



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

455 - CRITICAL INCIDENT REVIEW BOARD

GENERAL ORDER: 2022-XX
ISSUED: June 29, 2022

EFFECTIVE: June 29, 2022

REVIEWED/APPROVED BY:
Assistant Chief Nicole Waldner
DATE: June 2, 2022

ACTION: Amends General Order 2017-29 (May 19, 2017)

WILEAG STANDARD(S): NONE

455.00 PURPOSE

The Critical Incident Review Board (CIRB) will serve as an advisory body to the Chief of Police and shall conduct thorough analyses of critical incidents and other incidents as determined by the Chief of Police or the Chief's designee. The board shall assess and evaluate the actions of Milwaukee Police Department members to ensure adherence to department training, policies, procedures, and law enforcement best practices, given the circumstances of a particular incident. The CIRB shall identify and recommend training or policy changes to set professional standards in the performance of our duties, to improve our service to the community, the wellness of its members, and to protect the department and the city of Milwaukee from future risk and liability.

455.05 DEFINITION

For the purposes of this policy, a critical incident is defined as any incident in which the actions of a department member result in death or great bodily harm to a person, death or great bodily harm occurs while a person is in the custody of the department, or in which the discharge of a member's firearm results in an injury to a person.

455.10 COMPOSITION AND MEMBERS

A. QUORUM OF THE BOARD

The Chief of Police and the commanding officer of the Administration Bureau shall oversee the Critical Incident Review Board, which shall not deliberate as a body without the required members in attendance. A quorum shall consist of five members of the board at the rank of captain of police or higher. In the event that a fifth captain or higher-ranking officer is unable to attend, the commanding officer of the Administration Bureau can be counted toward the quorum.

B. COMPOSITION

The Critical Incident Review Board shall consist of the following members:

1. A captain of police or higher-ranking officer from the Internal Affairs Division, who shall serve as a standing member.
2. A captain of police or higher-ranking officer from the Training Division, who shall

serve as a standing member.

3. Six captains of police or higher-ranking officers selected by the Chief of Police and the commanding officer of the Administration Bureau to serve as members at large.
4. A graduate, in good standing from the Citizen Academy, and a member who represents the community at large identified by the Community Relations and Engagement Manager and subsequently approved by the Chief of Police and the commanding officer of the Administration Bureau. The selected members may attend CIRB meetings at the discretion of the Chief of Police, but not count towards a quorum.
5. A supervisor from the Office of Management, Analysis, and Planning who shall attend CIRB meetings, but will not count toward a quorum. The Office of Management, Analysis, and Planning supervisor shall attend for the purposes of keeping records of meetings and ensuring that policy implications resulting from board deliberations are assigned for research, development, and implementation.

Note: Due to the sensitive nature of the incidents reviewed, all board members shall be required to sign a confidentiality agreement.

455.15 CIRB MEETINGS AND PROCEDURES

A. CIRB ADMINISTRATIVE REVIEWS

1. The Critical Incident Review Board shall convene as soon as practicable after the occurrence of a critical incident or other incident assigned for review, unless evidence material to the investigation is not yet available. One member of the board shall be assigned as the chairperson and thoroughly familiarize him / herself with the facts and circumstances surrounding the incident, and shall prepare written notes and a presentation to assist in deliberations. Other members in attendance shall have enough knowledge of the incident to engage in a discussion regarding the facts and associated department policies and procedures.
2. The Inspector of the Administration Bureau, the training director, the commanding officer of the Internal Affairs Division, and the commanding officer of the Homicide Division, or designee, from the Criminal Investigation Bureau shall meet as soon as practical after a critical incident or other incident to be assessed by the Critical Incident Review Board. This meeting is a part of the CIRB process and shall in no way affect or be influenced by concurrent criminal, internal, or administrative investigations.
 - a. The purpose of this initial meeting will be to review the facts and circumstances of the incident for the sole purpose of remedial training needs, department wide training needs, or the provision of additional services to members involved in traumatic incidents. Remedial training is not discipline and shall not be presented as such. Remedial training is intended to correct or improve deficiencies in performance and to improve members' abilities and confidence in the performance of their duties (SOP 082.15).

- b. If remedial training is required, a memorandum notifying the member and his or her commanding officer shall be completed by the training director. A copy of this memorandum shall be forwarded to the Inspector of the Administration Bureau for inclusion in the CIRB file for the incident under review.
 - c. Members involved in incidents under CIRB review may be subject to remedial training at any time during concurrent investigations: criminal, internal, or administrative. Due to the length of time between an incident and the CIRB executive review (455.15(B)), immediate assessments of training needs are essential so that recommended training is timely and relevant for the members involved.
- 3. The CIRB board review shall consider official reports, department records, and sources of information including, but not limited to:
 - a. Investigative reports
 - b. Administrative reports
 - c. Internal Affairs Division investigations
 - d. Computer Aided Dispatch records and recordings
 - e. Photographs and audio/visual recordings from department facilities, department vehicles, and external sources
 - f. Reports prepared by agencies other than the Milwaukee Police Department, including but not limited to the Medical Examiner's Office, medical records, district attorney's office and Wisconsin Department of Transportation.
 - g. Reports or consultation from Milwaukee Police Department subject matter experts
 - h. Reports or consultation from subject matter experts outside the department
 - i. Law enforcement best practices established by the state of Wisconsin, Department of Justice, accrediting bodies, and nationally recognized organizations
- 4. During the board review, the board shall deliberate for the purpose of preparing a written report for the Chief of Police, which shall contain a synopsis of the incident, identities of the members and citizens involved, and information including, but not limited to, the following:
 - a. The appropriateness of any actions or other factors leading up to the incident that resulted in the use of force
 - b. Proper administrative review of the use of force

- c. Proper field supervision
 - d. Adherence to or deviation from department policy relevant to the incident under review
 - e. Effectiveness of department policy and suggestions for changes if necessary
 - f. Adherence to or deviation from department training and standards
 - g. Identification of training needs and opportunities
 - h. Proper use and functionality of department equipment
 - i. Officer Wellness/Resiliency
 - j. Media/Community Transparency
 - k. Any other factors that may pertain to improving our service to the community
5. The board may reconvene as necessary and may refer any incident for further investigation or additional information.

Note: Members who have been involved in multiple critical incidents will be thoroughly reviewed for the purpose of making additional support recommendations to the Chief of Police.

B. EXECUTIVE REVIEW

1. After the board administrative review, the Chief of Police or the commanding officer of the Administration Bureau shall convene an executive review within 60 days, which shall be attended by the assigned case chairperson, a supervisor of the Office of Management, Analysis, and Planning, and the Chief of Police. The executive review may also be attended by the other members of the Critical Incident Review Board and a board member from the impacted union (Milwaukee Police Association and/or Milwaukee Police Supervisor's Organization) at the Chief of Police's discretion. For this executive review, the assigned case chairperson shall prepare a presentation summarizing the incident, identifying the department members and citizens involved, and detailing the board's deliberations, findings, and recommendations.
2. After the executive review, the board shall finalize a written report summarizing the incident and identifying the CIRB deliberations, findings, and recommendations. This report shall be submitted to the Chief of Police, Fire and Police Commission and commanding officer of the Administration Bureau for final action on the board findings and recommendations.
3. The commanding officer of the Administration Bureau shall obtain records of CIRB executive reviews, and shall conduct periodic follow-up with department work locations to ensure that CIRB training and policy recommendations have been

implemented.

A handwritten signature in black ink, appearing to read 'JBA' with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN
CHIEF OF POLICE

JBN:mfk