Legislation Details (With Text)

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Title:	Resolution urging the Fire and Police Commission to adopt de-escalation and restraint policies for the Police Department in alignment with the “Eight Can’t Wait” campaign.		
Sponsors:	ALD. JOHNSON, ALD. RAINEY, ALD. LEWIS, ALD. DIMITRIJEVIC, ALD. KOVAC, ALD. PEREZ, ALD. COGGS		
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Date	Ver.	Action By	Action	Result	Tally
7/7/2020	0	COMMON COUNCIL	ASSIGNED TO		
7/16/2020	0	PUBLIC SAFETY AND HEALTH COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
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8/5/2020	0	MAYOR	SIGNED		

200320

ORIGINAL

ALD. JOHNSON, RAINEY, LEWIS, DIMITRIJEVIC, KOVAC, PEREZ, AND COGGS

Resolution urging the Fire and Police Commission to adopt de-escalation and restraint policies for the Police Department in alignment with the “Eight Can’t Wait” campaign.

This resolution urges the Fire and Police Commission to adopt de-escalation and restraint policies for the Police Department in alignment with the “Eight Can’t Wait” campaign.

Whereas, The recent death of George Floyd in Minneapolis, Minnesota has brought public scrutiny to police tactics related to de-escalation and restraint; and

Whereas, In order to reduce systemic racism in the City of Milwaukee, it is crucial to take a coordinated city-wide approach to implement data-driven best practices to reduce violence at the hands of law enforcement officers

Whereas, Campaign Zero, a nationwide police reform platform, completed a 2016 study that found that police departments with more restrictive use of force policies kill fewer people per 100,000 arrests and per overall population; and

Whereas, Campaign Zero’s national “Eight Can’t Wait” campaign seeks for Police Departments across the country to introduce eight policing policies which, in jurisdictions where they have been implemented, have contributed to

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reducingdeathsatthehandsoflawenforcementby72percentanddecreasingthelikelihoodofassaultsonpolice officers and police deaths in the line of duty; and

Whereas,OnlythreeMilwaukeePoliceDepartmentStandardOperatingProcedures(SOP)alignwiththeeight policyrecommendationspromotedbythe"EightCan'tWait"campaign,includingrequirementsforofficerstoissue verbalwarningsbeforeusingforce,tointervenewhenfellowofficersuseexcessiveforce,andutilizationofauseof force continuum; and

Whereas,WhiletheMilwaukeePoliceDepartmentdoesnottrainitsmemberstousechokeholds,strangleholds, carotidrestraints,oranymaneuverwhichrestrictsmovementoftheheadorneck,thereisnoSOPthatexplicitly bans these techniques; and

Whereas,TheMilwaukeePoliceDepartment's"SOP460-UseofForce"doesnotprovidedetailonde-escalation techniques that officers should use in tense situations, such as methods of using verbal communication and maintaining physical distance from a subject; and

Whereas, SOP 460 states that "force that is intended or likely to cause great bodily harm or death, may only be used as a last resort," but does not explicitly state how use of force must be graduated and which lesser uses of force should be attempted prior to discharging a firearm; and

Whereas, SOP 460 states that an officer may shoot at a moving vehicle when "the moving vehicle poses an imminent and ongoing threat of substantial physical harm…and there is no reasonable means to escape," but shooting at a moving vehicle has been shown to be an ineffective and dangerous means of stopping a vehicle and subduing a subject; and

Whereas, Under SOP 460, there is no requirement for officers to report usage of force for incidents where they point weapons at civilians; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Fire and Police Commission is urged to adopt de-escalation and restraint policies for the Police Department in alignment with the "Eight Can't Wait" campaign, and to work with the Police Department to improve complaint processes; and, be it

Further Resolved, That the Fire and Police Commission is urged to amend the Police Department's Standard Operating Procedure ("SOP 460 - Use of Force") to explicitly ban chokeholds, strangleholds, carotid restraints, or any maneuvers which restrict movement of the head or neck; and, be it

Further Resolved, That the Fire and Police Commission is urged to amend SOP 460 to include language explicitly requiring officers to attempt to de-escalate situations through verbal communication, maintaining physical distance from the subject, and eliminating the use of force whenever possible; and, be it

Further Resolved, That the Fire and Police Commission is urged to amend SOP 460 such that officers must exhaust other means of using force before they may discharge a firearm; and, be it

Further Resolved, That the Fire and Police Commission is urged to amend SOP 460 to ban officers from shooting at a moving vehicle unless occupants of the vehicle pose a deadly threat by means other than the vehicle; and, be it

Further Resolved, That the Fire and Police Commission is urged to amend SOP 460 to require officers to report usage of force for incidents where they point weapons at civilians; and, be it

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Further Resolved, That the Fire and Police Commission is urged to require that all Milwaukee police officers be trained and retrained on positional asphyxiation; and, be it

Further Resolved, That the Fire and Police Commission is urged to work with the Milwaukee Police Department Use of Force Committee to ensure that there are proactive, early intervention processes and procedures in place to address complaints, investigations, and patterns of behavior in officers, and to complete a full review of all complaints and investigations on file to look for unaddressed patterns in behavior and gaps in supervisory monitoring and oversight; and, be it

Further Resolved, That the Fire and Police Commission is urged to present a plan to adopt de-escalation and restraint policies for the Police Department to the Common Council within 6 months of adoption of this resolution.

LRB176114-1
Alex Highley
June 22, 2020