



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

453 – OFFICER-INVOLVED DEATHS AND OTHER CRITICAL INCIDENTS

GENERAL ORDER: 2024-15
ISSUED: April 28, 2024

EFFECTIVE: April 28, 2024

REVIEWED/APPROVED BY:
Assistant Chief Nicole Waldner
DATE: February 19, 2024

ACTION: Amends General Order 2022-37 (September 6, 2022)

WILEAG STANDARD(S): 2.4.2, 6.1.3, 6.3.3, 6.3.8, 13.1.1

ROLL CALL VERSION

**Contains only changes to current policy.
For complete version of SOP, see SharePoint.**

453.30 PATROL SUPERVISOR RESPONSIBILITIES (WILEAG 6.1.3)

The first responding supervisory officer shall ensure that the scene is managed properly. An outside agency lead investigator will respond and take charge of the investigation in the event of an officer-involved death. The supervisor shall ensure that the following is accomplished:

6. The on scene supervisor, or a non-involved supervisor, shall obtain a public safety statement from the involved and the witness officer(s) in order to obtain the scope of the scene as well as the location of potential evidence, witnesses, and suspect(s). The supervisor shall follow the questions on the *Public Safety Statement (Critical Incident)* (form PP-13), which can be located in the N: Drive Forms folder. The information gained will be shared with the outside investigative agency or Milwaukee County Investigative Team upon their arrival. Individual circumstances of each critical incident will determine when the *Public Safety Statement (Critical Incident)* is practical. On all discharges of an officer's duty weapon where a citizen is injured, public safety statements shall be asked. The obtaining of a public safety statement shall occur at those critical incident investigations in which an officer uses force.

The supervisor obtaining the *Public Safety Statement* shall file a supplemental report detailing the exact *Public Safety Statement* questions and the officer's responses.

In critical incident investigations wherein no force was used, assigned investigators and supervisors will determine the level of involvement of each officer or civilian employee and proceed with interviews at the date and location determined by the lead investigating agency's team supervisor.

453.40 HOMICIDE DIVISION DUTIES

A. OFFICER-INVOLVED DEATH AND OTHER CRITICAL INCIDENT DUTIES

1. Upon notification of a critical incident, the Homicide Division lieutenant supervisor shall notify their commanding officer. The commanding officer of the Homicide Division, or designee, shall respond to the scene.

3. The Homicide Division lieutenant supervisor shall be responsible for generating a *Use of Force Report* in the AIM system. Under "Type of Call", the lieutenant supervisor shall indicate "Critical Incident". The AIM use of force incident number (PF number) must be generated before the end of the lieutenant supervisor tour of duty.

B. OFFICER-INVOLVED DEATH DUTIES

1. The Homicide Division captain shall ensure that the outside agency lead investigator has access to all necessary resources to conduct the investigation. A Homicide Division lieutenant supervisor will be assigned as the liaison.
2. The Homicide Division lieutenant supervisor will act as a liaison with the outside agency lead investigator and the department's Public Relations Office.

C. OTHER CRITICAL INCIDENT DUTIES

1. Upon notification of a critical incident, the Homicide Division lieutenant supervisor shall notify the commanding officer. The Homicide Division captain shall ensure that all necessary resources are summoned to conduct the investigation.
3. A Homicide Division lieutenant supervisor shall assume responsibility for the criminal investigation unless an officer of higher rank assumes the responsibility or as otherwise determined by the Chief of Police. In their absence, a Criminal Investigation Bureau (CIB) lieutenant supervisor shall assume this responsibility.
5. Lieutenant CIB Supervisor Responsibilities at the Crime Scene(s)
 - a. Supervise the crime scene investigation and ensure that all involved parties and witnesses are kept separate during the scene investigation. If these persons are moved to another location, this responsibility is transferred to the lieutenant CIB supervisor at that location.
(WILEAG 6.3.3.2, 6.3.8.2)
6. Lieutenant CIB Supervisor Duties at Police Administration Building
7. Lieutenant CIB Supervisor Duties at Hospital

If the incident results in a department member or suspect being transported to a medical facility, a lieutenant CIB supervisor shall respond to the facility and be responsible for the following:

453.45 DETECTIVE RESPONSIBILITIES (WILEAG 4.2.1, 6.1.3, 6.3.8)

A detective assigned to investigate a critical incident shall immediately respond to the command post and check in with the incident commander. Detectives will be assigned specific functions by a lieutenant CIB supervisor, which may consist of any of the following:

A. SCENE INVESTIGATION

3. The scene detective shall regularly communicate their findings to the scene lieutenant CIB supervisor. Before securing or altering the scene, the detective shall notify the lieutenant CIB supervisor when the walk through for personnel from the district attorney's office, Internal Affairs Division, and Training Division can be completed.
(WILEAG 6.3.8.2)

B. INVOLVED-OFFICER INTERVIEWS

8. The interviewing detective will account for all weapons and/or equipment used by the involved-officer during the incident before conveying the member to the PAB. That information will be immediately conveyed to the scene lieutenant CIB supervisor. Absent extraordinary circumstances, the interviewing detective(s) shall not take a member's firearm at the scene. The firearm shall be inspected for evidentiary purposes. This information shall be forwarded to the scene lieutenant CIB supervisor.

C. WITNESS OFFICER INTERVIEWS

1. Officers deemed to be witnesses by the Homicide Division scene lieutenant supervisor will be interviewed by investigators regarding their observations and the circumstances surrounding the event prior to securing from duty. If unusual circumstance(s) arise, the interview may be pended by the Homicide Division scene lieutenant supervisor.
2. The location of this interview will be at the discretion of the Homicide Division scene lieutenant supervisor but should be at an off sight location away from the scene.

D. CITIZEN WITNESS INTERVIEWS

1. It is important that all citizen witnesses be located and thoroughly interviewed. These interviews may be conducted by police officers or detectives. The scene lieutenant CIB supervisor shall ensure that all citizen witnesses are interviewed and the interviews properly documented. This includes citizens who indicate that they heard but did not see the events, as well as those citizens who indicate they did not witness the incident. It is accepted best practice to audio/video record citizen witness interviews so all relevant circumstances surrounding the incident are documented. Investigating detectives conducting the interview shall remember the interviews are consensual in nature and citizens have the ability to refuse to be recorded.
(WILEAG 6.3.3.2)
4. Detectives are responsible for personally monitoring and/or ensuring that any key witness is monitored by a uniform officer until the lieutenant CIB supervisor assigned to the scene determines that they are no longer needed.
5. Detectives shall confer with the scene lieutenant CIB supervisor and if deemed appropriate, will be responsible for conveying key witnesses to the PAB to facilitate interviews with the D.A. investigators. Detectives shall ensure that these interviews

are video and audio recorded unless the citizen refuses. When this interview is complete the witness will be conveyed to a location of their choice.
(WILEAG 6.3.3.2, 6.3.8.2)

E. CONDUCTING A NEIGHBORHOOD AND VEHICLE CANVASS

4. Officers and detectives shall search for and document all video cameras within the canvass perimeter and notify the scene lieutenant CIB supervisor.
(WILEAG 6.3.3.1, 6.3.3.2)

453.55 ADMINISTRATIVE RESPONSIBILITIES (WILEAG 2.4.2, 6.3.8)

B. DISTRICT ATTORNEY REVIEW

2. The supervising Homicide Division lieutenant supervisor shall present the facts of the case to the reviewing deputy/assistant D.A. that result in injury and/or great bodily harm. This shall be done as soon as practicable.

C. ~~POLICE OFFICER SUPPORT TEAM (POST)~~ WELLNESS TEAM

The ~~POST~~ Wellness Team member who responds to offer peer support at a critical incident will follow the provisions of the ~~POST~~ Wellness Team SOI.
(WILEAG 6.3.8.6)



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CHIEF OF POLICE

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