



WISCONSIN STATE FAIR PARK POLICE

Policy & Procedure

Subject: USE OF FORCE & REPORTING		Policy No: 501
Effective: February 2022		Pages: 18

Updated using:

1. **Defensive and Arrest Tactics, A Training Guide for Law Enforcement Officers, Wisconsin Department of Justice, Law Enforcement Standards Board, December 2020.**
2. **Professional Communication Skills – a Training Guide for Law Enforcement Officers and Jail Officers, Wisconsin Department of Justice, Law Enforcement Standards Board, December 2014.**
3. **National Consensus Policy on Use of Force.**
4. **2021 Wisconsin Act 75, Wisconsin State Statute 175.44(1)-(5)**

501.01 PURPOSE:

The purpose of this policy is to comply with Wisconsin State Statute 175.44 (1)-(5) and to provide Officers with the guidelines for the use of force and recognize that the use of force by law enforcement requires constant evaluation. Even at the lowest level, the use of force is a serious responsibility. This policy will provide officers of this department with the guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in every situation, each officer is expected to use the guidelines to make such decisions in a professional, impartial, and reasonable manner. This policy is intended to be used in concert with other department policies related to use of force.

501.02 DEPARTMENT PHILOSOPHY:

The department recognizes and respects the value of all human life and dignity without prejudice. It is also understood that vesting officers with the authority to use reasonable force and protect the public welfare requires a careful balancing of all human interests.

The use of force by law enforcement personnel is a matter of critical concern both to the public and the law enforcement community. Officers are involved on a daily basis in numerous and varied encounters with the public and when warranted, may be called upon to use force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, the limitations of their authority. This is especially true when officers must overcome resistance while engaged in the performance of their duties. While it is the ultimate goal of every law enforcement encounter to gain voluntary compliance by minimizing conflict with those involved, nothing in this policy requires an officer to sustain physical injury or take unreasonable risk for their safety or the safety of others, before applying reasonable force.

Given that no policy can realistically predict every possible situation an officer might encounter in the field, each officer must be entrusted with the discretion in

determining the appropriate use of force in each incident.

501.03

POLICY:

It is the policy of this department that officers will use only that force that is objectively reasonable, given the totality of circumstances perceived by the officer at the time of the event, to effectively gain control of an incident, while protecting the safety of the officers and others. Officers should attempt to de-escalate confrontations through tactical communication, warning, and other common-sense methods preventing the need to use force whenever reasonably possible. It is also expected that any use of force is:

- a. Consistent with Wisconsin State Statute [175.44 (1)-(5)] and Federal laws, and
- b. Consistent with this and other department policies concerning uses of force, and
- c. Employed in a manner consistent with the officer's department training, unless individual circumstances justify alternative tactics or equipment.

The decision to use force "requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officer or others, and whether the suspect is actively resisting arrest or attempting to evade arrest by flight."

In addition, "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight... the question is whether the officers' actions are 'objectively reasonable' in the light of the facts and circumstances confronting them." ¹

501.04

DETERMINING THE REASONABLENESS OF FORCE:

The use of force by an officer must be objectively reasonable. Any interpretation of reasonableness must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving with regard to the amount of force that is necessary in a particular situation. Facts later discovered, but unknown to the officer at the time, can neither justify nor condemn an officer's decision about the use of force.

When determining whether or not to apply any level of force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration. These factors include, but are not limited to:

- a. The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- b. Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number of officers vs subjects.
- c. The influence of drugs and/or alcohol effects on the subject's physical and mental capacity and their threshold for pain or reason.
- d. The subject's proximity to weapons.
- e. The degree to which the subject has been effectively restrained and their ability to resist despite being restrained.
- f. Time and circumstances permitting, the availability of other options (what resources and/or alternatives are reasonably available to the officer under the circumstances).

- g. The seriousness of the suspected offense or reason for contact with the individual and the need to apprehend.
- h. The training and experience of the officer.
- i. The potential for injury to citizens and officers if force is used against the individual.
- j. The risk of escape presented by the subject.
- k. Any other reasonable, exigent circumstance as articulated by the officer.

Officers shall only use the level of force which a reasonably prudent officer would use under the same or similar circumstances.

In addition, situations where the subject either ceases to resist or the incident has been effectively brought under control, the use of physical force or less lethal alternatives shall be de-escalated or discontinued accordingly.

The use of force, as designated herein, will be reported in a timely, complete, and accurate manner by all involved officers and as otherwise prescribed by this policy.

This policy is applicable to all members of the department while on or off duty and engaged in the performance of their official duties.

501.05 NON-DEADLY FORCE APPLICATIONS

Any application of force that is not reasonably anticipated and intended under the circumstances to create a substantial likelihood of death or great bodily harm will be considered non-deadly force. Each officer is provided equipment, training, and skills to assist in the apprehension and control of suspects as well as protection of officers and the public. Non-deadly force applications may include, but are not limited to, the use of Taser, Oleoresin Capsicum (OC), Baton, Focused Strikes, Compliance Holds and Handcuffing.

501.06 DEADLY FORCE APPLICATIONS

Deadly force application is the intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm. This includes all choke holds (See Policy 502 Deadly Force).

501.07 DE-ESCALATION

Consistent with **Sub-Policy 501-B**, Officers should make every reasonable effort to de-escalate confrontations to prevent the need to use force. When subjects' actions create an imminent threat to the public or to officers, it is expected that officers will respond with reasonable and decisive force per this policy. See Sub-Policy 501

501.08 DUTY TO INTERVENE/OVERRIDE

Consistent with **Sub- Policy 501-C**, all officers have an affirmative duty to act upon and intervene/override any incident involving unnecessary and/or excessive force, including intentionally escalating an encounter absent lawful, necessary purpose.

Officers on scene are responsible for the physical safety and security of persons arrested. The officer(s) who used physical force on the subject(s) will conduct an initial medical assessment of the subject(s). Prior to booking or release, medical assistance will be obtained for any person(s) who has sustained visible injury, expressed a complaint of injury, continuing pain, difficult breathing, or who has been rendered unconscious, as soon as possible. Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of an examination by fire department personnel, to include EMT or paramedics, hospital staff, or medical staff at the Criminal Justice Facility (County Jail).

A person who exhibits medically significant behavior, extreme agitation, violent, irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "excited delirium"), or who requires a protracted physical encounter with multiple officers to bring him or her under control may be at an increased risk of sudden death and should be examined by qualified medical personnel as soon as possible and prior to transport in a police vehicle. Any individual exhibiting signs of distress after such an encounter shall be medically cleared prior to booking.

In addition, officers will obtain medical assistance for subjects under the following circumstances.

- a. The subject requests it
- b. The subject is unconscious
- c. The subject has an adverse reaction to the effects of OC Spray or CEW application
- d. The subject is experiencing hallucinations or delusions
- e. The subject complains of difficulty breathing

An ambulance shall be requested from the West Allis Fire Department to provide this medical assistance. A request for an ambulance will be made by the following:

- a. The officer who used force, or
- b. Assisting officers, or
- c. A supervisor

Supervisor approval is not needed for this request if an officer deems it medically necessary, even if it is a medical precaution. Any refusal of medical treatment by the subject shall be documented in all cases and shall be attached and/or added in the narrative section of the officer's TraCS report.

Once a subject has been medically cleared and discharged from the hospital, if that subject is held on state charges or a state warrant all medical release paperwork will be copied and accompany the subject to the Milwaukee County Criminal Justice Facility (CJF). Transporting officers will notify the jail deputies at CJF of the medical release and related paperwork.

A supervisor will respond to the scene of any incidents involving the use of force by SFPD employees. The responding supervisor will be responsible for taking the following actions:

- a. Obtain the basic facts from the involved officer(s).
- b. Ensure any injured parties are examined and treated.
- c. Ensure any potential witnesses are identified and interviewed to the extent feasible.
- d. The on-scene supervisor will ask all officers involved if an officer intervention/override occurred or if anyone observed any questionable use of force involving the incident.
- e. Ensure photographs are taken of injuries to officers or other persons.
- f. Make any command and/or other notifications that are required or that the supervisor determined should be made especially in cases of injuries.
- g. When feasible, approve all reports by involved officer(s) to ensure accuracy and consistency. If it is not feasible for the responding supervisor to do this, he or she will coordinate with another supervisor who will be responsible to review all remaining reports.
- h. Will assist to ensure "use of force" reports are complete.
- i. A supervisor's use of force report must be submitted by the end of their shift.

Any supervisor regardless of rank shall report any information received about an intervention/contact override decision if the potential of misconduct occurred, up the chain of command. If a higher-ranking supervisor is not available, then the intervention/override decisions will be reported directly to the office of the Chief of Police (ALL intervention/contact override decisions must reach the Chief of Police through the chain of command if the potential of misconduct occurred).

501.11 REPORTING PROCEDURES

1. Officers using physical force that results in a subject's physical injury, claimed injury or loss of consciousness during the performance of his or her police duties will, as soon as practical, notify an on-duty supervisor of the incident and request the supervisor to respond to the scene. If a supervisor is not on duty, a command officer will be notified, by phone call and will respond.
2. Officers will complete a written TraCS Incident Report documenting the incident along with a detailed description about the use of force that occurred within that incident. Any officer who witnesses an officer-involved use of force will file a written supplementary report. In addition, a separate written use of force report will be submitted on an ITMO to the Chief of Police.
3. The TraCS Incident Report should include, but is not limited to, the information documented by the - officer(s) in their use of force report (ITMO) submitted to the Chief of Police. Submit an ITMO to the Chief of Police documenting the date, time, location, TraCS, Report Number – type of injury and officers involved as soon as reasonably possible.

4. Responsibility for Reporting:

- a. Officers shall provide a verbal notification to a supervisor immediately following any use of force resulting in injury or claimed injury. This includes both officers who used force and those who witnessed the use of force resulting in injury or claimed injury.
- b. In addition to the verbal notification, officers shall file a written use-of-force report(s) (ITMO) that resulted in injury or claimed injury to an individual before the end of the shift addressed to the Deputy Chief of Police assigned to the Use of Force Review Board.
- c. Each officer who uses force or witnesses an incident involving force that resulted in an injury or claimed injury to a subject shall submit a separate written use-of-force report (ITMO) before the end of the shift addressed to the Deputy Chief of Police assigned to the Use of Force Review Board.

5. Report Content/Information

SEE APPENDIX C

501.12 USE OF FORCE REVIEW

The threshold for use of force incidents that shall be subject to review are those where injury occurs, is claimed by the subject, or at the discretion of the Chief of Police.

1. The Chief shall assign command personnel to oversee such assignments in addition to normal duty assignments.
 - a. Command personnel assigned to review incidents involving the use of force shall be members who are State of Wisconsin certified LESB instructors in DAAT, Firearms, Conducted Energy Weapons and/or other specialized experience **(See Appendix A).**
2. Copies of all reports related to the use of force incident shall be forwarded to the highest-ranking command officer assigned to the Use of Force Review Board. The Review Board shall be responsible for reviewing the reports and all other available information relative to the use of force incident. The review shall include a complete analysis of the incident, a commentary or comparison of the actions taken as they relate to applicable Department Policy and Procedure.
 - a. All reviews should occur within 48 hours of occurrence or as reasonably possible after the incident occurred.
 - b. Upon conclusion of the review, the Use of Force Review Board shall submit a written report of the results on an In-The-Matter-Of to the Chief of Police signed by all Board members.
3. If required, the Deputy Chief of Police (Patrol Division) shall initiate action consistent with Department Policy and Procedures relative to training or disciplinary action, if a policy violation occurred. All actions shall be reported to the Chief of Police.

501.13 TRAINING

The Training Coordinator will schedule annual use of force training for all sworn personnel of this department. All members must attend State Fair Park Police Department in house use of force training (outside agency training will not be accepted). The training coordinator will be responsible for maintaining training records, documenting the use of force training that each officer received, which includes lesson plans, date of attendance, and all qualification dates and scores on weapon and less lethal delivery systems.

This agency will train "use of force" under the "Disturbance Resolution Model". The State of Wisconsin Defensive and Arrest Tactics System (DAAT) is our guide for an officer's use of force and is documented in Appendix A of this policy.

501.14 DEFINITIONS

See Appendix B for definitions.

501.15 INVESTIGATION OF DEADLY FORCE AND/OR GREAT BODILY HARM INCIDENTS

1. The Milwaukee Area Investigative Team will investigate all Deadly Force incidents involving officers from this department.
2. The Chief of Police, at his discretion, may have the Milwaukee Area Investigative Team review and/or investigate other high levels of force used by officers of this department.
3. Following a use-of-force incident in which a subject has died or received serious bodily injury, limited information shall be provided to the public in a reasonable time frame.

501.16 FORCE ANALYSIS AND ASSESSMENT

1. All uses of force that result in injury, great bodily harm, or death to a subject or officer will ultimately be reviewed by the Chief for purposes of identifying any violations of and deficiencies in agency policy, procedures, rules, training, equipment or any aspects of organizational culture that may have a bearing on the force used.

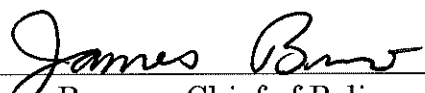
501.18 USE OF FORCE AND ARREST RELATED DEATH REPORTING

1. The Wisconsin Department of Justice, through the Bureau of Justice Information And Analysis, requires that all agencies report officer involved Use of Force Incidents that meet one or more of the following criteria:
 - a. Officer Use of Force that results in the death of a person.

- b. Officer Use of Force that results in the serious injury (great bodily harm) of a person.
 - c. Use of Force that results in an officer discharging their firearm at or in the direction of a person.
-
- 2. The Use of Force and Arrest Related Death Report, UFAD, is located within the TraCS System and it will be completed electronically by the Chief of Police or his designee. The completed UFAD Report will then be submitted electronically to the Bureau of Justice Information and Analysis. The UFAD report will be completed even if there are no reportable use of force incidents. (Zero Report)
 - 3. The DOJ Use of Force Decision Tree (DOJ Appendix B) is the guide to help determine if a use of force incident is reportable.

501. 19 ASSOCIATED POLICIES

Policy Sub-Section #501-B – De-Escalation
Policy Sub-Section #501-C – Duty to Intervene
Policy #502 – Use of Deadly Force
Policy #507 – Less Lethal Weapons
Policy #508 – Electronic Control Devices – CEW
Policy # 512 – Oleoresin Capsicum Aerosol (OC Spray)



James Bruno – Chief of Police

2-15-2022
Date



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APPENDIX A

Disturbance Resolution Model

POLICY 501 – USE OF FORCE – Mandates all officers employed with State Fair Park Police Department receive use of force training based on the Disturbance Resolution Model.

A. DISTURBANCE RESOLUTION MODEL

In determining the level and type of force to be used, officers of this department will employ the concepts, tactics, and techniques of the State of Wisconsin Defensive and Arrest Tactics System (DAAT). The DAAT Disturbance Resolution Model is the guide for an officer's use of force and the system/model this department uses to train its personnel.

DISTURBANCE RESOLUTION

1. APPROACH CONSIDERATIONS

A. Decision Making

Justification

Desirability

B. Tactical Deployment

Control of Distance

Relative Positioning

Relative positioning with multiple subjects

Team Tactics

C. Tactical Evaluation

Threat Assessment Opportunities

Officer/Subject Factors

Special Circumstances

Level/Stage/Degree of stabilization

2. INTERVENTION OPTIONS

Mode

Presence

Tactic

Professional Presence

Purpose

To present a visible display of Authority

Dialog

Professional Communications

To obtain Voluntary Compliance

Control Alternatives	Escort Holds	To overcome passive resistance, active resistance or their threats
	Compliance Holds	
	Control Devices	
	1. Oleoresin Capsicum (OC) Spray	
	2. Conducted Energy Weapon	
	Passive Countermeasures	
Protective Alternatives	Focused Strikes	To overcome continued resistance, assaultive behavior or their threats
	Incapacitating Techniques	
	Intermediate Weapons	
Deadly Force	Firearm	To stop the threat

3. FOLLOW THROUGH CONSIDERATIONS

- | | |
|---------------------|--|
| A. Stabilize | Application of restraints if necessary |
| B. Monitor/Debrief | |
| C. Search | |
| D. Escort | If necessary |
| E. Transport | If necessary |
| F. Turnover/Release | Removal of restraints if necessary |

MODES OF INTERVENTION OPTIONS

The five modes of Intervention Options each serve a different purpose and include different tactics and techniques:

A. Presence

The first mode, Presence, reflects the fact that sometimes all that is needed to control a situation is the presence of an officer. The purpose of this mode is to "present a visible display of authority." Much as drivers are careful not to exceed the speed limit when they share the road with a marked squad, the simple presence of an officer in uniform or otherwise identified is enough to prevent people from starting or continuing to behave aggressively or otherwise create a disturbance.

B. Dialog

The second mode, Dialog, covers the range of communication from low level questioning to very direct commands. The purpose of Professional Communications Skills, the trained tactic used in this mode, is to obtain voluntary compliance. The trained tactics and techniques include the Basic Contact Model and Arbitration.

C. Control Alternatives

The third mode, Control Alternatives, includes a wide range of tactics and tools for controlling subjects. The purpose of this mode is to overcome passive resistance, active resistance, or their threats. These are divided into four groups: Escort Holds, Compliance Holds, Control Devices, and Passive Countermeasures. This mode includes both empty hand techniques such as applying an escort hold or directing a subject to the ground, and tools such as Oleoresin Capsicum (OC) spray and Conducted Energy Weapons. The common thread is that all of these tactics and tools are used to control subjects who are resisting or threatening to resist.

D. Protective Alternatives

The fourth mode, Protective Alternatives, includes tactics and tools to protect an officer while also managing continuing resistance. The purpose of this mode is to overcome continued resistance, assaultive behavior, or their threats. The tactics include focused strikes that disrupt a subject's ability to continue to resist or fight; a diffused strike that can cause an immediate, though temporary, cessation of a subject's violent behavior; and the use of baton strikes to impede a subject. The difference between Protective Alternatives and Control Alternatives is that with Protective Alternatives the purpose is not only to control the subject but also to protect the officer.

E. Choke Holds

Choke Holds are prohibited under the first 4 modes of intervention, this includes Control Alternatives and Protective Alternatives by this Department. Any choke hold maneuver is considered deadly force and must be justified under the fifth mode of deadly force.

F. Deadly Force

The fifth mode, Deadly Force, represents the highest level of force available to law enforcement officers. The purpose of this mode is to stop the threat. The power to use deadly force is the greatest responsibility given to law enforcement officers.

See Policy # 502 – Use of Deadly Force.



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APPENDIX B

DEFINITIONS:

1. **Use of Force:** For purposes of this policy, use of force is the amount of effort required by law enforcement to achieve compliance or overcome a subject's physical resistance to any command, arrest, or detention. This includes any use of force occurring while the officer is acting in an official law enforcement capacity, including undercover, plainclothes, or uniform assignments, whether the officer is on or off duty. Use of force may include, but is not limited to, use of chemical or electronic force; open-handed strikes, punches, or kicks; displaying a firearm for purposes of compelling compliance; discharging a firearm; or using physical intervention with a vehicle that could reasonably result in injury or death. This does not include the use of handcuffs as a restraint in arrest and transport activities; presence of officer's horses or issuance of verbal commands.
2. **Duty to Intervene/Contact Officer Override:** Any officer or supervisor who personally observes another officer(s) use force, which the observing officer or supervisor believes to be beyond that which is objectively reasonable under the circumstances, shall reasonably attempt to intervene to prevent the use of such excessive force, when there is an opportunity to do so. Any officer or supervisor intervening shall promptly report their observations, along with his/her own intervening actions to a supervisor. A failure to intervene in any unreasonable use of force may violate Wisconsin State Statute 175.44(4), demonstrates a lack of courage, and a violation of this policy and other Department Rules and Regulations that will result in a disciplinary action. All supervisors, regardless of rank or assignment, shall report all contact officer or supervisor overrides, where misconduct occurred, up the chain of command to the office of the Chief.

In addition, all officers have a duty to intervene in any situation if the contact officer(s) is/are behaving inappropriately or is/are otherwise not handling the situation effectively or professionally (See Policy #501-B).

3. **Contact/Override Intervention Compliance:** Any contact officer or supervisor who is engaged in the use of force and becomes aware of an officer(s) or supervisor attempting to override the contact officer or supervisor's actions, shall promptly disengage in the use of force and turn the situation over to the overriding officer or supervisor conducting the intervention and immediately take a backup role, only if needed. A failure to disengage or comply with an officer override is a violation of this policy that will result in a disciplinary action.
4. **Active Resistance:** Behavior which physically counteracts an officer's control efforts, and which creates a risk of bodily harm to the officer, subject, and/or other persons.

5. **Arbitration:** A dispute resolution strategy used with a non-compliant individual.
6. **Assaultive Behavior:** Direct actions or conduct that generates bodily harm.
7. **Basic/Initial Contact:** A model for law enforcement and corrections contacts with citizens and inmates.
8. **Baton:** A police impact weapon used to impede an adversary by striking parts of the body. Conventional batons are made of wood or plastic; expanding batons are constructed of a series of telescoping metal shafts.
9. **Body Check:** A physical inspection for possible injury.
10. **Choke Holds:** A choke hold is defined as a physical maneuver that restricts an individual's ability to breathe and also restricts blood flow to the brain which causes unconsciousness at lower levels and death if there is prolonged use. In the most common choke hold, referred to as an arm-bar hold, an officer places his or her forearm across the front of an individual's neck and then applies pressure for the purpose of cutting off air and blood flow. Other physical maneuvers could consist of grabbing the front of the neck with a hand and applying pressure and using a knee or leg to apply pressure to the neck. These are extremely dangerous maneuvers that can easily result in serious bodily injury or death. Therefore, any choke hold maneuver is prohibited unless deadly force is authorized.
11. **Conducted Energy Weapon:** A less than lethal electronic device that is designed to cause Neuro-Muscular Incapacitation thereby gaining control of a subject who displays active resistance or its threat.
12. **Continued Resistance:** Maintaining a level of counteractive behavior that is not controlled by an officer's current efforts.
13. **Control:** The purpose of an officer's use of Defensive and Arrest Tactics is control.
14. **Control Process:** Achieving control of a contact or situation through presence and dialogue, or, if necessary, through physical intervention.
15. **DAAT:** A system of verbalization skills coupled with physical alternatives for Wisconsin law enforcement.
16. **Deadly Force:** The intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm. This includes all choke holds. A law enforcement officer may use deadly force only as a last resort when the law enforcement officers reasonably believes that all other options have been exhausted or would be ineffective. See Wisconsin State Statute 175.44(2)(c).
17. **Deadly Force Reactions:** Determining if a threat is so serious that the only appropriate response capable of immediately stopping it is the use of deadly force.

- 18.**De-Escalation:** An officer's use of time, distance, and relative positioning in combination with Professional Communication Skills to attempt to stabilize a situation and reduce the immediacy of the threat posed by an individual (**See Sub-Policy 501-B**).
- 19.**Disturbance Resolution:** The conceptual model for an officer's use of intervention options. Disturbance Resolution includes basic contact communication skills, as well as higher levels of verbal control such as arbitration and mediation which are used to attempt to diffuse dangerous situations.
- 20.**D.O.N.E.:** An acronym describing the conditions under which disengagement and/or escalation to physical force would be appropriate. **D**anger, **O**verriding concern, **N**o progress, **E**scape.
- 21.**Due Regard:** Phrase implying that a reasonably careful person, performing similar duties and acting under similar circumstances, would act in the same manner.
- 22.**Duty to Intervene:** To verbally or physically interact with another member so as to prevent or alter a result or course of events (**See Sub-Policy 501-C**).
- 23.**Escalate:** To increase the intensity or move to a higher level of force or control.
- 24.**Great Bodily Harm:** Wisconsin State Statute (939.22(14)) Means bodily injury, which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.
- 25.**Imminent Threat:** An impending likelihood of trouble; in this context, "Imminent Threat," of death or great bodily harm to you or another is a justification for the use of deadly force.
- 26.**Intervention Options:** An element of Disturbance Resolution in DAAT containing five modes in which an officer can intervene with a subject.
- 27.**Mediation:** A conflict resolution strategy to assist disputants in voluntarily reaching a mutually acceptable decision.
- 28.**Objectively Reasonable:** The determination that the necessity for using force and the level of force used is based upon the officer's evaluation of the situation in the light of the totality of circumstances known to the officer at the time the force is used and upon what a reasonably prudent officer would use under the same or similar situations. It is the standard by which many actions of a police officer are judged.
- 29.**Officer/Subject Factors:** Some of the criterion used in evaluating a subject and selecting the appropriate response option. How officer(s) "match up" to the subject, how many officers there are compared to the number of subjects, as well as age, size, relative strength, and skill.
- 30.**O.I.R.:** The basic contact communication model. **O**pening, **I**nformation gathering, **R**esolution.

31. **Passive Resistance:** Non-compliant and non-threatening behavior.
32. **Preclusion:** The elimination of all other viable alternatives.
33. **R.E.A.C.T.:** A systematic dispute resolution strategy (Arbitration) **R**quest cooperation, **E**xplain reason, **A**llow choice, **C**heck decision, **T**ake action.
34. **Special Circumstances:** Factors or situation(s) that may justify rapid escalation of force or selection of higher force options: availability of back-up, injury or fatigue, availability of cover, availability of proper equipment.
35. **Totality of the Circumstances:** Represents all information known to the officer at the moment action is taken and the facts used to judge the appropriateness of the action.
36. **Voluntary Compliance:** Willingly submitting or yielding.
37. **In The Matter Of:** Internal department reporting document, also referred to as an ITMO.



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APPENDIX C

USE OF FORCE REPORT CONTENT / INFORMATION

- A. All required use-of-force reports shall be comprehensive and provide the degree of specificity necessary to fully document and evaluate the officer's force response.
- B. Officers should ensure that their use-of-force report accurately relates what the officer knew, observed, or believed at the time of the incident. Facts or information revealed following the incident should not be included in the officer's initial use-of-force report but may be included in a supplemental report.
- C. At a minimum, reports shall include the following information. Any additional information should be included that would add to a complete understanding of the incident.
 - The nature of the incident
 - Full information on the subject, including age, sex, race, and ethnicity
 - Where (address) and when (date and time) the incident took place
 - Whether the incident was in response to a call for service or an officer-initiated action
 - Information on the officer, including age, sex, and years of service
 - The size and build of the subject in relationship to the officer
 - Reason for initial contact between the subject and officer, including any suspected unlawful or criminal activity
 - Whether the incident was an ambush/unprovoked assault
 - Whether the officer was
 - Readily identifiable as law enforcement, including whether he or she was in uniform or plainclothes;
 - Operating a marked or unmarked law enforcement vehicle or on foot patrol;
 - On or off duty; and
 - Accompanied by other officers.
 - Whether a supervisor or a senior officer acting in a supervisory capacity was present or consulted at any point during the incident
 - Whether backup was requested and if so, when it arrived
 - Whether the officer approached the subject or was approached by the subject
 - Whether associates of the subject were present at the time
 - Whether witnesses were present at the time
 - Whether there was any cause to believe the subject was armed or hostile

- The subject's general demeanor, including any known or apparent impairments
- Any verbal exchange that transpired
- The full circumstances that supported a detention or arrest decision, where applicable, to include the severity of the crime or evidence discovered prior to the detention or arrest attempt by the officer (s)
- Any threat to the officer or another person
- Type, intensity and duration of resistance to arrest by the subject to include any threat to others
- Any de-escalation attempts made
- Any force options available to the officer and the reason for the level of force response employed
- Any subject and officer injury or complaint of injury, medical treatment received, or refusal of medical treatment
- Photographs of subject and officer injuries
- Video and audio recordings made of the incident, including those made by body-worn cameras.

D. Officers filing any report documenting a Use of Force incident will have the report reviewed by a supervisor before filing that report.



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(414) 266-7033 • FAX (414) 266-7114

Chief of Police James J. Bruno



APPENDIX D

USE OF FORCE POLICY #501

USE OF FORCE REVIEW BOARD MEMBERS

(Effective Date: January 2022)

Deputy Chief of Police Christian Eversum – Coordinator

Deputy Chief of Police Brian Fiene

Sergeant of Police Walter McCullough