

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING: PUBLIC SAFETY COMMITTEE

DATE AND TIME: MONDAY, DECEMBER 7, 2020 6:00 p.m.

LOCATION: Germantown Village Hall Board Room
N112 W17001 Mequon Road

NOTICE: Pursuant to the current recommendation of the Centers for Disease Control and Prevention limiting the size of public gatherings, capacity within the Board Room will be limited. Members of the body and citizens may also attend the meeting virtually through the WebEx platform, Meeting #: 126 919 7322 Password: m8DkPPQPJ43 which can be accessed by phone at 408-418-9388 or by logging on <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=m38e48d9d7428799f66afe3ee21f48975> Citizens wishing to view the meeting are encouraged to watch the live broadcast of the meeting through Channel 25 on Spectrum cable, or the livestream on the Village's website. Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@village.germantown.wi.us by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration.

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Wisconsin Statutes, Section 19.83 and 19.84 in such form that will apprise the general public and news media of subject matter that is intended for discussion and action.
- II. **ROLL CALL:** Chairperson Miller, Trustees Wing, Pieper and Myers.
- III. **PUBLIC COMMENT:** *Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes) Written Public Comments should be directed to comments@village.germantown.wi.us, by 4 p.m. on Monday, December 7, 2020.*
- IV. **APPROVAL OF MINUTES:** November 2, 2020, Regular Meeting.
- V. **REPORTS:**
 - A. Police Department.
 1. Monthly.
 - B. Fire Department.
 1. Monthly.
 - C. Overtime Reports.
 1. Police Department.
 2. Fire Department.
 - D. Policy Updates.
 1. Police Department:
 - a. Policy 308 – Officer Response to Calls.
 - b. Policy 309 – Canines.
 - c. Policy 310 – Domestic Abuse.
 - d. Policy 311 – Search and Seizure.

- e. Policy 312 – Temporary Custody of Juveniles.
- f. Policy 313 – Adult Abuse.
- g. Policy 314 – Discriminatory Harassment.
- h. Policy 315 – Child Abuse.
- 2. Fire Department:
 - a. None.

VI. **UNFINISHED BUSINESS:**

- A. None.

VII. **NEW BUSINESS:**

- A. Police Department – Purchase of Two 2021 Ford Police Interceptor Utility Vehicles.
- B. Police Department – Replacement of Officer.
- C. Police Department – Lateral Entry Program, Amendment to Current Collective Bargaining Agreement.
- D. Animal Fancier License for January 1, 2021 – December 31, 2021.
 - 1. Mary Best, W181N12556 Fond du Lac Avenue.
 - 2. Kathleen Henning, N116W12899 Elm Lane.
 - 3. Clint and Lisa Murray, N103W15022 Windsong Circle E.
 - 4. Becky Rao, W204N13781 Goldendale Road.
 - 5. Mareen Shaughnessy, W168N11318 Western Avenue.
 - 4. Cheryl Suckow, W217N9797 White Horse Drive.
 - 5. Tim Truckenmiller, N103W17294 Woodbridge Court.
- E. Second Hand Article Dealer License for January 1, 2021 – December 1, 2021.
 - 1. EcoATM LLC Hunter Bjorkman, W190N9855 Appleton Avenue

VIII. **NEXT MEETING:** Set January 2021 Meeting Date and Time.

IX. **ADJOURNMENT:**

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

NOTICE is given that a majority of the Village Board may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

**MEETING MINUTES
PUBLIC SAFETY COMMITTEE MEETING
NOVEMBER 2, 2020
GERMANTOWN VILLAGE HALL BOARD ROOM**

CALL: The meeting was called to order at 6:00 p.m. by Chairman Miller.

ROLL CALL: Chairman Miller (virtual via WebEx), Trustees Myers and Pieper. Trustee Wing arrived at 6:02 p.m.

Also present were Police Chief Snow, Fire Chief Delain, Clerk Braunschweig.

PUBLIC COMMENT: No discussion.

APPROVAL OF MINUTES: a motion was made by Myers, seconded by Pieper, to approve the minutes of the October 5, 2020 Public Safety Committee meeting. Motion carried unanimously.

POLICE DEPARTMENT MONTHLY REPORT: Snow reported on the following:

- COVID-19 has affected a number of staff at the department
- Wing arrived at this time, 6:02 p.m.
- Monthly report is showing a decrease in traffic stops compared to 2019, accident numbers are also down
 - Traffic volume has significantly decreased during the pandemic but numbers have been picking up
 - Retail theft numbers have increased especially at Walmart, staff has met with Walmart management to look at ways to resolve the problems there
 - Elections will be held tomorrow, the department has increased staff to monitor the poll locations
 - Myers appreciated the letters of thanks included in the report

FIRE DEPARTMENT MONTHLY REPORT: Delain reported on the following:

- Staff at their department have also been affected by COVID-19
- They have seen an increase in people with COVID related illnesses, hospital will notify them of positive results
- Increase in fire calls including one in a senior-living facility
- Pieper asked if the cause of the fires was known, Delain responded one was caused by a chemical reaction on cleaning cart, one from a charcoal grill, a hot load was dumped at Waste Management, another was undetermined

OVERTIME REPORTS:

Police Department – Snow advised the overtime budget was tracking well even with the extra overtime assigned to cover COVID absences

Fire Department – Delain said that their overtime has been consistent during the past few months

POLICY UPDATES FOR POLICE & FIRE DEPARTMENT:

Police Department - the following policies were submitted for review:

1. 300 Use of Force
2. 301 Use of Force Review Boards
3. 302 Handcuffing and Restraints
4. 303 Control Devices and Techniques
5. 304 Conducted Energy Device
6. 305 Officer Involved Shootings and Deaths
7. 306 Firearms
8. 307 Vehicle Pursuits

Snow advised that there were 30 new policies and the ones listed here are the most commonly used. Wing asked if these policies are consistent with what other departments have, Snow advised they are. Wing also questioned the Use of Force Review Board policy, Snow stated it will be a new policy for the department and a Board will be put together by next year. Myers asked for a brief synopsis of the Vehicle Pursuit policy, Snow advised the department's policy is consistent with the Sheriff Department's policy, a pursuit channel is used and pursuits will be allowed within reason. Supervisors have discretion to continue or terminate the pursuit - traffic conditions and weather contribute to their decision.

Fire Department: none

UNFINISHED BUSINESS: none

NEW BUSINESS

FIRE DEPARTMENT – ORDINANCE AMENDING SECTION 5.15 BURNING REGULATED, RESTRICTIONS AND LIMITATIONS: a motion was made by Myers, seconded by Pieper, to forward this item to Village Board with a recommendation of approval.

Discussion followed with Wing asking if these changes were recommended due to businesses bringing in debris from other locations to burn, Delain advised that was correct and the only change to the ordinance was to include the wording that yard waste which is burned must originate on the property where the burning is taking place.

Motion to approve amending Section 5.15 Burning Regulated, Restrictions and Limitations carried unanimously.

FIRE DEPARTMENT ORDINANCE TO RESCIND ORDINANCE 5.10

STRUCTURES WITH LIGHT-FRAME TRUSS: a motion was made by Myers, seconded by Pieper, to forward this item to Village Board with a recommendation of approval.

Discussion followed with Miller clarifying that this ordinance is no longer relevant due to training that firefighters receive. He added that the fire department has been paying to provide signage to businesses which would inform responding personnel on the type of building they were entering, but this was an extra step that is no longer necessary.

Motion to approve Rescinding Ordinance 5.10 Structures with Light-Frame Truss carried unanimously.

DISPATCH COMPENSATORY TIME: Snow advised that this was a request to allow police department dispatchers to earn a total of 42.5 hours of compensatory time instead of the current 40 hours. He explained that they work an 8.5 hour shift instead of the normal 8.0 hours worked by most personnel.

A motion was made by Myers, seconded by Pieper, to forward this request to increase dispatch compensatory time from 40 hours to 42.5 hours to Village Board with a positive recommendation. Motion carried unanimously.

NEXT MEETING: Monday, December 7, 2020 at 6:00 p.m., Village Hall Boardroom.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:25 p.m.

Recorded by,

Julie L. Barth
Secretary

**BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: 12-07-2020

AGENDA ITEM: Reports

ITEM TITLE: Policy Updates

SUBMITTED BY: Capt. Mike Snow

SUMMARY EXPLANATION:

Attached are policies 308-315 of the updates policy manual.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:

Officer Response to Calls

308.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to all emergency and non-emergency situations whether dispatched or self-initiated (Wis. Stat. § 346.03(6)).

308.2 RESPONSE TO CALLS

Officers responding to any call shall proceed immediately. Officers responding to an emergency as an emergency response shall continuously operate emergency lighting equipment and shall sound the siren as reasonably necessary (Wis. Stat. § 346.03).

Responding with emergency lights and siren does not relieve the operator of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons and property and does not protect the driver from the consequences of his/her reckless disregard for the safety of others. The use of any other warning equipment without emergency lights and siren does not generally provide an exemption from the Wisconsin motor vehicle laws (Wis. Stat. § 346.03(5)).

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not responding as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

308.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an imminent threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officers shall immediately notify Dispatch.

308.3.1 NUMBER OF UNITS PARTICIPATING

Normally, only those units reasonably necessary should respond to a call with an emergency response. The Patrol Lieutenant or the field supervisor should monitor all emergency responses and reduce or enhance the response as warranted.

308.4 INITIATING EMERGENCY RESPONSE

If an officer believes an emergency response to any call is appropriate, the officer shall immediately notify Dispatch. An emergency response of more than one unit should initiate notification of and coordination by Dispatch to avoid any unanticipated intersecting of response routes.

308.5 RESPONSIBILITIES OF THE RESPONDING OFFICER

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

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During a call involving an emergency response, after giving a visual and audible siren or exhaust whistle, officers may (Wis. Stat. § 346.03):

- (a) Disregard regulations governing stopping, parking or standing when using a red or red and blue flashing, oscillating or rotating light.
- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- (c) Exceed any speed limits provided this does not endanger life or property.
- (d) Disregard regulations governing direction of movement or turning in specified directions.

The decision to continue as an emergency response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify Dispatch. An officer shall also discontinue an emergency response when directed by a supervisor.

Upon determining that an emergency response is appropriate, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at an emergency response scene should determine whether to increase or reduce the level of the response and notify Dispatch of their determination. Any subsequent change in the appropriate response level should be communicated to Dispatch by the officer in charge of the scene unless a supervisor assumes this responsibility.

308.5.1 EMERGENCY RESPONSE SPECIAL CONDITIONS

While performing certain emergency response tasks, the use of emergency lights or sirens may increase the danger to the responding officers or the public. In the following circumstances, officers may exceed the speed limit without giving a visual and audible signal if (Wis. Stat. § 346.03(4)):

- (a) The officer is obtaining evidence of a speed violation.
- (b) The officer is responding to a call which the officer reasonably believes involves a felony in progress and the officer reasonably believes that knowledge of the officer's presence may:
 - 1. Endanger the safety of a victim or other person, or
 - 2. Cause the suspected violator to evade apprehension, or
 - 3. Cause the suspected violator to destroy evidence of a suspected felony or may otherwise result in the loss of evidence of a suspected felony, or

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4. Cause the suspected violator to cease the commission of a suspected felony before the officer obtains sufficient evidence to establish grounds for arrest.

Any emergency response without the use of emergency lights and siren shall be conducted with due regard for the safety of the public and property and the recognition that such a response may not provide an exemption from the vehicle laws (Wis. Stat. § 346.03(5)).

Any emergency response without the use of lights or siren shall cease if the circumstances no longer warrant such a response.

308.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall ensure acknowledgment and response of assisting units when an officer requests emergency assistance or when the available information reasonably indicates that the public is threatened with serious injury or death and an immediate law enforcement response is needed. In all other circumstances, the dispatcher shall obtain authorization from the Patrol Lieutenant or a field supervisor prior to assigning an emergency response. The dispatcher shall:

- (a) Attempt to assign the closest available unit to the location requiring assistance.
- (b) Immediately notify the Patrol Lieutenant.
- (c) Confirm the location from which the unit is responding.
- (d) Notify and coordinate outside emergency services (e.g., fire and ambulance).
- (e) Continue to obtain and broadcast information as necessary concerning the response, and monitor the situation until it is stabilized or terminated.
- (f) Control all radio communication during the emergency and coordinate assistance under the direction of the Patrol Lieutenant or field supervisor.

308.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that an emergency response has been initiated, the Patrol Lieutenant or the field supervisor shall verify the following:

- (a) The proper response has been initiated.
- (b) No more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.

The field supervisor shall, whenever practicable, monitor the response until it has been stabilized or terminated, and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned an emergency response, the supervisor may do so.

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It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment, is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the Patrol Lieutenant or the field supervisor should consider the following:

- The type of call or crime involved
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

308.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly.

The officer shall notify the Patrol Lieutenant, field supervisor or Dispatch of the equipment failure so that another unit may be assigned to the emergency response.

Canines

309.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community including but not limited to locating individuals and contraband and apprehending criminal offenders, and protecting officers from assaultive individuals.

309.2 POLICY

It is the policy of the Germantown Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

309.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Operations Division to function primarily in assist or cover assignments. However, they may be assigned by the Patrol Lieutenant to other functions, such as routine calls for service, based on the current operational needs.

309.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Captain or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

309.5 REQUESTS FOR CANINE TEAMS

Operations division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Operations Division shall be reviewed by the Patrol Lieutenant.

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309.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Patrol Lieutenant and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (d) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

309.5.2 PUBLIC DEMONSTRATION

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator.

309.6 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any aggravated misdemeanor or felony offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed is committing or is threatening to commit an aggravated misdemeanor or felony offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Patrol Lieutenant. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood, the canine will bite or otherwise injure the individual.

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In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

309.6.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

309.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, two clearly audible warnings announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the

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handler shall document in any related report how the warning was given and, if none was given, the reasons why.

309.6.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in an incident report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in the incident report along with photographs and body camera footage. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in an incident report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

A canine is not subject to quarantine if the canine is immunized against rabies. However, after a bite, the canine must be made available for examination at any reasonable time. The handler shall notify the local health department if the dog exhibits any abnormal behavior (Wis. Stat. § 95.21).

309.7 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

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309.7.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

309.7.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags, and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

309.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who is currently off probation.
- (b) Residing in a single-family residence.
- (c) Living within 30 minutes travel time from the Germantown Village limits.
- (d) Agreeing to be assigned to the position for the service life of the animal.

309.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection, and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When not in service, the handler shall maintain the canine vehicle on their residential property.
- (d) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (e) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.

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- (f) When off-duty, the canine shall be in a kennel or crate provided by the Village at the home of the handler. When a canine is kenneled or crated at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (g) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (h) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Patrol Lieutenant.
- (i) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Patrol Lieutenant.
- (j) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

309.9.1 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains safe and inhabitable for the canine.

309.10 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine coordinator.

The canine handler shall be compensated for time spent in the care, feeding, grooming, and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the collective bargaining agreement or memorandum of understanding (29 USC § 207).

309.11 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Patrol Lieutenant as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's file for his/her assigned K9.

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309.12 TRAINING

Before assignment in the field, each canine team shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator or designated training kennel should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Patrol Lieutenant.

309.12.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine teams should receive training as defined in the current contract with the Germantown Police Department canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department.

309.12.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, and remedial training the canine handler shall be temporarily reassigned to regular patrol duties. If the assigned handler is unable to be certified after remedial training the K9 can be reassigned to another canine handler.

309.12.3 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file.

309.12.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using, or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Germantown Police Department may work with outside trainers with the applicable licenses or permits.

Canines

309.12.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (21 USC § 823(f); Wis. Stat. § 961.335; Wis. Admin. Code § CSB 3.05).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

309.12.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed, and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight, and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Property Room or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

Domestic Abuse

310.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic abuse through vigorous enforcement and to address domestic abuse as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic abuse.

310.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders issued by a court related to domestic abuse, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

310.2 POLICY

The Germantown Police Department's response to incidents of domestic abuse and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic abuse is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

310.3 OFFICER SAFETY

The investigation of domestic abuse cases puts officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise reasonable care for the safety of any officers and parties involved.

310.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic abuse cases:

- (a) Calls of reported, threatened, imminent, or on-going domestic abuse and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

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- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Bureau in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Whether the suspect lives on the premises with the victim.
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 3. The potential financial or child custody consequences of arrest.
 - 4. The physical or emotional state of either party.
 - 5. Use of drugs or alcohol by either party.
 - 6. Denial that the abuse occurred where evidence indicates otherwise.
 - 7. A request by the victim not to arrest the suspect.
 - 8. Location of the incident (public/private).
 - 9. Speculation that the complainant may not follow through with the prosecution.
 - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
 - 11. The social status, community status, or professional position of the victim or suspect.

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310.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

310.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 - 1. Voluntary separation of the parties.
 - 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.

310.5 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should:

- (a) Recognize that a victim's behavior and actions may be affected.
- (b) Provide the victim with the department's domestic abuse information handout, even if the incident may not rise to the level of crime.
 - 1. Providing information regarding the availability of shelters and services and notice of legal rights is mandatory when there is reasonable grounds to believe that a person is a domestic abuse victim (Wis. Stat. § 968.075).
- (c) Alert the victim to any available victim advocates, shelters and community resources.
- (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- (e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
- (f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (h) Seek or assist the victim in obtaining an emergency order if appropriate.

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310.6 DISPATCH ASSISTANCE

All calls of domestic abuse, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

310.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic abuse cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

310.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

310.9 LEGAL MANDATES AND RELEVANT LAWS

Wisconsin law provides for the following:

310.9.1 STANDARDS FOR ARRESTS

Officers investigating a domestic abuse report should consider the following:

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- (a) Officers with reasonable grounds to believe a person is committing or has committed within the last 28 days, an act of domestic abuse, and the actions constitute a crime, shall arrest the person unless a supervisor grants an exception because any of the following apply (Wis. Stat. § 968.075(2)):
 - 1. There is no reasonable basis for believing that continued domestic abuse against the alleged victim is likely.
 - 2. There is no evidence of physical injury to the alleged victim.
 - 3. No involved person subject to arrest was a predominant aggressor.
- (b) In the event two adults may be arrested for an act of domestic abuse against each other, the investigating officer should only arrest the predominant aggressor. The officer shall consider all of the following in identifying the predominant aggressor (Wis. Stat. § 968.075):
 - 1. The history of domestic abuse between the parties, if it can be reasonably ascertained by the officer, and any information provided by witnesses regarding that history.
 - 2. Statements made by witnesses.
 - 3. The relative degree of injury inflicted on the parties.
 - 4. The extent to which each person present appears to fear any party.
 - 5. Whether any party is threatening or has threatened future harm against another party or another family or household member.
 - 6. Whether either party acted in self-defense or in defense of any other person under the circumstances described in Wis. Stat. § 939.48.
- (c) An officer shall not issue a citation to a person arrested for domestic abuse under Wis. Stat. § 968.075 (Wis. Stat. § 968.085). Nor may an officer release a person who was legally arrested for domestic abuse until the person posts bail under Wis. Stat. § 969.07 or appears before a judge (Wis. Stat. § 968.075).
- (d) An officer with probable cause to believe that a person has violated a court order in violation of Wis. Stat. § 813.12 or a foreign court order as provided in Wis. Stat. § 813.128 shall arrest and take the person into custody (Wis. Stat. § 813.12(7); Wis. Stat. § 813.128).
 - 1. If an officer reasonably determines that a valid foreign protection order exists but cannot be enforced because the person has not been notified or served with the order, the officer should make reasonable efforts to inform the person of the order, serve the order upon the person and allow the respondent a reasonable opportunity to comply before arresting the person (Wis. Stat. § 813.128).

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- (e) An officer shall arrest and take a person into custody if the officer has reasonable grounds to believe that the person has been advised of the 72-hour contact prohibition under Wis. Stat. § 968.075(5) and the person violated the contact prohibition.

310.9.2 REPORTS AND RECORDS

An officer who does not make an arrest when the has reasonable grounds to believe a person has committed an act of domestic abuse shall include a statement in the written report indicating why the person was not arrested. The officer will ensure the report is sent to the appropriate prosecutor immediately after the investigation has been completed (Wis. Stat. § 968.075 (4)).

310.9.3 DOMESTIC ABUSE CONTACT PROHIBITIONS NOTICE

Unless there is a signed waiver by an alleged victim, any employee of the Germantown Police Department releasing a person arrested for domestic abuse shall inform the arrested person orally and in writing of the contact prohibition requirements of Wis. Stat. § 968.075, the consequences of violating the requirements and the provisions of Wis. Stat. § 939.621 (increased penalty for violating the contact prohibition). The arrested person shall sign an acknowledgment on the written notice that he/she has received notice of, and understands the requirements, the consequences of violating the requirements and the provisions of Wis. Stat. § 939.621. If the arrested person refuses to sign the notice, the person shall not be released from custody.

Search and Seizure

311.1 PURPOSE AND SCOPE

Both the United States and the Wisconsin Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Germantown Police Department personnel to consider when dealing with search and seizure issues.

311.2 POLICY

It is the policy of the Germantown Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law as well as local community standards and prosecutorial considerations to specific search and seizure situations as appropriate.

311.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions to the rule that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances
- Statutory authority

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Search and Seizure

Whenever practicable, officers are encouraged to contact a supervisor or other available resource to resolve questions regarding search and seizure issues prior to electing a course of action.

311.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

311.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search including a description of any property or contraband seized
- If the person searched is of the opposite sex, any efforts used to summon an officer of the same sex as the person being searched and the identification of any witness officer

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Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

311.5.1 PAROLE AND PROBATION SEARCHES

Any member conducting a search of an individual on parole or probation under the following conditions shall ensure the search is reported to the Department of Corrections:

- (a) Released under risk reduction sentence (Wis. Stat. § 302.043(4))
- (b) Released to extended supervision under the challenge incarceration program, (Wis. Stat. § 302.045(3m)(e))
- (c) Released after completing substance abuse program (Wis. Stat. § 302.05(3)(c)(4))
- (d) Mandatory release parole (Wis. Stat. § 302.11(6m))
- (e) Released to extended supervision for felony offenders not serving life sentences (Wis. Stat. § 302.113(7r))
- (f) Released to extended supervision for felony offenders serving life sentences (Wis. Stat. § 302.114(8g))
- (g) Special action parole release (Wis. Stat. § 304.02(2m))
- (h) Paroles from state prisons and house of correction (Wis. Stat. § 304.06(1r))
- (i) Probation for a felony (Wis. Stat. § 973.09(1d))

Temporary Custody of Juveniles

312.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Germantown Police Department (34 USC § 11133).

This policy does not apply to secure detention facilities, the juvenile portion of a county jail, or municipal lockups certified to hold juveniles, but rather applies to the temporary custody of a juvenile before a juvenile is released, delivered to an intake worker, or delivered to any of these other facilities.

312.1.1 DEFINITIONS

Definitions related to this policy include:

Guardian - A person named by the court having the duty and authority of guardianship (Wis. Stat. § 938.02).

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare or any child 9 years of age or younger. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

Juvenile offender - A juvenile 10 years of age to 16 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or an offense related to alcohol possession. It also includes an offense under Wis. Stat. § 948.60 where the juvenile possessed a handgun (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.

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- (d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile is kept within the secure perimeter of a jail or lockup after booking/processing is completed even if a department member is present and visually supervising.
- (h) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, uncontrollable behavior, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

312.2 POLICY

The Germantown Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Germantown Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

312.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Germantown Police Department:

- (a) Unconscious
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated
- (e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Germantown Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

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If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

312.3.1 EMERGENCY MEDICAL TREATMENT

If a juvenile is believed to be suffering from a serious physical condition that requires prompt diagnosis or prompt treatment, the officer taking the juvenile into physical custody shall take the juvenile to a hospital or physician's office (Wis. Stat. § 938.20).

312.3.2 SUICIDE PREVENTION

The arresting officer should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill him/herself or any unusual behavior that may indicate the juvenile may harm him/herself while in temporary custody.

312.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Germantown Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Germantown Police Department without authorization of the arresting officer's supervisor or the Patrol Lieutenant.

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult, or transferred to a juvenile custody facility or to other authority as soon as practicable, and should not be held more than two hours following the conclusion of processing, testing, and/or interrogation. In no event shall a juvenile be held beyond six hours from the time of his/her entry into the Germantown Police Department (34 USC § 11133; Wis. Stat. § 938.20).

312.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Germantown Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

312.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent) or otherwise authorized under Wis. Stat. § 48.19 et seq. or Wis. Stat. § 938.19. Juvenile status offenders may not be held in secure custody (34 USC § 11133).

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312.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Germantown Police Department.

Generally, a juvenile offender may be taken into custody when (Wis. Stat. § 938.19):

- (a) There is court order or warrant authorizing custody of the juvenile.
- (b) There are reasonable grounds (probable cause) to believe that a juvenile is committing or has committed an act which is a violation of a state or federal criminal law that would subject an adult to arrest.

When a juvenile offender is taken into custody, the officer taking the juvenile into custody shall immediately attempt to notify the parent, guardian, legal custodian or Indian custodian of the juvenile by the most practical means. The officer taking the juvenile into custody shall continue such attempts until the parent, guardian, legal custodian or Indian custodian of the juvenile is notified, or the juvenile is delivered to an intake worker under Wis. Stat. § 938.20(3), whichever occurs first (Wis. Stat. § 938.19).

If the juvenile is 15 years of age or older, the officer may release the juvenile without immediate adult supervision after counseling or warning the juvenile, as may be appropriate (Wis. Stat. § 938.20).

A juvenile offender who is not released after counseling or warning should be released to a parent, guardian or other responsible adult, unless the officer reasonably believes that he/she should be referred to an intake worker because he/she will injure others, injure the property of others, run away or be taken away, that the juvenile's safety and well-being will be at risk due to lack of care, or the juvenile otherwise qualifies for secure detention (Wis. Stat. § 938.20; Wis. Stat. § 938.205; Wis. Stat. § 938.208).

If the juvenile offender is not released, the officer who takes a juvenile offender into custody shall make a statement, in writing, with supporting facts, of the reasons why the juvenile was taken into custody and shall give a copy of the statement to the intake worker. If the intake interview is not done in person, the report may be read to the intake worker (Wis. Stat. § 938.20).

312.4.4 SECURE CUSTODY

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others or running away. Secure custody should not be used for convenience when non-secure custody is, or later becomes, a reasonable option.

The circumstances that justify any secure custody should be documented and approved by the Patrol Lieutenant.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure

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custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.
- (b) The juvenile shall constantly be monitored by an audio/video system during the entire custody.
- (c) Juveniles shall have constant auditory access to department members.
- (d) Initial placement into and removal from a locked enclosure shall be logged.
- (e) Random personal visual checks of the juvenile by staff member, no less than every 15 minutes, shall occur.
 - 1. All checks shall be logged.
 - 2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
 - 3. Requests or concerns of the juvenile should be logged.
- (f) Males and females shall not be placed in the same locked room.
- (g) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (h) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

312.4.5 RELEASE AFTER PROCESSING

Absent exceptional circumstances, juveniles should be released within two hours following the conclusion of processing, testing and/or interrogation.

312.5 ADVISEMENTS

The officer who takes a juvenile offender into custody and makes a statement for the intake worker that is in writing, with supporting facts, of the reasons why the juvenile was taken into custody shall give a copy of the statement to a juvenile offender who is 10 years of age or older (Wis. Stat. § 938.20).

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312.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented including:

- (a) Identifying information about the juvenile being held.
- (b) Date and time of arrival and release from the Germantown Police Department.
- (c) Patrol Lieutenant notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
- (e) Any changes in status.
- (f) Time of all welfare checks.
- (g) Any medical and other screening requested and completed.
- (h) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Patrol Lieutenant shall review the log to approve the custody.

312.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Germantown Police Department shall maintain a constant, immediate presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

312.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Germantown Police Department shall ensure the following:

- (a) The Patrol Lieutenant should be notified if it is anticipated that a juvenile may need to remain at the Germantown Police Department more than four hours. This will enable the Patrol Lieutenant to ensure no juvenile is held at the Germantown Police Department more than six hours.
- (b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (c) Personal visual checks and significant incidents/activities shall be noted on the log.
- (d) There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that

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the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.

- (e) Juveniles shall have reasonable access to toilets and wash basins.
- (f) Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (g) Juveniles shall have reasonable access to a drinking fountain or water.
- (h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (i) Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (j) Blankets should be provided as reasonably necessary.
- (k) Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.
- (l) Juveniles shall have adequate furnishings, including suitable chairs or benches.
- (m) Juveniles shall have the right to the same number of telephone calls as an adult in custody.
- (n) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

312.9 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Germantown Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Patrol Lieutenant. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

312.10 PERSONAL PROPERTY

The officer taking custody of a juvenile offender or status offender at the Germantown Police Department shall ensure a thorough search of the juvenile's property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence and sealed into the bag. The property should be kept in a

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monitored or secure location until the juvenile is released from the custody of the Germantown Police Department.

312.11 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE

The Patrol Lieutenant will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Germantown Police Department. The procedures will address:

- (a) Immediate notification of the on-duty supervisor, Chief of Police, and Detective Bureau supervisor.
- (b) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.
- (c) Notification of the appropriate prosecutor.
- (d) Notification of the Village Attorney.
- (e) Evidence preservation.

312.12 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

Interviews of juveniles at schools should follow any protocols jointly developed with the local school officials and this department.

312.12.1 RECORDING CUSTODIAL INTERROGATIONS

Officers shall make an audio/visual recording of the custodial interrogation of a juvenile, in its entirety, when it is conducted at a place of detention unless good cause is shown for not making a recording or an exception applies.

If feasible, officers shall make an audio/visual recording of the custodial interrogation of a juvenile, in its entirety, when it is conducted at a place other than a place of detention unless good cause is shown for not making a recording or an exception applies.

Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment (Wis. Stat. § 938.195(2)).

Exceptions to an audio or audio-and-visual recording of a juvenile interrogation include (Wis. Stat. § 938.31(3)(c)):

- (a) The juvenile refuses to respond or cooperate in the interrogation if a recording is being made.
 - 1. The juvenile's refusal shall be documented by contemporaneous audio or audio-and-visual recording or in a written report.
- (b) The juvenile's statement is made in response to a question asked as part of the routine processing.
- (c) The juvenile's statement is made spontaneously and not in response to a question.

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- (d) The officer, in good faith, fails to make a recording because the equipment does not function, or it malfunctions, stops operating or the officer inadvertently fails to operate the equipment properly.
- (e) Exigent public safety circumstances exist that prevent the officer from making a recording or that render the making of such a recording infeasible.

An officer conducting a custodial interrogation is not required to inform the juvenile that the officer is making an audio/visual recording of the interrogation (Wis. Stat. § 938.195(3)).

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Detective Bureau supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

312.13 RESTRICTIONS ON FINGERPRINTING AND PHOTOGRAPHING

Juveniles should be booked, fingerprinted, and photographed and formal criminal charges filed under any of the following circumstances (Wis. Stat. § 165.83):

- (a) For an offense that is a felony
- (b) For an offense that is a misdemeanor or a violation of an ordinance involving burglary tools, commercial gambling, dealing in gambling devices; for contributing to the delinquency of a child, dealing in stolen property, possessing and selling controlled substances under Wis. Stat. Chapter 961; for violations involving firearms, dangerous weapons, explosives; for pandering, prostitution, or committing violations involving sex offenses where children are victims; or for issuing worthless checks
- (c) For an offense charged as disorderly conduct but that relates to an act connected with one or more of the above offenses
- (d) If the juvenile is a fugitive from justice

312.13.1 JUVENILE PHOTOGRAPHS AND RECORDS

All photographs and records of juveniles shall be kept separate from adult photographs and records (Wis. Stat. § 938.396).

This department does not allow copies of juvenile photographs to be automatically obtained by parents, guardians, or legal custodians. However, parents, guardians, or legal custodians may submit a written request to review a juvenile's record or photograph in compliance with the Records Maintenance and Release Policy (Wis. Stat. § 938.396).

Adult Abuse

313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others.

313.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care.

313.2 POLICY

The Germantown Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

313.3 NOTIFICATION

Members of the Germantown Police Department should notify the appropriate county elder-adult/adult-at-risk agency when an officer takes a report of adult abuse of an elder at risk or adult at risk.

For purposes of notification, an "elder adult at risk" is any person who is 60 years of age or older who has experienced, is experiencing or is at risk of experiencing abuse, neglect, self-neglect or financial exploitation (Wis. Stat. § 46.90(1)(br)). An "adult at risk" is any adult 18 years of age or older who has a physical or mental condition that substantially impairs his/her ability to care for his/her own needs, and who has experienced, is experiencing or is at risk of experiencing abuse, neglect, self-neglect or financial exploitation (Wis. Stat. § 55.01(1)(1e)).

Members should immediately notify the Division of Quality Assurance, Office of Caregiver Quality regarding an adult who was abused in a care facility or while under the care of a facility.

313.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Wis. Stat. § 46.90(5)(c); Wis. Stat. § 55.043(2)).

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313.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

313.5.1 REQUEST FOR ASSISTANCE

If requested, a member shall accompany an investigator or worker of an elder-adult-at-risk agency or an adult-at-risk agency during visits to a residence of a victim and provide assistance as requested or necessary when (Wis. Stat. § 46.90(5)(c); Wis. Stat. § 55.043(2)):

- (a) The investigator or worker is investigating suspected abuse, neglect, self-neglect or financial exploitation.
- (b) The victim is 60 years of age or older or is 18 years of age or older and has a physical or mental condition that substantially impairs his/her ability to care for his/her own needs.

The identity of the requesting investigator/worker should be documented.

313.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact the appropriate county elder-adult/adult-at-risk agency. Generally, removal of an adult abuse victim

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from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to the appropriate county elder-adult/adult-at-risk agency.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

313.7 INTERVIEWS

313.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

313.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

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313.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

313.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

313.9.1 SUPERVISOR RESPONSIBILITIES

The Detective Bureau supervisor should:

- (a) Work with professionals from the appropriate agencies, including the appropriate county elder-adult/adult-at-risk agency, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Detective Bureau supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

313.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau supervisor so an interagency response can begin.

313.10 STATE MANDATES AND OTHER RELEVANT LAWS

Wisconsin requires or permits the following:

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313.10.1 RECORDS SECTION RESPONSIBILITIES

The Records Section is responsible for:

- (a) Providing a copy of the adult abuse report to the appropriate county elder-adult/adult-at-risk agency as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

313.10.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy.

313.10.3 RESTRAINING ORDER

When an officer reasonably believes that an elder adult or adult at risk is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer should contact the appropriate county elder-adult/adult-at-risk agency and request that they obtain a restraining order against the person alleged to have committed or threatened such abuse, if that person is not in custody (Wis. Stat. § 813.123).

If the appropriate county elder-adult/adult-at-risk agency is unwilling or unable to obtain a restraining order, the handling officer may attempt to obtain the restraining order on the victim's behalf. Action taken by the officer should be documented in any related report.

313.11 TRAINING

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

Discriminatory Harassment

314.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

314.2 POLICY

The Germantown Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The non-discrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

314.3 DEFINITIONS

Definitions related to this policy include:

314.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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314.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

314.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when (see also Wis. Stat. § 111.32(13)):

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

314.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and the State of Wisconsin, Department of Workforce Development, Equal Rights Division guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with Village or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

314.3.5 STATE DISCRIMINATION LAW

Unlawful employment practices include discrimination against properly qualified individuals by reason of their age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious or political matters (Wis. Stat. § 111.31).

314.4 RESPONSIBILITIES

This policy applies to all department personnel who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

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Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Support Services Manager, or the Village Administrator.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

314.4.1 SUPERVISOR RESPONSIBILITY

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or the Support Services Manager in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

314.4.2 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline, in a manner that is consistent with established procedures.

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314.4.3 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Support Services Manager, or the Village Administrator for further information, direction, or clarification.

314.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

314.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

314.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The member assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in any investigation (Wis. Stat. § 111.322(2m)).

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Support Services Manager, or the Village Administrator.

314.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific

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time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

314.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- (a) Approved by the Chief of Police, the Village Administrator, or the Support Services Manager, depending on the ranks of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

314.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.

314.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term of employment.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

Child Abuse

315.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Germantown Police Department members are required to notify the appropriate county department or licensed child welfare agency of suspected child abuse.

315.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement (Wis. Stat. § 48.981).

315.2 POLICY

The Germantown Police Department will investigate all reported incidents of alleged criminal child abuse and ensure the appropriate county department or licensed child welfare agency is notified as required by law.

315.3 MANDATORY NOTIFICATION

Members of the Germantown Police Department shall notify the appropriate county department or licensed child welfare agency when, during the course of their duties, they have reasonable cause to suspect that a child has been abused or neglected; when they have reason to believe that a child has been threatened with abuse or neglect that will occur; or when they receive a report of such abuse or neglect. This applies in circumstances that include (Wis. Stat. § 48.02; Wis. Stat. § 48.981):

- (a) Cases in which a caregiver is suspected of abuse or neglect or of threatened abuse or neglect of a child.
- (b) Cases in which a caregiver is suspected of facilitating or failing to take action to prevent the suspected or threatened abuse or neglect of a child.
- (c) Cases in which it cannot be determined who abused or neglected or threatened to abuse or neglect a child.
- (d) Cases in which there is reason to suspect that an unborn child has been abused or there is reason to believe that an unborn child is at substantial risk of abuse.
- (e) Cases where the child has been involved in sex trafficking or prostitution.

For purposes of notification, abuse includes, but is not limited to, non-accidental physical injuries, sexual offenses, emotional damage, sex trafficking, exposure to a meth lab, or any other act as described in Wis. Stat. § 48.02(1). Neglect includes, but is not limited to, failure to provide

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necessary care, food and clothing so as to seriously endanger the physical health of the child, and any other act as described in Wis. Stat. § 48.02(12g).

315.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Wis. Stat. § 48.981):

- (a) The handling officer should immediately make the notification to the appropriate county department or licensed child welfare agency by telephone or in person but in all cases before completing his/her shift and no later than 12 hours, exclusive of Saturdays, Sundays or legal holidays.
- (b) Notification, when possible, shall contain at a minimum:
 - 1. The name, address, age, sex and race of the child.
 - 2. The nature and extent of the child's injuries, including any evidence of previous cases of known or suspected abuse or neglect of the child or the child's siblings.
 - 3. The names and addresses of the persons responsible for the suspected abuse or neglect, if known.
 - 4. The family composition.
 - 5. The source of the report and the name, address and occupation of the person making the report.
 - 6. Any action taken by the reporting source.
 - 7. Any other information that the person making the report believes may be helpful in establishing the cause of the child abuse, physical injury or neglect.
- (c) If there is reasonable cause to suspect that a child died as a result of abuse or neglect, the appropriate Medical Examiner shall also be notified (Wis. Stat. § 48.981(5)).

315.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

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315.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Where a child or unborn child is believed or reported to be in immediate danger, the assigned officer shall begin the investigation immediately and take any necessary action to protect the child or unborn child (Wis. Stat. § 48.981(3)).
- (l) Medical records of the victim as necessary (Wis. Stat. § 146.82(2)(a)11).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

315.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact the appropriate county department or licensed child welfare agency. Generally, removal of a child from his/her family, guardian, or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and

Germantown Police Department

Policy Manual

Child Abuse

immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to the appropriate county department or licensed child welfare agency intake worker (Wis. Stat. § 48.981).

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (Wis. Stat. § 48.19):

- (a) A court has ordered the removal of the child.
- (b) An officer believes on reasonable grounds that any of the following conditions exist:
 - 1. A court has ordered the removal of the child.
 - 2. The child is suffering from illness or injury or is in immediate danger from his/her surroundings and removal from those surroundings is necessary.

Officers are required to take children into custody in the circumstances described above (Wis. Stat. § 48.981(3)).

315.6.1 FOLLOW-UP NOTIFICATIONS AND PLACEMENT

An officer who has taken a child into protective custody shall attempt to deliver the child to an intake worker and immediately notify the parent, guardian, legal custodian and Indian custodian of the child by the most practical means. The officer shall continue such attempts until the parent, guardian, legal custodian and Indian custodian of the child is notified or the child is delivered to an intake worker, whichever occurs first (Wis. Stat. § 48.19; Wis. Stat. § 48.20; Wis. Stat. § 48.981).

315.6.2 SAFE HAVEN LAW

A parent may relinquish a newborn infant less than 72 hours old to an officer when the parent does not express an intent to return for the child. The officer shall take any action necessary to protect the health and safety of the child and attempt to deliver the child to the custody of an intake worker under the provisions of Wis. Stat. § 48.20 (Wis. Stat. § 48.195(1)).

A parent who relinquishes custody of a child under these circumstances and any person who assists the parent in that relinquishment have the right to remain anonymous. Department members shall not induce or coerce or attempt to induce or coerce a parent or person assisting a parent who wishes to remain anonymous into revealing his or her identity, unless there is reasonable cause to suspect that the child has been the victim of abuse or neglect or that the person assisting the parent is coercing the parent into relinquishing custody of the child (Wis. Stat. § 48.195).

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The officer shall provide the parent with the toll free number to the Department of Children and Families, (877-440-2229) or the appropriate social services brochure with this phone number and other relevant information (Wis. Stat. § 48.195; Wis. Admin. Code § DCF 39.09).

315.7 INTERVIEWS

315.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

315.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officershould not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

315.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

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315.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

315.9.1 SUPERVISOR RESPONSIBILITIES

The Detective Bureau supervisor should:

- (a) Work with professionals from the appropriate agencies, including the Wisconsin Alliance for Drug Endangered Children, appropriate county welfare agency, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Detective Bureau supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

315.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau supervisor so an interagency response can begin.

315.10 STATE MANDATES AND OTHER RELEVANT LAWS

Wisconsin requires or permits the following:

315.10.1 CRIMINAL PROSECUTION

All cases in which there is a reasonable suspicion that an identified suspect committed an act of child abuse should be forwarded to the district attorney. All reports that contain an allegation that a child was a victim of a sex-related offense or threatened with such an offense by an identified person shall be forwarded to the district attorney (Wis. Stat. § 48.981(3)).

315.10.2 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Wis. Stat. § 48.981(7)).

315.10.3 CHILD DEATH REVIEW TEAM

This department will cooperate with a local child death review team as applicable.

Child Abuse

315.10.4 COURT ORDERS

Employees may assist or provide information to the child abuse victim's parent, guardian or custodian on how to obtain a restraining order or injunction issued by the court for the protection of the victim. Officers shall arrest for violations of child abuse restraining orders as mandated by Wis. Stat. § 813.122(10)).

315.10.5 MANDATORY COORDINATION

An officer investigating a report of child abuse or threatened child abuse should coordinate the planning and execution of the investigation with the appropriate county department or licensed child welfare agency. This coordination is mandatory when the abuse or threatened abuse involves an allegation of a sex-related offense (Wis. Stat. § 48.981(3)).

315.10.6 ADULT EXPECTANT MOTHERS OF AN AT-RISK UNBORN CHILD

An adult expectant mother of an unborn child may be taken into temporary custody as authorized in Wis. Stat. § 48.193 and delivered to an intake worker, but only with a court order. The release of the expectant mother shall comply with the procedures of Wis. Stat. § 48.203 and specific terms of the court order.

315.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.

**BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: December 07, 2020

AGENDA ITEM: New Business

ITEM TITLE: Squad Purchase

SUBMITTED BY: Lt. Patrick Merten

SUMMARY EXPLANATION:

The Police Department is requesting authorization to purchase two 2021 Ford Police Interceptor Utility vehicles. The two new squads will replace the following marked squads:

Squad 17 – 121,000+ miles currently

Squad 16 – 105,000+ miles currently

The money for the two new squad cars is in the 2021 budget under account 10-521-570-8100. The department has sent out 5 bid requests: Ewald Ford, Kayser Ford, Boucher Ford, Heiser Ford and Soerens Ford.

I have received one bid back from Ewald Ford, for a total of \$69,098.00, another bid from Kayser Ford for, \$68,550.00 for two 2021 Ford Police Interceptor Utility vehicles. If other bids are received prior to the Public Safety Meeting, they will be submitted.

ATTACHMENT: ORDINANCE___ RESOLUTION_____ OTHER X

Bid from Kayser Ford, \$34,275 per squad – Total of \$68,550

Bid from Ewald Ford, \$34,549 per squad – Total of \$69,098

RECOMMENDATION:



Ewald Automotive Group

Chrissy Gensch | 262-673-9400 | chrissy.gensch@ewaldauto.com

Germantown Police Department

Prepared For: Lt. Pat Merten

262-253-7780

pmerten@germantownpolice.org

Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD



Ewald Automotive Group

Chrissy Gensch | 262-673-9400 | chrissy.gensch@ewaldauto.com

Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD ( Complete)

Quote Worksheet

	MSRP
Base Price	\$40,630.00
Dest Charge	\$1,245.00
Total Options	(\$855.00)
Subtotal	\$41,020.00
Subtotal Pre-Tax Adjustments	\$0.00
Less Customer Discount	(\$6,471.00)
Subtotal Discount	(\$6,471.00)
Trade-In	\$0.00
Subtotal Trade-In	\$0.00
Taxable Price	\$34,549.00
Sales Tax	\$0.00
Subtotal Taxes	\$0.00
Subtotal Post-Tax Adjustments	\$0.00
Total Sales Price	\$34,549.00

Comments:

2021 Ford Utility Interceptor to the specifications as detailed. Registration fees are not included. Payment terms are net 10 days. Pricing is valid through 1/22/21, all orders must be placed before this date.

Dealer Signature / Date

Customer Signature / Date

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Data Version: 12478. Data Updated: Nov 29, 2020 10:36:00 PM PST.



Ewald Automotive Group

Chrissy Gensch | 262-673-9400 | chrissy.gensch@ewaldauto.com

Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD ( Complete)

Standard Equipment

Mechanical

Engine: 3.3L V6 Direct-Injection Hybrid System -inc: (136-MPH top speed) (STD)

Transmission: 10-Speed Automatic (STD)

3.73 Axle Ratio (STD)

50 State Emission System Flexible Fuel Vehicle (FFV) system is standard equipment for vehicles equipped with the 3.3L V6 Direct-Injection engine.

Transmission w/Oil Cooler

Automatic Full-Time All-Wheel

Engine Oil Cooler

80-Amp/Hr 800CCA Maintenance-Free Battery

Hybrid Electric Motor 220 Amp Alternator

Class III Towing Equipment -inc: Hitch

Trailer Wiring Harness

Police/Fire

1670# Maximum Payload

GVWR: 6,840 lbs (3,103 kgs)

Gas-Pressurized Shock Absorbers

Front And Rear Anti-Roll Bars

Electric Power-Assist Steering

19 Gal. Fuel Tank

Dual Stainless Steel Exhaust

Permanent Locking Hubs

Strut Front Suspension w/Coil Springs

Multi-Link Rear Suspension w/Coil Springs

Regenerative 4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs, Brake Assist and Hill Hold Control

Lithium Ion Traction Battery

Exterior

Wheels: 18" x 8" 5-Spoke Painted Black Steel -inc: polished stainless steel hub cover and center caps

Tires: 255/60R18 AS BSW

Steel Spare Wheel

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Ewald Automotive Group

Chrissy Gensch | 262-673-9400 | chrissy.gensch@ewaldauto.com

Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD ( Complete)

Exterior

Spare Tire Mounted Inside Under Cargo

Clearcoat Paint

Body-Colored Front Bumper w/Black Rub Strip/Fascia Accent and 1 Tow Hook

Body-Colored Rear Bumper w/Black Rub Strip/Fascia Accent

Body-Colored Bodyside Cladding and Black Wheel Well Trim

Black Side Windows Trim and Black Front Windshield Trim

Black Door Handles

Black Power Side Mirrors w/Convex Spotter and Manual Folding

Fixed Rear Window w/Fixed Interval Wiper, Heated Wiper Park and Defroster

Deep Tinted Glass

Speed Sensitive Variable Intermittent Wipers

Galvanized Steel/Aluminum Panels

Lip Spoiler

Black Grille

Liftgate Rear Cargo Access

Tailgate/Rear Door Lock Included w/Power Door Locks

Fully Automatic Projector Beam Led Low/High Beam Headlamps

LED Brakelights

Entertainment

Radio w/Seek-Scan, Speed Compensated Volume Control and Steering Wheel Controls

Radio: AM/FM/MP3 Capable -inc: clock, 4-speakers, Bluetooth interface w/hands-free voice command support (compatible w/most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display

Integrated Roof Antenna

1 LCD Monitor In The Front

Interior

8-Way Driver Seat

Passenger Seat

35-30-35 Folding Split-Bench Front Facing Fold Forward Seatback Rear Seat

Manual Tilt/Telescoping Steering Column

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Ewald Automotive Group

Chrissy Gensch | 262-673-9400 | chrissy.gensch@ewaldauto.com

Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD ( Complete)

Interior

Gauges -inc: Speedometer, Odometer, Engine Coolant Temp, Tachometer, Engine Hour Meter, Traction Battery Level, Trip Odometer and Trip Computer

Power Rear Windows and Fixed 3rd Row Windows

Ford Fleet Telematics Selective Service Internet Access

Remote Releases -Inc: Power Cargo Access

Cruise Control w/Steering Wheel Controls

Dual Zone Front Automatic Air Conditioning

HVAC -inc: Underseat Ducts

Locking Glove Box

Driver Foot Rest

Unique HD Cloth Front Bucket Seats w/Vinyl Rear -inc: reduced bolsters, driver 6-way power track (fore/aft, up/down, tilt w/manual recline, 2-way manual lumbar), passenger 2-way manual track (fore/aft, w/manual recline) and built-in steel intrusion plates in both driver/passenger seatbacks

Interior Trim -inc: Metal-Look Instrument Panel Insert, Metal-Look Door Panel Insert and Metal-Look Interior Accents

Full Cloth Headliner

Urethane Gear Shifter Material

Day-Night Rearview Mirror

Driver And Passenger Visor Vanity Mirrors

Mini Overhead Console w/Storage and 2 12V DC Power Outlets

Front And Rear Map Lights

Fade-To-Off Interior Lighting

Full Vinyl/Rubber Floor Covering

Carpet Floor Trim

Cargo Features -inc: Cargo Tray/Organizer

Cargo Space Lights

Dashboard Storage, Driver And Passenger Door Bins

Power 1st Row Windows w/Driver And Passenger 1-Touch Up/Down

Delayed Accessory Power

Power Door Locks

Systems Monitor

Redundant Digital Speedometer

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Ewald Automotive Group

Chrissy Gensch | 262-673-9400 | chrissy.gensch@ewaldauto.com

Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD ( Complete)

Interior

Trip Computer

Analog Display

Seats w/Vinyl Back Material

Manual Adjustable Front Head Restraints and Manual Adjustable Rear Head Restraints

2 12V DC Power Outlets

Air Filtration

Safety-Mechanical

Electronic Stability Control (ESC) And Roll Stability Control (RSC)

ABS And Driveline Traction Control

Safety-Exterior

Side Impact Beams

Safety-Interior

Dual Stage Driver And Passenger Seat-Mounted Side Airbags

Tire Specific Low Tire Pressure Warning

Dual Stage Driver And Passenger Front Airbags

Curtain 1st And 2nd Row Airbags

Airbag Occupancy Sensor

Passenger Knee Airbag

Rear Child Safety Locks

Outboard Front Lap And Shoulder Safety Belts -inc: Rear Center 3 Point, Height Adjusters and Pretensioners

Back-Up Camera w/Washer

WARRANTY

Basic Years: 3

Basic Miles/km: 36,000

Drivetrain Years: 5

Drivetrain Miles/km: 100,000

Corrosion Years: 5

Corrosion Miles/km: Unlimited

Hybrid/Electric Components Years: 8

Hybrid/Electric Components Miles/km: 100,000

Roadside Assistance Years: 5

Roadside Assistance Miles/km: 60,000

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Ewald Automotive Group

Chrissy Gensch | 262-673-9400 | chrissy.gensch@ewaldauto.com

Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD ( Complete)

Selected Model and Options

MODEL

CODE	MODEL	MSRP
K8A	2021 Ford Police Interceptor Utility AWD	\$40,630.00

COLORS

CODE	DESCRIPTION
UM	Agate Black

ENGINE

CODE	DESCRIPTION	MSRP
99B	Engine: 3.3L V6 Direct-Injection (FFV) -inc: (136-MPH top speed), Note: Deletes regenerative braking and lithium-ion battery pack; adds 250-Amp alternator, replaces H7 AGM battery (800 CCA/80-amp) w/H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank w/21.4-gallon *CREDIT*	(\$3,530.00)

TRANSMISSION

CODE	DESCRIPTION	MSRP
44U	Transmission: 10-Speed Automatic (44U)	\$0.00

OPTION PACKAGE

CODE	DESCRIPTION	MSRP
500A	Order Code 500A	\$0.00

AXLE RATIO

CODE	DESCRIPTION	MSRP
—	3.73 Axle Ratio (STD)	\$0.00

PRIMARY PAINT

CODE	DESCRIPTION	MSRP
UM	Agate Black	\$0.00

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Ewald Automotive Group

Chrissy Gensch | 262-673-9400 | chrissy.gensch@ewaldauto.com

Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD ( Complete)

SEAT TYPE

CODE	DESCRIPTION	MSRP
96	Charcoal Black, Unique HD Cloth Front Bucket Seats w/Vinyl Rear -inc: reduced bolsters, driver 6-way power track (fore/aft, up/down, tilt w/manual recline, 2-way manual lumbar), passenger 2-way manual track (fore/aft, w/manual recline) and built-in steel intrusion plates in both driver/passenger seatbacks	\$0.00

ADDITIONAL EQUIPMENT - MECHANICAL

CODE	DESCRIPTION	MSRP
19K	H8 AGM Battery (850 CCA/92-amp)	\$110.00

ADDITIONAL EQUIPMENT - EXTERIOR

CODE	DESCRIPTION	MSRP
21L	Front Warning Auxiliary LED Lights -inc: driver side - red/passenger side - blue	\$550.00
51P	Driver Side Spot Lamp Prep Kit -inc: Does not include spot lamp housing and bulb	\$140.00
59E	Keyed Alike - 1435x	\$50.00
66A	Front Headlamp Lighting Solution -inc: LED low beam/high beam headlamp, wig-wag function and (2) red/blue/white LED side warning lights in each headlamp (factory configured: driver's side white/red/passenger side white/blue), Wiring and LED lights included (in headlamps only; grille lights not included), Controller not included, Grille LED Lights, Siren & Speaker Pre-Wiring	\$895.00
86T	Tail Lamp/Police Interceptor Housing Only -inc: Pre-existing holes w/standard twist lock sealed capability (does not include LED strobe) (eliminates need to drill housing assemblies)	\$60.00

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Ewald Automotive Group

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Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD ( Complete)

ADDITIONAL EQUIPMENT - INTERIOR

CODE	DESCRIPTION	MSRP
18D	Global Lock/Unlock Feature -inc: Door-panel switches will lock/unlock all doors and rear liftgate, Eliminates overhead console liftgate unlock switch and 45-second timer, Also eliminates the blue liftgate release button if ordered w/remote keyless entry	\$0.00
19V	Rear Camera On-Demand -inc: Allows driver to enable rear camera on-demand	\$230.00
43D	Dark Car Feature -inc: Courtesy lamps disabled when any door is opened	\$25.00
55F	Remote Keyless Entry Key Fob w/o Key Pad -inc: Does not include PATS, 4-key fobs, Key fobs are not fobbed alike when ordered w/keyed-alike	\$340.00
60A	Grille LED Lights, Siren & Speaker Pre-Wiring	Inc.
60R	Noise Suppression Bonds (Ground Straps)	\$100.00
61B	OBD-II Split Connector -inc: Allows up to 2 devices to be connected to the vehicle's OBD-II port	\$55.00
68G	Rear-Door Controls Inoperable -inc: Locks, handles and windows, Note: Can manually remove window or door disable plate w/special tool, Note: Locks/windows operable from driver's door switches	\$75.00
85R	Rear Console Plate -inc: Contours through 2nd row; channel for wiring	\$45.00
Options Total		(\$855.00)

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Ewald Automotive Group

Chrissy Gensch | 262-673-9400 | chrissy.gensch@ewaldauto.com

Vehicle: [Fleet] 2021 Ford Police Interceptor Utility (K8A) AWD ( Complete)

Price Summary

PRICE SUMMARY	
	MSRP
Base Price	\$40,630.00
Total Options	(\$855.00)
Vehicle Subtotal	\$39,775.00
Destination Charge	\$1,245.00
Grand Total	\$41,020.00

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Prepared for: , Germantown Police Dept
N112W16877 Mequon Road
Germantown, WI 53022
Office: 262-253-7780
Email: pmerten@germantownpolice.org

2021 Police Interceptor Utility AWD Base (K8A)

Price Level: 115



Client Proposal

Prepared by:
Tim Askey
Office: 608-276-0253
Quote ID: TA-113020C
Date: 11/30/2020



Prepared for:

Germantown Police Dept
Prepared by: Tim Askey
11/30/2020



Kayser Commercial Sales | 2303 W Beltline Highway Madison Wisconsin | 53713

2021 Police Interceptor Utility AWD Base (K8A)

Price Level: 115 | Quote ID: TA-113020C

Pricing Summary - Single Vehicle**MSRP***Vehicle Pricing*

Base Vehicle Price	\$40,615.00
Options & Colors	-\$855.00
Upfitting	\$0.00
Destination Charge	\$1,245.00

Subtotal \$41,005.00

Pre-Tax Adjustments

Code	Description	
WI Muni	WI Municipal Discount	-\$6,730.00

Total \$34,275.00

Customer Signature

Acceptance Date

Prepared for:

Germantown Police Dept

Prepared by: Tim Askey

11/30/2020

Kayser Commercial Sales | 2303 W Beltline Highway Madison Wisconsin | 53713

**2021 Police Interceptor Utility AWD Base (K8A)**

Price Level: 115 | Quote ID: TA-113020C

As Configured Vehicle

Code	Description	MSRP
Base Vehicle		
K8A	Base Vehicle Price (K8A)	\$40,615.00
Packages		
500A	Order Code 500A <i>Includes:</i> - 3.73 Axle Ratio - GVWR: 6,840 lbs (3,103 kgs) - Tires: 255/60R18 AS BSW - Wheels: 18" x 8" 5-Spoke Painted Black Steel Includes polished stainless steel hub cover and center caps. - Unique HD Cloth Front Bucket Seats w/Vinyl Rear Includes reduced bolsters, driver 6-way power track (fore/aft. up/down, tilt with manual recline, 2-way manual lumbar), passenger 2-way manual track (fore/aft. with manual recline) and built-in steel intrusion plates in both driver/passenger seatbacks. - Radio: AM/FM/MP3 Capable Includes clock, 4-speakers, Bluetooth interface with hands-free voice command support (compatible with most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display.	N/C
Powertrain		
99B	Engine: 3.3L V6 Direct-Injection (FFV) <i>(136-MPH top speed). Note: Deletes regenerative braking and lithium-ion battery pack; adds 250-Amp alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon.</i>	-\$3,530.00
44U	Transmission: 10-Speed Automatic (44U)	N/C
STDAX	3.73 Axle Ratio	Included
STDGV	GVWR: 6,840 lbs (3,103 kgs)	Included
Wheels & Tires		
STDTR	Tires: 255/60R18 AS BSW	Included
STDWL	Wheels: 18" x 8" 5-Spoke Painted Black Steel <i>Includes polished stainless steel hub cover and center caps.</i>	Included
Seats & Seat Trim		
9	Unique HD Cloth Front Bucket Seats w/Vinyl Rear <i>Includes reduced bolsters, driver 6-way power track (fore/aft. up/down, tilt with manual recline, 2-way manual lumbar), passenger 2-way manual track (fore/aft. with manual recline) and built-in steel intrusion plates in both driver/passenger seatbacks.</i>	Included

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for:

Germantown Police Dept

Prepared by: Tim Askey

11/30/2020

Kayser Commercial Sales | 2303 W Beltline Highway Madison Wisconsin | 53713

**2021 Police Interceptor Utility AWD Base (K8A)**

Price Level: 115 | Quote ID: TA-113020C

As Configured Vehicle (cont'd)

Code	Description	MSRP
Other Options		
PAINT	Monotone Paint Application	STD
119WB	119" Wheelbase	STD
STDRD	Radio: AM/FM/MP3 Capable <i>Includes clock, 4-speakers, Bluetooth interface with hands-free voice command support (compatible with most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display.</i>	Included
66A	Front Headlamp Lighting Solution Recommend using ultimate wiring package (67U). <i>Includes LED low beam/high beam headlamp, wig-wag function and (2) red/blue/white LED side warning lights in each headlamp (factory configured: driver's side white/red/passenger side white/blue). Wiring and LED lights included (in headlamps only; grille lights not included). Controller not included.</i> <i>Includes:</i> <i>- Grille LED Lights, Siren & Speaker Pre-Wiring</i>	\$895.00
86T	Tail Lamp/Police Interceptor Housing Only <i>Pre-existing holes with standard twist lock sealed capability (does not include LED strobe) (eliminates need to drill housing assemblies).</i>	\$60.00
43D	Dark Car Feature <i>Courtesy lamps disabled when any door is opened.</i>	\$25.00
21L	Front Warning Auxiliary LED Lights Recommend using ready for the road package (67H) or ultimate wiring package (67U). <i>Includes driver side - red/passenger side - blue.</i>	\$550.00
60A	Grille LED Lights, Siren & Speaker Pre-Wiring	Included
51P	Driver Side Spot Lamp Prep Kit <i>Does not include spot lamp housing and bulb.</i>	\$140.00
19V	Rear Camera On-Demand <i>Allows driver to enable rear camera on-demand.</i>	\$230.00
68G	Rear-Door Controls Inoperable <i>Locks, handles and windows. Note: Can manually remove window or door disable plate with special tool. Note: Locks/windows operable from driver's door switches.</i>	\$75.00
18D	Global Lock/Unlock Feature <i>Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates overhead console liftgate unlock switch and 45-second timer. Also eliminates the blue liftgate release button if ordered with remote keyless entry.</i>	N/C

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Prepared for:

Germantown Police Dept
 Prepared by: Tim Askey
 11/30/2020



Kayser Commercial Sales | 2303 W Beltline Highway Madison Wisconsin | 53713

2021 Police Interceptor Utility AWD Base (K8A)

Price Level: 115 | Quote ID: TA-113020C

As Configured Vehicle (cont'd)

Code	Description	MSRP
55F	Remote Keyless Entry Key Fob w/o Key Pad <i>Does not include PATS. Includes 4-key fobs. Key fobs are not fobbed alike when ordered with keyed-alike.</i>	\$340.00
59E	Keyed Alike - 1435x	\$50.00
85R	Rear Console Plate <i>Contours through 2nd row; channel for wiring.</i>	\$45.00
19K	H8 AGM Battery (850 CCA/92-amp)	\$110.00
60R	Noise Suppression Bonds (Ground Straps)	\$100.00
61B	OBD-II Split Connector <i>Allows up to 2 devices to be connected to the vehicle's OBD-II port.</i>	\$55.00

Emissions

425	50 State Emission System	STD
Flexible Fuel Vehicle (FFV) system is standard equipment for vehicles equipped with the 3.3L V6 Direct-Injection engine.		

Interior Colors

96_01	Charcoal Black	N/C
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Primary Colors

UM_01	Agate Black	N/C
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SUBTOTAL	\$39,760.00
Destination Charge	\$1,245.00
TOTAL	\$41,005.00

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**BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: December 7th, 2020

AGENDA ITEM: New Business

ITEM TITLE: Replacement of Officer

SUBMITTED BY: Chief Mike Snow

SUMMARY EXPLANATION:

Officer Bob Case resigned from the department. Officer Case had been assigned to the position of Crime Prevention Officer for the past several years. That position is vital to the mission of the Germantown Police Department. Whether providing programs and resources to the community or assisting the Detective Bureau with investigations, this position offers a service that helps us connect with our community partners and offers valuable programs such as the Citizens Police Academy. In the past that position has also coordinated the Youth Academy and assisted with NAC Night. Moving forward that position will also assist with investigations as the workload of the detective bureau continues to increase.

This will be an assigned position for 3years.

Once the position is filled from the rank of patrol officer we will need to replace the vacated officer position. The starting wage for Police Officer is \$62,025.60. The starting wage for the Crime Prevention would be an additional \$2,000 over that officer's current wage.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:

**BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: December 7th, 2020

AGENDA ITEM: New Business

ITEM TITLE: Lateral Transfer

SUBMITTED BY: Chief Mike Snow

SUMMARY EXPLANATION:

I am requesting the Village approach the Germantown Professional Police Association (GPPA) to amend the current collective bargaining agreement to allow the Germantown Police Department to make special considerations when hiring sworn candidates based on that candidate's experience.

This language is commonly referred to as a lateral transfer. All police agencies in Washington County including the Sheriff's Department offer increased pay and, in some cases, additional benefits for new hires with prior law enforcement experiences.

The absence of this language in the GPPA contract has made it a challenge to compete with area agencies when hiring officers. Recent trends have demonstrated there are fewer candidates sponsoring themselves in the police academy. If we hire a candidate that still needs the academy the agency is required to wait almost a year before that recruit is eligible for solo patrol. Our vacancies typically result in shift shortages, which we are often required to fill by posting overtime. Experienced officers will make it possible to utilize an abbreviated field training program making these officers available for solo patrol much sooner.

The following are agreements that agencies in Washington County have with their collective bargaining units, regarding lateral transfers:

Hartford Police Department – Ability to place a candidate anywhere in the current step wage system and vacation system of the current contract based on experience.

Jackson Police Department – Ability to place a candidate up to step 4 of the 5-step wage system and up to the five-year mark for vacation.

West Bend Police Department - Ability to place a candidate anywhere in the current step wage system and vacation system of the current contract based on experience.

Washington County Sheriff's Office - Ability to place a candidate anywhere in the current step

wage system and vacation system of the current contract based on experience.
I would like to propose the following language:

Lateral Entry Program: The Lateral Entry Program will provide accelerated salary incentives for qualified candidates. Candidates may be credited with years of service for prior law enforcement years of service. At the discretion of the Chief of Police, experienced candidates can be placed in any step in Appendix B of this agreement.

Candidates who qualify for the Lateral Entry Program may be credited with prior years of service in law enforcement for determining vacation allowance.

Maximum allowed days for seven (7) or more years of experience will be sixteen (16) days. Vacation can be used after the successful completion of Field Training.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION: