency agreements may be executed by the Chief of Police. Particular circumstances of cooperation may involve criminal investigations in overlapping or multiple jurisdictions or other events.
- (b) **Considerations With Mutual Aid Requests.**
 - (1) Requests for temporary assistance will be made by the head law enforcement official of the requesting agency. The request will include, when feasible, a description of the

situation creating the need for assistance, the number of officers requested, the location to which they are to be dispatched, and the officer-in-charge at that location. The request and the accompanying information may be transmitted by radio, computer, telephone, or other means.

- (2) The Department will lend or borrow personnel as necessary during emergencies. To the extent possible, the integrity of working units will be maintained and instructions to outside units will be relayed from a Department supervisor to a supervisor of the cooperating agency. Replies to requests for assistance will be made by the chief of police or officer-in-charge of the responding agency. If the request is granted, the requesting law enforcement agency will be informed of the number of Officers to be transferred and their identities. Requests for local resources may be handled through the Communications Center.
- (3) Municipal, county, state and federal law enforcement agencies shall maintain concurrent jurisdiction within the Department when conducting investigations and taking enforcement action, as guaranteed by state and federal law.
- (4) Department Officers assigned to respond to another agency's request for mutual aid should report to the requesting agency staging area, if established, and make contact with the incident commander. If no staging area is established, the Officer(s) will report to the officer-in-charge of the requesting agency at the designated location and will be subject to the lawful orders and commands of that officer. Where such physical site reporting is not feasible, the Officer(s) may report to the officer-in-charge by radio, telephone, or other method of communication.
- (5) Radio communications between the requesting agency's officers and transferred officers will be maintained by use of a mutually shared radio channel or, if necessary, by use of the state regional repeater channel.
- (6) When taking law enforcement action at the scene of the mutual aid emergency, including the use of force, Officers shall adhere to the policies and procedures of the City of Stanley Police Department and utilize only those weapons and tactics consistent with those policies and procedures and qualified training.
- (7) Department Officers responding to mutual aid requests shall regularly inform the officer-in-charge of the requesting agency of the continued status of the incident, officer injuries, and the need for relief. Officers shall conclude their assisting role when:
 - a. Designated to do so by the incident commander.
 - b. Relieved by another officer under the direction of the incident commander.
 - c. Recalled to the City of Stanley by the Chief of Police or supervisor. When an Officer is recalled to the City of Stanley, the Officer shall notify the incident commander prior to leaving the scene.
- (8) In the event that there is an emergency or imminent threat to life or property occurring in the City of Stanley and the resources immediately available at the time of the incident are not adequate, the on-scene incident commander shall be responsible

- for requesting or directing contact with specific law enforcement agencies for assistance. Certain situations may require the assistance of a federal or state agency.
- (9) An incident exceeding the capability of the initial on-scene or on-duty personnel and equipment, requiring resources from multiple response agencies may require either full or partial activation of any appropriate City response plan.
- (c) **Requesting Federal Law Enforcement or National Guard Assistance.** The following procedures shall govern Department situations when requesting federal law enforcement or National Guard assistance:
- (1) There are times when it is necessary to request assistance from a federal law enforcement agency. The determination to request federal law enforcement assistance will be made by the Chief of Police.
 - (2) In an extreme emergency, the Chief of Police may contact Wisconsin Emergency Management and request the services of the National Guard. In response, the Wisconsin Emergency Management Director is required to seek approval from the Governor for final authorization.

Sec. 1-11-2 Assisting Law Enforcement Agencies.

POLICY:

The purpose of this policy is to set guidelines as to when an Officer can and will assist other law enforcement agencies.

PROCEDURES:

- (a) Employees of the City of Stanley Police Department are urged to assist other law enforcement agencies when the need arises. However, the following guidelines shall be followed when offering assistance to other agencies. This Department normally provides mutual aid when:
- (1) Any law enforcement officer is requesting immediate assistance due to a life threatening situation.
 - (2) An agency requests the Department's assistance for an emergency call, i.e., serious accident, fires, medical emergencies. (Officers shall only remain until such time as other assistance arrives or the call comes under the control of the Officer in charge.)
- (b) An Officer of this Department shall respond only after first having received the request for assistance, and it is logged as a mutual aid request with the Communications Center.

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- (c) A report of the incident must be made giving details of the call and from whom the request was made.
- (d) If a Department employee is ordered to assist by the County Sheriff or his/her designee, the employee shall comply with the request.
- (e) As with any policy, discretion should be used in considering calls for assistance. The Department employee will be expected to justify his/her actions.

Sec. 1-11-3 Fresh Pursuit Enforcement Actions Outside Jurisdictional Boundaries.

DEFINITIONS:

In this policy, the following definitions shall be applicable:

- (a) **Highway.** Has the meaning specified in Sec. 340.02(22) Wis. Stats.
- (b) **Intersection.** Has the meaning specified in Sec. 340.01(25), Wis. Stats.
- (c) **Law Enforcement Officer.** Has the meaning specified in Sec. 165.85(2)(c), Wis. Stats.
- (d) **Peace Officer.** Has the meaning specified in Sec. 939.22(22), Wis. Stats., but also includes any tribal law enforcement officer who is empowered to act under Sec. 165.92(2)(a), Wis. Stats.

POLICY:

- (a) **Purpose.** The purpose of this policy is to establish guidelines for Officers when in fresh pursuit, enforcing any law or ordinance when on a jurisdictional boundary; and when outside of the municipality's territorial jurisdiction, responding to an emergency situation that poses a significant threat to life or of bodily harm, or acts that an Officer believes, on reasonable grounds, constitute a felony.
- (b) **Practices.**
 - (1) For purposes of civil and criminal liability, any peace officer may, when in fresh pursuit, follow anywhere in the State of Wisconsin and arrest any person for the violation of any law or ordinance the Officer is authorized to enforce. To determine

whether an Officer acts in "fresh pursuit", there are three (3) criteria that are considered:

- a. Whether the Officer acted without unnecessary delay;
 - b. That the pursuit is continuous; and
 - c. That the time periods were reasonable.
- (2) For purposes of civil and criminal liability, any peace officer outside their territorial jurisdiction acting under Sec. 175.40(2), Wis. Stats., is considered to be acting in an official capacity while in fresh pursuit under Sec. 175.40(2), Wis. Stats., making an arrest under Sec. 175.40(2), Wis. Stats., or transporting a person under Sec. 175.40(2), Wis. Stats.
- (3) A peace officer whose boundary is a highway may enforce any law or ordinance that he/she is authorized to enforce by arrest or issuance of a citation on the entire width of such highway and on the intersection of such highway and a highway located in an adjacent jurisdiction. Section 175.40(4), Wis. Stats., does not extend an officer's jurisdiction outside the boundaries of this state.
- (4) A peace officer outside of his/her jurisdiction may arrest a person or provide aid or assistance anywhere in the State of Wisconsin if the following criteria are met:
- a. The Officer is on duty and on official business.
 - b. The Officer is taking an action that he/she would be authorized to take under the same circumstances in his/her own jurisdiction.
 - c. The Officer is acting to respond to any of the following:
 1. An emergency situation that poses a significant threat to life or of bodily harm.
 2. Acts that the Officer believes, on reasonable grounds, constitute a felony.

(c) **Authority.**

- (1) Peace officers for the City of Stanley have the additional arrest and other authority specified in Sec. 175.40(6)(a), Wis. Stats., by adopting this policy issued by the Chief of Police and the Officer complies with this policy.
- (2) For the purposes of civil and criminal liability, any peace officer outside of his/her territorial jurisdiction acting under Subsection (b) herein is considered to be acting in an official capacity.

(d) **Notification of Territorial Jurisdictional Law Enforcement Agency.**

- (1) As soon as possible, any peace officer for the City of Stanley, when acting outside of his/her jurisdiction for any reason dealing under this policy, shall notify the law enforcement agency responsible to that jurisdiction of the situation, keeping in mind the best interest of those involved.

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- (2) Upon being relieved or released by a member of the agency having jurisdiction, the Officer shall return to the City of Stanley and resume normal duties. The Officer shall submit a written report concerning the incident to the Chief of Police. This Subsection is intended to meet the requirements of Sec. 175.40(6)(d), Wis. Stats.

Cross-Reference: Title 1, Ch. 12, Extraterritorial Jurisdiction; Title 1, Ch. 11, Mutual Aid; Section 2-1-31, Leaving City Limits.

Title 1 ► Chapter 12

Extraterritorial Jurisdiction

1-12-1	Definitions; Applicability
1-12-2	Assisting Law Enforcement Agencies
1-12-3	Fresh Pursuit Enforcement Actions
1-12-4	Expander of Jurisdiction; Off-Duty Authority
1-12-5	Close Pursuit

Sec. 1-12-1 Definitions; Applicability.

The following definitions shall be applicable to this Chapter:

- (a) **Emergency.** Unless otherwise defined by statute, an emergency is any situation in which property or human life is in jeopardy and the assistance of law enforcement is necessary.
- (b) **Highway.** Has the meaning specified in Sec. 340.01(22), Wis. Stats.
- (c) **Intersection.** Has the meaning specified in Sec. 340.01(25), Wis. Stats.
- (d) **Law Enforcement Agency.** Has the meaning specified in Sec. 165.83(1)(b), Wis. Stats.
- (e) **Law Enforcement Officer.** Has the meaning specified in Sec. 165.85(2)(c), Wis. Stats.
- (f) **Mutual Assistance.** Has the meaning specified in Sec. 66.0313, Wis. Stats.
- (g) **Officer.** The term "officer" as used herein means peace officer and/or law enforcement officer, as may be appropriate.
- (h) **Peace Officer.** Has the meaning specified in Sec. 939.22(2), Wis. Stats.

POLICY:

This policy is subject to the procedures included in any written agreements with other agencies pertaining to mutual aid, in accordance with Sec. 66.0313, Wis. Stats.; to the extent that

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provisions in this policy contradicts those written agreements, the provisions of those agreements control.

Sec. 1-12-2 Assisting Law Enforcement Agencies.

POLICY:

The purpose of this policy is to set guidelines as to when an Officer can and will assist other law enforcement agencies. Officers of this Department may assist other law enforcement agencies pursuant to these guidelines.

PROCEDURES:

- (a) The City of Stanley Police Department may provide assistance to other agencies when:
 - (1) Any law enforcement officer is requesting immediate assistance for situations involving the threat of human life or serious bodily harm.
 - (2) A law enforcement agency requests this Department's assistance for any emergency call. Officers shall continue rendering such assistance until such time as the officer is released by the agency requesting assistance, or a ranking officer of this Department.
- (b) A full report of the incident generating the request for assistance must be made; this report will include, in addition to other information, details of the call, and by whom the request was made. In the absence of extraordinary circumstances, this report should be completed as soon as practical.
- (c)
 - (1) If the Sheriff or his/her designee of this or any county, orders an Officer to provide assistance, the Officer shall comply with the request, and shall continue to provide assistance until relieved.
 - (2) Nothing in this Subsection shall be construed to limit the supervisory authority of the Chief of Police, or his/her designee, of this Department.
- (d) As with any policy, discretion should be used in considering calls for assistance. Officers will be expected to justify their actions.

Sec. 1-12-3 Fresh Pursuit Enforcement Actions.

POLICY:

- (a) Where this Section conflicts with this Department's policy on high speed pursuits, the Department's high-speed pursuit policy shall control. This policy is implemented pursuant to Sec. 175.40, Wis. Stats.

- (b) These guidelines apply to the following circumstances:
- (1) When in fresh pursuit;
 - (2) Enforcing any law or ordinance when on a jurisdictional boundary;
 - (3) When outside of the municipality's territorial jurisdiction, while responding to an emergency situation that poses a significant threat to life or of bodily harm, or acts that an Officer believes, on reasonable grounds, constitute a felony.

Cross-Reference: Title 5, Chapter 3, High Speed Pursuit; Section 1-11-2, Fresh Pursuit Enforcement Actions Outside Jurisdictional Boundaries

PROCEDURES:

(a) **Fresh Pursuit.**

- (1) An Officer may, when in fresh pursuit, follow anywhere in the State of Wisconsin and arrest any person for the violation of any law or ordinance is authorized to enforce.
- (2) The following criteria are used to determine when an Officer is in fresh pursuit.
 - a. The Officer must have acted without unnecessary delay when deciding whether or not to begin a pursuit:
 1. Generally, a decision to pursue must be made contemporaneously with the point at which reasonable suspicion to conduct a stop has been developed. There is no "bright line rule"; however, the more time that elapses between the point at which reasonable suspicion develops to pursue the vehicle/suspect and the actual beginning of the pursuit, the more likely it will be considered "unnecessary delay".
 2. Example of unnecessary delay: While finishing reports and running radar at a jurisdictional border, the officer "clocks" a vehicle at 55 mph in a 35 mph zone. The Officer watches the vehicle as it goes by and heads for the City limits. The vehicle is a bright purple Porsche. The Officer decides to finish the last two sentences in his/her report (a matter unrelated to the Porsche), after which the Officer will begin looking for the very noticeable Porsche, which the Officer now believes is in another jurisdiction. This will likely be considered "unnecessary delay" for purposes of "fresh pursuit".
 - b. The pursuit must be continuous. Interruptions of any kind, resulting in the pursuit being temporarily abandoned, may result in the forfeiture of authority to engage in a "fresh pursuit".
 - c. The time periods were reasonable. This is in relation to the nature of the offense; the more serious the offense, the more latitude the Officer will be given.
- (3) Pursuant to Sec. 175.40(3), Wis. Stats., for purposes of civil and criminal liability, and this policy, any peace officer outside of his/her territorial jurisdiction acting under

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Subsection (a) above is considered to be acting in an official capacity under the following circumstances:

- a. While in fresh pursuit.
- b. While making an arrest pursuant to the fresh pursuit.
- c. While transporting a person arrested pursuant to the fresh pursuit.

(b) **Highway Boundaries.**

- (1) A peace officer whose jurisdictional boundary is a highway, may enforce any law or ordinance that he/she is authorized to enforce by arrest or issuance of a citation, on the entire width of such highway, and on the intersection of such highway and a highway located in an adjacent jurisdiction.

Sec. 1-12-4 Expander of Jurisdiction; Off-Duty Authority.

PROCEDURES:

- (a) **Expander of Jurisdiction.** A peace officer outside of his/her jurisdiction may arrest a person or provide aid or assistance anywhere in the State of Wisconsin if all of the following apply:
 - (1) The Officer is on duty and on official businesses.
 - (2) The Officer is taking an action that he/she would be authorized to take under the same circumstances in his/her own jurisdiction.
 - (3) The 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.
 - b. Acts that the Officer believes, on reasonable grounds, constitute a felony.
 - (4) Notification to foreign-jurisdiction law enforcement agency.
 - a. As soon as possible, peace officers for the City of Stanley Police Department shall notify the appropriate law enforcement agency having territorial jurisdiction that the City officers will be conducting official business in that jurisdiction.
 - b. Officers will notify the appropriate law enforcement agency having jurisdiction when they have completed their business and will be leaving that agency's jurisdiction.
- (b) **Prisoner Transport.** In addition to the requirements specified in Subsection (a) above, officers may transport prisoners within a foreign jurisdiction if they comply with this Subsection. Officers may transport the prisoner through and within the foreign jurisdiction. However, pursuant to the Attorney General's advisory letter, dated September 20th, 2001,

this authority is restricted to only apply to prisoners arrested by this Department; Officers of this Department are *not* authorized to transport prisoners arrested by an agency in a foreign jurisdiction, unless requested to do so under a mutual assistance request, pursuant to Sec. 66.0313, Wis. Stats.

- (c) **Limits on Outside Investigations.** Officers may not conduct investigations outside their territorial jurisdiction unless requested to do so under a Mutual Assistance request, pursuant to Sec. 66.0313, Wis. Stats.
- (d) **Outside Arrest Limitations.** Officers may only arrest a person outside the territorial jurisdiction of the City of Stanley by employing one (1) or more of the following:
 - (1) Ask the person/suspect to come to the Police Department (consent).
 - (2) Apply to the District/City Attorney for an arrest warrant.
 - (3) Pursuant to a mutual aid request for assistance from a foreign jurisdiction pursuant to Sec. 66.0313, Wis. Stats.
 - (4) Pursuant to Sec. 1-12-3 Fresh Pursuit Enforcement Actions [Sec. 175.40, Wis. Stats.].
 - (5) Pursuant to Sec. 1-12-4 Expander of Jurisdiction [Sec. 175.40(6), Wis. Stats.].
 - (6) Pursuant to Sec. 1-12-5 Close Pursuit [Sec. 976.04, Wis. Stats.].
- (e) **Off-Duty Officer Authority Outside Jurisdiction.** An off-duty peace officer may arrest a person or provide aid or assistance outside of his/her territorial jurisdiction but in the state if all of the following apply:
 - (1) The Officer is responding to an emergency situation that poses a significant threat to life or of bodily harm.
 - (2) The Officer is taking action that he/she would be authorized to take under the same circumstances in the Officer's territorial jurisdiction.
 - (3) The Officer's supervising agency has adopted written policies authorizing off-duty Officers to make arrests or provide aid or assistance outside of the agency's territorial jurisdiction but in the state, and the policies at a minimum address all of the following:
 - a. Reasonable responses to an emergency situation under Subsection (e)(1) above.
 - b. Arrests made in response to an emergency situation under Subsection (e)(1) above.
 - c. Notification of and cooperation with a law enforcement agency of another jurisdiction regarding arrests made and other actions taken in the other jurisdiction.
 - (4) The Officer's action is in compliance with the policies under Subsection (e)(3) above.

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(f) Legal Status of Off-Duty Officer Outside Jurisdiction.

- (1) For purposes of civil and criminal liability and for purposes of Sec. 895.46, Wis. Stats., an off-duty peace officer acting outside the officer's jurisdiction as authorized under this Subsection is considered to be acting in an official capacity as an officer of the state, state employee, or agent of the state.
- (2) For purposes of worker's compensation under Ch. 102, Wis. Stats., an off-duty peace officer acting outside the Officer's territorial jurisdiction as authorized under this Subsection is considered to be an employee of the state and the Officer is eligible for the same benefits as if the Officer had sustained the injury while performing services growing out of and incidental to the Officer's employment with the employing supervisory agency.
- (3) An off-duty police officer acting outside the Officer's territorial jurisdiction as authorized under this Subsection is considered to be performing her/her duty and engaging in his/her occupation.

Sec. 1-12-5 Close Pursuit.

POLICY:

Pursuant to the "Uniform Act on Close Pursuit" (hereinafter, the "Act"), officers from other states may pursue suspects into this state. Officers of this Department should be aware of the responsibilities officers of other states have while engaging in close pursuits and arrests in this state, as prescribed below.

PROCEDURES:

(a) Officers Entering This State.

- (1) Any member of a duly organized state, county or municipal peace unit of another of the United States who enters this state in close pursuit, and continues within this state such close pursuit of a person in order to arrest the person on the grounds that the person is believed to have committed a felony in such other state, shall have the same authority to arrest and hold in custody such person, as members of a duly organized state, county or municipal peace unit of this state have, to arrest and hold in custody a person on the grounds that the person has committed a felony in this state.
- (2) If an arrest is made in this state by an officer of another state in accordance with Subsection (a)(1), the officer shall, without unnecessary delay, take the person arrested before a judge of the county in which the arrest was made, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the judge

determines that the arrest was lawful, the judge shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the governor of this state or admit the person to bail for such purpose. If the judge determines that the arrest was unlawful, the judge shall discharge the person arrested.

(b) **Officers of This State Engaging in Close Pursuit.**

- (1) Officers of this Department may engage in close pursuit, but only under the following circumstances:
 - a. The pursuit begins and remains pursuant to this and all other appropriate policies of this Department; and
 - b. The conditions of the "Act" have been met; and
 - c. The following conditions apply, which are more restrictive than those listed in the "Act":
 1. Close pursuits are only authorized by this Department when the Officer determines that probable cause exists to arrest the suspect for any violent felony.

DEFINITIONS:

As used in this Section:

- (a) **State.** Includes the fifty states and the District of Columbia.
- (b) **Close Pursuit.** Includes fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony. It also includes the pursuit of a person suspected of having committed a supposed felony, though no felony has actually been committed, if there are reasonable grounds for believing that a felony has been committed. Close pursuit as used herein shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.
- (c) **Violent Felony.** Means any felony where the victim sustains or reasonably could sustain serious bodily injury and/or loss of life.

COMMENTARY:

This Section is adopted is authorized by Sec. 976.04(5), Wis. Stats.

Title 1 ► Chapter 13

Volunteer Program

1-13-1 Volunteer Program

Sec. 1-13-1 Volunteer Program.

POLICY:

- (a) The City of Stanley Police Department recognizes the value of community partnerships developed to solve problems, increase communications and transparency, promote efficiency, and enhance the level of service. With these objectives in mind, the Department seeks out and utilizes qualified persons who desire to work with the Department in a voluntary capacity.
- (b) All volunteers shall be properly screened to ensure that they are capable of completing their assigned duties and to protect the integrity of the Department. The volunteer program shall be under the supervision of the Chief of Police.

DEFINITIONS:

"Volunteer" refers to unpaid City of Stanley Police Department approved personnel utilized in non-sworn status assignments who are specifically working under the direction of the Department. Volunteers serve without compensation.

PROCEDURES:

- (a) **Volunteer Program Administration.** The following shall establish procedures pertaining to the administration of the volunteer program:
 - (1) Volunteers may be recruited through several sources, such as community groups, service organizations, referrals, etc. The Department may advertise for participation in the volunteer program.
 - (2) Each volunteer applicant shall receive a listing of what his/her duties as a Department volunteer would entail. Volunteer applicants will be referred to the Department's

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designated Volunteer Program Coordinator. The Coordinator will provide a non-sworn job application to be completed and returned to the Department.

- (3) A background investigation shall be conducted of all applicants covering criminal history and driving records.
- (4) Once the background investigation is completed, it shall be forwarded to the Chief of Police through the chain of command for review. The Chief of Police or designee shall make the final determination whether to accept a volunteer applicant.
- (5) Volunteer groups or organizations may adopt additional policies provided such policies are not in conflict with Department policies.
- (6) It shall be the responsibility of the pertinent supervisor under whom the volunteer is assigned to ensure that the volunteer receives adequate guidance and supervision.
- (7) Volunteers shall not be requested or allowed to perform tasks requiring sworn status.
- (8) Volunteers will be issued a Department identification card and shall wear the card in a conspicuous manner when performing assignments, unless otherwise directed by a supervisor. Volunteers shall also wear clothing appropriate to the assignment being performed.
- (9) Mistakes which could lead to potential liability claims shall be reported promptly to the Chief of Police and the City's risk management employee (City Clerk-Treasurer).
- (10) Volunteers are not covered by worker's compensation. If injured during the course of volunteer work, a volunteer would have the same legal rights as any visitor to the campus to seek compensation if the injury resulted from Department negligence.

(b) **Volunteer Program Training.** The following shall outline required volunteer training:

- (1) Volunteers shall receive orientation training that includes an explanation of the Department's mission and organizational structure.
- (2) Volunteers will be assigned only duties commensurate with their ability and training. Volunteers will be assigned tasks that will best contribute to the effectiveness and efficiency of the Department. Each volunteer shall be trained in the duties his/her is to perform. Department-specific training shall be coordinated by the departmental component to which the volunteer is assigned. Documentation of training shall be maintained by the Department.

(c) **Code of Conduct for Volunteers.** The following provides the Code of Conduct for Department volunteers:

- (1) Participants in the volunteer program are subject to following the work rules of the Department. Engaging in one or more violations may result in disciplinary action ranging from a reprimand to immediate discharge.
- (2) Violations of policies specific to Department volunteers, administrative codes, or criminal law shall be cause to remove the person from the volunteer program.