



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 460 – USE OF FORCE

**GENERAL ORDER:** 2024-47  
**ISSUED:** October 16, 2024

**EFFECTIVE:** October 16, 2024

**REVIEWED/APPROVED BY:**  
Assistant Chief Craig Sarnow  
**DATE:** September 12, 2024

**ACTION:** Amends General Order 2023-50 (October 11, 2023)

**WILEAG STANDARD(S):** 5.1.1, 5.1.2, 5.1.3, 5.1.4, 5.1.6, 5.1.7, 5.1.8, 5.1.9, 5.1.10, 5.1.11, 5.2.1, 5.3.1, 5.3.2, 5.3.4

### ROLL CALL VERSION

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

#### 460.00 PURPOSE

The purpose of this procedure is to provide instructions for the proper use of force by police members, provide a fair and impartial review of use of force incidents, determine whether the actions of police members were justified, and to maintain public confidence in the Milwaukee Police Department by ensuring this policy is in alignment with the United States Constitution, the Fourth Amendment to the United States Constitution, and Graham v. Connor, 490 U.S. 386 (1989).

#### 460.15 OBJECTIVE REASONABLENESS (WILEAG 5.1.1)

A. The use of force by a police member must be objectively reasonable under the circumstances. Police members shall use only the force necessary to effectively maintain control of a situation and protect the safety of police members and the public. Objective reasonableness is judged from the perspective of a reasonable police member facing similar circumstances and is based on the totality of the facts known to the police member at the time the force was applied, along with the member's prior training and experience, without regard to the underlying intent or motivation of the police member.

#### 460.20 DE-ESCALATION (WILEAG 5.1.2)

C. When safe and feasible under the totality of circumstances members shall:

3. Seek to communicate in non-verbal ways when a verbal warning would be inadequate (such as when the person does not speak English or is unable to hear or understand verbal warnings).
4. Indicate the consequences of refusing to comply with a mandatory order, including that force will be used unless the person complies.
5. Give the person a reasonable amount of time to comply.

**460.50 USE OF FORCE REPORT (PF) (WILEAG 5.2.1, 5.3.1, 5.3.2)****B. WHEN TO FILE REPORT**

1. The *Use of Force Report* shall be completed by a supervisory officer when a department member:
  - b. Points a firearm at a person.

**Note:** This section does not apply if the pointing of a firearm occurs during the execution of a valid search warrant and no other use of force occurs during the execution of the search warrant.

- e. Deploys an ~~electronic control device~~ a conducted energy weapon to include contact stun and probe deployment.
- ~~j. Draws or displays a firearm (including a shotgun or rifle) to effect an arrest or seizure of a person.~~  
(WILEAG 5.3.1.2, 5.3.1.3, 5.3.1.4)

**Note:** When in doubt as to whether a use of force incident should be documented on a *Use of Force Report*, notify your shift commander or immediate supervisor for guidance and direction.

4. The *Use of Force Report* is to be completed and tracked to the appropriate supervisor/shift commander within ~~3~~ 8 days of the incident. A critical incident *Use of Force Report* shall be filed in accordance with section 460.50.
5. ~~Each subsequent review by the shift commander/commanding officer shall be completed and tracked in an expeditious manner.~~ The *Use of Force Report* shall be reviewed by the supervisor / shift commander within 10 days following the receipt from the supervisor who completed the report (within 18 days of the incident). The *Use of Force Report* shall then be tracked by the supervisor / shift commander to their commanding officer.
6. The *Use of Force Report* shall be reviewed by the commanding officer within 17 days following the receipt from the supervisor / shift commander (within 35 days of the incident).
76. Reports shall be thoroughly completed and reviewed within ~~thirty (30)~~ 35 days following the date on which the incident occurred and then tracked to the Internal Affairs Division.
87. The Internal Affairs Division shall review reports within ~~fourteen (14)~~ 21 days following receipt from the commanding officer of that work location.

**D. SPECIFIC DIRECTIONS**

Following are specific directions for completing the *Use of Force Report*.

## 1. General Information

- a. Complete all fields (e.g., incident type, dates, times, address, and status). If the use of force resulted from a field interview or traffic stop, use the CAD event number of the traffic stop or subject stop (e.g., if an officer is sent to a shooting and conducts a field interview of an individual regarding the shooting and a use of force ensues, the CAD event number should reflect the Subject Stop call number).

## 4. Notes

- a. Describe in A detailed narrative detailing the incident and events leading to the use of force.
- b. Statements shall be separately obtained and documented from the person the force was used against, from the officer(s) using force, and from all citizen and officer witnesses. An explanation of why there was no statement obtained from any of the aforementioned shall also be included.

**Note: Subsection b does not apply if the Use of Force incident is the pointing of a firearm and no other use of force occurs.**

## **460.55 USE OF FORCE COMMITTEE**

- B. The Chief of Police shall appoint police members to the Use of Force Committee, along with a graduate, in good standing, from the Citizen Academy who is also a resident of the City of Milwaukee that is identified by the Community Relations, Engagement and Recruitment Manager and subsequently approved by the Chief of Police, who shall serve a one-year term, subject to extension at the discretion of the Chief of Police.
- D. The Use of Force Committee shall meet at least quarterly, or as otherwise directed by the Chief of Police, and shall focus on, but not be limited to, the following:
  1. ~~Appropriateness of use of force by department members.~~ Whether the use of force by department members was objectively reasonable.
  2. ~~Proper field supervision and supervisory review of use of force incidents.~~ Proper supervisory response, documentation, and review of the use of force incident.
  3. ~~Application and effectiveness of department policies and procedures concerning the use of force, including whether there has been a violation of SOP 001.05.~~ Application of department policies and procedures concerning the use of force to reflect compliance specifically with SOP's 001.05, 460.10, 460.20, 460.50(D)(4)(c) and Code of Conduct Core Values 5.01, and 6.01.
  4. ~~Proper use and effectiveness of equipment.~~ Proper use and effectiveness of department issued equipment and training.
  5. ~~Effectiveness of use of force training.~~ Identification of training deficiencies and/or

future considerations for department members.

~~6. Identification of training needs and opportunities for department members.~~

A handwritten signature in black ink, appearing to read 'JBN' with a stylized flourish extending to the right.

JEFFREY B. NORMAN  
CHIEF OF POLICE

JBN:mfk