

TAKING STOCK

*Milwaukee Police Department policies
and protocols in the context of national reform*



WISCONSIN
POLICY FORUM

ABOUT THE WISCONSIN POLICY FORUM

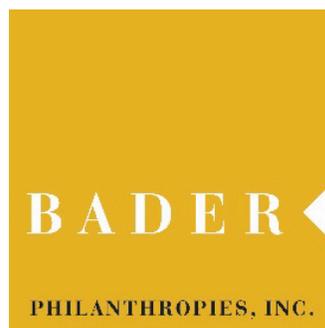
The Wisconsin Policy Forum was created on January 1, 2018, by the merger of the Milwaukee-based Public Policy Forum and the Madison-based Wisconsin Taxpayers Alliance. Throughout their long histories, both organizations engaged in nonpartisan, independent research and civic education on fiscal and policy issues affecting state and local governments and school districts in Wisconsin. The Wisconsin Policy Forum is committed to those same activities and to that spirit of nonpartisanship.

PREFACE AND ACKNOWLEDGMENTS

This report was undertaken at the request of Milwaukee Mayor Tom Barrett to provide policymakers and citizens with a shared understanding of how the Milwaukee Police Department's current policies and protocols stand with regard to national police reform discussions and how they compare to those of peer cities. We hope elected officials, law enforcement stakeholders, and community leaders will use the report's findings to inform their consideration of policy changes that will improve MPD operations, its relationship with residents, and the safety of all Milwaukee residents.

Report authors would like to thank the Mayor and his staff as well as the leadership and staff of the Milwaukee Police Department, Milwaukee Fire and Police Commission, and the city's Office of Violence Prevention for providing us with information and patiently answering our questions. We would also like to thank officials from the peer cities we considered for the information and insight they provided.

Finally, we would like to thank Bader Philanthropies for its generous grant that supported this research.





TAKING STOCK

Milwaukee Police Department policies and protocols in the context of national reform

June 2021

Report Authors:

Ari Brown, Researcher

Betsy Mueller, Researcher

Joe Peterangelo, Senior Researcher

Rob Henken, President

TABLE OF CONTENTS

Introduction	3
Background	4
The Police Reform Landscape.....	7
Reform Bucket #1: Re-imagining Public Safety	7
Reform Bucket #2: Use of Force.....	11
Reform Bucket #3: Data Collection and Record-Keeping.....	14
Reform Bucket #4: Accountability and Transparency	17
Reform Bucket #5: Training and Support.....	20
Reform Bucket #6: Demilitarization	22
Summary: Milwaukee	23
Peer City Comparison	26
Baltimore	27
Kansas City (Missouri)	31
Memphis.....	34
Minneapolis.....	37
Tucson	41
Summary of Peer Cities	43
Observations and Conclusion.....	46



INTRODUCTION

The issue of police reform is not new to the city of Milwaukee. Long before the May 2020 death of George Floyd in Minneapolis and the ensuing national and local protests, Milwaukee had encountered several of its own high-profile incidents of alleged police misconduct. Those incidents generated calls for action from community members, including demands for changes to police training and protocols as well as increased community oversight.

The calls for police reform have not gone unnoticed by city officials. In late 2017, the Milwaukee Common Council established the Collaborative Community Committee (CCC), a group that was charged with soliciting the views of Milwaukee residents on police conduct and police-community relations and developing reform recommendations. The CCC's [report](#), delivered in April 2019, identified 11 themes that cut across the individual responses and made recommendations in four broad areas of Milwaukee Police Department (MPD) practices and conduct.

As additional high-profile incidents involving injury or death in police custody have occurred both nationally and locally, calls for police reform have now intensified. The nationwide protests that erupted after Floyd's death, including many in Milwaukee, not only amplified calls for reform of police practices with regard to individuals they encounter, but they also engendered new scrutiny of police response to demonstrations and protests.

In light of these strengthened and expanded calls for police reform, the Wisconsin Policy Forum was asked by Milwaukee Mayor Tom Barrett to conduct research that would help frame reform discussions in Wisconsin's largest city. In this report, we do so by exploring where MPD stands in terms of prominent police reforms being pursued nationally or suggested locally, as well as how the department compares to peer cities with regard to certain key protocols, practices, and policies.

Our purpose is to synthesize and explain police reform proposals in a way that will enhance the understanding of policymakers and members of the community. Greater understanding of the national police reform landscape and how MPD fits in will assist them in considering and prioritizing both short-term and longer-term policy changes that will bolster the performance of MPD and its relationship with city residents and enhance the safety of all Milwaukee neighborhoods.



BACKGROUND

In conducting our analysis, we largely relied on the published proposals of prominent stakeholders. Our identification, categorization, and discussion of these police reform proposals included both local and national sources. While we obviously did not have the capacity to analyze every police reform proposal considered by legislative bodies across the country, we believe the sources we selected provide a comprehensive sample and allow us to accurately portray the police reform landscape for local and state policymakers and concerned individuals. Those sources are:

1. The **U.S. Department of Justice’s** “Collaborative Reform Initiative Milwaukee Police Department Assessment Report.” In response to a number of contentious police-related incidents, including the death of Dontre Hamilton, then-MPD Chief Edward Flynn asked DOJ to evaluate the department’s practices and protocols. In a report that was made public in 2017, the DOJ issued more than 100 recommendations and findings.
2. The **Milwaukee Collaborative Community Committee’s** “[Research Findings on Milwaukee Community Responses to the U.S. Department of Justice Collaborative Reform Initiative Draft Report on the Milwaukee Police Department and City of Milwaukee Fire and Police Commission](#).” In 2017, the Milwaukee Common Council collaborated with the African American Roundtable to form the Collaborative Community Committee (CCC). This group used community meetings to respond to and build off recommendations laid out in the DOJ report. After the CCC completed its work, the Common Council created a Community Collaborative Commission to work on specific findings from the original CCC report, including development of a community-oriented policing policy for MPD and reforms to stop-and-frisk policies related to a lawsuit filed by the Milwaukee chapter of the American Civil Liberties Union.
3. The eight bills that comprise State Sen. Van Wangaard’s (R-Racine) “[Public Safety PACT \(Police Accountability, Community Involvement and Transparency\)](#).” These bills, released in late August 2020, were the result of bipartisan discussions between state-level Democrats and Republicans in response to George Floyd’s death and intensified calls for police reform in Wisconsin. Seven of the eight bills deal directly with reforms frequently mentioned in other reports we utilized for this analysis.
4. The **U.S. Conference of Mayors’** “[Report of Police Reform and Racial Justice](#).” This report, also released in August 2020, featured input from mayors and police chiefs around the country, recommending a number of police reforms in the context of George Floyd’s death.
5. The **Wisconsin Professional Police Association’s** “[Blueprint for Change](#).” This report, authored by Wisconsin’s largest police union (but which does not represent MPD officers), was released in the summer of 2020 and provides important context on how police officers themselves wish to approach police reform.
6. The [Final Report](#) of the **President’s Task Force on 21st Century Policing**. Released in May 2015, this report responded to the events that transpired following the death of Michael Brown. The report offered insights broadly applicable to police departments across the



country and has been used as a model for discussing police reform since its release.

7. Two reports from the International Association of Chiefs of Police:
 - a. The first, "[Starting with What Works](#)," is a direct response to the Final Report of the President's Task Force mentioned above from the perspective of chiefs of police nationwide. (We refer to this report as IACP-SWW.)
 - b. The second, "[IACP Policy Framework for Improved Community-Police Engagement](#)," was released in June 2020 in the wake of George Floyd's death. (We refer to this report as IACP-Framework.)

Although we did not rely as heavily on the proposals of police reform activists and advocacy organizations in our analysis, we recognize the importance of their work in communicating the demands of the communities they represent as well as the role they play in influencing both public perception of the issues and the ultimate policy and legislative changes that result. Some call for specific actions such as banning the use of chokeholds, while others involve broader calls such as "defunding" or "abolishing" police departments. Some of the changes can be made at the department or municipal level, while others may be better suited to state legislation. Additionally, some reforms aim to reduce or prevent injuries and deaths at the hands of police, while others are focused on holding officers accountable for their actions after the fact.

Because many recent legislative proposals and reports, including several cited in this report, were developed in response to high-profile incidents involving death or serious injury, they often focus on police reforms that are aimed at these types of incidents. However, reforms related to lower-profile policing practices like stop-and-frisk or traffic stops are equally important to the quality of life in communities and to building trust in law enforcement.

Nationally, organizations like Campaign Zero are focused on promoting policies that aim to end police brutality and especially the biased treatment of people of color by police. Campaign Zero is the organization behind the "8 Can't Wait campaign," which advocates a set of recommended policy changes and has garnered widespread attention nationally. We make frequent mention of the 8 Can't Wait reform proposals in our effort to provide context for MPD reform proposals in this report.

On the local level, there are several organizations working on police reform. For example, Liberate MKE has made specific calls to [redirect](#) substantial amounts of funding from MPD (\$75 million in 2020) to areas like public health and housing. Other organizations such as Leaders Igniting Transformation (LIT) MKE (a youth-led advocacy organization), Black Leaders Organizing for Communities (BLOC), and the Milwaukee branch of the NAACP have been advocating for various types of police reforms. Also, as mentioned above, a Milwaukee Common Council-appointed Community Collaborative Commission is working on specific reforms related to community-oriented policing and stop-and-frisk policies.

In considering a wide variety of potential reforms at both the local and national level, and providing context for where Milwaukee currently stands on each, we hope to provide objective context that city policymakers and community members can use to determine possible paths forward as they contemplate their response to these issues.

It is important to point out, however, that our review of how MPD fits into the police reform landscape is based on the knowledge we can glean from reviewing the wording of MPD protocols and the interpretations we have gathered from our discussions with MPD and Fire and Police

Commission (FPC) officials. It was well beyond our scope to examine and determine the extent to which policies and protocols are *being implemented by the department and adhered to by officers*.

Consequently, while this report provides understanding of the policies and practices that MPD has established and whether they are consistent with calls for reform, it does not offer context on MPD's or individual officers' performance in adhering to those policies and practices. Additionally, it was beyond the scope of this project to examine departments' collective bargaining agreements, but the contents of those agreements may also have a significant impact on the viability of some police reforms.

The research for this report was initiated in 2020 and largely concluded by the end of April 2021. During the period in which we conducted our research, police departments, state justice agencies, and legislative bodies in Wisconsin and throughout the United States have implemented new policies and protocols that codify many of the reforms we discuss in this report. Though changes continue to be made, for the purposes of this report, we generally consider laws and initiatives that were in place as of April 15, 2021.

One recent and important development that occurred after our analysis had been largely completed was the April 21 release of a list of 18 police reform recommendations by a subcommittee of the Wisconsin Assembly's Speaker's Task Force on Racial Disparities. These recommendations have yet to be acted upon by the Wisconsin Legislature (although an initial Assembly hearing was held on several bills) and it is uncertain when and whether that may occur.

We recognize that Milwaukee's police policies and protocols and some of the conclusions we delineate in this report will be impacted by whether and in what final form the Task Force's recommendations are passed into law. To guide readers we have placed a “^” symbol in the section of the report where we describe individual reforms next to the reform if it was included in a Task Force recommendation. The full Task Force recommendation list can be found [here](#).

Another late-breaking development was a [legal settlement](#) approved by the Milwaukee Common Council in a police misconduct lawsuit related to the treatment of former Milwaukee Bucks player Sterling Brown. Among other commitments, the city has agreed to revise MPD operating procedures to “implement MPD's embrace of a policy of anti-racism” and address fair and impartial policing, personnel investigations, arrest authority, and related matters.



THE POLICE REFORM LANDSCAPE

The police reform discussions that have taken place nationally and locally since the death of George Floyd have transcended the specifics surrounding his death to include consideration of the broad range of police practices and protocols that are used by law enforcement agencies. In this section, we seek to contextualize these discussions for Milwaukee policymakers and stakeholders by reviewing reform proposals that have received national and local consideration and organizing those into six “buckets:”

1. **Re-imagining Public Safety.** Reforms regarding the fundamental job of policing, how it is done, who should be involved, and what role residents play in how their communities are policed.
2. **Use of Force.** Policies relating to how officers are authorized to use certain types of force in given situations.
3. **Data Collection and Record Keeping.** Reforms related to how policing data and records are kept, including for certain uses of force and officer backgrounds.
4. **Accountability and Transparency.** Policies to communicate police department procedures, resident complaints, and other aspects of police operations to the public, and to allow for appropriate oversight of police activities and for the removal of officers whose actions are inconsistent with department policies.
5. **Training and Support.** The types and extent of training and support that officers receive to ensure equitable and safe policing.
6. **Demilitarization.** Vehicles, weaponry, and chemical agents that police departments are empowered to possess and use.

To inform local discussions on the proposals in each of the reform buckets, we analyze them in the context of MPD’s current policies and practices. Also, our discussion of each bucket begins with a summary table that lists specific reform proposals and cites whether they are included in the reports or proposals issued by the sources described previously. For each individual reform, we provide a brief summary and a brief overview of where Milwaukee stands in terms of implementation. While in many cases Milwaukee has adopted language in line with reform proposals, we do not evaluate the sufficiency of each policy or protocol or its implementation or adherence.

Reform Bucket #1: Re-imagining Public Safety

Table 1: Summary of Re-imagining Public Safety Reforms and Sources

Reform	CCC	DOJ	PACT	Conf. Mayors	WPPA	President’s Task Force	IACP-SWW	IACP-Framework
Defunding Police	X			X				
Appropriate Response & Violence Prevention		X		X	X	X		
Immigration Enforcement	X					X		
Community Involvement and Engagement	X	X		X	X	X	X	X
Hiring and Retention	X							
Police Live in Communities Where They Work	X		X	X				



Calls for police reform during the past several months have focused not only on specific practices and protocols, but also on broader issues surrounding police funding and general approaches to policing. Here, we summarize several of the most prominent of these broad reform proposals.

Defunding Police

Summary of reform: The notion of “defunding” police departments broadly refers to a sentiment that municipal resources dedicated to police department budgets should be substantially reduced and diverted to programs that address societal factors commonly linked to crime, such as poverty, housing, workforce development, and substance abuse. While none of the sources consulted for our analysis provides detailed discussion of defunding police departments and what that specifically means, the U.S. Conference of Mayors notes that “cities should assess community needs and allocate resources to the public safety ecosystem in proportion to the elements that are more effective in addressing particular needs.” The CCC report also includes criticism that “MPD’s budget is too big.” While an evaluation and comparison of MPD’s budget is outside the scope of this report, some may find our previous research on [police funding trends](#) and [police spending](#) of interest.

Where Milwaukee stands: As we discussed in our 2021 City of Milwaukee Budget [Brief](#), the city has reduced sworn strength levels by a combined 180 positions in the 2020 and 2021 budgets, with the cuts achieved through attrition. We have pointed out, however, that this is more a reflection of the city’s overall fiscal challenges than a deliberate effort to shift police resources to other needs. In fact, despite the reduction of 120 sworn positions in the 2021 budget, the department’s overall budget only decreases slightly given the need to pay for salary and benefit increases for remaining staff. Consequently, the reduction of MPD positions generally has not freed up dollars for other departments or initiatives.

Appropriate Response and Violence Prevention

Summary of reform: Departments across the country are considering whether and to what extent certain non-violent calls that have traditionally resulted in a police response, such as those relating to mental health crises, might be more appropriately dispatched to other entities like trained behavioral health clinicians. Concurrently, municipal governments – in conjunction with their police departments – have increasingly looked to formalize and invest in violence prevention activities that address some of the root cause of violence and hold potential to reduce calls for police service. The U.S. Conference of Mayors, for example, recommended that cities should “consider whether there are other service providers that can provide a better integrated response” in certain instances. Some have suggested this approach with regard to traffic enforcement, with the U.S. DOJ report stating that “MPD should engage an independent evaluator to measure the community impact of its traffic enforcement strategy.”

Where Milwaukee stands: Legislation that creates an MPD Diversion Task Force “to develop a master plan for responding to calls for service that do not involve threats to public safety” was unanimously [passed](#) by the Milwaukee Common Council in March 2021. The Task Force will include members from various city departments, including the Office of Violence Prevention (OVP), MPD, FPC, and the Milwaukee Fire Department, as well as “two members of the community, to be appointed by the Common Council President.”

For some calls related to health and human services, Milwaukee County is a necessary partner. MPD and Milwaukee County’s Behavioral Health Division (BHD) have already collaborated on the creation and implementation of multiple Crisis Assessment and Response Teams ([CART](#)), which deploy behavioral health professionals and officers trained in crisis intervention in tandem to respond to



certain behavioral health-related calls. These teams supplement mobile crisis response teams operated by BHD that include only clinicians but responded to nearly 4,000 incidents in 2020, some of which might otherwise have involved police. These teams are not dispatched through emergency services, however, and instead must be called directly. The city's 2021 budget contains an additional \$300,000 to expand CART by providing BHD with capacity to hire three additional clinicians, while the county's 2021 budget includes \$500,000 for BHD to create a new CART team with the Milwaukee County Sheriff. It is important to note that the Wisconsin State Statutes (Chapter 51) dictate that a law enforcement officer must be present for certain involuntary mental health commitments.

Additionally, the city and county recently collaborated on a "Safe Milwaukee Partnership" proposal to Governor Tony Evers that requests \$4.5 million in the next state budget to add substantial CART capacity, expand BHD's mobile crisis teams, and take other steps to boost non-police crisis response.

Finally, city leaders have added capacity in recent years to an Office of Violence Prevention (OVP) within the city's health department (that was created in 2008) as another strategy to address crime and violence in Milwaukee without involving MPD. Per the 2021 budget, the OVP has a staff of nine full-time equivalent employees (FTEs) and an annual budget of \$3.7 million, with roughly 80% of the budget and staffing covered by grants and special sources of funds and the remainder with general city resources.

Immigration Enforcement

Summary of Reform: Some cities have chosen to eschew federal guidelines in terms of cooperation with the federal office of Immigration and Customs Enforcement (ICE). The President's Task Force states, "Law enforcement agencies should build relationships based on trust with immigrant communities."

Where Milwaukee stands: The CCC requested that MPD "amend Standard Operating Procedure (SOP) 130 to reflect Milwaukee's status as a Sanctuary City," stating that "MPD should not be investigating immigration status." In December 2019, the city's FPC [approved](#) a requirement that stipulates a judicial warrant signed by a judge must be in place for MPD officers to assist ICE. Currently, SOP 130 reads, "...proactive immigration enforcement by local police can be detrimental to our mission and policing philosophy when doing so deters some individuals from participating in their civic obligation to assist the police." The SOP also states that "[MPD] does not unilaterally undertake immigration-related investigations and does not routinely inquire into the immigration status of persons encountered during police operations" and "Department members shall not request passports, visas, 'green cards,' or other documents relating to one's immigration status in lieu of...standard forms of identification."

Community Involvement and Engagement¹

Summary of reform: Nearly every proposal we examined emphasizes that police departments should strive to carve out a broader role in their communities beyond making arrests. For example, IACP-SWW mentions that police should "engage with the community through meaningful partnerships and problem-solving." The concept of "community policing" – which generally refers to proactive efforts

¹ The "^^" symbol will appear in this section of the report next to those reforms that are cited or relevant to recommendations released by the Wisconsin Assembly Speaker's Task Force on Racial Disparities in April 2021. We also use an asterisk to show those reforms that are included in the "8 Can't Wait" reform campaign.



by police to reach out to the communities they serve to address societal issues that can give rise to crime – is also widely recommended. The U.S. DOJ report noted that “MPD should develop a department-wide community policing strategy” while the U.S. Conference of Mayors states that “community policing should permeate the entire department.” Additionally, the CCC stresses that MPD should “increase non-patrol community engagement and venues” and “mandate officers spend a certain amount of ‘non-patrol community engagement’ hours participating in community events and activities.”

Where Milwaukee stands: MPD’s [Office of Community Outreach](#) and Education employs a number of programs to boost community engagement, and the department has embarked on programs engaging [faith-based organizations](#) and has created a [Milwaukee Police Ambassador Program](#) to build “new bridges between MPD and the community it serves.” Additionally, in April 2021, the FPC passed a new SOP 003 titled “Community Oriented Policing,” which emanates from the work of the Community Collaborative Commission. New requirements for officers include “maximizing positive interactions with the public throughout [a police officer’s] shift and building positive relationships with residents, community groups, and businesses in their assigned squad area.” In addition, the SOP stipulates that the department establish partnerships with community members and groups, nonprofits and service providers, and private businesses.

Hiring and Retention

Summary of reform: Reform advocates have urged departments to change their hiring practices by placing greater emphasis on diversity and on recruiting individuals who do not possess a “warrior” mentality, and to involve community members in effectuating such changes and in the general oversight of personnel policies. They have also urged changes in retention policies, including a focus on providing wellness and other supports to officers. The U.S. DOJ recommended that “MPD should develop a Recruitment and Retention Advisory Council whose members represent a cross-section of community stakeholders,” and the CCC also called for “community oversight of department recruitment and officer hiring, promotion, and evaluation.”

Where Milwaukee stands: In early 2021, the Milwaukee Common Council voted to accept a nearly \$10 million grant which would allow MPD to hire 30 new police officers starting in the early summer. In general, recruitment is the responsibility of the FPC – whose voting members are civilians – although MPD typically plays a significant role in organizing or participating in recruitment events and strategies. Department leaders noted to us that they have undertaken several efforts in concert with the FPC to increase officer diversity, including a push to recruit police aides (who may later become officers) through the Milwaukee Public Schools and community recruitment events. They also acknowledge that there is a need to focus even more on recruiting more female officers and officers of color.

Police Live in Communities Where They Work

Summary of reform: Calls for police department employees to live in the communities they are responsible for protecting have been consistent as part of reform movements in the past decade. For example, both the CCC and the U.S. Conference of Mayors have called for monetary incentives for officers to live in the communities they protect.

Where Milwaukee stands: Prior to 2016, Milwaukee had a residency requirement in place for city employees, but it was ended by state legislation that was subsequently upheld by the Wisconsin Supreme Court. In January 2021, the FPC approved a motion to add preference points to MPD promotional applicants’ test scores if they resided within the boundaries of the city; while these



points had previously been in place for entry-level positions, they were extended to those seeking promotion to higher-level positions. According to [data](#) from the city, as of August 2019, 84% of general city employees were residents, compared to just 55% of police employees. Today, MPD officers need only live [within 15 miles](#) of city boundaries.

Reform Bucket #2: Use of Force

Table 2: Summary of Use-of-Force Reforms and Sources

Reform	CCC	DOJ	PACT	Conf. Mayors	WPPA	President's Task Force	IACP-SWW	IACP-Framework
Chokeholds			X	X	X			
Deadly Use of Force		X		X	X		X	
Duty to Intervene				X	X			X
De-Escalation				X	X	X	X	
Exhaust All Alternatives				X	X			X
Minimum Use of Force				X	X		X	X
Shooting at Moving Vehicles				X				
Verbal Warning				X				
Use-of-Force Continuum		X		X	X			X

No specific area of policing has received more attention during recent reform discussions than the issue of how police departments use force. Most prominently, the national “[8 Can’t Wait](#)” campaign is advocating for a specific set of reforms in this area, and several departments nationwide have altered policies relating to use of force in recent months (in this section, reforms included in “8 Can’t Wait” are delineated with an asterisk). Below, we look at major use-of-force policies that have been subject to national calls for reform and where MPD stands on each. Notably, most use-of-force policies are outlined in MPD SOP 460 (Use of Force).

*Chokeholds**^

Summary of reform: In the wake of George Floyd’s death, bans on the use of chokeholds have been one of the most prominently discussed use-of-force reforms in recent months. Both the WPPA and the U.S. Conference of Mayors have recommended banning chokeholds except under “exigent circumstances” or “unless deadly force is necessary,” and PACT bill LRB 6349 “prohibits training the use of chokeholds.”

Where Milwaukee stands: In December 2020, the FPC adopted new SOP language for MPD that largely prohibits the use of chokeholds: “Police members shall not engage in chokeholds, strangleholds, lateral vascular neck restraints, carotid restraints, or any other tactic that restricts oxygen or blood flow to the head or back unless the member is involved in a deadly force situation and has reasonably exhausted all other options or tactics. Deadly force shall only be used when the officer reasonably believes it is necessary to prevent death or great bodily harm to himself/herself or to others.” In May 2021, the FPC voted unanimously to ban chokeholds without exception.



Deadly Use of Force

Summary of reform: Reformers have argued that departments' policies should be explicit about under what circumstances and in what manner deadly force can be used. For example, the U.S. Conference of Mayors states that "...unless a fleeing individual poses an immediate threat of death or serious physical injury to another person, deadly force should not be used."

Where Milwaukee stands: SOP 460 delineates only four specific instances in which deadly force can be used, and in those cases only "as a last resort." These include preventing the death of an officer or third party; preventing the escape of a suspect who "poses a significant threat of great bodily harm or death" to officers or others; killing an animal if "the officer or another person is threatened with serious bodily harm" or for the safety of the public; and to put an animal out of its misery.

Duty to Intervene *^

Summary of reform: This issue involves the role of bystanding officers when they witness another officer using inappropriate levels of force. WPPA, the U.S. Conference of Mayors, and IACP-Framework all encourage policies that specify the duty to intervene. The U.S. Conference of Mayors, for example, states that "police officers should be required to intervene when they see a fellow officer using excessive force and attempt to prevent it." WPPA notes that "the excessive use of force by an officer constitutes a crime, such that an officer [who] witnesses another officer committing a crime has an absolute duty under the law to intervene and report the conduct."

Where Milwaukee stands: Strong language encouraging officers to intervene is included within SOP 460: "Any officer who personally observes another officer using force...shall reasonably attempt to intervene to prevent the use of such excessive force, if the observing officer is in a position to do so, and if any such intervention does not jeopardize safety. Any such officer shall promptly report their observations...A failure to intervene in any unreasonable use of force, when there is an opportunity to do so, demonstrates a lack of courage, and a violation of the Code of Conduct."

De-Escalation *

Summary of reform: Substantial reform discussion has centered on the training that police officers receive to de-escalate situations they encounter in a manner that will minimize the potential need to use force. Some have also pointed to the need for departmental policies and protocols that specifically require the use of de-escalation tactics. The WPPA, U.S. Conference of Mayors, President's Task Force, and IACP-SWW all emphasize that officers should be trained in de-escalation. Additionally, 8 Can't Wait includes a call for police department policies that "require officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force."

Where Milwaukee stands: In December 2020, the FPC adopted extensive new policy language addressing de-escalation training and tactics. SOP 460.20 directs that whenever reasonable, officers "shall use de-escalation tactics to gain voluntary compliance and seek to avoid or minimize use of physical force." Officers are further directed to "attempt to slow down or stabilize the situation so that more time, options, and resources are available for incident resolution" and to "consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply" based on factors like a behavioral crisis, language barrier, or physical limitation. The new language also includes nine distinct steps officers can use to de-escalate a situation.



Exhaust All Alternatives

Summary of reform: As the heading suggests, this issue refers to policies that encourage officers to exhaust all alternative methods when deciding whether or not to use force. Specifically, this reform focuses on whether the department a) directs officers to exhaust any alternatives before using force; and b) delineates what those alternatives are. IACP-Framework, for example, states that “officers shall use force only when no reasonably effective alternative appears to exist.” The U.S. Conference of Mayors cites the City of Baltimore’s policy, which states that “Members shall not use Deadly Force/Lethal Force unless they have exhausted de-escalation and Less-Lethal Force options have been tried and failed, or are not safe based on the totality of circumstances.” De-escalation alternatives, in the case of the City of Baltimore, include “communication techniques to calm an agitated subject and promote rational decision making;” “decreasing the exposure to the potential threat by moving to a safer position;” “slowing down the pace of the incident by slowing your speech, taking deep breaths, and/or applying the critical thinking framework;” considering “whether a subject’s lack of compliance is a deliberate attempt to resist or an inability to comply;” and employing “developmentally-appropriate, trauma-informed tactics including, but not limited to, using a calm and natural demeanor, and avoiding threatening language.”

Where Milwaukee stands: SOP 460 clearly lays out the messaging similar to Baltimore’s to officers, both in circumstances of using a firearm and when using “force that is intended or likely to cause great bodily harm or death.” Also, a list of alternatives that must be exhausted before use of force is included in the new SOP 460 language discussed above as part of the “De-Escalation” reform policies adopted in December 2020.

Minimum Use of Force

Summary of reform: Should officers find themselves in a situation where force is necessary, many proposals have called for policy reflecting that only the *minimum* amount of force needed to remedy the situation be used. The U.S. Conference of Mayors and both IACP reports suggest that departments have such policies in place. IACP-Framework, for example, defines this as “only the level of force that a reasonably prudent officer would use under the same or similar circumstances.” It also states that “physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, another person, or property damage. In these situations, only the minimal amount of force necessary to control the situation shall be used.”

Where Milwaukee stands: SOP 460 states that “police members shall use only the force necessary to effectively maintain control of a situation and protect the safety of police members and the public.”

*Shooting at Moving Vehicles**

Summary of reform: Some reform advocates have suggested that strict policies be in place to restrict when and how police officers should be allowed to fire shots at a moving vehicle given the possible endangerment of innocent parties. The U.S. Conference of Mayors report is the only proposal we examined to explicitly mention this reform, however. It states that “policies should instruct officers not to shoot at or from moving vehicles except under extreme, life-threatening circumstances that are not avoidable.”

Where Milwaukee stands: SOP 460 includes a detailed section that specifies only extremely limited instances in which an officer may “[discharge] a firearm at or from a moving vehicle.”

Verbal Warning*

Summary of reform: Requiring officers to provide a warning before they use force gives subjects the opportunity to respond, offering a potential avenue for de-escalation. The U.S. Conference of Mayors suggests “...providing a verbal warning when possible, before using deadly force.”

Where Milwaukee stands: SOP 460 states that “When feasible, a verbal warning should be given prior to the use of force likely to cause great bodily harm or death.”

Use-of-Force Continuum*^

Summary of reform: The term “use-of-force continuum” speaks to calls by reformers for departments to delineate comprehensive policies as they relate to the various types of force that are allowable and when the most severe types can be used. For example, WPPA suggests that the state “require each law enforcement agency to ensure that its publicly available policy on the use of force incorporates the following principles: that the primary duty of all law enforcement is to preserve the life of all individuals; that deadly force is to be used only as the last resort; that officers should use skills and tactics that minimize the likelihood that force will become necessary; that, if officers must use physical force, it should be the least amount of force necessary to safely address the threat; and that law enforcement officers must take reasonable action to stop or prevent any unreasonable use of force by their colleagues.”

Where Milwaukee stands: SOP 460 arguably serves as MPD’s continuum, as it is a (mostly) publicly available document that states clearly what MPD officers are taught to do in situations where use of force may be justified. The SOP delineates clearly the above policies mentioned in the WPPA report. Additionally, as delineated in SOP 460, MPD officers must adhere to the Wisconsin Defense and Arrest Tactics Disturbance Resolution Model, which gives general guidelines for how force should be used starting with “presence” and “dialogue” and, after all other options are exhausted to stop the threat, ending with “deadly force.”

Reform Bucket #3: Data Collection and Record-Keeping

Table 3: Summary of Data Collection and Record-Keeping Reforms and Sources

Reform	CCC	DOJ	PACT	Conf. Mayors	WPPA	President’s Task Force	IACP-SWW	IACP-Framework
Resident Opinion/Survey Data		X				X	X	
Crisis Intervention Data Reporting				X				
Traffic Stops and No-Knock Entry Reporting		X			X	X		
Use-of-Force Data Collection and Reporting	X	X	X	X	X	X	X	
Officer Diversity Data Reporting	X	X				X		

How departments collect, report, review, and keep records and data is critical to ensuring informed assessment and deliberation of police department performance by policymakers and community members. The need for appropriate police department data collection and record-keeping once focused primarily on effective use of crime data to inform policing strategies and resource deployment. The more recent emphasis on police practices and procedures, however, has placed increased importance on the collection and dissemination of more comprehensive and nuanced



forms of data. In this section, we summarize some of the most prominent calls for reform in police department data collection, management, and dissemination.

Resident Opinion/Survey Data

Summary of reform: This reform speaks to the need for police departments to understand how individuals view them and where breaches in public trust may be arising. The President’s Task Force recommended that “law enforcement agencies should track the level of trust in police by their communities just as they measure changes in crime;” in response, the IACP suggested that departments “implement periodic community surveys to obtain community feedback” and “consider working with research partners to develop surveys and target the surveys to those communities most impacted by crime or police services.”

Where Milwaukee stands: The FPC conducts periodic surveys of Milwaukee residents’ views on MPD, with survey reports from 2014, 2017, and 2019 available on its [website](#). The FPC has contracted with professional survey researchers at St. Norbert’s College to conduct the surveys and write the survey reports.

Crisis Intervention Data Reporting

Summary of reform: Several of the most widely publicized and contentious incidents that have generated calls for reform both in Milwaukee and nationally began with interactions between the police and individuals experiencing mental health crisis. The U.S. Conference of Mayors has recommended specific police data collection and reporting in this area, saying departments should be “collecting and publishing data on the number and types of incidents involving individuals in crisis.”

Where Milwaukee stands: MPD does not publicly share data on the number and types of incidents involving individuals in crisis. The Milwaukee County BHD does collect and share data on CART activity, but that is limited to MPD encounters that involve the participation of a CART team and does not reflect the full extent of mental health incidents handled by MPD.

Traffic Stops and No-Knock Entry Reporting[^]

Summary of reform: Certain types of police interactions have received particular scrutiny because of high-profile incidents in recent years, including routine traffic stops that result in frisking and detention and no-knock entries into households. The President’s Task Force recommended that “law enforcement agencies should...collect, maintain, and analyze demographic data on all detentions (stops, frisks, searches, summons, and arrests.)” The U.S. DOJ also recommended that “MPD should...provide quarterly trends and analysis of traffic stop enforcement and searches” as well as “report at the FPC the outcomes of its traffic enforcement strategy.” WPPA suggested that departments should “submit to [the Wisconsin] DOJ an annual report detailing the number of search warrants issued that specifically authorized entry without knocking and the total number of search warrants issued.”

Where Milwaukee stands: A federal court settlement in 2018 requires MPD to provide traffic and subject stop-related data to an independent monitor quarterly, and to publish the data annually. The [data, which FPC is currently publishing on a quarterly basis](#), can be found on the FPC website. Data pertaining to search warrants are public record unless they have been sealed by the actions of a judge. With regard to no-knock entries, public data were not available. Department leaders state that these are rare, and the department does internally collect data on items such as who was present



and whether or not there were drugs or weapons at the site. Department leaders also say that the criteria under which an officer may be authorized to carry out a no-knock entry have been strengthened within the last year. Per department leaders, MPD and FPC are currently working to amend the existing SOP that relates to no-knock entries.

Use-of-Force Data Collection and Reporting[^]

Summary of reform: Each of the sources we analyzed for this report included some form of recommendation on enhanced collection, analysis, and reporting of use-of-force data. Some suggested going beyond just reporting available data – for example, WPPA urged creation of “a statewide nonpartisan board to research, review, and report annually on the causes and contributing factors of certain use-of-force incidents by law enforcement officers in the course of their duties.” PACT bill LRB 6341 “requires every law enforcement agency to have a policy as to when and how a use of force incident is to be reported.” Many reformers have called for more state-level action in this regard, though an individual department such as MPD can have its own policies with respect to disseminating data and trends related to uses of force by officers.

Where Milwaukee stands: FPC publishes an annual use-of-force [report](#). The 2019 report can be viewed [here](#). Previous reports have been authored by a professor in the Department of Criminal Justice at the University of Wisconsin-Milwaukee. The annual report provides an overview of the incidents in which force was used by MPD officers and a statistical year-to-year comparison of the data. Also, SOP 460 (specifically section 460.45(D)) provides clear directions for officers to file a Use of Force Report. This section cites nine situations in which an officer must report use of force; the ninth, added in December 2020, is when an officer “points a firearm at a person.”

Officer Diversity Data Reporting

Summary of reform: Police departments have been widely urged to recruit and hire officers whose demographic characteristics (as a whole) appropriately reflect the communities they serve. It has also been recommended that they report to the public on their effectiveness in doing so. The CCC called for MPD and the FPC to “collect, analyze, and report data to monitor hiring and recruitment,” and the President’s Task Force suggested that “all federal, state, local, and tribal law enforcement agencies should report and make available to the public census data regarding the composition of their departments including race, gender, age, and other relevant demographic data.”

Where Milwaukee stands: Both the [FPC](#) and [MPD](#) publish annual reports on their website, but the most recent we could identify that contained demographic information on sworn and civilian MPD employees was the 2017 annual FPC [report](#). That said, department leaders recently noted that they plan to report demographic data in their 2020 Annual Report (which we could not locate on MPD’s website) and the department indicates it has no hesitation in publicizing this information.



Reform Bucket #4: Accountability and Transparency

Table 4: Summary of Accountability and Transparency Reforms and Sources

Reform	CCC	DOJ	PACT	Conf. Mayors	WPPA	President's Task Force	IACP-SWW	IACP-Framework
Transparent Use-of-Force Policy	X	X	X		X	X	X	
Body-Worn Cameras	X	X		X	X		X	
Whistleblower Protections for Reporting Use of Force			X		X			
Resident Complaints	X	X		X				
Independent Critical Incident Review Board		X	X	X		X	X	
Policy Regarding Protests and Demonstrations				X		X	X	
Removal of Officers		X		X				

While enhanced data collection and reporting is a start toward efforts to improve the general public's understanding of police performance and policies, police reform advocates also have called for departments to provide greater transparency regarding how they operate by being forthcoming on key practices and protocols. They argue that greater public awareness in this regard will promote greater accountability and oversight for adherence to appropriate police practices.

In this section, we analyze reforms related to departmental transparency and accountability. Those reforms focus not only on how departmental policies are communicated to the public, but also how employees of the department are held accountable for actions that conflict with existing policies. Another key factor for reformers is whether independent entities or individuals – i.e. those not employed by the department itself – have a say when a critical or notable incident takes place.

As we considered where MPD stands on this bucket of reforms, we noted that significant portions of key MPD SOPs have been redacted. MPD leaders have indicated that policies are redacted when they either 1) contain personal identifying information (names, phone numbers, addresses, etc.); or 2) contain information regarding policing strategies or tactics that may provide an advantage to would-be violators of the law if made public.

Transparent Use-of-Force Policy[^]

Summary of reform: Police reform advocates have been almost universal in their calls for clearly articulated police department policies when it comes to uses of force. Those calls have been accompanied by insistence that use-of-force policies be accessible to the public. For example, PACT bill LRB 6346 would require law enforcement entities “to have a link on their website to request a department’s [use of force] Policy.”

Where Milwaukee stands: As mentioned earlier, MPD’s SOP 460 is [available online](#). Some sections are redacted. Additionally, in the case of an officer-involved shooting, MPD policy dictates the issuing of a “community briefing” within 45 days of the incident taking place. This briefing, released to the public in a video format, provides a narrative recounting of the facts surrounding the case, as well as any dashboard or body camera video taken during the incident. The most recent community briefing was for a May 2020 event (video was released in late July of that year, 83 days from the time the incident took place).



Body-Worn Cameras^

Summary of reform: Body-worn cameras (BWCs) are now being used by police officers in hundreds of departments across the county, including MPD. BWCs provide internal decision-makers the ability to understand what happened at the scene of an event without having to rely on testimony from those involved. The U.S. DOJ, U.S. Conference of Mayors, and the CCC have called for clear delineation of BWC policies by departments.

Where Milwaukee stands: SOP 747 (Body-Worn Cameras) states, “All non-supervisory officers assigned to the Patrol Bureau shall be assigned a BWC,” and also lays out the department’s more detailed BWC policy: “A member assigned a BWC must wear it at all times when on duty and performing or likely to perform enforcement duties, including traffic stops, field interviews, no-action encounters, frisks, or searches...Members with a BWC who arrive on a scene or engage in investigative or enforcement contacts shall activate their BWC for recordable events, including, but not limited to: 1) vehicle stops, 2) impaired driver investigations, 3) field interviews and pedestrian stops, 4) transporting citizens or prisoners, 5) searches of persons or property, 6) dispatched calls for service, 7) crime scenes, 8) crash scenes, 9) advising a subject of Miranda warnings, 10) suspect/witness statements and interviews, 11) vehicle and foot pursuits, and 12) emergency response to critical incidents.” With regard to recording citizens who witness critical incidents, the U.S. DOJ recommended that MPD “require audio or video recording of involved and witnessing officers to improve the quality and transparency of the investigation.” Accordingly, MPD and FPC amended SOP 453 (Officer-Involved Deaths and Other Critical Incidents) in October 2020 to state that “All citizen witness interviews conducted by a detective should minimally be audio recorded unless the citizen refuses to be recorded.”

Whistleblower Protections for Reporting Use of Force^

Summary of reform: Some have suggested that departments should consider greater protections for officers who observe and report protocol infractions by other officers. Such protections might make it more likely that officers who witness misconduct will report those incidents, accelerating accountability. PACT bill LRB 6341, for example, would mandate “...whistleblower protections for officers who report use of force incidents.” WPPA suggests “providing officers with clear and specific guidance on how to report potential misconduct...and establishing whistleblower protocols for those officers will help reinforce those existing obligations.”

Where Milwaukee stands: SOP 460, in discussing an officer’s duty to intervene, requires that “any...intervening officer shall promptly report their observations, along with his/her own intervening actions to a supervisor.” SOP 450 (Personnel Investigations) outlines protocols for supervisors to bring forward instances of misconduct. Additionally, while the department’s protocols do not contain explicit protections for whistleblowers, MPD officers are encouraged to report misconduct under the “Courage” and “Integrity” portions of the department’s Code of Conduct, which states that “members will not be punished, but will be protected and supported, for reporting a violation of the Code of Conduct.”

Resident Complaints

Summary of reform: Having clear processes and entry points for residents to voice concerns about encounters with police or police practices can make departments more directly accountable to their constituents. The U.S. DOJ and the CCC both suggest that departments need SOPs that establish a clear resident complaint policy with specific timelines for processing a complaint, and the U.S. Conference of Mayors states that departments “should not erect unnecessary barriers to citizen’s



complaints,” noting that the “process...should be simple, easy to understand, and available in all languages spoken in the area.”

Where Milwaukee stands: MPD currently allows complaints to be submitted in numerous ways, including an online complaint submission [form](#) that is available in English, Hmong, and Spanish. Residents must submit their name as part of this process (i.e. they may not remain anonymous), and the form simply states that “most investigations will be completed in a timely manner.” The FPC publishes some resident complaint data on its website – including information on the investigation and disposition of complaints – and also publishes an annual resident complaint report. That report has previously been authored by FPC staff but the Wisconsin Policy Forum has been contracted to analyze the data and prepare the report for both 2020 and 2021.

Independent Critical Incident Review Board^

Summary of reform: When use-of-force cases are deemed worthy of review or potential disciplinary action, some departments involve third-party entities to ensure greater independence in the review. IACP-SWW, the President’s Task Force, the U.S. DOJ, a PACT bill, and the U.S. Conference of Mayors have all called for independent or external review boards for at least some critical incidents. IACP-SWW, for example, suggests that departments “consider adopting external oversight bodies for the review of critical incidents involving police action,” and the U.S. Conference of Mayors notes that “Investigation of some incidents...may be best assigned to a third party.”

Where Milwaukee stands: MPD uses a “Critical Incident Review Board” (CIRB; SOP 455) to “conduct thorough analyses of critical incidents and other incidents as determined by the Chief of Police or the Chief’s designee.” However, this board exists as an internal MPD entity and does not currently include external members. External participation (though not community participation) is mandated in certain cases by Wisconsin statutes, however, which require the DOJ to conduct an independent investigation in the case of “the death of an individual as the result of an action or inaction by a law enforcement officer.”

MPD also maintains a separate Use of Force Committee that conducts investigations when officers are identified whose number of use-of-force incidents make them “outliers” on a statistical basis. Department leaders note that they have been urged by the Community Collaborative Commission to add a civilian to the Use of Force Committee and they are considering doing so. They also expressed openness to considering the addition of an external member to the CIRB.

Though it does not serve the specific role of investigating critical incidents, the FPC should be mentioned as being relatively closely aligned with this reform. One of its purposes is “independently investigating and monitoring citizen complaints.”

Policy Regarding Protests and Demonstrations

Summary of reform: Law enforcement responses to protests in the summer of 2020 both nationally and locally have generated concerns and calls for reform and greater transparency regarding protest policies and protocols. Both the U.S. Conference of Mayors and the President’s Task Force state that “law enforcement agencies should create policies and procedures for policing mass demonstrations,” and IACP-SWW suggests guidelines should “include guidance on the use and escalation of force” and departments “should also use after-action reports to review their responses to mass demonstrations.”



Where Milwaukee stands: SOP 910 (Civil Disturbance and Crowd Management) governs MPD policy on protests and mass demonstrations, stating that the department shall place “only those limitations and restrictions on demonstrations necessary to maintain public safety, preserve order and to the degree possible, facilitate uninhibited speech, commerce and freedom of movement.” There are redacted portions of the SOP that we were not able to review. MPD leadership informed us the redacted portions include information on preparation for evaluating the nature of the incident, documenting plans, the organizational structure for responding to an incident, uses of force, and the process for dispersing crowds while complying with city ordinances on freedom to assemble.

In December 2020, as part of SOP 460, MPD policy was updated to state, “Members shall not utilize Oleoresin Capsicum (OC) on peaceful demonstrations. A peaceful demonstration is defined as a gathering of people expressing a position in a cooperative manner without violation of the law.” Oleoresin Capsicum is the active ingredient in pepper spray.

Removal of Officers^

Summary of Reform: Many have called for clear policies and procedures that dictate the removal of officers whose conduct reflects poorly on the department. In its report on MPD, for example, the U.S. DOJ stated the “MPD should require review of the involved officer’s history in use of force investigations for aggravating factors in patterns of behavior, including previous questionable use of force situations, anger issues, unsatisfactory performance, or related unsatisfactory behavior.”

Where Milwaukee stands: MPD currently has SOPs that broadly address conditions for removal (SOP 450 - Personnel Investigations and SOP 440 - Early Intervention Program). By and large, however, the department disciplines by incident; when an officer is determined to have been involved in an incident that warrants investigation of officer conduct, MPD will gather details on that officer’s history and consider those details in determining a response to the specific incident. Though MPD does have the power to terminate officers, Wisconsin State Statute 62.50 stipulates that in Milwaukee only (as the state’s only “first class city”), the officer can appeal to the FPC when discipline is handed down. At the level of the FPC, according to state statutes, “just cause” for discipline must be determined.

Reform Bucket #5: Training and Support

Table 5: Summary of Training and Support Reforms and Sources

Reform	CCC	DOJ	PACT	Conf. Mayors	WPPA	President’s Task Force	IACP-SWW	IACP-Framework
Bias, Equity, and Discrimination Training	X	X		X		X	X	X
Crisis Intervention Training		X		X	X	X	X	
Health and Wellness	X			X	X	X	X	
Professional Development	X	X				X	X	

Concerns about certain types of police interactions with civilians – and specifically about how officers interact with communities of color and respond to incidents involving mental health crisis – have precipitated calls for better and more specialized forms of officer training. Below, we summarize reform proposals that address training efforts and related support for police personnel.



Bias, Equity, and Discrimination Training

Summary of reform: Calls for specific officer training on bias, equity, and discrimination are included in most of the sources we examined, including a few that mentioned this training should be “ongoing.” For example, IACP-Framework suggests that departments should be “embracing procedural justice as a guiding principle that informs policies, practices, and training.”

Where Milwaukee stands: Department leaders noted that every officer undergoes an eight-hour “Fair and Impartial Policing” (FIP) training, which serves as the department’s main training in regard to bias, equity, and discrimination. Recruits also receive cultural competence training, which is administered through a state-mandated course. Refreshers are given through in-service, and department officials say they institute enhanced training if they see patterns and trends that contribute to bias.

Crisis Intervention Training[^]

Summary of reform: Departments across the country have recognized for the past several years the need for specialized training to help officers respond safely and effectively to calls involving persons experiencing a mental health crisis. Calls for more comprehensive crisis intervention training (both in terms of hours dedicated to training and numbers of officers who receive it) continue to be reflected in most of the proposals we analyzed. Also, the WPPA called on the state of Wisconsin to “increase the state funding that currently exists...for crisis intervention training grants.”

Where Milwaukee stands: Department officials report that all MPD officers now receive a minimum of 40 hours of crisis intervention training. The state-level Law Enforcement Standards Board (LESB) also trains officers on de-escalation. In addition, department officials say that the crisis intervention training officers receive now focuses on helping them to identify the appropriate resource for addressing the needs of an individual they encounter who may be in mental health crisis, as opposed only to teaching the proper procedures for placing such an individual under emergency detention.

While the 40 hours of training for all officers fulfills a commitment made by the Mayor in the wake of Dontre Hamilton’s death, a 2018 *Milwaukee Journal Sentinel* [article](#) suggested that approach may “miss the mark” by failing to provide more intensive training for specialized crisis intervention teams. That concern has been addressed, in part, by the creation of the three CART teams in partnership with the county’s Behavioral Health Division. As noted earlier, the city’s 2021 budget appropriated an additional \$300,000 to expand CART and the city and county are jointly seeking additional state funding to pursue even greater expansion.

Health and Wellness[^]

Summary of reform: Policing tends to be a high-stress job, and there is evidence that stress may impact the quality of officers’ decision-making. Many of the reform proposals we reviewed include recommendations for greater emphasis on officer health and wellness services; not surprisingly, the most comprehensive of those come from police-aligned groups. IACP-SWW includes six distinct recommendations in the category of “Officer Wellness and Safety,” and WPPA’s recommendations include a call for “legislative privacy protections for officers who seek assistance through their departments’ peer support program;” worker’s compensation coverage “for public safety officers diagnosed with PTSD as a result of their employment;” and increased funding “to adequately support officer wellness training and initiatives through DOJ.”



Where Milwaukee stands: A 2019 U.S. DOJ [publication](#) documents MPD’s wellness efforts, which it describes as a combination of “(1) the EIP [early intervention program, SOP 440], (2) the chaplaincy program, and (3) the internal peer support program...these three components are closely aligned and work together as an integrated team.” FPC is responsible for having new hires complete a psychological evaluation, though the department itself does not perform regular “Fit for Duties” evaluations. Also, any officer involved in a critical incident must: 1) attend a confidential psychological debriefing with an MPD psychologist within three days of the incident; 2) participate in follow-up debriefings within 30-45 days of the incident and again after six months; and 3) attend another debriefing one year after the most recent incident in the case of an officer who has been involved in more than one incident. A January 2021 resolution passed by the FPC created a three-person panel responsible for reviewing appeals made by those who fail a psychological evaluation.

Professional Development

Summary of reform: Though broad, the concept of professional development – i.e. the provision of ongoing training and development opportunities to help officers learn and progress professionally – has been cited as an important tool for departments to improve officer performance and accountability. Both the President’s Task Force and the CCC suggested the need for general professional development with clear benchmarks, while the U.S. DOJ focused specifically on the need for MPD to “facilitate talented personnel within the organization achieving leadership roles” and to develop “mentorship programs.” IACP-SWW, meanwhile, suggests that departments engage with personnel “to balance a warrior mindset with a guardian approach.”

Where Milwaukee stands: SOP 082 (Training and Career Development) establishes broad guidelines for employee training and development, including basic training for recruits, continuing education, and remedial training “to correct or improve deficiencies in performance.” The SOP also specifies that the department’s training director “shall ensure that an in-service curriculum is designed and implemented each fiscal year to satisfy state training standards and the needs of the department.”

Beyond that, MPD’s professional development consists mainly of sending members to various trainings, and each officer has an “education” account with the department. Opportunities include items such as specialized trainings for supervisors, the COPs annual conference, a leadership academy in Madison, and training for specialized skills (e.g. a course for officers interested in patrolling on horseback).

Reform Bucket #6: Demilitarization

During the national protests that took place in the summer of 2020, police departments in several cities deployed chemical agents and military-style vehicles to quell both demonstrations and unrest. The use of military-style equipment by police subsequently has received considerable attention and calls for reform, but it was not an important facet of discussion in several of the proposals we analyzed given that they were prepared prior to these events. Additionally, we cannot comment with great detail on the nature of MPD’s policies in this area, as they appear to be included in the heavily-redacted SOP 340 (Uniforms/Equipment/Appearance). Despite these constraints, we summarize two prominent demilitarization reform proposals below.

Chemical Agents

Summary of reform: Videos of protests across the country in 2020 sometimes showed officers deploying tear gas or pepper spray. Some have called for clear policies and procedures regarding the



use of such chemical agents to help individuals understand the circumstances in which they may be employed.

Where Milwaukee stands: Among the “less lethal” items available to MPD officers are TASER models X26 and X2. Department leaders also indicated that rubber bullets, as well as both Orthochlorobenzalmalononitrile (CS; tear gas) and Oleoresin Capsicum (OC; pepper spray) are authorized to be used in certain situations. For example, tear gas may be used in a hostage situation. We are unable to provide further perspective on these policies because they are redacted; MPD leaders clarified that redactions having to do with chemical agents would not be made public due to their strategic nature.

Vehicles

Summary of reform: Some reformers have voiced substantial concern about various departments’ use of military-style vehicles to in response to demonstrations this past summer. Those vehicles typically have been acquired by departments through a federal program (the “1033 program”) that was designed to provide surplus U.S. Defense Department equipment to large departments to assist in the War on Drugs and later in counterterrorism efforts. Complaints about the acquisition and usage of these vehicles maintain they are used to intimidate and tend to be disproportional to the severity of the situations in which they are being employed. Some reformers have called for the liquidation of such vehicles and the termination of police department participation in the 1033 program.

Where Milwaukee stands: MPD owns two BearCat vehicles – which are armored personnel carriers – the second of which was acquired in the summer of 2018 through a grant. Department leaders indicate these vehicles are used mainly to transport individuals when needed and not for any type of offensive action. Though the department does not own any Mine-Resistant Ambush Protected (MRAP) vehicles, it has requested and used neighboring departments’ MRAPs on rare occasions.

Summary: Milwaukee

In the next section of this report, we will provide further context for considering Milwaukee’s police reform status by summarizing the status of five peer cities. Below, we summarize our Milwaukee findings from this section in a similar format to facilitate such consideration.

Overall, in light of a series of reforms adopted by the Fire and Police Commission in December 2020, MPD policies reflect several of the most prominent calls for police reform that have intensified in the wake of George Floyd’s death, including policies pertaining to use of force and de-escalation. Yet, while this progress is important and significant, there may be justification to escalate reform discussions in areas like data collection and reporting, accountability, and critical incident review. Also, while efforts to invest in violence prevention and re-direct certain non-violent police calls (e.g. those involving mental health crisis or traffic violations) to civilian entities have intensified in recent months, further action in these areas still may be warranted.

Re-imagining Public Safety

Defunding Police. Despite recent calls to divert tens of millions of dollars from MPD’s budget to fund other priorities, the department’s 2021 budget decreased only [slightly](#). However, that masked a reduction of 120 officers from MPD’s sworn strength roster. The anomaly is attributed to growing salary and fringe benefit costs for MPD personnel. Any savings realized from a cut in police positions



must first be used to fund salary and fringe benefit increases for remaining positions, which limits the amount that might otherwise be available to re-invest in other priorities.

Appropriate Response and Violence Prevention. In March 2021, the Milwaukee Common Council unanimously passed a resolution that creates an MPD Diversion Task Force “to develop a master plan for responding to calls for service that do not involve threats to public safety.” The task force will include members from the FPC, MPD, Milwaukee Fire Department, OVP, Common Council, and Milwaukee County, as well as two “members of the community.”

Also, the city has partnered with Milwaukee County to establish CART as a means of directing some mental health-related police calls to trained mental health professionals (accompanied by law enforcement), and BHD operates its own mobile crisis teams that similarly provide a non-police response to some incidents that otherwise might require one. The 2021 city budget adds \$300,000 to expand CART and the two governments recently submitted a proposal to the state for funding to further expand these and related efforts (currently, there are three CART teams serving Milwaukee and their services are not available 24/7). With regard to violence prevention, the Office of Violence Prevention (OVP) within the city’s health department has benefited from added resources and capacity in recent years and has a staff of nine FTEs and an annual budget of \$3.7 million in 2021.

Use of Force

Chokeholds and De-escalation. A major focus for the department since the Dontre Hamilton case, MPD’s SOP 460 has been scrutinized and debated for the past several years. In light of the events of 2020, the FPC unanimously [approved](#) a series of changes to this SOP in December 2020 that specify use of de-escalation tactics, ban chokeholds, and bring the department in line with each of the “8 Can’t Wait” reforms in these areas. Milwaukee has now addressed in some manner each of the use-of-force reforms cited in this report.

Data Collection and Record-Keeping

Use-of-Force Data Collection and Reporting. The FPC is charged with producing an annual use-of-force report, the most recent of which analyzes 2019 data. Notably, a December 2020 change to SOP 460 requires any officer who points a firearm at a person to file a use-of-force report, which was a significant update and will be reflected in future reports.

Traffic Stops and No-Knock Entry Reporting. As part of a 2018 ACLU [settlement](#), MPD must report publicly on traffic and subject stop-related data. Search warrants are generally available to the public through the courts, though a judge can seal these cases if there is sensitive information involved. The city does not collect data on no-knock entries, though MPD leaders say use of the practice has declined recently and the rules governing use of no-knock entries have been strengthened.

Accountability and Transparency

Policy Regarding Protests and Demonstrations. Part of the December 2020 set of reforms was a new department policy directing officers not to use OC (pepper spray) on “peaceful demonstrations.” The department does have policies and procedures related to its response to protests; however, we could not assess the strength of those policies given that SOP 910 (Civil Disturbance and Crowd Management) is redacted in sections relating to use of force, the process of dispersing crowds, and preparation for evaluating a crowd-based incident.

Independent Critical Incident Review Board. MPD maintains a Critical Incident Review Board (CIRB) but it is comprised exclusively of internal members. MPD also has a separate “Use of Force



Committee,” which reviews the conduct of officers who are involved in a statistically-high number of use-of-force incidents; while this is also an internal committee, the department is now considering the addition of a civilian member.

State statutes require the state DOJ to perform an independent investigation when a death is caused “as the result of an action or inaction by a law enforcement officer” and further stipulate that the review must be performed by an outside law enforcement agency that does not employ the officer in question. The FPC itself, through responsibilities such as “independently investigating and monitoring citizen complaints,” also plays the role of an independent investigatory board.

Whistleblower Protections for Use of Force. As part of SOPs 450 and 460, MPD has clear protocols in place for how officers should go about reporting misconduct they witness. The department’s Code of Conduct notes that whistleblowers “will be protected and supported,” though no specific guidelines or protections are provided.

Training and Support

Crisis Intervention Training. All MPD officers now receive a minimum of 40 hours of crisis intervention training (CIT), although some have questioned whether MPD should instead create specialized units with officers who are specially and more intensively trained to respond to incidents involving mental health crisis. The creation and expansion of CART responds to that concern, and officials note that new mandatory CIT guidelines focus on helping officers identify the best resource for addressing the needs of individuals with whom they interact.

Health and Wellness. MPD’s health and wellness support system includes an early intervention program (EIP), chaplaincy program, and internal peer support program. Department leaders note the existence of a health and wellness team – which includes a therapist – for critical incidents that have a lasting impact on officers.

Demilitarization

Chemical Agents. While MPD policy does allow for certain chemicals to be used in certain situations, the department notably adopted a reform in December 2020 that bars officers from using pepper spray during a peaceful protest.

Vehicles. During protests in the summer of 2020, numerous armored vehicles were utilized by various law enforcement agencies within the boundaries of the city of Milwaukee. Department leaders noted that the department itself only owns two BearCat vehicles and no MRAPs, although it uses MRAPs from other Milwaukee-area departments when deemed necessary.



PEER CITY COMPARISON

To better understand how Milwaukee’s current police policies and recent reform activities compare nationally, we took a high-level look at five peer cities: Baltimore, Kansas City, Memphis, Minneapolis, and Tucson. We chose these cities based on a number of factors, including demographics, crime rates, police department size, and geographic location. We use the same six reform “buckets” to organize our analysis of each city and focus on changes that have been made or considered since the beginning of 2020 and on policies that are particularly relevant to our analysis of Milwaukee. We also highlight how the policies of each peer city compare with the recommendations of the 8 Can’t Wait campaign.

The peer cities we selected share many similarities with Milwaukee, as shown in **Table 6**. Their populations are all within the same size range; all are diverse with non-white populations accounting for at least 40% of the total; and most have median incomes and/or poverty rates that are in line with Milwaukee’s. Some are Midwestern neighbors, while others (Baltimore and Tucson) were selected, in part, because of their prominence in national police reform discussions.

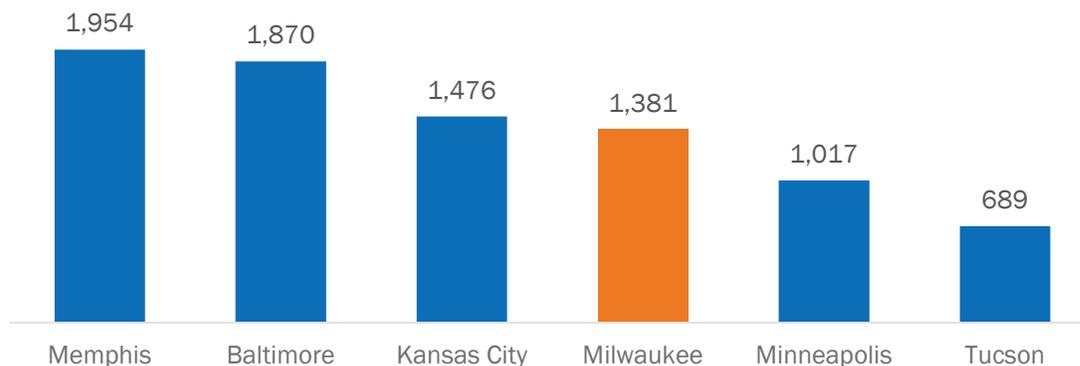
Table 6: Demographic comparison of Milwaukee and five peer cities

	Total Population	Median Age	% Black	% White (Not Hispanic or Latino)	% Hispanic or Latino	% Poverty	Median Household Income
Baltimore, MD	614,700	35.1	62.5	27.5	5.1	21.8	\$48,840
Kansas City, MO	481,417	35.1	29.0	55.1	10.2	16.5	\$52,405
Memphis, TN	653,248	33.8	64.2	25.7	7.2	26.8	\$39,108
Milwaukee, WI	596,886	31.4	38.8	35.3	18.8	26.6	\$40,036
Minneapolis, MN	416,021	32.1	19.4	59.8	9.6	19.9	\$58,993
Tucson, AZ	539,216	33.4	5.1	44.5	43.2	23.4	\$41,625

Source: U.S. Census Bureau. American Community Survey 2018 (5-year estimates).

In 2019, Milwaukee was in the middle of these cities in per-capita incidents of violent crime (e.g. homicide and aggravated assault) and had the lowest rate of property crime, such as burglary and theft (**Figures 1 and 2**). Property crime has been on a long-term decline in Milwaukee, while violent crime declined in 2018 and 2019 before rising sharply in 2020 in Milwaukee and many other cities.

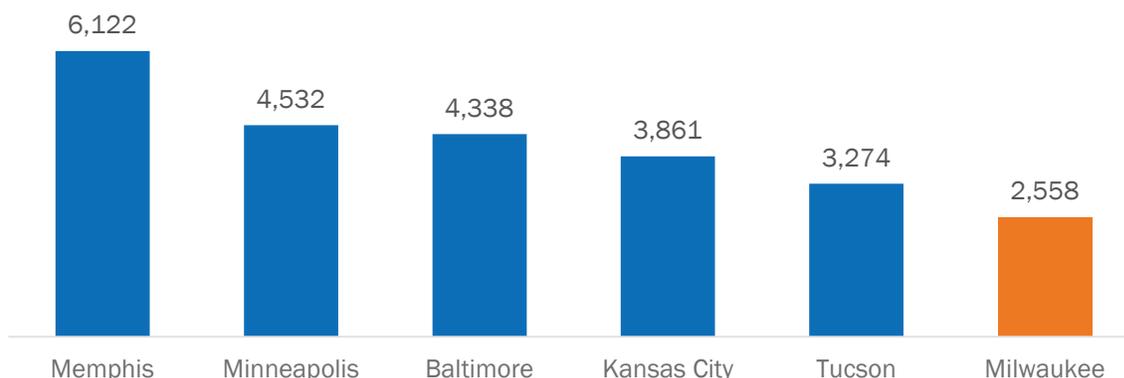
Figure 1: Violent crime incidents per 100k residents, 2019



Source: FBI Crime Data Explorer & U.S. Census Bureau



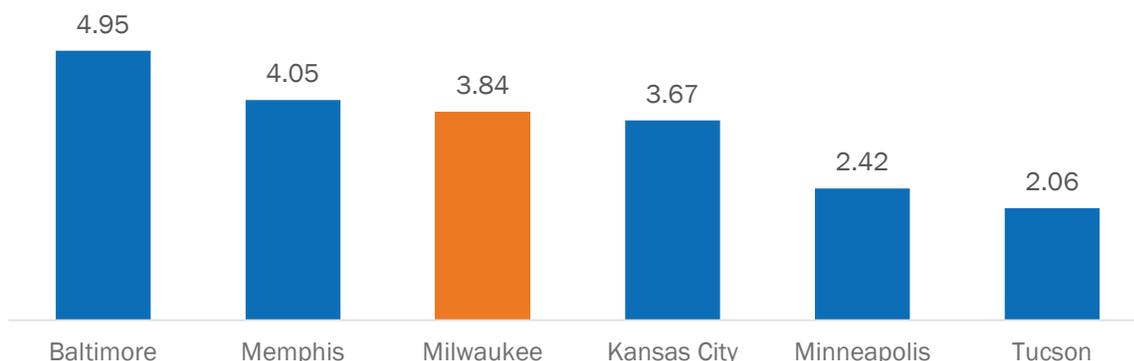
Figure 2: Property crime incidents per 100k residents, 2019



Source: FBI Crime Data Explorer & U.S. Census Bureau

The size of Milwaukee’s police force relative to its population size also placed it in the middle of the pack in 2019 (**Figure 3**). Police staffing levels may be linked to crime rates but also can reflect budgetary factors, local events and commuting patterns, the division of law enforcement duties between city, county, and state governments, and the extent to which law enforcement must compete with other municipal functions and priorities.

Figure 3: Total law enforcement officers per 1,000 residents, 2019



Source: FBI Crime in the United States report & U.S. Census Bureau

Baltimore

The Baltimore Police Department (BPD) has been a [state agency](#) rather than a city department for more than 150 years, which limits the city’s control over its operations. However, the city’s mayor and council maintain the power to hire and fire the police commissioner and to set funding levels for department operations.

BPD has experienced a number of high-profile incidents of police brutality and misconduct in recent years that have put it in the national spotlight, including the 2015 death of [Freddie Gray](#) and the 2017 [conviction](#) of eight BPD officers involved in a scheme to steal drugs and money. Later in 2017, the city of Baltimore and the U.S. Department of Justice (DOJ) entered into a [consent decree](#).



Baltimore's new mayor has identified violence prevention, healing past trauma, and repairing community trust in BPD, the city, and the state as top priorities. Meanwhile, the state of Maryland recently [enacted](#) a bill that makes sweeping changes to police policies statewide, including some that impact BPD.

BPD's Active Policies can be found [here](#). Below we summarize where BPD stands with regard to the six reform buckets cited in this report.

Reimagining Public Safety

Defunding Police. In July 2020, the Baltimore City Council voted to [redirect](#) \$22 million from the BPD budget to other needs, including expanded hours for recreational centers, increased trauma services, and a new forgivable loan program for Black-owned businesses. The city's mayor at the time did not support that proposal, however, and that same month, a federal judge [said](#) Baltimore could not defund or redirect funding away from the BPD due to its consent decree with the DOJ.

Appropriate Response and Violence Prevention. In 2002, the Baltimore City Health Department established the Office of Youth Violence Prevention, which was renamed the [Office of Youth and Trauma Services](#) in 2018. The office provides a number of programs and services, including a school-based violence prevention project, teen dating violence prevention initiative, and victim services, as well as case management and advocacy for youth and training and technical assistance for organizations focused on trauma-informed care. The office has an annual budget of \$690,000 and a staff of 11, including a director, four program directors, one supervisor, and several frontline community health workers. Funding for the office comes from both grants and the city's general fund.

Baltimore's Mayor's Office reframed its Office of Criminal Justice and relaunched it in December 2020 as the [Mayor's Office of Neighborhood Safety and Engagement \(MONSE\)](#). The mission of the new office is to "empower community partners and city agencies to play a more active role in the co-production of public safety and prevention of violence through a trauma-responsive, healing-centered, and equity-based approach."

MONSE provides victim services and combats gun violence (a key goal is to reduce gun violence by 15% annually), domestic violence, sexual assault, and human trafficking. The office is increasing its efforts to engage neighborhood residents in its initiatives and plans to add reentry and mental health programming in the future. For fiscal year 2021, MONSE's budget was \$18.7 million and it had a staff of 15. The mayor plans to expand the office in the future.

Baltimore's Mayor's Office developed a [violence prevention plan](#) that was completed in February 2021. In November 2020, the city also announced a related [Group Violence Reduction Strategy](#), which it describes as "an evidence-based approach designed to help curtail violent crime, expand opportunities for high-risk and underserved populations, and build better relationships between police officers and the communities they serve." Johns Hopkins University was among the organizations contributing financial support to that effort. In addition to these efforts, BPD and the health department are incorporating violence prevention into their work.

In 2017, the BPD [piloted](#) a new Crisis Intervention Team (CIT) that includes social workers and police officers who co-respond to calls involving mental health crises. This approach has since been expanded citywide.



BPD is currently piloting a program that diverts non-criminal emergency 911 calls from law enforcement to other professionals.

Police Live in Communities Where They Work. A proposal [introduced](#) in Baltimore’s City Council in July 2020 would require BPD command staff to live in the city of Baltimore. To date, that proposal has not been approved. According to the Mayor’s Office, a majority of Baltimore police officers live outside of the city’s borders, and some Council members may be hesitant to change these requirements due to current difficulties maintaining adequate patrol staffing.

Use of Force

BPD use-of-force [policies](#) meet most of the “8 Can’t Wait” recommendations. The department requires officers to use only the minimal amount of force necessary to safely resolve an incident and to exhaust all alternatives (including providing a verbal warning when possible) before using deadly force. The department restricts use of deadly force on fleeing individuals unless they pose an immediate threat of death or serious physical injury to another person. BPD has a duty-to-intervene requirement, recognizes officers who do intervene when a fellow officer uses force inappropriately, and protects them from retaliation. The department also requires officers to provide first aid when needed after using force.

Chokeholds. The use of chokeholds/neck holds is [prohibited](#) “unless the use of Deadly Force/Lethal Force is authorized and no reasonable alternatives exist.”

De-Escalation. BPD provides a one-hour [training](#) to all officers on de-escalation. Department [policy](#) calls for supervisors to refer officers to additional de-escalation training “if deficiencies are noted.” The BPD uses the [Integrating Communications, Assessment, and Tactics](#) manual to train officers in de-escalation techniques. This was cited as a best practice in the U.S. Conference of Mayors’ report on police reform.

Shooting at Moving Vehicles. Officers are instructed not to shoot at or from moving vehicles except under extreme, life-threatening circumstances that are not avoidable. However, 8 Can’t Wait [recommends](#) additional restrictions, including that departments “specify that an officer may not shoot at a moving vehicle for the sole purpose of disabling it” and “state that a threat other than the vehicle itself must be present.”

Data Collection and Record Keeping

Use-of-Force Data Collection and Reporting. Officers are [required](#) to report all use-of-force incidents, including when an officer points a firearm or Taser at an individual even if it is not used.

No-Knock Entry Reporting. BPD’s policy requires officers to complete an incident report for every search and seizure and arrest warrant issued. The policy for search and seizure warrants explicitly states that incident reports must indicate whether the warrant was a no-knock warrant, but that same language is not included for arrest warrants. In October, the Baltimore City State’s Attorney’s Office announced that it would [stop authorizing](#) new no-knock warrants.

Officer Diversity Data Reporting. BPD does not publish data regularly on the demographics of its officers overall or its new recruits.



Accountability and Transparency

The BPD and its commissioner have [advocated](#) recently for a state law change that would allow the commissioner to fire officers charged with felonies and misdemeanors. Currently, that can only happen after an officer is convicted. Under the proposed change, officers could later petition the department to rehire them if they are found not guilty. The proposal would also allow the commissioner to suspend officers without pay if they have been charged with misdemeanors.

The BPD maintains a “[reform calendar](#)” on its website that identifies policy proposals under consideration and shows when public comments are being accepted for each of them.

Recently enacted state legislation makes a number of changes to police accountability in Maryland. The packaged [imposes](#) “new potential criminal penalties — including up to 10 years in prison — for officers who use excessive force” and requires that all officer-involved shootings that result in death are independently investigated by the Maryland attorney general’s office.

Body-Worn Cameras. BPD’s [policy on body cameras](#) requires officers assigned to units “whose primary duties involve interactions with citizens and/or enforcement related activities” to wear a camera at all times while on duty. The new state law requires that all officers are equipped with body cameras by 2025.

Whistleblower Protections for Use of Force. BPD has a whistleblower protection [policy](#) that “strictly prohibits purposeful retaliation against or interference with a member who reports, assists the reporter, or seeks to report violations of law and/or Department policy, procedures or rules.”

Independent Critical Incident Review Board. The city of Baltimore’s [Civilian Review Board](#) is responsible for reviewing abusive language, harassment, and excessive force complaints filed against police officers. The [Performance Review Board](#) (comprised of BPD staff, not residents) serves as an advisory body to the Police Commissioner, reviewing serious use-of-force and other incidents and investigations. The [Special Investigation Response Team](#) (also staffed by BPD members only) investigates the highest level of use-of-force incidents.

Policy Regarding Protests and Demonstrations. BPD does not publish its policies and protocols for policing mass demonstrations.

Removal of Officers. Baltimore has a number of policies regarding the process by which an officer can be reprimanded and removed. For example, [Active Policy 310](#) includes a disciplinary matrix showing dozens of violation types for which the only disciplinary option is termination. Notably, BPD’s disciplinary policies are currently under review and likely will change significantly later this year.

As a part of the state’s new police reform legislation, policymakers repealed Maryland’s Law Enforcement Officers’ Bill of Rights, which was passed in the mid-1970s to allow nearly all officers in Maryland to appeal disciplinary decisions. The legislation also makes it possible to fire officers convicted of certain crimes immediately and to strip them of their law enforcement certification.

Training and Support

The BPD trains officers on [peer intervention](#), which was cited as a best practice in the U.S. Conference of Mayors’ report on police reform.



A Maryland House work group recently [recommended](#) creating an implicit bias test and training module that all police departments in the state would be required to use for new officers. Officers also would be required to complete implicit bias testing and training on a periodic, ongoing basis.

Crisis Intervention Training. BPD offers 24 hours of behavioral health training for all police officer trainees, and all active duty patrol members receive eight hours of behavioral health in-service training each year. BPD’s Policy 712 (Crisis Intervention Program), which was developed under the consent decree, will become active department policy once the department certifies 30% of active duty patrol members in the 40-hour CIT training. BPD is piloting a redeveloped CIT training this spring and hopes to resume certifications this summer.

Health and Wellness. In October 2020, a Maryland House work group [approved](#) a proposal that would require mental health screenings and assessments before any officer could be hired by a police department in the state. Officers also would be reevaluated regularly by a mental health professional.

Demilitarization

Demilitarizing the BPD has been discussed by advocates and activists in recent months, but no changes have been made to BPD policy.

Chemical Agents. BPD policy does allow for the use of [Oleoresin Capsicum](#) (pepper spray) under certain circumstances.

Vehicles. BPD has military-style bearcat vehicles and has not made recent changes to its policy guiding the use of those vehicles.

Kansas City (Missouri)

Similar to many large U.S. cities, Kansas City has been grappling with increased demands for police reform. The Kansas City Police Department’s current policies and procedures can be found [here](#).

Reimagining Public Safety

Defunding Police. Despite ample calls from local activists to defund the Kansas City Police Department (KCPD), the city has not made cuts to the department’s budget beyond those made due to COVID-related budget challenges that affected [all city departments](#).

Appropriate Response and Violence Prevention. Since 2017, KCPD has had a [Crisis Intervention Team](#) (CIT) comprised of officers who are specially trained to respond to mental health crisis situations. The CIT is available 24/7. CIT officers are trained to de-escalate situations involving individuals with mental illness and to connect those individuals with appropriate behavioral health resources.

Kansas City’s health department has a violence prevention program called [Aim4Peace](#) that provides services and support focused on the underlying factors that most often contribute to violence. Services include violence and trauma response, case management, conflict resolution, educational programming for kids in school, and a job readiness program. In 2020, the city’s health department introduced a [violence prevention plan](#) that aims to “reduce violence and trauma through evidence-based and best practices that mobilize residents, multiple government departments, the business sector, faith community, nonprofits, neighborhood groups, school districts, and more.” In Kansas



City's adopted 2020-21 budget, the AIM 4 Peace program had a budget of approximately \$1.2 million and a staff of 19 FTEs.

Police Live in Communities Where They Work. All full-time members, reserves, and chaplains [must reside](#) within city limits while employed with the department, “unless an exception has been granted by the Board of Police Commissioners or under department policy.”

Use of Force

KCPD's [Response to Resistance](#) policies were updated in January 2021. Among other things, the department's policies now address chokeholds and de-escalation.

Chokeholds: KCPD policy prohibits its officers from using chokeholds “except in situations where its use is objectively reasonable to prevent death or serious physical injury to the member or the general public.”

De-Escalation. KCPD includes de-escalation techniques in its [training](#), and its [Response to Resistance](#) policy calls for the use of de-escalation tactics “when safe and objectively reasonable.” Officers are expected to assess situations and resolve incidents using tactics with the lowest potential of injury to all involved.

Duty to Intervene. KCPD policy calls for officers to “intervene and/or report” any violation of constitutional or civil rights, KCPD Code of Ethics or Rule of Conduct, or other department directive committed in their presence by another officer.

Data Collection and Record Keeping

Use-of-Force Data Collection and Reporting. Kansas City requires that officers [file a report](#) whenever force is used. This does not fully align with 8 Can't Wait's call for comprehensive reporting, however, because officers are not required to file reports when they point a firearm at an individual if no force is used.

No-Knock Entry Reporting. Judges in Kansas City authorize [no-knock warrants](#) in certain circumstances, but KCPD does not report on the number of no-knock warrants it issues each year.

Officer Diversity Data Reporting. KCPD does not publish data regularly on the demographics of its officers overall or its new recruits. However, KCPD does present its demographics data to the Board of Police Commissioners each month at their public meetings.

Accountability and Transparency

Body Worn Cameras. In June 2020, the city announced a [plan](#) to begin to equip KCPD officers with body cameras. Since then, KCPD has purchased cameras and has begun to implement them. According to KCPD officials, the department's body worn camera program was to be fully implemented by the end of March 2021.

Whistleblower Protections for Use of Force. In June 2020, Kansas City's mayor said [the city will develop a policy](#) that provides “clear guidance for any officer concerned about the actions or conduct of a fellow officer to report to the Office of Community Complaints, which would also go to the police board. Whistleblower protections would be provided.”



Independent Critical Incident Review Board. Kansas City's [Office of Community Complaints](#) is an independent oversight agency responsible for reviewing all complaints of police abuse or misconduct.

In June 2020, Kansas City's mayor [announced](#) a set of police reforms designed to enhance accountability and transparency for major use-of-force complaints and officer-involved shooting incidents. Those cases will now be referred to outside agencies (county prosecutors' offices, the FBI, or the U.S. Attorney's office) for independent review. In addition, probable cause statements for officer-involved shootings will be sent to the relevant prosecutors and a new website will allow the public to report police misconduct or excessive use of force.

In November 2020, the mayor [proposed](#) a number of additional changes that would make it easier for residents to file complaints for police misconduct.

Policy Regarding Protests and Demonstrations. KCPD has not published its policies and protocols for policing mass demonstrations. The department is currently developing a First Amendment policy, however, which will contain information on policing mass demonstrations. KCPD expects to have that policy in place by the end of April 2021.

Removal of Officers. KCPD's Code of Ethics and Rules of Conduct includes provisions for when an officer may be disciplined or terminated. KCPD is governed by Missouri State Statute (RSMO Chapter 84), which lays out the process by which an officer may be terminated.

Training and Support

Crisis Intervention Training. As previously mentioned, KCPD's Crisis Intervention Team responds to certain calls involving mental health crises. CIT officers receive 40 hours of specialized training to become certified. All patrol officers who are not CIT-certified receive 24 hours of CIT training.

Health and Wellness. KCPD recently hired a full-time [psychologist](#) to support the mental wellness of its officers.

Demilitarization

Chemical Agents. In June 2020, after protest leaders called for the [demilitarization](#) of the KCPD, the city's Board of Police Commissioners required KCPD to [review](#) its use of tear gas and other projectiles and to determine ways to further restrict their use. According to KCPD officials, the department made changes to its use of tear gas deployment in summer 2020, which have been incorporated into its in-service trainings in 2021.

Vehicles. KCPD has two military-style [bearcat](#) vehicles in its possession that it uses in certain situations but does not possess any of the larger MRAP vehicles.



Memphis

Memphis has had very active police reform debates in 2020. The city of Memphis has considered a number of changes to Memphis Police Department policy, but it is still deliberating many of them and only a small subset has been approved to date. Memphis PD's Policy and Procedure Manual can be found [here](#).

Reimagining Public Safety

In September 2020, the mayor of Memphis announced the creation of a [new council](#) tasked with engaging the community on the issue of reimagining policing. The council has met several times since and is expected to present recommendations in the coming months. Also last fall, Memphis PD created a new [Reimagine Policing in Memphis](#) webpage to provide information on Memphis PD policies, assist people who want to file complaints against police officers, and gather community input on how to improve policing practices. Memphis PD also [surveyed](#) Memphis residents on when police officers should or should not use force.

Defunding Police. While activists have called for sizable funding amounts to be diverted from Memphis PD's budget to other priority areas within the city, that has not happened and the city's mayor has been a particularly [strong opponent](#) of doing so.

Appropriate Response and Violence Prevention. Memphis is seen as a national leader in responding to crisis situations involving individuals with mental health issues. In fact, the prevalence of Crisis Intervention Teams (CIT) among police departments nationally is often referred to as the "[Memphis Model](#)," as Memphis has been utilizing this strategy since the late 1980s. Specially trained Memphis PD officers respond to about 24,000 calls each year with a goal of de-escalating situations. In 2018, Memphis introduced its [Crisis Assessment Response to Emergencies](#) (CARE) program, which involves a partnership between Memphis PD, the Memphis Fire Department, and Alliance Healthcare Services. The CARE team unit responds to people in crisis who also have mental health issues, often arriving before police and ambulance services.

No recent actions have been taken to divert additional calls from the Memphis PD to other trained professionals. Neither the city of Memphis nor Shelby County (where Memphis is located) has an office of violence prevention or community safety.

Since 2006, the city of Memphis has produced several iterations of its [Operation Safe Community plan](#), which is designed to strengthen community engagement in crime prevention efforts, strengthen law enforcement's ability to reduce violent street crime, strengthen intervention programs for ex-offenders, enhance domestic violence prevention and intervention efforts, and enhance interventions for juveniles committing delinquent acts.

In January 2021, Memphis introduced a new [Group Violence Intervention Plan](#), which lays out strategies focused on violence suppression, intervention, prevention, community mobilization, and organizational change.

Police Live in Communities Where They Work. Memphis requires all Memphis PD officers hired since 2005 to live within Shelby County. An August 2020 proposal to place a referendum on the fall ballot to remove the residency requirement [was rejected](#) by the Memphis City Council. However, Tennessee's state legislature is currently [considering](#) a proposal to eliminate residency requirements for most positions within police and fire departments statewide.



Use of Force

The city of Memphis recently took action on several use-of-force policies and Memphis PD now [says](#) its policies align with all eight of the recommendations included in the 8 Can't Wait initiative. Memphis PD policies include a use-of-force continuum, require warning before shooting, and require officers to exhaust all alternatives before shooting.

Chokeholds. Memphis PD policy bans chokeholds except when justified under the department's deadly force policy.

De-Escalation. Memphis PD policy [states](#) that officers should “de-escalate their response to resistance when the situation is safely under control and a higher level of force is no longer necessary or reasonable.”

Duty to Intervene. Memphis PD requires officers to intervene and report if another officer is using excessive force.

Shooting at Moving Vehicles. While the 8 Can't Wait recommendation calls for a categorical ban on shooting at or from moving vehicles, Memphis PD allows officers to do so in certain extreme situations.

Data Collection and Reporting

Use-of-Force Data Collection and Reporting. Memphis PD policy requires comprehensive reporting when force is used, including a required “[Pointed Weapon Incident](#)” report that must be filed every time an officer points a firearm at an individual.

A June 2020 resolution called for the city's data portal to be [expanded](#) “to include all complaints of excessive force and misuse of body cameras, including a timeline of the investigation into the complaint.” Since then, city and Memphis PD officials have been working on this and expect it to go live in spring 2021.

No-Knock Entry Reporting. Memphis PD's policies and procedures do not mention no-knock entry reporting, but in June 2020, following the killing of Breonna Taylor by police officers in Louisville, Kentucky, Memphis PD decided to [stop using no-knock warrants](#).

Officer Diversity Data Reporting. Memphis PD does not regularly publish data on the demographics of its officers but did recently do so on its [Reimagine Policing in Memphis](#) website. Department demographics are also publicly discussed with the Memphis City Council regularly.

Accountability and Transparency

Body Worn Cameras. Memphis PD began equipping its officers with body worn cameras in 2016; today, all police officers and police service technicians (who handle many types of non-enforcement activities) have them. Memphis PD's [policy](#) states that officers “shall activate their body worn camera when responding to all calls for service prior to making the scene of a dispatched call.” Body worn cameras are activated automatically in some situations, including when officers activate their blue lights or release their shotgun. If one officer activates his or her body worn camera, then the cameras of other officers near them are activated too. Video systems within police cars also are activated automatically when a vehicle travels above a certain speed.

Independent Critical Incident Review Board. Memphis's [Civilian Law Enforcement Review Board](#) (CLERB) is an independent agency responsible for investigating allegations of police misconduct.



Some have [criticized](#) it for being ineffectual. [Actions](#) have been taken this year to enhance the board’s communication with the public and to improve training for board members and staff. In 2020, the Tennessee state legislature passed a law stating that boards like CLERB cannot have subpoena power. Following calls from the community to push back on the state’s decision, the city of Memphis added efforts to reverse the new law to its [state legislative agenda](#). City officials noted that while CLERB had existed for a while, it had remained largely inactive until recently.

The Tennessee Bureau of Investigations (TBI) currently handles investigations for all officer-involved shootings that result in a fatality and all in-custody deaths. It also handles some non-fatal cases. Many community members [have pushed](#) for this to be expanded further to have the TBI take over all officer-involved shooting investigations in Memphis and Shelby County, though officials have noted a lack of capacity due to the agency’s other responsibilities throughout the state.

Whistleblower Protections for Use of Force. Memphis PD does not have its own policy for protecting whistleblowers who report excessive use of force by a fellow officer, but Memphis PD officials say the city of Memphis does have a whistleblower protection policy that applies to all city employees, including Memphis PD officers.

Policy Regarding Protests and Demonstrations. MPD does not publish its policies and protocols for policing mass demonstrations.

Removal of Officers. MPD policy lays out clear situations that result in “[automatic/immediate relief of duty](#),” including when an employee is arrested or indicted.

Training and Support

Tennessee requires a minimum of 400 hours of training for new officers and Memphis PD requires over 900. According to Memphis PD officials, the department recently added 40 hours to its training focused on constitutional interactions with the public (largely related to protests), just and fair policing, community outreach, race and equity, and de-escalation.

Bias, Equity, and Discrimination Training. Bias and equity training is provided to all city employees (including Memphis PD officers) through the city’s HR department.

In June 2020, Memphis PD outlined a [plan](#) to partner with community activists to improve implicit bias, cultural awareness, and cultural diversity training for its officers. The mayor’s advisory council on reimagining policing is working on this issue currently.

Crisis Intervention Training. All Memphis PD officers receive a minimum of eight hours of crisis intervention training, while volunteer CIT members receive 40 hours of training initially and 16 additional hours annually. The practice of providing a baseline level of CIT training to all officers while developing a specialized, highly-trained CIT unit comprised of officers who participate voluntarily is considered by many to be a best practice. Currently, Memphis PD has almost 300 officers trained as CIT members among just over 2,000 total officers.

Demilitarization

Chemical Agents. Memphis has not made any recent changes to its policies governing the use of chemical agents. Officers are issued pepper spray and receive annual training in how and when to use it. Use of tear gas is allowed under extreme circumstances within Memphis PD’s civil service SOP but must be approved by the police director or operational commander. Memphis PD officials



say that outside of its SWAT team (Special Weapons and Tactics), the department has only used tear gas twice since 1998.

Vehicles. Memphis PD has not made recent changes to its use of military vehicles and has [received](#) two military-style MRAP vehicles from the federal government since 2016. One of its MRAP vehicles is smaller and one is larger. Memphis PD officials say they were purchased to rescue children and people in active shooter situations.

Minneapolis

The city of Minneapolis has been in the national spotlight since the May 2020 killing of George Floyd by Minneapolis police officer Derek Chauvin. The incident set off months of protests that spread throughout the U.S. demanding police reform and racial justice. In April 2021, following the conviction of Chauvin for murder and manslaughter, the U.S. Department of Justice [announced](#) an investigation into whether the Minneapolis Police Department routinely uses excessive force.

The Policy and Procedure Manual for the Minneapolis Police Department can be found [here](#).

Reimagining Public Safety

In May 2020, following Floyd's death, the Minneapolis City Council made [national headlines](#) when a majority of its members pledged to "dismantle" the city's police department, calling instead for an alternative approach to public safety and violence prevention. While the precise vision for that new approach was left to be determined, they saw it as involving fewer traditional police officers, with non-police professionals taking on many of the responsibilities currently handled by the Minneapolis PD.

Soon after, the Minneapolis City Council [took initial steps](#) to add a referendum to the November 2020 ballot that would change the city's charter to allow the police department to be dismantled. In August, however, the city's Charter Commission [cited](#) a need for more time for review and consideration of the proposal. As a result, the deadline to get the proposed referendum on the ballot was not met. In November 2020, the Charter Commission formally rejected the amendment.

In January 2021, the City Council [sent a proposal](#) to create a new Department of Public Safety to the city's Public Health and Safety Committee for review and a future public hearing. The plan, authored by three Council members, envisions that the new department would include police but also other divisions that together would "provide for a comprehensive approach to public safety beyond law enforcement." It would also eliminate a current requirement that Minneapolis maintain a minimum number of police officers based on the city's population. The proposal could go before voters in November 2021 as a charter amendment.

Defunding Police. In December 2020, the Minneapolis City Council passed a budget that [redirects \\$8 million](#) from the Minneapolis PD budget to alternative public safety services, including expanded violence prevention programs, new mental health crisis teams, and new training for dispatchers to assess mental health calls. City employees who are not police officers would handle parking and property damage reports. At the same time, the council kept in place a plan to gradually expand Minneapolis PD's sworn strength from 770 officers in 2021 to 888 in the future. Minneapolis PD's staffing levels have decreased in recent years due to higher-than-expected attrition.



Appropriate Response and Violence Prevention. The city of Minneapolis created its [Office of Violence Prevention](#) in 2018 but previously had done work focused on youth, intimate partner, and group-involved violence prevention through the city’s health department. The office offers a range of programs and initiatives, including youth outreach and engagement, mentoring, case management, and group-involved violence intervention. The city has not developed a comprehensive violence prevention plan to date. In the city’s 2021 budget, General Fund support for the Office of Violence Prevention totaled \$6.7 million and the department had 24.65 FTEs.

In its 2020 budget, the city of Minneapolis created a \$150,000 [initiative](#) designed to divert less-serious domestic crimes away from the traditional criminal justice system and to support victims and work with batterers to prevent violence from occurring again. An emergency, civilian-run call line for victims of domestic abuse was established through this initiative as an alternative to 911.

Police Live in Communities Where They Work. In July, Minnesota’s state legislature passed a [bill](#) that rescinded a previous law prohibiting municipalities from providing new incentives for officers to live in the communities they serve. In February 2021, the Mayor and Police Chief, along with the Human Resources Director, [announced](#) new incentives for recruits, including incentives for residency, educational background, and community volunteer work.

Use of Force

Minneapolis PD policies align with most of the 8 Can’t Wait initiative’s recommendations, including guidance for using the minimum amount of force necessary in all situations and a requirement that officers give a verbal warning before using force.

Chokeholds. Soon after George Floyd’s death, the Minneapolis City Council [banned](#) Minneapolis PD from using chokeholds and neck restraints. The Minnesota Legislature also enacted a law that bans the use of chokeholds.

De-Escalation. Minneapolis PD [policy](#) also requires de-escalation whenever “it is safe and feasible to do so.”

Duty to Intervene. Despite what occurred in Floyd’s death, Minneapolis PD has had a duty to intervene requirement [since 2016](#).

Shooting at Moving Vehicles. While Minneapolis PD policy [restricts](#) officers from shooting at moving vehicles except in extreme circumstances, that policy falls short of the 8 Can’t Wait initiative’s call for a complete ban.

Data Collection and Reporting

In July, Minnesota’s state legislature passed a [bill](#) to create a new statewide database of public police officer data.

Use-of-Force Data Collection and Reporting. Minneapolis PD [requires](#) officers to file reports whenever force is used and whenever a firearm is unholstered or pointed at an individual, even if force is not used.

No-Knock Entry Reporting. In November 2020, the mayor and police chief of Minneapolis issued a [new policy](#) that severely restrict the use of no-knock entries by Minneapolis PD and – for all cases in which no knock is made – to state the reason in an [incident report](#).



Officer Diversity Data Reporting. Minneapolis PD does not regularly publish data on the demographics of its officers.

Accountability and Transparency

The city of Minneapolis' [Office of Police Conduct Review](#) investigates allegations of police misconduct. It is positioned within the city's Civil Rights Department and staffed with a civilian director, investigators, and support staff.

In July 2020, Minnesota's state legislature passed a [bill](#) that created an Independent Use of Force Investigations Unit within the state's Bureau of Criminal Apprehension and made changes to the grievance arbitration process for officers accused of inappropriately using force by establishing new arbitration panels comprised of six appointed community members with limited terms.

Body Worn Cameras. Since 2016, all Minneapolis police officers have been equipped with body cameras and the city's [policy](#) states that all officers must wear them and keep them powered on "at all times during their shift when they can reasonably anticipate that they may become involved in a situation for which activation is appropriate."

In June 2020, Minneapolis PD [established](#) a new policy restricting police officers from viewing body camera footage in critical incidents prior to giving a statement.

In early February 2021, the Mayor and Chief [announced](#) that officers would no longer be allowed to deactivate their body cameras in order to hold private conversations during the course of responding to an incident.

Independent Critical Incident Review Board. The city's Police Conduct Oversight Commission (PCOC), which is comprised of seven appointed (volunteer) community members, has a [broad role](#) in conducting audits and studies based on Minneapolis PD data and making recommendations on Minneapolis PD policies and procedures. Although the PCOC in its current form was established in 2012, the city of Minneapolis has had a civilian body providing oversight of its police department [since 1990](#).

A 2012 [state law change](#) limited the authority of civilian oversight agencies in Minnesota, prohibiting them from imposing discipline on police department personnel and from limiting a police chief's decision-making authority in deciding whether misconduct occurred in a given case. This law change was supported by the Minneapolis police union and has been described by some as having [eliminated the power](#) of the city's PCOC. However, the PCOC has never decided cases or participated in discipline. Instead, it works closely with the city's Office of Police Conduct Review (OPCR) to conduct research, write reports, and implement policy and procedure changes.

A third entity, the [Police Conduct Review Panel](#) (PCRP), is charged with investigating, reviewing, discussing, and submitting recommendations to the Chief of Police when a complaint is brought against an officer. The PCRP consists of both sworn and civilian members, and each case is reviewed by two individuals from each group.

While all three entities play an important role in reviewing critical incidents, they can only make recommendations to the Chief of Police, who is the ultimate arbiter of discipline within the department.



Whistleblower Protections for Use of Force. Minneapolis PD does not have a policy for protecting whistleblowers who report excessive use of force by a fellow officer.

Policy Regarding Protests and Demonstrations. Minneapolis PD has an established [policy](#) for handling mass demonstration and civil disturbances, which states that police officers are only to intervene if a crime is being committed.

Removal of Officers. The process to remove an officer for misconduct involves groups like the PCRP and PCOC, but only the Chief of Police can impose discipline on MPD officers. According to the Police Conduct Review [Data Portal](#), since 2013, more than 4,000 complaints have been filed through OCPD, and 44 have resulted in a demotion (1), suspension (34), termination (8), or resignation (1). Minnesota has a law that allows for arbitration by public employees, meaning if an officer is fired then they can appeal to the state.

Training and Support

In 2019, Minneapolis [banned](#) “warrior-style” training for police officers. In response, the city’s police union [announced plans](#) to offer those training sessions itself for free. According to city officials, those trainings never took place.

In July 2020, Minnesota’s state legislature passed a [bill](#) that bans “warrior-style” training statewide and requires that additional training be provided to officers on addressing individuals with autism, crisis intervention, and cultural bias.

Bias, Equity, and Discrimination Training. Minneapolis PD provides training on implicit bias, equity, and discrimination, which is [included](#) in its Procedural Justice initiative.

Crisis Intervention Training. All Minneapolis PD officers receive 40 hours of CIT or IMPACT training. Officers who participate in the department’s [Crisis Intervention Program](#), which responds to calls involving individuals experiencing a mental health crisis, receive additional specialized training. All officers also receive 16 hours of training over the span of three years on crisis and conflict management and mediation, implicit bias, diversity, and cultural difference. Starting in 2022, officers will receive an additional six hours of mental illness crisis training and four hours of autism training every three years.

Health and Wellness. In July 2020, Minnesota’s state legislature passed a [bill](#) that provides additional resources for police officers to manage stress.

In 2019, the mayor of Minneapolis funded a first-of-its-kind officer health and wellness program at the request of the Chief of Police. The program provides for a Minneapolis PD Health and Wellness Coordinator as well as supportive resources to address the trauma that officers frequently experience.

In November 2020, the city of Minneapolis started a new pilot program that provides barrier-free access to up to 10 outpatient mental health visits and 10 intensive outpatient treatment program days at 100% coverage, whether in or out of network, through the city’s self-insured health plan. The new pilot provides a seamless program for employees and their covered family members. It also eliminates current barriers of deductible, out-of-pocket, and out-of-network costs under the current health plan benefits. The pilot allows Minneapolis PD employees to seek specific providers with expertise in trauma and PTSD.



Demilitarization

Local advocates are [pushing](#) for Minneapolis PD to be demilitarized, which could involve removing armored vehicles, high-powered weapons, and tear gas, which were used against protesters in the wake of George Floyd's death. Minneapolis PD recently updated its policy regarding crowd control and civil disturbances to alter how tear gas and chemical aerosols, munitions, and projectiles can be used.

Chemical Agents. Current [policy](#) allows Minneapolis PD to use chemical agents in certain situations – including during civil disturbances and assemblies – when authorized by the Chief of Police. In April 2021, the Minneapolis City Council [passed a resolution](#) expressing opposition to the use of tear gas, rubber bullets, and certain other weapons to disperse crowds by state and local law enforcement agencies, but the leaders of those agencies have the ultimate authority.

Vehicles. Minneapolis PD has one BearCat vehicle, which is used by SWAT personnel. The Minnesota State Patrol employed helicopters and other vehicles in Minneapolis at the request of Minneapolis PD during the protests following the killing of George Floyd.

Tucson

Disclaimer: Our overview of Tucson's police policies is based on our analysis of online documents and media coverage and was not reviewed for accuracy by city of Tucson or Tucson Police Department officials (as was the case for the write-ups on other peer cities, which received such review by city or police officials).

The Tucson Police Department (TPD) is [seen by some](#) as a national model for police reform, and in 2020, the TPD took additional steps. Following the April 2020 deaths of two Latino men in TPD custody, a review panel assembled by the TPD issued a 78-page [report](#) in September with 53 recommendations that are currently being considered. The [review panel](#) “was led by two nationally recognized experts in criminal justice reform. Members included medical and mental health professionals, civic leaders, police critics and representatives of the police union.”

The TPD's General Orders can be found [here](#).

Reimagining Public Safety

Defunding Police. The city of Tucson [did not reduce funding](#) for its police department in its 2021 budget.

Appropriate Response and Violence Prevention. Since 2014, TPD's 16-member [Mental Health Support Team](#) has been tasked with apprehending individuals when a court orders them to be evaluated for mental health issues. The team is comprised of plain-clothed police officers who have developed relationships with local doctors and clinicians.

Policymakers in Tucson are currently considering a [recommendation](#) to dispatch EMS (emergency medical services) immediately to 911 calls when drug use is a factor instead of waiting for police to arrive before making a request for medical aid. Another would promote the use of a non-police county crisis line (rather than 911) for help with nonviolent mental-health and drug-related emergencies. The two individuals who died at the hands of TPD officers in April were high on drugs at the time of their deaths.



Use of Force

TPD's policies align with seven of the eight recommendations included in the 8 Can't Wait initiative. For example, its policies include a [use-of-force continuum](#) to guide officer responses and requirements that officers exhaust all alternatives and give warnings before shooting.

In November 2020, the TPD [discontinued](#) the use of "spit socks" and the practice of "hog-tying" suspects, which were both factors in the deaths of the two individuals in TPD custody in April.

Chokeholds. TPD policy [prohibits](#) the use of chokeholds and vascular neck restraints.

De-Escalation. TPD [requires](#) officers to de-escalate situations whenever possible. One [recommendation](#) the department currently is considering would strengthen its emphasis on de-escalation tactics to calm situations when officers first arrive.

Duty to Intervene. TPD policy [states](#) that a police officer who observes another officer using inappropriate force "shall intervene to stop the use of force as soon as possible" and shall "report it as soon as practicable to a supervisor."

Shooting at Moving Vehicles. TPD policy [prohibits](#) officers from shooting at moving vehicles.

Data Collection and Reporting

Use-of-Force Data Collection and Reporting. Tucson [requires](#) officers to file reports whenever force is used. The policy does not require reporting when a firearm is pointed at an individual if no force is used, which makes it the one TPD policy that does not fully align with the recommendations of the 8 Can't Wait initiative.

No-Knock Entry Reporting. TPD policy [prohibits](#) the use of no-knock search warrants.

Accountability and Transparency

The city of Tucson's Office of Professional Standards (OPS) investigates public complaints involving police officers and the chain of command imposes discipline up to and including termination. OPS investigations are public record, as is any discipline imposed on a TPD member. If a criminal act is alleged, a criminal investigation is conducted and the matter is referred to the Pima County Attorney's Office. Tucson also maintains an Independent Police Auditor who community members can contact to pursue a complaint against a TPD member.

TPD [uses software](#) to monitor officer performance and is a participating agency with the [Center for Policing Equity](#), which measures bias in policing.

Independent Critical Incident Review Board. The city's [Force Review Board](#) examines incidents when non-lethal force is used by an officer and cases when community members complain about being mistreated or injured by an officer. The board is comprised of five community members and a member of the Independent Police Auditor's Office. Their findings and recommendations are public record.

Tucson also recently developed a [Sentinel Event Review Board](#) (SERB) to review and respond to the two high-profile April incidents that resulted in deaths of community members. The SERB, which is comprised of community members, representatives of TPD and other public agencies involved in the incidents, and national experts, developed the set of reform recommendations currently being considered in Tucson.



Policy Regarding Protests and Demonstrations. TPD’s [policies](#) for Major Incidents includes descriptions of many of the department’s protocols for handling mass gatherings and demonstrations.

Removal of Officers. TPD [General Order 4400](#) outlines policies and procedures regarding termination from the department. It states that an employee “may be terminated for unsatisfactory job performance, for failing to meet or maintain the standards of [an officer’s] position, or for disciplinary reasons.” However, officers can appeal to the Civil Service Commission (CSC), a five-member independent board whose members are appointed by the mayor and city council. This board has been known in recent years to reverse terminations; recently, both the mayor and the TPD police chief have [called](#) for reforms to the CSC.

Training and Support

Among the [reform recommendations](#) Tucson is currently considering is additional training for officers in restraint techniques for people with mental health issues. Proposals also call for training 911 operators in conversational Spanish or having immediate translation services available for all 911 calls. Tucson has a large Latino population and the lack of Spanish-speaking 911 operators was seen as another critical factor in the April deaths of the two men in TPD custody.

Bias, Equity, and Discrimination Training. TPD’s [website](#) states that officers are trained in “cultural awareness, implicit bias, constitutional law, and civil rights, as well as managing stressful situations.”

Demilitarization

Chemical Agents. The Tucson Police Department is allowed to use tear gas and pepper spray in certain circumstances outlined in its General Orders.

Summary of Peer Cities

Our assessment of five peer cities suggests there is considerable variation in police department policies nationally and highlights the surge of police reform activity that has occurred at the state and local levels since last summer. Overall, this analysis yields the following takeaways pertaining to this set of peer cities that may provide useful context for Milwaukee’s police reform discussions:

Little action has occurred thus far to defund or demilitarize police. Despite the push in many major cities throughout the U.S. to redirect police funding to preventative strategies and other priorities, Minneapolis is the only peer city that has done so to date. The \$8 million Minneapolis shifted from its police department budget to other city services was a much more modest amount than what its City Council had been considering. Baltimore’s City Council voted to [redirect](#) \$22 million from its police department budget to other priorities, but that proposal was ultimately unsuccessful. Kansas City is the only other peer city that has reduced its police department budget for 2021, but that was part of a broader set of cuts made to all city departments due to pandemic-related budget challenges. Meanwhile, none of the peer cities have made recent changes to their policies regarding the use of chemical agents or military-style vehicles.

In Milwaukee, 120 police officer positions were eliminated in the 2021 budget, but a large portion of the savings offset salary and benefit increases for remaining personnel, and budget challenges precluded material re-investment in other priorities, with the exception of a \$300,000 investment to



expand CART. We have found no changes to MPD policies regarding demilitarization, except in the case of using pepper spray on peaceful protestors, which was banned in December 2020.

Use-of-force policies have been strengthened. All of the peer cities have strengthened their use-of-force policies in 2020 or 2021. In many cases, those changes were in direct response to national events, such as new bans on chokeholds and neck restraints that followed George Floyd's death. The use-of-force policies in all five peer cities align with most if not all of the recommendations included in the 8 Can't Wait initiative.

In Milwaukee, actions taken by the FPC in December 2020 strengthen use-of-force policies and bring MPD in line with each of the 8 Can't Wait recommendations.

Crisis intervention strategies have expanded. All five peer cities have followed the lead of Memphis in developing special teams of officers who are trained to respond to calls involving individuals with mental illness. Some have built on that base with new crisis intervention strategies. For example, Baltimore has developed a program that pairs social workers with police officers for calls involving mental health crises. In 2018, Memphis introduced a similar program that involves police officers and mental health professionals co-responding to crisis situations.

While most peer cities provide similar amounts of crisis intervention training for all officers, Memphis is somewhat unique in this regard. Volunteer CIT members in Memphis receive much more training in crisis intervention than non-CIT members, which is the approach recommended by the developers of CIT training.

In Milwaukee, MPD has teamed up with the county's Behavioral Health Division to establish three specialized CART teams to respond to crisis incidents within the city, and all MPD officers receive a minimum of 40 hours of crisis intervention training. The CART teams still do not operate on a 24/7 basis and the three that exclusively serve the city have the capacity to respond to only a fraction of mental-health related calls, but the city's 2021 budget contains \$300,000 for CART expansion. MPD itself has not created specialized crisis intervention teams consisting of multiple officers who are specially and extensively trained in crisis intervention, but the CART model essentially serves as an alternative for that approach and officers who serve on those teams do receive specialized and extensive extra training. Finally, the new task force created by the Common Council will explore additional options to divert certain calls to police – including those that involve mental health crisis – to more appropriate entities. BHD already uses mobile crisis teams to address such calls when they are made to the division or other social service-related entities.

Some cities are placing a greater emphasis on violence prevention. Three of the peer cities have offices or programs dedicated to violence prevention within their health departments and/or mayor's offices. Minneapolis recently expanded its Office of Violence Prevention, which now has a staff of 24.65 FTEs and an annual budget of \$6.7 million. Baltimore's Health Department and Mayor's Office both have offices focused largely on violence prevention, with a combined staff of 26 and annual budget of \$19.4 million. Kansas City's violence prevention program has a staff of 19 FTEs and an annual budget of \$1.2 million.

In Milwaukee, the Office of Violence Prevention is situated within the city's Health Department and has a staff of nine FTEs and an annual budget of \$3.7 million. We did not conduct a comprehensive analysis of the peer cities' offices and programs, and each is somewhat distinct in its mission and activities, but the three that have such offices appear to commit more financial and/or staff resources to violence prevention than Milwaukee.

No-knock warrants have been further restricted or banned. Baltimore, Memphis, and Tucson have stopped using no-knock warrants, while in Minneapolis, new guidelines severely restricted the use of no-knock entries and officers are required to state the reason for any no-knock entries in an incident report.

In Milwaukee, department leaders say the use of no-knock entries has declined in recent years and rules governing the use of this practice have been strengthened, though there has been no action to ban them and data on them have not been released.

Independent critical incident review boards are common but their makeup and authority varies widely. All five peer cities have independent bodies whose responsibilities include reviewing resident complaints of excessive use of force by police. Baltimore, Memphis, Minneapolis, and Tucson have review boards comprised primarily of community members, while Kansas City's Office of Community Complaints plays a similar role and is staffed entirely by non-police city employees. Notably, the review boards in some cities, such as Memphis and Minneapolis, have been criticized for not having meaningful authority to address excessive force incidents effectively. In many if not all cities, the police departments also have internal committees that review serious use-of-force incidents.

Tucson stands out in its approach to reviewing critical incidents. In addition to its resident-led Force Review Board, the city's independent Office of Professional Standards investigates public complaints involving police officers and its recently-developed Sentinel Event Review Board brings together residents, police and public safety leaders, and national experts to review and respond to the most serious incidents involving police officers.

In Milwaukee, MPD maintains a Critical Incident Review Board that is comprised exclusively of departmental members. MPD also has a separate "Use of Force Committee," which reviews the conduct of officers who are involved in a statistically-high number of use-of-force incidents; while this is also an internal committee, the department is now considering the addition of a civilian member. Milwaukee appears to be somewhat out of step with the peer cities in not having a civilian-based board to review excessive force and other critical incidents (though the FPC does review critical complaints).

Several cities have whistleblower protection policies for police officers: Baltimore's police department has a whistleblower protection policy and the city of Memphis has a similar policy that applies to all city staff, including police officers. Kansas City's mayor recently committed to developing such a policy in that city.

In Milwaukee, there is language in MPD's protocols and Code of Conduct that encourages officers to report misconduct within the department and the Code of Conduct states that whistleblowers will be supported and protected, but the protocols do not currently include tangible whistleblower protection provisions.

OBSERVATIONS AND CONCLUSION

Our review of Milwaukee Police Department policies and protocols in the context of national calls for police reform is important both for what it tells us and what it does not.

In a nutshell, it tells us that after a series of recent modifications, MPD's policies and protocols generally fall in line with national reform efforts when it comes to use of force, which understandably was the most prominent area of attention after George Floyd's death last May. With regard to the less visible but increasingly scrutinized question of the appropriate role of police in the community, our review finds early signs of progress but opportunity to do more; while for lower profile but still important functions such as transparency, data collection, and information dissemination, we see opportunities for continued attention and reform activity.

As we emphasized in our Introduction, what this report does not tell us is how MPD's policies and protocols are being implemented on the street, as well as how they are being internally promoted and enforced by the department's leadership. That point was recently illustrated by a *Milwaukee Journal Sentinel* [article](#) detailing a report from the Crime and Justice Institute, which has been charged with monitoring MPD's compliance with a 2018 legal settlement over its stop-and-frisk policies. According to the article, the report found that despite an overhaul of those *policies*, MPD *practices* were still in question, as the department "continues to show a lack of progress in documenting the justification for frisks, which are most often performed on Black citizens." The report covered the period of July through December 2020.

Our examination of MPD policies and protocols also does not tell us how other key agents within the justice system – from district attorneys to judges to elected leaders – are influencing police policy and conduct in Milwaukee through their decision-making and rulings and how those actions are impacting the experience of individuals in their interactions with law enforcement.

With those caveats in mind, the following are some suggestions on where MPD, FPC, city elected officials, and community stakeholders might place their focus on further policy and protocol reforms.

- **Increased capacity for violence prevention.** Milwaukee's Office of Violence Prevention has existed since 2008 and has grown to take on an active and high-profile role within the city's Health Department, with nine staff positions and a \$3.7 million budget. However, \$1.6 million comes from grants, which may be time-limited and require activities that are driven by the terms of the grant rather than what may be more pressing priorities. Another \$1.1 million comes from special sources of program funding that have been added to the budget in recent years; at least one of those sources (\$240,000 for a "birthing moms pilot project") may not be directly connected to traditional violence prevention activities. Also, we observe that other cities employing similar offices appear to have more robust staffing levels and budgets.

The city's receipt of more than \$400 million in federal American Rescue Plan Act (ARPA) funds may offer a temporary funding source to expand its OVP and gauge the effectiveness of new violence prevention investments, although we cannot verify that this use is allowed under the terms of the relief legislation. Even if violence prevention is not an acceptable use of ARPA monies, it is possible that the city's use of those funds for other purposes could free up local dollars to expand the OVP. In either case, officials also would need to consider how they could secure ongoing funding to continue such efforts once the federal funds are exhausted. Also, they



should consider implementing a framework for measuring and evaluating the success of ongoing violence prevention efforts and using that as a basis for determining where greater investment is merited in the future.

- **Expanded and better coordinated crisis response.** The three Milwaukee CART teams as well as BHD's mobile crisis teams and its growing array of other community-based crisis services have substantially improved the ability of both MPD and BHD to respond appropriately and effectively to individuals in mental health crisis. Still, both the city and county would agree that more progress can and should be made. In fact, that sentiment was reflected in a proposal the two governments made to the state late last year for \$4.5 million to expand the number and availability of CART teams and pursue several additional crisis service enhancements. While it is still uncertain whether all or part of the request will be included in the next state budget (the governor's proposed budget includes only about \$850,000 of the funds requested), it provides a blueprint for future joint advocacy by the city and county.

As with violence prevention, it is also possible that crisis services expansion could now be financed temporarily with federal relief dollars or with local dollars freed up by the availability of those dollars for other city and county functions. Also, the ARPA has specific grant monies available for services like substance abuse, youth suicide prevention, pandemic-created behavioral health needs, and other related programming that the city and county could jointly seek to proactively address the needs of individuals who are prone to crisis. A new crisis emergency center that is being planned by the county and private health systems offers a similar opportunity for enhanced collaboration between MPD and BHD to improve crisis response and reduce police involvement in crisis incidents.

Finally, it is worth noting that this is an area that not only would benefit from joint advocacy, but also from enhanced coordination and collaboration between MPD, BHD, and the city and county as a whole. While there is substantial momentum behind efforts to improve crisis response in Milwaukee and disassociate law enforcement (where appropriate) from crisis incidents, the city and county still operate in a fragmented manner at times. This is exemplified by the two governments' independent efforts to expand CART in their 2021 budgets, as well as the city's creation of a task force to divert crisis police calls and pursue models like CAHOOTS (Crisis Assistance Helping Out on the Streets) from Eugene, OR and STAR (Support Team Assisted Response) from Denver. Both CART and BHD's mobile crisis teams already provide successful models to build upon and the two governments may wish to consider how best to collaborate on their expansion and coordination in addition to looking elsewhere for similar models.

- **Enhanced reporting to the community.** While not uncovering a glaring lack of transparency, our analysis reveals a few areas where MPD's or FPC's reporting to the community could be improved. Those include gathering and reporting data on no-knock entries and on encounters and responses involving individuals in mental health crisis, as well as more timely gathering and reporting of citizen survey data. Also, as noted above, the Crime and Justice Institute recently expressed concern about MPD's documentation of justifications for stop-and-frisk and use-of-force incidents. Overall, the department and FPC could consider mechanisms to improve the synthesis and dissemination of their various forms of reporting to the general public, including additional public information meetings in the community and more strategic efforts to proactively share data with the news media and the public in a user-friendly manner on their respective



websites. As we noted, these MPD policies are only as good as their implementation and that is why documenting their use in practice is so critical.

- **Continued evaluation, re-imagining, and strengthening of protocols.** As noted throughout this report, MPD and FPC have made great strides in recent months in updating key use-of-force policies and protocols to achieve consistency with national calls for reform (including those advocated by the 8 Can't Wait campaign). There has been progress in other important areas as well, including enhancements to community-based policing policies and clarification of MPD's use of pepper spray. Two areas we identified that might benefit from further scrutiny are whistleblower protection and critical incident review; MPD's policies and protocols fall short of those in peer cities like Baltimore on the former while the department's review of critical incidents currently does not involve citizen participation.

Also, now that progress has been made on use of force, attention might shift to protocols and policies related to re-imagining public safety that also have a substantial impact on Milwaukee residents and neighborhoods. For example, Memphis created a "Re-imagining Policing" council consisting of public and private sector leaders to engage the community and recommend a series of comprehensive reforms. Also, similar to the effort recently initiated by the Milwaukee Common Council, Minneapolis and Baltimore are considering strategies to divert less-serious police calls from law enforcement to other professionals.

Overall, Milwaukee's efforts to appropriately respond to the growing national calls for police reform show a willingness to collaborate thus far among law enforcement leaders, elected officials, and community stakeholders. While there certainly is a need for further analysis and careful reflection on police protocols, policies, and practices, these early efforts optimally will set the stage for thoughtful and inclusive policymaking going forward. We hope this summary of how Milwaukee compares nationally – and where further reform consideration may be warranted – will provide useful perspective as those discussions continue.

