



## Fire and Police Commission

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### Memorandum

To: Leon W. Todd, Executive Director

From: Barbara Cooley, Research and Policy Analyst

Date: May 28, 2025

RE: SOP 030 – Written Department Directives  
SOP 180 – Missing Persons  
SOP 453 – Officer-Involved Deaths and Other Critical Incidents  
SOP 570 – Public Information Policy  
SOP 580 - Ride Along Program  
SOP 640 – Department-Owned Vehicles

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#### SOP 030 – Written Department Directives

**All requested amendments are updates in keeping with current technology and practice.**

- Removing reference to the Office of Management, Analysis, and Planning (OMAP) maintaining original hard copies of documents as OMAP only receives digital versions through email and these copies are archived digitally on the Directives Intranet.
- Removing reference to the Police, Planning, and Policy Director as OMAP now has a sworn commanding officer.
- Adding reference to where work location commanding officers can locate electronic versions of the full SOP file and Code of Conduct so these can be downloaded monthly in case of an intranet or network failure.
- Updating the reference to the new Topic Acknowledgment web application since this is no longer done in CERTT.
- Adding the Chief of Police now ultimately reviews and approves standard operating instructions so policy matches practice.
- Grammatical cleanup throughout the document.

## SOP 180 – Missing Persons

The only recommended update is that the Wisconsin Department of Justice has created a separate Missing Child Alert for certain missing children under the age of 18 (previously this was under the Silver Alert statute). This update now creates its own section for the Missing Child Alert separate from the Silver Alert.

Missing children would now be considered critically missing if they are under 10 years old instead of 11 years or younger, as is currently the rule. Otherwise, the new Missing Child Alert section would include (additions compared to former Silver Alert section that applied to missing children are shown in red):

### 180.55 MISSING CHILD ALERT (WILEAG 6.1.5)

#### A. MISSING CHILD ALERT CRITERIA

The Missing Child Alert may be utilized for a person who has not attained the age of 18 years and the person is believed to be incapable of returning home without assistance due to a physical or mental condition or disability, or, the person has not attained the age of 10 years, and

1. The individual(s) location is unknown, and,
2. It is within 72 hours of the individual's disappearance, and,
3. Their situation does not qualify for another alert (e.g., AMBER Alert).
4. The individual has been entered as missing into the National Crime Information Center (NCIC).
5. There is sufficient information available to disseminate to the public that could assist in locating the missing person.

#### B. MISSING CHILD ALERT PROCEDURE

1. If a police member has reason to believe a person meeting the criteria of 180.55(A) has been reporting missing, they shall immediately broadcast a description, contact his/her shift commander, and request a sergeant respond to the scene. The sergeant shall coordinate the search and canvass of the home and surrounding area.
2. A CIB supervisor at extension [redacted] shall be notified by the district shift commander when they become aware of a potential Missing Child Alert missing. The CIB shift commander shall assign a CIB investigator to coordinate the investigation with the sergeant on scene in an attempt to locate the missing person. The CIB shift commander shall also monitor the investigation.
3. If the CIB shift commander determines the Missing Child Alert criteria have been satisfied, he/she shall obtain approval from the inspector of the Criminal Investigation Bureau, or designee, during weekdays, or the night watch commander on nights or weekend to activate the Missing Child Alert. The CIB shift commander shall ensure the Missing Child Alert instructions are implemented without delay and the necessary reports are completed.

4. The CIB shift commander shall continually monitor and investigate all Missing Child Alerts. The CIB shift commander shall assign an investigator on each shift and the investigators shall file a supplemental report on each shift.

#### SOP 453 – Officer-Involved Deaths and Other Critical Incidents

**The following requested updates are substantive but noncontroversial. Update 3 is of particular interest because it adds an officer-focused administrative review to the process, as recommended by PERF, the Police Executive Research Forum. Please read the excerpt included, which can be found on page 57 of the [PERF report](#). (Incidentally, the Milwaukee Area Investigative Team MOU is referenced as exemplary elsewhere in the report.)**

1. Removing reference to the Internal Affairs Division (IAD) conducting a walk through at the scene since the walkthrough provides no investigative value for their internal review and investigation. In addition, this only adds to a crowded scene in addition to the stress that everyone on scene is already experiencing. It should be noted IAD would still be notified about every critical incident.
2. Removing reference to the Chief of Police, or designee, notifying the executive director of the FPC of an officer being reassigned or relieved from duty in writing as this does not occur in practice. In addition, SOP 453.20 already requires the Chief of Police to notify the executive director of the FPC and Common Council regarding critical incidents.

Note: Currently, MPD’s Chief of Staff notifies the FPC Executive Director of every critical incident by text message or email. Officers involved are placed on either administrative leave or administrative desk duty.

3. Updating the Chief of Police shall cause an officer-focused administrative review (OFA) to be conducted concurrently with the criminal investigation of the incident. Any allegation of a Code of Conduct or SOP violation would still cause a separate personnel investigation. This change is consistent with the PERF (Police Executive Research Forum) 2025 report *Managing Officer-Involved Critical Incidents* that focuses on these types of investigations and MPD would now be in alignment with their recommendations to have a criminal investigation, officer-focused administrative investigation, and agency-focused assessment of every critical incident.

From page 57 of the PERF report:

The purpose of the OFA is not to determine whether the officer committed a crime but to determine whether the officer violated any agency policies, protocols, or training. Although the criminal and OFA investigations both focus on the officer, they differ in significant ways: -

Compelled Statements: Like any other person facing the potential of criminal prosecution, an officer involved in an OICI has the constitutional right to refuse to

answer questions in connection with the criminal investigation. The officer cannot, however, refuse to answer questions from the employer as part of the OFA investigation. This has significant implications.

Focus: Regarding shootings, which constitute the vast majority of OICIs, criminal determinations generally center on the moment deadly force was used, because criminal statutes tend to focus on the shooter's beliefs at that critical moment in time. Usually, statutes ask a version of whether, at the time deadly force was used, the officer reasonably believed the subject was using or about to use deadly force against the officer or another person.<sup>67</sup> OFA investigations, however, allow for a broader, upstream and downstream evaluation of the officer's conduct before, during, and after the OICI. For example, did the officer needlessly escalate the situation during the time leading up to the deadly force? Were there missed opportunities to de-escalate? Did the officer communicate properly with dispatch? After the OICI, was potentially life-saving care provided swiftly?

Burden of Proof: Proving criminal conduct carries a high burden: a prosecutor must prove every criminal element beyond a reasonable doubt. Proving policy violations is much easier. Additionally, agency policies often require more from officers than the often-cited legal standard of "objective reasonableness."

Because of these dynamics, the outcome of the criminal investigation should not control the outcome of the OFA investigation. A prosecutor may determine that criminal charges against an officer are not viable, but the OFA investigation may reveal issues that call for re-training, discipline of some sort, or even termination. Of course, it is entirely possible that the officer will not have violated any policies or protocols, but the point is that these are separate issues addressed by different types of investigations.

4. Updating that the critical investigation would not be considered closed until an agency-focused assessment is conducted pursuant to SOP 455 Critical Incident Review Board.

#### SOP 570 – Public Information Policy

##### **Requested updates are noncontroversial.**

- Updating references to the social media accounts utilized by MPD.
- Updating the name of the Office of Community Outreach and Engagement so it matches the current organizational chart.
- Adding that the time of the arrest be added to inquiries regarding arrested adults.
- Updating how video footage can be cut or edited prior to the media release of wanted suspects so policy matches practice.

The changes to this section are as follows (strikethrough indicates deletion; gray shading indicates addition):

If the footage needs to be cut or edited to conceal **victims, witnesses, or uninvolved**

individuals, members shall submit a Forensic Video Request (form PI-60E) to the Forensics Division. This form can be located in the N:/ drive Forms folder edit the video or contact the manager of the Public Information Office at extension [redacted] or email at mpdnews@milwaukee.gov for assistance

- Adding that members of the Criminal Investigation Bureau assigned to showcase a Crime Stoppers story have any video footage or photographs approved by the Public Information Office before it is released.

#### SOP 580 - Ride Along Program

**The only recommended update is noncontroversial.** It is to update that the manager of the Office of Community Outreach and Engagement and not the commanding officer of the Training Division is responsible for the dissemination and retention of citizen academy related ride-along applications and forms.

#### SOP 640 – Department-Owned Vehicles

**Requested updates are largely administrative. None are controversial.**

- Added a requirement that members are to report a missing key to their supervisor immediately and include the circumstances of the lost key on the *Request Key Duplication Form*.
- Updating reference from Internal Affairs Division to Compliance Management Section for the reference to the Inspection Regimen Standards.
- Clarified department members who are passengers in vehicles must wear seat belts at all times.
- Updating the reference from the Technical Communications Division to the Department of Emergency Communications (DEC).
- Clarified civilians can only turn on the emergency sirens or lights while parked in emergency situations but they are not allowed to operate a vehicle as an emergency vehicle per state statute.
- Removing references to callboxes and allowing civilian vehicle operators to contact DEC with their cell phone if the vehicle does not have a radio since members no longer receive call box keys.
- Removed speedometer checks as this is no longer required per the Facilities Services Section since the majority of vehicles in our fleet now have digital speedometers.
- Removed reference to the emergency equipment truck as we no longer have this truck.