



Fire and Police Commission

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Memorandum

To: Leon W. Todd, Executive Director

From: Barbara Cooley, Research and Policy Analyst

Date: March 27, 2025

RE: SOP 165 – Homeless Persons
SOP 650 – Vehicle Crashes
Evidence Vehicle Processing SOI

SOP 165 – Homeless Persons

These amendments are either technical or administrative in nature, or are included to comply with current law. Please note Item 4 below.

Requested updates:

1. Removed reference to the Technical Communications Division since this is now part of the Department of Emergency Communications (DEC).
2. Removed reference to Homeless Outreach Team officers being dispatched to calls for service involving known or suspected homeless persons since we cannot dictate policy for the DEC. However, we confirmed with DEC they will continue to apply this practice on their end.
3. Updated the reference from the Wisconsin Servicepoint System as this has been replaced by the Homeless Management Information System at the state level.
4. Removed reference to the note referencing Bell v. City of Boise since this decision was recently overturned in Grants Pass v. Johnson. That note was as follows:

Note: The United States Department of Justice has noted that sleeping is a life sustaining activity, and when adequate shelter space does not exist,

criminalization of persons sleeping in public violates the 8th amendment of cruel and unusual punishment (Bell v. City of Boise et al.)

This deletion will not affect MPD procedures, as no changes in ordinance or statute were made when Bell v. City of Boise et al. was first decided. The full SOP cites provisions for arrest of homeless persons.

5. Updated an address for the Community Resource and Referral Center.
6. Minor grammatical updates throughout the policy.

SOP 650 – Vehicle Crashes

These amendments are administrative in nature.

- Updated references from the Technical Communications Division to the Department of Emergency Communications (DEC).
- Updated the call up procedure for the Crash Reconstruction Unit.
- Updated the timeline for Squad Accident AIM reports to be filed in AIM so policy matches practice and the new timeline submission windows for all AIM reports.
- Updating that commanding officers do not need to file a summary of the crash investigation in the AIM report and are only required to provide recommendations for further action or investigation. This will not affect crash information in the State crash database.

Evidence Vehicle Processing SOI

With the exception of numbers 5 and 10 below, these amendments are either technical, terminological, and/or administrative.

Recommended updates:

1. Updating the term “accident” to “crash” as this is the term now used for traffic collisions.
2. Removing the reference to the Property Control Division putting vehicles in WinAce as evidence as this is now recorded in the tow record.
3. Adding that the city tow lot will only release vehicles to the registered owner.
4. Adding the commanding officer of the Specialized Patrol Division may authorize vehicles to be towed as evidence for investigations conducted by the Crash Reconstruction Unit.

5. **Adding that members must ensure no persons or animals are present during their search of a vehicle prior to a tow. This was already present in the general procedures before towing and has been added to the sections on Burned Vehicles and vehicles where ownership is in question.**
6. Removing reference to department owned vehicles being towed to the PAB as this is no longer the process.
7. Removing the requirement for CIB to enter an Evidence Tow Processing Request to process the vehicle as they can work directly with the Forensics Division to have the vehicle processed.
8. Adding the requirement for members needing a forensic investigator or crime scene investigator to process a vehicle to first contact their shift commander who shall contact the CIB shift commander (resource management).
9. Adding that all of the requirements in subsection IV. may not apply to the Crash Reconstruction Unit since they investigate traffic related fatalities that may not require all of these investigative techniques.
10. **Adding the interior and exterior of the vehicle *shall* be photographed and *may* be video-recorded prior to conducting a search or processing a vehicle where a death occurred inside the vehicle or if it was used in the commission of a crime as it does not always have to be video recorded. The prior version required video recording in every such case.**
11. Adding that all of the requirements in subsection V. do not apply to the Crash Reconstruction Unit since they conduct traffic related fatalities that do not require these investigative techniques.
12. Removing the reference to sending paint scraping samples as the Wisconsin State Crime Lab no longer processes paint samples.
13. Removing the reference for the seat position of passengers and DNA collection as only the driver's position needs to be determined for DNA purposes.
14. Adding that vehicles must be stored outside of the Z building at the city tow lot if there are storage hazards.
15. Updating that the Tow Authorization Report is now filed in the Records Management System.
16. Removing the reference to Tow Lot G as this is not always guaranteed depending on the volume of vehicles at the tow lot and if a vehicle comes in as evidence it must be placed in the evidence area.
17. Minor grammatical and technical term updates throughout the policy.