

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

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OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: General Duties	Series: 101
Effective Date: February 4, 2021	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: February 4, 2021 January 25, 2016 December 2015

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101.01 GENERAL POLICY

It shall be the goal of the Office to preserve the peace, aid in crime prevention, and protect life and property. Office employees will respect the Constitutional rights of all regarding liberty, equality, and justice.

101.02 REPORT FOR DUTY

Employees shall report for duty at the time and place required by assignment or orders. They shall be properly equipped and physically and mentally prepared to immediately assume their duties. If any employee is aware of another employee not being physically or mentally prepared or properly equipped, it shall be reported to a supervisor. The supervisor shall take the appropriate action according to the office procedure.

101.03 PERFORMANCE OF DUTY

Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their position. In the absence of clear policy and procedure guidelines in given situations, employees shall perform their duties in a manner which is consistent with the office's mission and values statement.

101.04 COMMAND AUTHORITY

- A. The order of Office command authority in descending order is: Sheriff, Chief Deputy, Captain, Lieutenant, Staff Sergeant, Communications Sergeant.
- B. All authority shall be exercised with utmost discretion, avoiding issuance of direct commands to personnel not assigned to the ranking employee's control, except where necessary.
- C. Employees shall promptly obey all lawful orders of a ranking officer. This will include orders relayed from a ranking officer by an officer of same or lessor rank or dispatch.

101.05 USE OF OFFICE EQUIPMENT

Employees shall use Office equipment only for its intended purpose and shall not intentionally or negligently expose equipment to abuse, damage or loss.

- A. Employees of the Office shall inspect equipment assigned to their use or keeping and will promptly report to their supervisor, the loss of, damage to or unserviceable condition of such property.
- B. Employees Involved in Auto Accidents
 - 1. On-Duty Accidents
Handling of accidents involving police equipment shall be supervised by the Shift Commander. The Shift Commander should utilize a primary jurisdiction or State Patrol whenever possible.
 - 2. Accidents outside of the county involving office vehicles, officers will notify the office immediately.

101.06 KNOWLEDGE OF OFFICE INFORMATION

- A. Employees shall be knowledgeable about the information in this policy manual and how it relates to them and their work assignments.
Employees shall be knowledgeable about the information posted on the bulletin board, placed in their mailboxes and conveyed to them in writing or at briefing, and check *office* email.

101.07 COURTESY

- A. Employees shall be courteous to the public and other employees. They shall be professional in the performance of their duties and consistent with the values of the office. (See value statement.)
- B. Employees will give, in a courteous manner, their name, officer number or other proper information to any person who may request such information unless the employee is working as an undercover employee or if the

revealing of such information may endanger the officer or his/her family. Employees may request the party to identify themselves for office records prior to the employee giving his/her identity.

101.08 ACCEPTANCE OF MONIES

No employee shall accept monies on the street for bail, warrants, traffic or parking citations, or any other reason, unless authorized by the Sheriff or his designee.

101.09 RESIDENCE & TELEPHONE

- A. Employees of the County are not required to reside within the physical boundaries of the County. However, all sworn personnel of the Sheriff's Office must reside within a 27-mile radius of the County Courthouse and must establish such residency within 6 months of employment with the county.
- B. Employees of the Office shall maintain telephone service and shall immediately notify the Office of any change of address or telephone number.

101.10 IDENTIFICATION

On-duty employees shall carry proper office ID on their person at all times, except when impractical or dangerous to their safety or to an investigation.

101.11 OFF-DUTY RESPONSIBILITIES

- A. All employees are subject to "off" duty call when circumstances justify or to be assigned to extra duty as designated by the Sheriff and guidelines set forth by the personnel manual.
- B. Off-duty Law Enforcement personnel have the same peace officer authority under Wisconsin Statute as they have when on duty. Off-duty Law Enforcement personnel shall take appropriate action in any situation

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where there is an immediate danger to person or property, there is probable cause to believe a crime has been committed or the perpetrator of such crime is likely to escape.

- C. Off-duty employees shall:
 - 1. Not take advantage of their police authority in circumstances arising from their own quarrels, nor shall the employee provoke an incident and make an arrest by such provocation.
 - 2. Outside normal jurisdictional limits, when an employee witnesses a serious crime or there is an immediate danger to person or property, he/she shall notify the responsible law enforcement agency.
 - 3. Off duty employees shall not use their official authority when they are consuming alcoholic beverages, nor shall they use their official authority if they are aware that their abilities are affected because of their use of prescription drugs.

101.12 CONFIDENTIALITY

- A. Employees of the Office shall not disclose any information deemed confidential by the Office.
- B. Requests for information concerning specific details of Office business should be referred to the Sheriff or his designee. (See Release of Information policy)

101.13 OFFICE REPORTS

- A. All employees shall complete all reports during their tour of duty unless authorized by a supervisor.
- B. No employee shall knowingly make false official reports.

101.14 ON-DUTY INJURIES

- A. Any employee who is injured during the course of duty shall immediately notify his/her supervisor.
- B. A written report shall be submitted as soon as the employee's medical condition will allow.

101.15 TRUTHFULNESS

Employees are required to speak the truth at all times and under all circumstances whether under oath or otherwise, except in cases ***where the law permits***, or where they are not allowed by the rules of the service to divulge facts within their knowledge, and then they shall say nothing.

101.16 EMPLOYEE GENERATED COMPLAINTS

When an employee is a victim, suspect or otherwise involved in a complaint, the employee shall:

- 1) Contact the Outagamie County Communications Center, or
- 2) The on-duty supervisor

101.17 LIMITED TERM MODIFIED DUTY

I. PURPOSE

The purpose of this policy is to establish guidelines for temporary limited term modified duty assignments and identify how the office modified duty program will be administered.

II. POLICY

It is the goal of the Outagamie County Sheriff's Office to try to afford employees with limited term modified duty assignments when possible, where the employee is physically limited, or has suffered an injury/illness, work or non-work related, and is temporarily restricted in their ability to perform ALL of the required job functions of their position. In the instance of pregnancy, this policy only addresses the time period up to the birth of the child.

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The availability of limited term modified duty assignments is exclusively determined by the Sheriff and is not intended to constitute a long-term assignment.

The policy is intended to:

- A. Define "Limited Term Modified Duty."
- B. Establish the parameters under which modified duty assignments will be available to the employee.
- C. Balance the needs of the employee and the office.
- D. Ensure that the office's modified duty program is administered in a manner that is consistent with all applicable State and Federal laws.

III. DISCUSSION

The office recognizes and appreciates the fact that some injuries may require a recovery and/or rehabilitation period and that a modified work assignment may be beneficial to both the employee and the employer. This policy will not alter, or constitute a supplement to, the benefits provided to the employees in collective bargaining, or other contractual agreements.

IV. DEFINITIONS

- A. Limited Term Modified Duty: Any modified work, generally administrative in nature, which allows an injured or physically limited employee to do some work while they are ill, injured, or otherwise physically limited from performing all of the required job functions as articulated in their job description.
- B. Work-related injury/illness: Any injury or illness that occurs in the course of and arises out of employment.
- C. Non work-related injury/illness. Any injury or illness that does not occur in the course of or arise out of employment.

V. PROCEDURE

A. Eligibility

1. Work-related injury/illness

- a. An employee who has suffered a work-related injury/illness, as defined in this policy, is eligible and may be assigned modified duty, subject to medical restrictions.
- b. The salary of employees in this category is paid per the County Worker's Compensation policy.

2. Non work-related injury/illness and pregnancy.

- a. An employee who has suffered a non-work-related injury/illness, as defined in this policy, or is pregnant, may be eligible for Limited Term Modified duty, subject to medical restrictions and as defined in this policy.
- b. If Limited Term Modified duty is authorized, the employee will be compensated for hours worked at their regular hourly wage.

B. Qualification

1. Absent unusual circumstances, employees requesting Limited Term Modified duty shall submit the following documentation at least 5 days prior to the start of the requested modified work assignment to the Sheriff.

- a. A completed Request for Limited Term Modified duty form (See Appendix A).
 - 1) The Request for Limited Term Modified duty form is available from your supervisor.
- b. A completed Medical Information Report signed by a physician (See Appendix B).
 - 1) The Medical Information Report form is available from your supervisor.
 - 2) The County may request the employee's physician to approve the modified duty work assignment.

C. Responsibilities

1. Division Commander

- a. The Division Commander will receive all requests for Limited Term Modified duty, review them for completeness and promptly forward them to the Sheriff for review.
- b. Upon receiving the request for Limited Term Modified duty, the Division Commander will consult with the key office personnel as to the availability of modified duty work. The Division Commander will then forward this information to the Sheriff to assist in the decision regarding the review of the Limited Term Modified duty.
- c. Upon review and approval of the Sheriff, the Division Commander will provide the employee with a letter detailing the modified work assignment(s) available and the probably duration of said assignment.
- d. The Division Commander will notify the direct supervisor of the employee's work restrictions.
- e. The Division Commander will monitor the progress and performance of the employee on their modified duty assignment and expected duration of the work through communication with the supervisor in charge of the unit in which the duty is being done.
- f. The Division Commander will coordinate the transition from a modified duty assignment to regular sick time usage in the event that modified duty work is no longer available but the employee has not yet been cleared to return to full duty.
- g. The Division Commander will ensure that all necessary return to work authorizations are properly completed upon the determination that the employee can return to unrestricted activity.

2. Sheriff

- a. The Sheriff or designee will be solely responsible for determination of availability, approval and termination of Limited Term Modified duty unless the injury/illness is work-related, in which case the approval will be coordinated with Risk Management.

3. Human Resources Department

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- a. In the case of a work-related injury/illness, the Risk Management department will be notified of the work restrictions submitted by the employee.
- 4. Direct supervisor
 - a. When Limited Term Modified duty is requested by the employee, the supervisor will notify the Division Commander of the pending request.
 - b. The direct supervisor of the unit where the modified duty is being performed will monitor and ensure that the employee's modified work activities do not violate their work restrictions.
- 5. Employee
 - a. The employee will notify their direct supervisor of their work restrictions, as soon as possible, after the determination is made by his/her physician. This notification should include at least the following information:
 - 1) Basic extent of the work restrictions.
 - 2) Probable duration of the restrictions (if known).
 - 3) Whether or not they will be requesting modified duty status.
 - b. The employee will be responsible for the completion of the Request for Limited Term Modified duty and Medical Information Report forms. In the case of work-related injuries/illnesses, employees may be assigned limited term modified duty without submitting a request subject to medical restrictions.
 - c. The employee will cooperate fully with the following:
 - 1) Release of medical information related to the work restrictions.
 - 2) Prompt completion of FMLA forms (if applicable).
 - d. The employee will follow the guidelines of the Uniform Appearance

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and Equipment Standards Policy (UNIFORM). No blue jeans will be worn unless approved by the Division Commander based on the nature of the work being completed.

D. Conditions and Restrictions on Limited Term Modified Duty

1. Upon approval of the Request for Limited Term Modified duty, the employee will report to the Division Commander for duty assignments on the first day. Subsequent reporting locations will be arranged through the supervisor of unit where the assignment is taking place. The employee will continue to keep the Division Commander informed as to their activities and progress.
2. If applicable, the one-to-one squad car that is assigned to the employee shall be turned in to the Patrol Lieutenant for temporary reassignment.
3. The employee is restricted from participation in any off-duty employment, special assignments and from receiving overtime compensation, unless approved by the Sheriff. In addition, the employee is expected to comply with their medical restrictions both on and off duty.
4. Depending on the specific work restrictions, the employee may be prohibited from carrying a duty or off-duty weapon.
5. With the exception of a work-related injury/illness, the maximum time that an employee is allowed to work on Limited Term Modified duty is described below. After that time has expired, the employee will be required to use their accrued sick, compensatory, or vacation benefits under the established rules for their usage.
 - a. Non work-related injury/illness: Three months (cumulative) in a twelve month period measured from the date that Limited Term Modified duty is approved.
 - b. Pregnancy: Six months (cumulative) in a twelve month period measured from the date that Limited Term Modified duty is approved.
6. The employer reserves the right to modify, change or discontinue Limited Term Modified duty at any time.

E. Priority of Assignment

General Duties

1. Placement in Limited Term Modified duty assignments will be prioritized according to the following hierarchy in situations where there is more demand for Limited Term Modified duty work than is available. Officers already assigned Limited Term Modified duty will not be removed by subsequent Limited Term Modified duty assignments, regardless of the nature of the qualifying event.
 - a. Work-related injury/illness
 - b. Pregnancy
 - c. Non work-related injury/illness
- F. Prior to returning to work, the employee may be required to schedule and participate in an appointment with the County's doctor for a fit for duty assessment. This decision will be at the sole discretion of the Sheriff.

Clint C. Kriewaldt Sheriff

Date

APPENDIX A

OUTAGAMIE COUNTY SHERIFF'S OFFICE
REQUEST FOR LIMITED TERM MODIFIED DUTY

TO: Sheriff Clint C. Kriewaldt

FROM:

DATE:

I am requesting Limited Term Modified duty. With this request, I am providing a Doctor's release, which outlines my limitations/abilities and possible duration while on Limited Term Modified duty status.

While working in Limited Term Modified duty status, I understand the following rules will apply:

1. While on Limited Term Modified duty, I will report to the Division Commander for assignment. My assignment will depend on the work available and the nature of my injury/illness. My work week/hours will be adjusted to facilitate this duty assignment. The Office reserves the right to discontinue Limited Term Modified duty assignments at any time.
2. If applicable, my one-to-one squad car shall be turned in to the Division Commander for temporary reassignment.
3. I will not be allowed to participate in any off-duty employment, or special assignments, unless approved by the Division Commander.
4. Depending on the nature and severity of my injury/illness, I may not be allowed to carry a duty, or off-duty weapon.
5. I will report taking any legally prescribed medication, therapeutic drug, or any non-prescription drug which contains any measurable amount of alcohol or which carries a warning label that indicates the user's mental functioning, motor skills or judgment may be adversely affected by the use of this medication, to the Division Commander, who in turn will then notify my immediate supervisor.

General Duties

I have read the above and agree to Limited Term Modified duty status as outlined.

Signed:_____ Date:_____

The requesting officer will be allowed to work in Limited Term Modified duty status as outlined above:

I CONCUR_____ I DO NOT CONCUR_____

Signed:_____ Date: _____

Clint C. Kriewaldt, Sheriff

APPENDIX A
OUTAGAMIE COUNTY Sheriff's Office REQUEST
FOR LIMITED TERM MODIFIED DUTY

TO: Sheriff Clint C. Kriewaldt

FROM:

DATE:

I am requesting Limited Term Modified duty. With this request, I am providing a Doctor's release, which outlines my limitations/abilities and possible duration while on Limited Term Modified duty status.

While working in Limited Term Modified duty status, I understand the following rules will apply:

1. While on Limited Term Modified duty, I will report to the Division Commander for assignment. My assignment will depend on the work available and the nature of my injury/illness. My work week/hours will be adjusted to facilitate this duty assignment. The Department reserves the right to discontinue Limited Term Modified duty assignments at any time.
2. If applicable, my one-to-one squad car shall be turned in to the Division Commander for temporary reassignment.
3. I will not be allowed to participate in any off-duty employment, or special assignments, unless approved by the Division Commander.
4. Depending on the nature and severity of my injury/illness, I may not be allowed to carry a duty, or off-duty weapon.
5. I will report taking any legally prescribed medication, therapeutic drug, or any non-prescription drug which contains any measurable amount of alcohol or which carries a warning label that indicates the user's mental functioning, motor skills or judgment may be adversely affected by the use of this medication, to the Division Commander, who in turn will then notify my immediate supervisor.

General Duties

I have read the above and agree to Limited Term Modified duty status as outlined.

Signed:_____ Date:_____

The requesting officer will be allowed to work in Limited Term Modified duty status as outlined above:

I CONCUR_____ I DO NOT CONCUR_____

Signed:_____ Date: _____
Clint C. Kriewaldt, Sheriff

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Rules of Conduct	Series: 102
Effective Date: February 4, 2021	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: February 4, 2021 April 2, 2015

102.01	GENERAL POLICY
102.02	STANDARD OF CONDUCT
102.03	ABUSE OF POSITION
102.04	GIFTS, GRATUITIES, BRIBES OR REWARDS
102.05	ENDORSEMENTS & REFERRALS
102.06	POLITICAL ACTIVITY
102.07	PROHIBITED ASSOCIATIONS & ESTABLISHMENTS
102.08	ALCOHOLIC BEVERAGES & DRUGS
102.09	OFFICE KEYS
102.10	OUTSIDE EMPLOYMENT
102.11	USE OF TOBACCO
102.12	LEGAL SUITS

102.13 CITIZENSHIP

102.01 GENERAL POLICY

Rules of conduct are essential to a well functioning organization. Because of the nature of its work, a law enforcement agency must maintain high level personal and official conduct if it is to command the respect and confidence of the public it serves. The intent of these rules is to provide a standard of conduct for employees of the Office but is not meant to serve as a substitute for personal integrity. The rules are for the internal operation of the Office, yet uphold constitutional guarantees for the employees. Whenever there is doubt as to the meaning or intent of a rule, employees should seek an interpretation or an explanation from a supervisory employee. In cases not covered by specific rules, employees must exercise sound judgment and discretion within the perimeters of the mission and values of the Outagamie County Sheriff's Office.

102.02 STANDARD OF CONDUCT

- A. Violation of Office Rules: Employees shall not commit any acts or omit any acts which constitute a violation of any of the policies, directives or orders of the Office.
- B. Employees shall obey all laws of the United States and of any state and local jurisdiction in which they are present.
- C. Employees placed under arrest, cited, or have come under investigation for any offence (written warnings and parking violations are exempt from this policy) shall report this fact to their supervisor as soon as possible.
- D. ***Employees will conduct themselves, both on and off duty, so as not to reflect disfavor on the Office. Conduct unbecoming an employee shall include that which brings the Office into disrepute or reflects discredit upon the employee as a member of the Office, or that which impairs the operation or efficiency of the Office or members.***
- E. The standard of conduct will always be consistent with the mission and

values of the office. *Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Employees shall perform their duties in a manner which maintains the highest standards of efficiency in carrying out the functions and objectives of the Office. Unsatisfactory performance may be demonstrated by, but not limited to:*

- 1. A lack of knowledge of the application of laws required to be enforced.*
- 2. An unwillingness or inability to perform assigned tasks.*
- 3. The failure to conform to work standards established for the employee's rank, grade, or position.*
- 4. The failure to take appropriate action when investigating a crime, disorder, or any condition deserving of the employee's attention.*
- 5. Being absent from duties without authorized leave.*

102.03 ABUSE OF POSITION

- A. Employees shall not use their official position, official identification cards or badges:
 1. For avoiding consequences of illegal acts.
 2. For obtaining privileges not otherwise available to them, except in the performance of duty, or
 3. For personal or financial gain. No employee shall accept a bribe or fee for services rendered as an employee of the Office.
- B. Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without approval of the Office Head.
- C. Use of Name, Photograph or Title: Employees shall not authorize the use of their names, photographs or official titles which identify them as police

officers in connection with testimonials or advertisements of any commodity or commercial enterprise without approval of the Office Head.

102.04 GIFTS, GRATUITIES, BRIBES OR REWARDS

Employees, while representing themselves as members of the Sheriff's Office, shall not solicit or accept from any person, business or organization any gift (including money, tangible or intangible personal property, food, beverages, loan, promise, service, entertainment, witness fees or other gratuities). This policy is not to prohibit the acceptance of trinkets or items of diminutive value from vendors, VIP's, and the like.

102.05 ENDORSEMENTS & REFERRALS

Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service or commercial service (such as an attorney, ambulance service, wrecker service, mortician, etc.)

102.06 POLITICAL ACTIVITY

A. On Duty.

No employee shall, during the hours they are on duty, engage in political activity. This does not prohibit merely expressing an opinion in the normal course of conversation as long as this does not detract from the performance of duty.

B. Off Duty.

Employees engaged in political activity while off duty should clearly act as private individuals.

102.07 PROHIBITED ASSOCIATIONS & ESTABLISHMENTS

Rules of Conduct

- A. Employees shall not knowingly visit, enter or frequent an establishment wherein the laws of the United States, the state or the local jurisdiction are regularly violated, except in the performance of duty.
- B. Employees shall avoid regular or continuous associations or dealings with persons whom they know are persons presently under criminal investigation or indictment or who are known by the Office for present involvement in felonious or criminal behavior, except necessary personal relationships or in the line of duty.

102.08 ALCOHOLIC BEVERAGES & DRUGS

- A. Employees shall not store or bring into any police facility or vehicle any "fermented malt beverages," "intoxicating liquors" or "controlled substances" (as those terms are defined in Wisconsin Statutes), except those held as evidence, or as exhibits for training and educational purposes by authorized personnel, or prescribed by a physician or dentist.
- B. Employees shall not possess or use any "controlled substances," except those prescribed by a physician or dentist.
- C. Employees shall not consume "fermented malt beverages" or "intoxicating liquors" while in uniform or on duty, except in the performance of duty.
- D. Employees shall not appear for duty, or be on duty, while under the influence of "fermented malt beverages," "intoxicating liquors," or "controlled substances" to any degree whatsoever, *with the exception of prescribed medication that has been authorized by a prescribing physician as ok to be taken while "on-duty"*, or with an odor of such beverages, liquors or substances, on their breath.

102.09 OFFICE KEYS

Employees are prohibited from making or causing to be made any duplicates of Office keys or keys held by the Office, without the approval of the Division Head

or designee.

102.10 OUTSIDE EMPLOYMENT

- A. No employee shall engage in or accept private employment or render service for private interest when such employment or service that would prevent proper discharge of official duties without written notification to the Sheriff. In the event of an emergency, employees shall be ready and available for County duty without regard to their outside employment.
- B. Employees of the Office shall not use any office property for outside employment, unless permission is first obtained from the Sheriff or Division Head.
- C. Requests from firms for off-duty employees shall be handled through the Office.

102.11 USE OF TOBACCO (*BOTH SMOKING AND SMOKELESS*)

Employees, whether on or off duty, may use tobacco (smoking/smokeless) as long as:

- A. They are not in formation.
- B. They are not engaged in traffic direction and control.
- C. They are not engaged with the public in official office business.
- D. Use of smokeless tobacco is permitted in the squad car. The use of pipes, cigars, cigarettes, and vaping is not permitted in the squad car.

102.12 LEGAL SUITS

Employees served with notice they are being sued or instituting suits as a result of action performed in the line of duty shall immediately notify the Sheriff.

102.13 CITIZENSHIP

No employee shall renounce citizenship or allegiance to the United States or to the State of Wisconsin, nor shall an employee take an oath of allegiance or otherwise pledge allegiance to any foreign country or organization that advocates the violent overthrow of the government of the United States or the State of Wisconsin.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Personal Appearance/ Uniform Standards	Series: 103
Effective Date: March 16, 2021	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: March 16, 2021 June 15, 2017

103.01	PERSONAL APPEARANCE
103.02	GENERAL UNIFORM STANDARDS
103.03	PATROL OFFICERS
103.04	NON-UNIFORM PERSONNEL
103.05	CORRECTIONS DIVISION UNIFORM STANDARDS
103.06	TELECOMMUNICATORS UNIFORM STANDARDS
103.07	OFFICE RIBBONS

103.01

PERSONAL APPEARANCE

Employees on duty shall maintain a neat, well-groomed appearance.

- A. Hair shall be neat, clean, trimmed and present a groomed appearance. In no case will the bulk or length of hair interfere with the proper wear of any authorized headgear or equipment or interfere with the performance of police duties. Acceptability of an employee's hair style will be based on the criteria in this paragraph and not upon the style in which the employee chooses to wear his/her hair.
- B. Sideburns will be neatly trimmed and will not extend below the lowest part of the ear lobe.
- C. *A neatly trimmed beard, goatee or mustache may be worn. A mustache shall not droop over the top of the upper lip and the sides of the mustache, if grown without a beard, shall not extend below the upper lip. The beard must be no longer than ½ inch in length and not extend below the jaw line. The Sheriff or designee may require a monetary donation (to be given to a mutually agreed upon charity) in order to have a beard or goatee authorized.*
- D. No jewelry will be worn which will present a hazard to the employee or which may be viewed as unprofessional. Body piercing and jewelry on the tongue, neck, face, or head or any other exposed area is prohibited while on duty. (The supervisor will determine the hazard or unprofessional appearance.)
- F. Exceptions to the above policy must be approved by the Sheriff or Division Head. (Exceptions may include undercover assignments and medical identification purposes.)
- G. Tattoos – Tattoos, body art or brands that are extremist, indecent, sexist, racist, offensive, or inappropriate for the law enforcement community are prohibited, regardless of location on the body. The final decision on the interpretation of a tattoo is determined by the Sheriff or his designee.

103.02 GENERAL UNIFORM STANDARDS

- A. The style of uniform, specifications and accessories to be worn by the personnel shall be designated by the Sheriff.
- B. Uniforms shall be cleaned, in good repair and fit properly when reporting for duty. Nylon accessories shall be kept clean. Metal accessories shall be kept cleaned or polished. Weapons and handcuffs shall be kept clean, free from rust, and in serviceable condition. If the uniform becomes soiled or disarranged because of weather or duty circumstances, the uniform shall be put in order as soon as circumstances permit.
- C. Employees shall not wear on any part of their uniform any badge, insignia or decoration, except as may be authorized by the Sheriff.
- D. When an employee wears the uniform, the complete uniform shall be worn. The mixing of civilian and uniform clothes is prohibited except upon authorized assignment.
- E. Employees shall not wear the uniform or any part thereof while off duty, except when traveling to and from work. Exceptions to this policy are allowed when performing a police type function for a non-office organization.
- F. All uniform items shall be purchased through an Office specified vendor.
- G. Exceptions to the above policy may be approved by the Sheriff or Division head when the duties of the employee require it. (For example - undercover investigations, stake-outs.)
- H. Service bars may be worn on outer jackets and long sleeve shirts according to military specifications. (Service increments will be five years.)
- I. ***It is the policy of the Outagamie County Sheriff's office to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant***

level of protection, it is not a substitute for the observance of officer safety procedures. Field Activities: Duty assignments and/or tasks that place or could reasonably be expected to place officers in situations where they would be required to act in an enforcement capacity, rather than in an administrative or support capacity.

1. ISSUANCE OF BODY ARMOR

- a. All body armor issued must comply with protective and related requirements prescribed under current standards of the National Institute of Justice.*
- b. All full and part-time officers will be issued agency-approved body armor.*
- c. Body armor that is worn or damaged will be replaced by the agency. Body armor that must be replaced due to misuse or abuse by the officer is to be paid for by the officer.*

2. USE OF BODY ARMOR

- a. Officers are to wear only agency-approved body armor.*
- b. Officers that are assigned to a uniformed function are required to wear body armor while engaged in field activities unless exempt as follows:*
 - i. When an agency-approved physician determines that an officer has a medical condition that would preclude wearing body armor,*
 - ii. When the officer is involved in undercover or plain clothes work that his/her supervisor determines could be compromised by wearing body armor, or*
 - iii. When the office determines that circumstances make it*

Appearance/Uniform Standards

inappropriate to mandate wearing body armor.

- c. Officers that are assigned to Detective or Investigative functions, which are typically plain clothed, will not be required to wear body armor during normal investigative duties. They are required to wear body armor during the initial entry to execute service of a search or arrest warrant, or during other high risk activities. The armor may be worn either under the officer's clothing or externally in a department approved vest carrier.*

3. INSPECTIONS OF BODY ARMOR

Supervisors are responsible for ensuring that body armor is worn and maintained as required by this policy through routine observation and periodic documented inspections.

4. CARE, MAINTENANCE AND REPLACEMENT OF BODY ARMOR

- a. Officers are to routinely inspect personal body armor for signs of damage and for general cleanliness.*
- b. As dirt and perspiration may erode ballistic panels, each officer is responsible for cleaning personal body armor in accordance with the manufacturer's instructions.*
- c. Officers are responsible for the proper storage, maintenance and care of body armor in accordance with manufacturer's instructions.*
- d. Officers are responsible for reporting damage or excessive wear to the ballistic panels or cover to their supervisor and the individual responsible for the uniform supply function.*

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- e. Body armor is to be replaced in accordance with guidelines and protocols established by the National Institute of Justice.*

5. SPECIALIZED BODY ARMOR

When appropriate, the office may issue specialized body armor. Specialized body armor includes bullet resistant “raid” style body armor, or other tactical body armor. When officers are wearing this type of armor, they will not be required to wear personal body armor. This section does not allow uniformed patrol officers to substitute specialized armor for their personal body armor during normal day to day field operations.

- J. Reeves "Serving Since" tab with year of hire may be worn under name plate.
- K. Stratton F. 38 hat shall be the uniform hat for parade and funeral duty.
- L. Outer vest carriers (uniform style, same color as uniform shirt) can be worn as an option, as can approved load bearing external vest carriers. Acceptable load bearing vests include the following brands: Armor Express, Traverse Overt Patrol load-bearing External in brown color. The molle pouches on the load bearing vest shall be black in color and may not include firearms, firearm magazines or other ammo pouches on the load bearing vest. The load bearing vest has the following requirements as well:
 - 1. Department approved “Sheriff” badge shall be sewn on, above the left breast pocket. This badge must be the department approved, embroidered, colored badge.
 - 2. Name tag to be sewn on above the right breast pocket and shall

Appearance/Uniform Standards

match the brown vest color, with the name itself sewn on in a Coyote color #0853, in ¾" all caps block font and be the last name, or first initial and last name.

- 3. Collar rank designations shall be embroidered onto the color in Coyote color #0853. Sergeant and Staff Sergeant rank, may also be sewn onto long sleeve shirt below the department patch, utilizing the same Coyotte color #0853.*
- 4. Metal badges, name tags and rank insignia are prohibited from this uniform shirt.*
- 5. Special Assignment pins, in compliance with section 103.10, to include, Emergency Response Team (ERT), Crisis Intervention Techniques (CIT), and Bomb Technician may be worn and are the only metal pins allowed on external load bearing vests.*
- 6. Back name plates shall be blank unless otherwise approved by the Sheriff or designee. With such authorization, the back name plate may say "SHERIFF" in Gold color. Such exceptions may be granted for specific conditions/circumstances to include the following:*
 - a. Execution of Search Warrants*
 - b. Undercover unit activities, such as L.W.A.M. and S.I.U*
 - c. Investigative activities*
 - d. Other circumstances as approved by the Sheriff or designee*

103.03 PATROL OFFICERS

Patrol officers, when on duty, will be required to have in their possession:

- A. *Department authorized firearm.*

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- B. Handcuffs with key.
- C. Regulation Office Identification Card.
- D. Badge and name tag.
- E. Electronic Control Device, if assigned and available
- F. Expandable Baton
- G. OC Spray if Electronic Control Device not assigned
- H. Department issued duty belt to include handcuff case, holster and ammunition pouch, baton, electronic control device and/or O.C. Pepper Spray holders.
- I. Summer uniform shall consist of:
 - 1. Traditional brown, short-sleeved shirt (Gold buttons and concealed zipper optional, only top button open).
 - 2. Traditional tan pink/brown side stripe, 4-pocket trousers.
Traditional tan pink/brown stripe 4 pocket trousers equipped with cargo pockets, as approved by the Sheriff, may be worn if the approved gunshot/traumatic wound first aid supplies are worn in the right side pocket so personnel responding to and applying first aid measures can readily locate the first aid supplies. Additionally the following pants in coyote color are authorized:
 - ***Tru-Spec, Classic***
 - ***Tru-Spec, Original***
 - ***Tru-Spec, Ascent***
 - ***Tru-Spec, Vector******All four options must be Coyote colored and in a polyester/cotton rip-stop material***
 - 3. Dark brown or black belt.
 - 4. Black shoes/boots.

Appearance/Uniform Standards

5. Dark brown or black socks.
 6. Stratton S. 38 and Stratton F. 38 hat shall be the uniform hat and may be worn at the discretion of the officer.
- J. Winter uniform shall consist of:
1. Brown waist length jacket or Office authorized leather jacket.
 2. Brown parka (when necessary).
 3. Traditional brown, long-sleeved shirt (Gold buttons and concealed zipper optional).
 4. Tan/pink tan tie.
 5. Dark brown or black socks.
 6. Black shoes/boots. (everyday duty wear)
 7. The Brown Fur Trooper Hat or military style dark brown or black stocking hats are permissible for wear during the winter in inclement weather.
 8. Boots, if worn, shall be at the discretion of the supervisor depending upon the situation. If a scarf is worn, it shall be dark brown or black in color. Any garment worn under the outside jacket or parka will be dark brown in color, i.e. sweater, vest. Vests will not be worn without the jacket. All shifts will be allowed to wear black turtlenecks, mock turtlenecks, or crew necks, under regulation shirt.
 9. A sweater, if worn, will be of the “commando” type, law enforcement style. It must be dark brown in color with office patches sewn on both sleeves, v-neck with name tag, badge holder and shoulder upulets. The sweater must be worn tucked in at the waist and over a uniform shirt. The sweater may be worn on all shifts. CJU employees may wear a brown sweater (#5510-B)

Appearance/Uniform Standards

either zippered front or button down style, with office patches on both sleeves, between September 15 and May 30.

- K. T-shirts shall be worn and be black in color and of crew neck style. There shall be no logos or lettering visible.
T-shirt shall not show below uniform shirt sleeve.
- L. Footwear. The following footwear is authorized:
 - 1. Black oxford dress style with standard heel.
 - 2. Wellington or other types of boots will be acceptable under the following conditions:
 - a. Toes will be rounded in shape - pointed toes will not be allowed.
 - b. They must be an acceptable black color and free of ornament or mixed colors. (No cowboy boots.)
 - c. Heel height will not exceed 1 ½ inch and cannot be tapered.
 - d. Trouser legs are to be worn outside of the boots at all times.
 - e. Acceptability of any boot will be entirely at the discretion of the Office Head.
- M. Criminal Justice Unit and Internal Uniformed Personnel may wear short sleeved shirts throughout the year. When winter uniform standards are in effect the winter uniform will be worn when testifying in court.

103.04 NON-UNIFORMED PERSONNEL

- A. Standard Dress
Acceptable business dress will be guided by the employee's position of professionalism. (Any discrepancies will be decided by the supervisor of that division.)
- B. Non-uniformed protective personnel shall have in their possession:

Appearance/Uniform Standards

1. Regulation firearm unless otherwise directed.
 2. Handcuffs with key.
 3. Regulation Office Identification Card.
 4. Badge.
- C. Non-protective personnel shall have in their possession their Regulation Office Identification Card.

103.05

CORRECTIONS DIVISION UNIFORM STANDARDS

- A. Uniforms must be neat, clean, and complete. Wearing partial uniforms is not permissible.
- B. Required Uniform
- Traditional tan pink/brown stripe, 4-pocket trousers. Traditional tan pink/brown strip 4-pocket trousers equipped with cargo pockets, as approved by the Sheriff, may be worn if staff use the cargo pockets for transport/storage of an inmate accountability recording device.***

Brown uniform shirt

with gold buttons (optional) and patches attached

short sleeve

long sleeve

*you may wear short sleeve or long sleeve at your option, however you should have at least one of each.

White t-shirt

T-shirts shall be worn and be white in color and of crew neck style.

There shall be no logos or lettering visible.

T-shirt shall not show below uniform shirt sleeve.

Appearance/Uniform Standards

Tan/pink tan tie

worn with the long sleeve shirt

appropriate tie tack or tie bar (optional)

Black leather belt

1 3/4 inches wide

plain or basket weave

garrison buckle, unless approved

Black shoes

Minor variations may be allowed at the discretion of the Sheriff or his designee.

Socks

Socks shall be brown or black in color.

Silver name tag

with name engraved

Whistle chain - optional

Black or dark brown turtleneck sweaters may be worn on all shifts.

Sweater- optional (if worn, sweater will be purchased from the Uniform Shoppe, sweater no.5510, brown cardigan with zipper front with division patch on each sleeve)

Uniform jackets are not required. Officers may wear their civilian jacket to and from work.

Officers will have access to flashlights, handcuffs, and other necessary equipment at their work station.

103.06

TELECOMMUNICATORS UNIFORM STANDARDS

Uniforms shall be clean, neatly pressed, in good repair, and fit properly when on

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duty. No badge, insignia, or decoration except as may be authorized by the Sheriff shall be displayed on the uniform. Telecommunicators shall not wear the uniform or any part thereof while off duty except when traveling to and from work.

A. Shirts

The regulation uniform shirt will be light blue in color. All shirt buttons will be buttoned at all times except when a tie is not worn; then the top button may be left open. Telecommunicators may wear short sleeve or long sleeve at their option. Division shoulder emblems shall be displayed on both sleeves. The emblem will be centered on the sleeve and placed one inch below the shoulder seam of the sleeve. The division emblem shall also be displayed above the left pocket and centered on the left chest. A white crew neck style t-shirt must be worn under the uniform shirt.

B. Name Tags

Name tags will be worn on the uniform shirt, centered above the right chest pocket. The name tag will be silver with black letters and fastened to the shirt with clutch backs.

C. Necktie

The regulation necktie will be navy blue in color. The necktie will be optional.

D. Trousers and Skirts

Trousers and skirts will be navy blue in color.

E. Belt

Belts will be black or navy in color and may be plain or basket weave.

F. Socks

Socks will be navy blue or black in color.

G. Footwear

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Footwear will be plain toe shoes, boots, or oxfords, black or blue in color.

H. Sweaters and turtlenecks

Sweaters may be any style of plain design to be worn over the uniform shirt provided the sweater is navy blue in color. The “wooly pully” type, Law Enforcement style sweater is also acceptable. Turtlenecks may be worn under the long sleeve shirt provided they are navy blue or white in color.

I. Coats and Jackets

No uniform coat or jacket is required. Personnel traveling to and from work may wear civilian jackets or coats while otherwise in uniform.

103.07

OFFICE RIBBONS

In order to show proper recognition for service to the community, the office will present awards and citations to individual employees or citizens who provide outstanding service in public safety to the community.

Specific Awards

A. Medal of Honor

A posthumous award presented (with the consent of the family) to the family of an employee who has made the supreme sacrifice in the performance of duty. The family will be presented with a plaque, Medal of Honor medal and award bar (Bar A200).

B. Purple Heart

This award consists of a medal, certificate and an award bar (Bar L211). The award is to recognize an employee who, in the line of duty, suffered

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significant injuries intentionally caused by another, was wounded or lost his/her life. Injuries sustained from non-intentional events may also be evaluated as criteria for award justification. The extent of injury, type of activity being performed and all circumstances surrounding the incident will be considered.

C. Medal of Valor

This award consists of a medal, certificate and award bar (Bar B201). The award is presented to an employee, who on his/her own initiative, voluntarily performs an act with great personal risk, which either saves or attempts to rescue a human life. This act must be above and beyond the call of duty and the omission of such act would not justly subject the individual to reprimand for failure in the performance of duty.

D. Meritorious Service Medal

This award consists of a certificate and award bar (Bar F105). This award is for an employee that performs his/her duty at a consistently high level of professionalism over a long period of time, which reflects a positive image of the office, or on any single occasion which results in positive public recognition of his/her actions.

E. Lifesaving

This award consists of a certificate and award bar (Bar E104). This award recognizes an employee who performs a life-saving effort resulting in maintaining or saving a life. Other lifesaving attempts may be recognized with a certificate.

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F. Officer of the Year

This award consists of a plaque and award bar (Bar Q216-BRN to Q246-BRN). The award will recognize an officer who has gone above and beyond in the performance of their duties. If an officer is selected for Officer of the Year, the award bar will indicate the number of years selected for this award by the number of gold stars within the bar.

G. Ziegler Award

This award consists of a certificate and award bar (Bar D103). The award recognizes a service minded member of the Outagamie County Sheriff's Office who embraces the objectives and ethics of the Outagamie County Sheriff's Office through distinguished and unselfish service to their community and brings credit to the Law Enforcement profession.

H. Honorable Service Plaque

An award presented for honorable service by an employee retiring from the Outagamie County Sheriff's Office. When possible, the Sheriff will present the plaque at the employee's retirement.

I. Letter of Appreciation

An award presented for acts or services which do not meet the criteria of the above commendation, but which the Sheriff personally wishes to recognize by written letter on office stationery. While this award is determined by the Sheriff, an employee may recommend that a letter be written.

J. Community Service Medal

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An award presented to a citizen who saves a life, without regard for personal safety, assists in the apprehension of a criminal, or takes action to preserve public safety.

K. Community Recognition

A certificate presented to a junior citizen of the County for recognition of positive service to the community.

103.08 NOMINATIONS

Any employee of the Office may nominate another employee or citizen for an award. Such nominations will be made within a reasonable period of time after the incident and will include a detailed statement of the employee or citizen's action and other pertinent information. Nominations shall be submitted to the Sheriff.

103.09 SPECIAL TEAM AND ASSIGNMENT BARS

Any employee who is a member of a special team or office sponsored special assignment, which has a bar outlined in Policy 103.07, is allowed to display the bar in accordance to this policy. If a special team or office sponsored special assignment wants to change or add a bar to this policy, the request shall be made to the Undersheriff and Sheriff for authorization.

103.10 WEARING OF AWARDS, OFFICE AUTHORIZED BARS AND PINS

Officers may wear their service awards, authorized bars and authorized pins on the daily uniform. The bar(s) should only be attached to the uniform shirt, office

Appearance/Uniform Standards

authorized exterior vest carrier or honor guard dress jacket. The award bar(s) will be centered above the officer's name tag (refer to Attachment 1). The order of the awards will start from the top and go left (closest to the heart) to right. The ribbons will be displayed in rows of three. The following will be the order the ribbons are to be displayed on the uniform:

1 – Medal of Honor	10 – Boat Patrol
2 – Purple Heart	11 – Dive Team
3 – Medal of Valor	12 – Fire Investigator
4 – Meritorious Service	13 – Honor Guard
5 – Life Saving	14 – Investigative Division
6 – Officer of the Year	15 – K-9
7 – Ziegler Service Award	16 – LWAM / CRU
8 – F.T.O.	17 – School Resource
9 – Office Instructor	18 – Snow Patrol

If the officer has two or more bars to display on their uniform, the bars shall be connected and attached to the uniform by the use of bar holders (refer to Attachment 3).

If an officer is a member of the Outagamie County Emergency Response Team and/or the Brown-Outagamie County Bomb Squad, the pins will be worn on the uniform, above the award bar(s) above the right chest pocket of the uniform. The order of the pins will be from left to right and will be displayed as follows (refer to Attachment 1):

1. Brown-Outagamie County Bomb Squad
2. Outagamie County Emergency Response Team

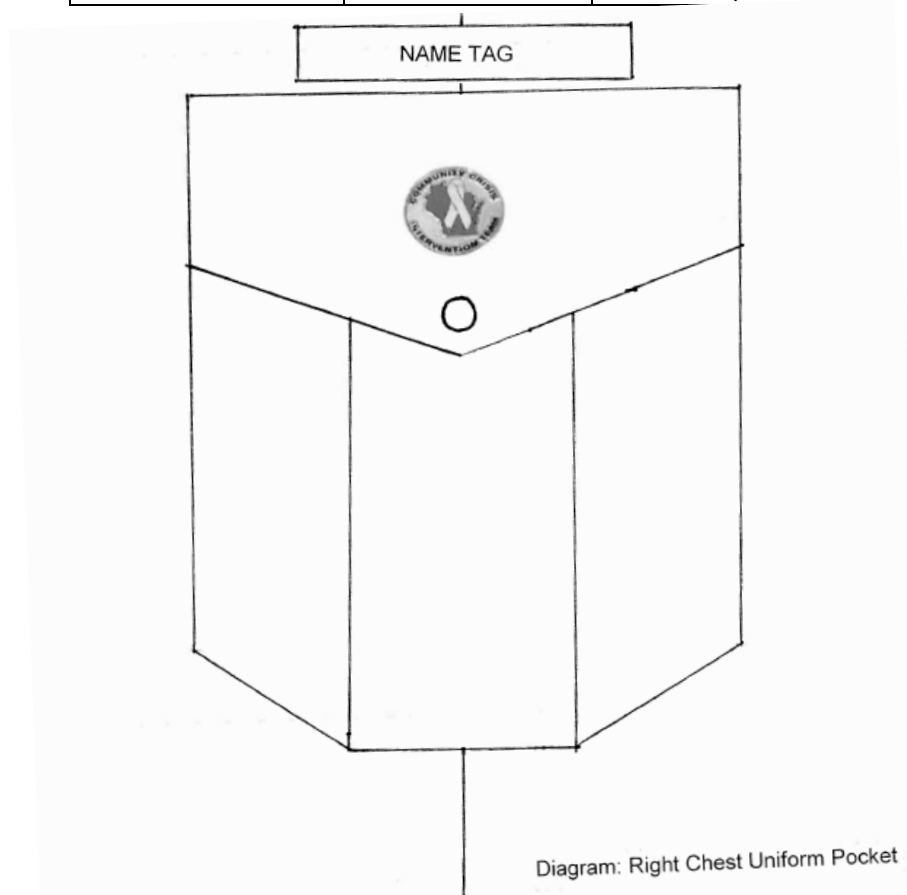
Appearance/Uniform Standards

If an officer only has one pin, the pin should be centered over the bar(s). If an officer received a pin for the completion of the Community Crisis Intervention Team (C.I.T.), the pin should be attached to the center of the right uniform pocket flap.

ATTACHMENT 1



Medal of Valor	Purple Heart	Medal of Honor
Officer of the Year	Life Saving	Meritorious
Dept. Instructor	FTO	Ziegler Award
Fire Inv.	Dive Team	Boat Patrol
K-9	Inv. Division	Honor Guard
Snow Patrol	S.R.O.	LWAM/ CRU



ATTACHMENT 2

The bars listed below are purchased from Davis & Stanton of Dallas, Texas:



1. Medal of Honor (Bar A200)



2. Purple Heart (Bar L211)



3. Medal of Valor (Bar B201)



4. Meritorious Service Medal (Bar F105)

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5. Life Saving Award (Bar E104)



6. Officer of the Year (Bar Q216-BRN to Q246-BRN)



7. Ziegler Community Service Award (Bar D103)



8. F.T.O. (Bar H107)



9. Office Instructor (Bar H307)



10. Boat Patrol (Bar U170)



11. Dive Team (Bar U130)

Appearance/Uniform Standards



12. Fire Investigator (Bar K210)



13. Honor Guard (Bar A300)



14. Investigative Division Assignment (Bar O414)



15. K-9 (Bar T119)



16. L.W.A.M. / C.R.U. Assignment (Bar I208)



17. School Resource Officer (Bar U140)



18. Snow Patrol (Bar EX13)

ATTACHMENT 3

The holders listed below are purchased from Davis & Stanton of Dallas, Texas:



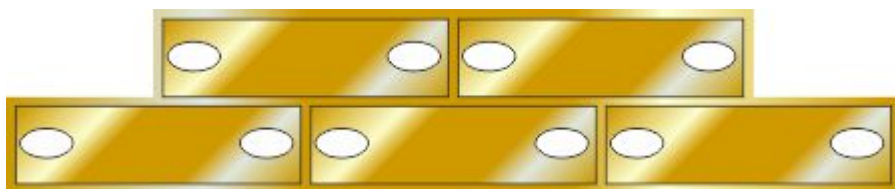
1202 - 2-Bar Holder



1303 - 3-Bar Holder - 3-wide



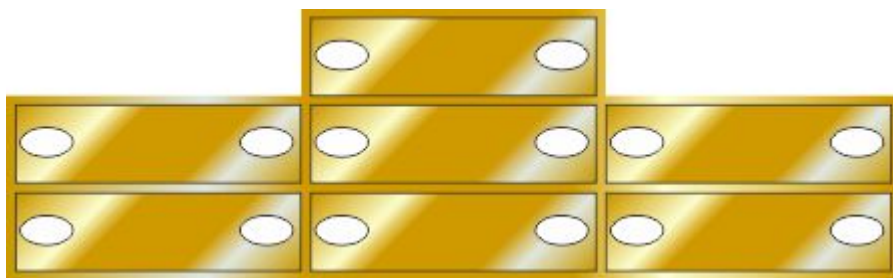
1304 - 4-Bar Holder - 3-wide



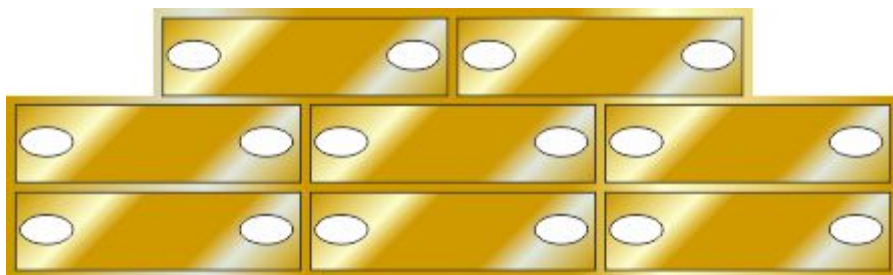
1305 - 5-Bar Holder - 3-wide



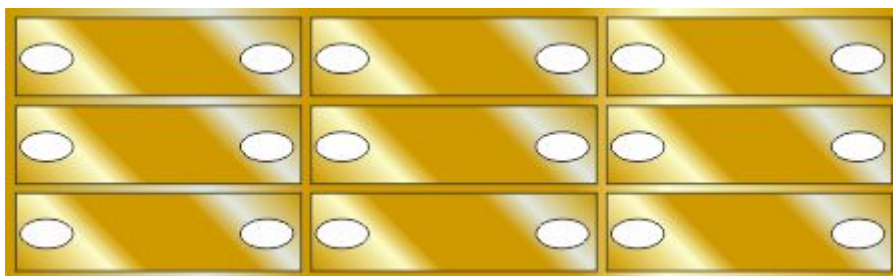
1306 - 6-Bar Holder - 3-wide



1307 - 7-Bar Holder - 3-wide



1308 - 8-Bar Holder - 3-wide



1309 - 9-Bar Holder - 3-wide

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Court Appearances	Series: 104
Effective Date: March 16, 2021	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: March 16, 2021 December 2018 September 15, 2013 December 2015

104.01	GENERAL POLICY
104.02	ATTENDANCE
104.03	PERSONAL APPEARANCE AND COURTROOM DEMEANOR

Court Appearances

104.01 GENERAL POLICY

When appearing in court, whether on the stand or off, all employees of this Office will conduct themselves in the highest possible professional manner. All employees shall appear in court on the day and date specified, and in a timely manner.

104.02 ATTENDANCE

- A. Employees shall attend court at times required and be prepared to testify. If unforeseen emergency circumstances prevent an employee's prompt attendance in court, that employee shall notify court officials by the fastest means.
- B. Employees shall respond to a court subpoena as a first priority; and shall inform the Supervisor upon receiving such subpoena. Employees receiving other subpoenas shall notify their Supervisor.
- C. At any time an employee is late for a court hearing or fails to appear for such hearing, the employee shall inform the Supervisor.
- D. On duty employees shall not receive additional compensation for appearances at court and any witness fee received shall be turned over to the Office. Off-duty employees appearing at either criminal or civil court hearings shall be compensated ***at the appropriate rate*** and shall turn over to the Office any witness fees, where the appearance is the direct result of, or is directly related to an incident which involved the performance or non-performance of some specific law enforcement duty by that employee.

104.03 PERSONAL APPEARANCE AND COURTROOM DEMEANOR

Employees shall be neat in their personal appearance and conduct themselves with dignity. Employees, whether on duty or off duty, ***shall appear in professional work attire. Uniformed personnel should wear their striped pink/tan uniform***

Court Appearances

pants, with the long sleeve uniform shirt and tie. During summer months the short sleeve uniform shirt without a tie is acceptable. Generally non-uniformed personnel shall wear business professional attire. Employees shall testify in a professional manner which exemplifies the dignity of the Outagamie County Sheriff's Office. Employees shall make every effort to cooperate with the District Attorney's office.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Internal Investigations Citizen Complaints	Series: 105
Effective Date: April 15, 2021	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: April 15, 2021 December 2018 September 15, 2013 December 2015

105.01	GENERAL POLICY
105.02	RECEPTION OF COMPLAINTS
105.03	INFORMAL COMPLAINTS
105.04	PROCESSING FORMAL COMPLAINTS
105.05	INVESTIGATION OF FORMAL COMPLAINTS
105.06	DISPOSITION
105.07	REVIEW AND APPEAL
105.08	CRIMINAL INVESTIGATIONS INVOLVING EMPLOYEES

Internal Investigations/Citizen Complaints

105.01 GENERAL POLICY

It is essential that public confidence be maintained in the ability of the Office to investigate and properly adjudicate complaints against its officers. Law Enforcement Agencies are public institutions and derive their support from the citizens of the community. By encouraging citizens to report their grievances and fairly investigating those complaints, the Sheriff's Office demonstrates its willingness and ability to provide the type of policing the community deserves. Timely and accurate investigations of alleged misconduct serve as a protection to office employees and the community.

Wisconsin State Statute 66.312(3) states: Each person in charge of a law enforcement agency shall prepare in writing and make available for public scrutiny, a specific procedure for processing and resolving a complaint by any person regarding the conduct of a law enforcement officer employed by the agency.

The office will thoroughly and objectively investigate allegations of misconduct where sufficient factual information is present to warrant such investigation. Officers are unusually vulnerable to recriminations for actions they take in carrying out their responsibilities. It is important that complaints be investigated timely and accurately to protect both the community and the officers.

105.02 RECEPTION OF COMPLAINTS

- A. All employees of the office have the responsibility to courteously and willingly receive any complaint lodged against the office or an employee of the office. Employees will initially refer such complaints to a Shift Supervisor. Formal complaints will be documented in writing.
- B. When a citizen complains to an employee about the employee's own conduct, it is the employee's responsibility to attempt a brief explanation

Internal Investigations/Citizen Complaints

of the action taken. If the complainant is not satisfied, they should be referred to the Shift Supervisor. In the case of a complaint involving the Shift Supervisor, the matter should be referred to the Division Lieutenant or Captain.

- C. Any employee who receives a complaint concerning another employee should refer the complainant to a Supervisor.
- D. Internal Complaints
 - 1. Any employee of the office who has knowledge of an incident of police misconduct has the responsibility to immediately report such conduct to a Supervisor.
 - 2. If the employee believes that the misconduct involves the Shift Supervisor, the matter Should be referred directly to the Division Lieutenant or Captain.

105.03 INFORMAL COMPLAINTS

When a complaint appears to be the result of a misunderstanding, the Shift Supervisor shall attempt to clarify and resolve the matter with an explanation.

- A. If the Shift Supervisor cannot resolve the problem at the time the complaint is made, further investigation into the matter will be conducted and the complainant will be informed of the result.
- B. When the Shift Supervisor cannot resolve the matter and deems that it may be better dealt with by their Supervisor, the matter will be referred. The Supervisor who finally resolves the complaint shall advise the complainant of the result.

105.04 PROCESSING FORMAL COMPLAINTS

Internal Investigations/Citizen Complaints

When a complaint alleges criminal activity, excessive force, violation of constitutional rights, or violation of policy, the following formal process will be followed.

- A. The complaint will be referred to the Shift Supervisor who will obtain the necessary information, complete a report, prepare and forward a written report including all known information and any additional background information available.
- B. Personal contact will be made with the complainant by the assigned supervisor.
- C. The Supervisor shall attempt to gain as much information as possible during the initial interview with the complainant. Individuals electing to make a formal complaint will be required to do so in person.
- D. All formal complaints shall be filed and a record kept.
- E. The investigating Supervisor or designee shall take a formal statement and have it signed.
- F. The Supervisor shall inform the Appropriate Division Lieutenant or Captain of the complaint and the pending investigation.
- G. The appropriate Division Lieutenant or Captain shall determine when the employee involved shall be notified of the investigation. The employee shall be informed as soon as possible, as long as it would not interfere with the investigation.
- H. The investigated employee shall not harass or in any way discriminate against the complainant.

105.05

INVESTIGATION OF FORMAL COMPLAINTS

The investigation of formal complaints will be directed by the appropriate Division Lieutenant or Captain. Designated employees and employees from other

Internal Investigations/Citizen Complaints

offices may be utilized if deemed appropriate.

- A. A thorough investigation shall be made of each complaint including an interview with the employee involved.
- B. If the focus of the investigation includes criminal charges, the Miranda warning and appropriate constitutional rights will apply, and shall be in accordance with State Statutes regarding audio and video taping.
- C. Investigations will normally be completed within 30 days of the receipt of the signed complaint, unless circumstances prevent completion and an extension is granted by the Sheriff.
- D. The Captain shall forward a report of the investigation with conclusions of fact and recommendations to the Sheriff.
- E. All complaints and complaint investigations shall be confidential and shall not be discussed outside the office without the approval of the Sheriff or his/her designee.
- F. Employees are required to cooperate with an investigation. Employees are required to answer questions posed to them by the assigned interviewer. Failure to cooperate with an investigation may be grounds for disciplinary action.

105.06 DISPOSITION

- A. If a complaint is unfounded or unsubstantiated, no record of the complaint shall be placed in the employee's personnel file.
- B. In all complaints that are found to be justified, appropriate disciplinary action will be taken.
- C. Disciplinary action will be implemented according to the appropriate Wisconsin State Statutes, collective bargaining agreement and office policy.

Internal Investigations/Citizen Complaints

- D. The Sheriff or designee shall inform the complainant and subject of the investigation, of the results of the investigation and any subsequent action taken.

105.07 REVIEW AND APPEAL

- A. Upon completion of the office investigation, the complainant shall be advised of the results and may request further review with the Sheriff or the Law Enforcement Judiciary Committee of the County Board.
- B. Employees of the office also have review and appeal procedures as provided by Wisconsin Statutes and the terms of the collective bargaining agreement or personnel manual.

105.08 CRIMINAL INVESTIGATIONS INVOLVING EMPLOYEES OTHER THAN DEADLY FORCE INCIDENTS

Any potential criminal investigation, which involves an Outagamie County Sheriff's Office employee as a victim or suspect, the following guidelines will be followed.

- A. The responding officer shall notify the Patrol Staff Sergeant as soon as this relationship with the Outagamie County Sheriff's Office is discovered.
- B. The S/Sgt shall gather preliminary information and relay this information to the Lieutenant if appropriate.
- C. If the Lieutenant is notified, the following criteria will be utilized in determining whether the Sheriff's Office will continue with the investigation or an outside agency shall be requested.
- D. Criteria
 - 1. The existence of extenuating circumstances that demand an

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immediate response from the Outagamie County Sheriff's Office.

2. The severity of the alleged offense.
3. Degree of involvement by the Sheriff's Office employee.
4. Any and all other factors that may impact the resolution of the complaint.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Communication/Dispatch Guidelines	Series: 106
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 January 25, 2016 December 2015 August 2021

- 106.01 PURPOSE
- 106.02 GENERAL POLICY
- 106.03 PROCEDURES
- 106.04 INTERPERSONAL COMMUNICATIONS
- 106.05 RADIO COMMUNICATIONS
- 106.06 TELEPHONE COMMUNICATIONS
- 106.07 TELETYPE AND AUTOMATED DATA COMMUNICATIONS
- 106.08 RECORDING OF COMMUNICATIONS
- 106.09 DETERMINATION OF CALL PRIORITY
- 106.10 DISPATCH GUIDELINES
- 106.11 RELEASE OF INFORMATION BY TELECOMMUNICATORS
- 106.12 NOTIFICATION OF DIVISION HEAD OR LIEUTENANT ON CALL
- 106.13 FIRE DEPARTMENT DISPATCH PROCEDURE
- 106.14 AIRPORT RESPONSE PROCEDURES

Communication/Dispatch Guidelines

106.01 PURPOSE

Communications is recognized as a vital ***component*** to ensure successful operations of this Public Service Agency. Without effective communications, a public service agency operates is unable to provide those services necessary for the protection of the public interest, as well as the employee's own safety. This policy is intended to establish guidelines for the receipt of calls and the dispatching of services and thus allow the public service agency to respond to service calls with safety and efficiency. All agencies using the Outagamie County Sheriff's communication facilities shall comply with ***system SOG's***.

106.02 GENERAL POLICY

The Emergency Communications Center is the focal point of the public's calls for emergency and non-emergency services and is the means by which emergency service providers resources are assigned. All communications will be handled on a basis of importance, which reflects the objectives of the emergency service providers. All radio communications shall be conducted in accordance with Federal Communications Commission (F.C.C.) procedures and requirements.

106.03 PROCEDURES

A. Communications Component

1. The Communications Unit is the component of the office with general responsibility for the communications functions. However, all personnel shall assume responsibility for the communications functions of the office as it relates to their respective positions.
2. The Communications Unit is comprised of civilian telecommunicators, civilian shift supervisors, ***and a*** civilian Staff Sergeant.
3. The Communications Unit has primary responsibility for the

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communications function of the office, to include:

- a. Staffing/operating the communications center.
 - b. Coordinating radio communications.
 - c. Coordinating telephone communications.
 - d. Teletype and automated data communications.
4. The Communications Unit is also responsible for providing radio dispatch service for the fire departments and E.M.S. services within Outagamie County, including those portions of Calumet and Winnebago Counties that are within the City of Appleton.

B. The Emergency Communications Center

1. The emergency communications center shall service the entire county of Outagamie as the receiving point for all 9-1-1 police, fire, and medical emergency telephone calls and the point of origin for all related emergency and non-emergency dispatch efforts.
2. The emergency communications center is comprised of radio consoles staffed on a 24-hour a day basis.
3. To protect personnel and equipment, access to the center shall be restricted, with the door remaining locked at all times. Persons authorized access shall be permitted entry only by emergency communications center personnel.
4. Access to authorized personnel shall be limited to official business only.
5. Emergency Communications Center personnel shall routinely monitor and record the status of all police officers performing field duties. This practice shall apply to any activity that takes an officer out of service whether an assigned call for service or an officer initiated activity.

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6. Emergency Communications Center personnel shall serve as a police officer's source for teletype and automated data, such as that available from N.C.I.C., C.I.B., D.O.T., and in-house computer checks for officers in the field.
7. Emergency Communications Center personnel shall serve as a liaison between police officers in the field and external agencies; e.g. telephone and power companies, human service organizations, towing services, etc., that may be required to support police operations.

106.04 INTERPERSONAL COMMUNICATIONS

- A. Employees conducting business on behalf of OUSO in person or by telephone shall do so in a courteous and professional manner.
- B. Employees handling citizen requests for service in person or by telephone shall make every reasonable effort to provide proper assistance.

106.05 RADIO COMMUNICATIONS

- A. The communications unit shall provide 24 hour two-way radio capability between the emergency communications center and officers on duty. Backup for power failure shall be provided by a UPS (Uninterrupted power supply) system that is tested weekly. Additional backup shall be a diesel generator that is tested ***regularly***.
- B. Base and mobile radio equipment ***have multiple talk groups*** providing officers and telecommunicators with access to ***individualized and unique radio access providing interoperability throughout the system***.
- C. Outagamie County has radio frequencies allocated by the F.C.C. The frequencies are allocated by the digital radio system automatically to

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accommodate the needs of users requesting radio service access.

- D. ***The primary talk group for any agency is commonly assigned in the radio as that agency's first talk group (i.e.: OUSOMAIN, APDMAIN). The following is a synopsis of the type of traffic considered appropriate for this talk group:***
1. Assignment of personnel
 2. Initial report of all officer initiated activity, including traffic stops
 3. Acknowledgment of all assignments
 4. Final clearance of all assignments
 5. Dissemination of wanted or attempt to locate information
 6. Pursuit and tactical situation broadcasts
- E. ***The second main talk group for the county is OUSO NE. The following is a synopsis of the type of radio traffic considered appropriate for this talk group:***
1. Responses to requests for drivers license and vehicle registration checks
 2. Non-emergency transmissions
 3. Follow-up information
 4. Lengthy communications of a non-emergency nature
- F. Pertinent information should be repeated. For example, license plates, addresses, names should be said then spelled phonetically. For example: when making a traffic stop or requesting a license plate or driver's license, the officer calls in his/her number and the information requested and wait for acknowledgment from the Telecommunicator. This will ensure the Telecommunicator received the proper information and the officer can get the proper response in a more accurate and timely manner.
- G. Varda Alarm

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Varda radio alarms may be installed as robbery/holdup or burglary/intrusion alarms. Officers responding to Varda Alarms shall be familiar with the Varda Alarm List.

Varda alarms are intended to be heard by law enforcement personnel as well as Telecommunicators. When this type of alarm is activated, confirm that it was acknowledged by the proper department. The location shall not be transmitted, only the Varda Code. Only the Code name can be repeated.

- H. During emergency situations, such as vehicle or foot pursuits, crimes in progress, warrant service, etc., communications center personnel or any officer/supervisor may restrict radio traffic. During radio restriction, only transmissions pertaining to the emergency situation shall be permitted. All other radio transmissions shall move to the unrestricted talk group.
- I. At a minimum, officers shall be required to report their status to the emergency communications center by radio, or telephone when:
 - 1. Arriving at or clearing an assignment.
 - 2. Arriving at or clearing a back-up assignment.
 - 3. When making any traffic or pedestrian stop including location of the stop and identifying information of the vehicle or pedestrian.
 - 4. Temporarily out of service or back in service.
 - 5. Initiating any citizen contact, enforcement action or investigative activity.
- J. Field supervisors are responsible for monitoring radio transmission and shall ensure compliance with policy *and SOG's*.
- K. ***The Emergency Communications Center operates under several Standard Operating Guidelines (SOG's) as well as Emergency Communications Center specific policies, which are updated as needed.***

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Pertinent changes will be communicated to affected employees and users as needed.

- L. *Officers on the road shall be expected to monitor, at a minimum, the following talk groups while on duty: OUSOMAIN, OUSO NE, OUSO C2C.*
- M. *The radio system allows for several extra talk groups which officers can utilize for various functions. When appropriate, officers will move incidents of a serious nature to a secondary talk group such as a tactical channel. Officers may choose to ask the Emergency Communications Center to monitor these talk groups whenever possible as determined by the Emergency Communications Center staff. Emergency Communication Center staff shall actively monitor tactical talk groups. Once monitoring is no longer necessary the Emergency Communications Center shall be notified that the monitoring can be terminated.*
- N. *Officers may also use secondary talk groups to communicate amongst themselves or with officers of other agencies directly.*
- O. *Officers shall be familiar with other talk groups available in their radio equipment and be able to maneuver through the various zones within the radios to locate these talk groups.*

106.06 TELEPHONE COMMUNICATIONS

- A. Emergency Telephone Communications.
The office shall provide an emergency E9-1-1 telephone system providing all citizens of Outagamie County with telephone access to emergency police, fire, and E.M.S. services.
- B. Cellular Telephone Guidelines
 - 1. The cellular telephones are designed to provide Law Enforcement

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personnel with a means of conducting official telephone communications while remaining mobile and providing support to operations requiring mobile phone communications.

2. The County owned cellular telephones shall be used in accordance with the County wide procedures.

C. Answering the phones

1. Answer telephone lines promptly. Treat each incoming call as a potential emergency, attempting to answer all calls within three rings.
2. Identify yourself. Emergency lines will be answered as “Outagamie 9-1-1”. The Emergency Communications Center lines will be answered “Communications Center, _____ (your name or badge number).”
3. A determination must be made if the call is of an emergency or non-emergency nature.
 - a. Emergency lines have priority.
 - b. Non-emergency calls should be processed in the order received.
4. Telephone information gathering. In general, the questions to ask area: where, what, when, injuries, weapons, who, and why.
5. All telephone contacts must be processed in an expeditious, courteous, and satisfactory manner.
6. All personal telephone calls will be kept to a minimum.
7. When calls are received for other agencies or departments, it is desirable to provide the requested assistance for a misplaced call while at the same time attempt to educate the caller to dial the appropriate telephone number in the future.

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8. Calls will not be screened by the Telecommunicator in making dispatches. Agencies shall be notified and response is at their option.

D. Obscene or Abusive Calls

If a caller becomes verbally abusive or obscene, the Telecommunicator will respond in a professional manner. If the caller continues and is not making a legitimate request, the Telecommunicator may terminate the call.

E. 9-1-1 Hang-ups

1. The Telecommunicator will attempt to call back the displayed phone number.
2. The Telecommunicator will start a CAD screen.
3. If there is a reasonable doubt about the nature of the call, the Telecommunicator will err on the side of safety and dispatch an officer.

106.07

TELETYPE AND AUTOMATED DATA COMMUNICATIONS

- A. Communication Center personnel have access to the Transaction Information for Management of Enforcement (T.I.M.E.) teletype and automated data system hardware.
- B. The T.I.M.E. system provides access to a number of data files including the following:
 1. National Crime Information Center (N.C.I.C.) Containing information of a national significance on wanted and missing persons, stolen vehicles, assorted stolen property, and individual criminal history.
 2. Wisconsin Crime Information Bureau (C.I.B.) Containing information of statewide significance on wanted and missing

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persons, stolen vehicles, assorted stolen property probation and parole status, and individual criminal history.

3. Wisconsin Office of Transportation (D.O.T.) Containing state driver's license and vehicle registration information.
- C. The T.I.M.E. system also provides access to the National Law Enforcement Telecommunications System (N.L.E.T.S.) which provides administrative message service nationwide and access to all other state motor vehicle/driver files.
- D. Emergency Communications Center personnel receiving teletype messages of relevance to field officers; e.g., stolen vehicle, missing person, or wanted person information, shall immediately broadcast the information to all units. A hard copy of such messages shall be added to the patrol resume for dissemination to all officers beginning a tour of duty after the initial broadcast. To ensure officer safety, the Communications Center will advise the officer if there is a want/warrant.
- E. The Emergency Communications Center shall also provide field officers with access to data contained in the in-house computer system.

106.08 RECORDING OF COMMUNICATIONS

- A. The Communications Unit is capable of recording any of the office telephone lines or accessible radio frequencies.
- B. All emergency telephone lines and all office radio frequencies shall be taped on a 24 hour a day basis. Emergency Communications Center personnel have the capability of immediate playback of emergency telephone and radio transmissions.
- C. The equipment utilized is a digital communications recording system.
- D. The recording system is kept in the locked Emergency Communications

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Center. In compliance with the State of Wisconsin Public Records & Forms Board recommendation, the recorded records are retained for a minimum of 120 days.

- E. Requests to review digital files shall be directed to a Communications Center Supervisor. The supervisor shall screen the request, determine the validity of the request, and prepare the tape for review. Copies of segments of digital files may be made. Requests for copies shall be directed to a Communications Supervisor.

106.09 DETERMINATION OF CALL PRIORITY

All Communications will be handled in the order in which they are received, as rapidly as possible. However, certain calls (example: in-progress crimes) will be given priority over routine calls. When determining call priority, many factors are to be considered. While it is not possible to consider all things, the following three factors are to be considered in every instance:

- A. **Severity of Need**
Consider the threat or potential threat to life, property, and/or peace and quiet of the neighborhood. Customs are normal mode of behavior which is acceptable in each community must be taken into account when making this determination.
- B. **Passage of Time**
All calls being held and not responded to under Code 2 to Code 4 call shall be periodically reviewed and the responsible agency supervisor advised of the pending call.
- C. **Total Circumstances**
Total circumstances are to be considered when establishing priority for calls. The Telecommunicators shall employ common sense when setting

call priorities.

106.10 DISPATCH GUIDELINES

- A. All requests for service requiring a police response shall be dispatched according to the following prioritization guidelines:
 - 1. Code (priority) One-
 - a. Officer down/in danger.
 - b. Takes precedence over all other calls.
 - c. Emergency Communication Center personnel shall assign any and all officers/supervisor needed to resolve the situation.
 - d. Emergency Communication Center personnel shall immediately restrict use of the primary radio frequency.
 - e. Officer response shall be immediate and as rapid as safety permits.
 - 2. Code (priority) Two-
 - a. Crimes in progress, medical emergencies, or other situations representing a serious threat to life or property.
 - b. Emergency Communications Center personnel shall assign the call to officers in the district/section of occurrence, when available. If district/section officers are unavailable, officers from other districts/sections may be assigned. If no officers are available, a patrol supervisor will be notified to make the assignment.
 - c. Radio restriction shall be at the discretion of the assigned officer/supervisor/telecommunicator.
 - d. Officer response shall be immediate and as rapid as safety

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permits.

3. Code (priority) Three-
 - a. Situations requiring an immediate police response, but without the apparent element of serious threat to life or property.
 - b. Emergency Communications Center personnel shall assign the call to officers in the district/section of occurrence, when available. If district/section officers are unavailable, officers from other district/sections may be assigned. If no officers are available, a patrol supervisor will be notified to make the assignment.
4. Code (priority) Four-
 - a. Situations where police presence is desirable, but rapid response will not affect the outcome.
 - b. If no officers are available, a patrol supervisor will be notified to make the assignment.
5. The use of clear text radio communication is becoming widely used and recommended in emergency services. Therefore, the use of the English language is encouraged. No other codes shall be used until approved by all agencies involved.
6. A minimum of two units shall be dispatched on any felony in progress call or disturbance call whenever possible.
7. In situations where an officer is transporting a person of the opposite sex or a juvenile, they shall provide the destination, and mileage. The Telecommunicator shall advise the time, when responding at the beginning and if possible at the end of the trip.
8. If busy, the Telecommunicator shall acknowledge incoming radio

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transmission with a "standby" response, unless urgent, and as soon as possible, answer all radio transmissions.

9. The official measurement of time shall be expressed by use of the 24 hour clock. (Ex. 1300 hours means 1:00 p.m., 2100 hours means 9:00 p.m., 0800 hours means 8:00 a.m.)
10. The Telecommunicator shall conduct time checks every hour between 0200 and 0500 hours. If an officer does not respond to a time check, the Telecommunicator shall use an alert tone. If there is still no response, the Telecommunicator shall notify the Patrol Supervisor.
11. In situations where calls for service are more numerous than available officers/supervisors, calls shall be handled on the basis of call priority guidelines with an emphasis placed on situations posing threat to human life.
12. Established priority dispatch guidelines are not meant to preclude supervisory responsibility for calls for service in situations where the supervisor determines they would be best suited to handle the call based on location, availability, etc.
13. Officers checking out for lunch or break shall provide dispatch the location and/or phone number (over the MDC).

106.11 RELEASE OF INFORMATION BY TELECOMMUNICATOR

- A. At any time the release of information over the telephone would interfere with the completion of normal duties the Telecommunicator shall notify the media that they may come to the station for the information or they may call back later when the work load allows. The information contained on an incident screen (except for MNI/complainant information) may be

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released without specific prior approval unless directed otherwise by appropriate agency representative. Any other information will only be released with the authorization of the responsible agency representative.

- B. Requests for information or a record on a juvenile. Officers who have requested a record check on a juvenile over the police radio can be responded to in one of the following options:

1. Unit __; No information available on your subject.
2. Unit __; Information available, please contact us by phone/cell phone.
3. Unit __; Hard copy of information available at office.
4. Unit __; Your subject (initials) has # alcohol violation, # curfew violations, etc.

Option four (d) can be used for request on multiple subjects. At no time can the juvenile's name and record be given together.

- C. Medical caution-blood borne pathogen. Officers and/or Telecommunicators often have information relating to blood borne pathogen carriers. This information is important to the safety of Law Enforcement, Fire Service, and E.M.S. in providing services to those requiring assistance. Communication of this medical condition can take place provided the person is not named directly and the most secure communication method available is used. Police radio should be used to convey this information only if a telephone, cellular phone, or mobile data computer is not readily available, under the circumstances.

1. Unit __; "Use universal precautions at the location you are responding to (when responding to a possible blood borne pathogen).
2. Unit __; "Use enhanced PPE" at the location you are are

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responding to (when responding to possible airborne pathogens).

106.12 NOTIFICATION OF DIVISION HEAD OR LIEUTENANT ON CALL

Communications Supervisors shall make the appropriate notification for the Outagamie County Sheriff's Office according to the major incident notification call list.

The Communications Supervisor shall make the appropriate notifications for other agencies at the direction of the agency representative. If there is no supervisor available it will be the involved agencies responsibility to make the required notifications.

106.13 FIRE DEPARTMENT DISPATCH PROCEDURE

- A. Determine the unit(s) or station(s) to be dispatched using CAD recommendations or by district map. Select the appropriate station pager(s) and transmit "Outagamie 9-1-1 to station(s) or unit(s) respond to address, (repeat address) for problem" advise cross streets, house color and name of residence if available. One (1) page will be sent for career departments. City of Appleton, Town of Grand Chute, and City of Kaukauna. All others shall receive two (2) pages immediately that repeat the same information.
- B. Any 9-1-1 fire related call shall result in a dispatch of appropriate fire service. Any call in which the caller indicates the presence of smoke, odor of gas or smoke, a suspicious odor indicating possibility of fire, a situation where the fire has been extinguished, or other fire related calls, the dispatcher shall make a fire dispatch.

106.14 AIRPORT RESPONSE PROCEDURE

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A. Authority and Training

1. The Law Enforcement Officers supporting the Air Carrier Screening Program and FAR 107 Airport Security Programs are authorized by Outagamie County, Wisconsin, and are vested with the authority to arrest, with or without a warrant, for the following violations of the criminal laws of the State of Wisconsin, in which the Outagamie County Airport is located:
 - a. A crime committed in the officer's presence.
 - b. A felony, when the officer has reason to believe that the suspect has committed it.
2. The Law Enforcement Officers, when summoned to the Outagamie County Airport, will have the arrest authority described in paragraph (1) of this Section, and:
 - a. Will be readily identifiable by uniform, unless a plain clothes detective is responding to an emergency call in civilian clothes, and will display or carry a badge or other identification of authority.
 - b. Will be armed with a firearm and authorized to use it.
 - c. Will have completed a training program as outlined in paragraph 3 of this section.
3. The Law Enforcement officer will have completed a training program as outlined in Appendix A of the airport emergency plan that includes training in:
 - a. The use of firearms.
 - b. The courteous and efficient treatment of persons subject to inspection, detention, search, arrest and other security activities.

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- c. The responsibilities of a Law Enforcement Officer under the Outagamie County Airport Approved Security Program.
- d. The training program will meet the training standards prescribed by the State of Wisconsin or Outagamie County Sheriff's Office.

B. Duties and Functions

- 1. The Law Enforcement Officers, as identified by the above Section A, are authorized by Outagamie County, and are assigned the duties as prescribed by this program.
- 2. The Law Enforcement Officers will provide law enforcement support for the pre-board screening of all airline passengers, and will also support the Airport Security Program at Outagamie County Airport.
- 3. A Law Enforcement Officer will respond to the Outagamie County Airport within 10 minutes when summoned to support the pre-board screening of airline passenger. The officer will respond within the 10 minute time period in support of the Airport Security Program, if requested by Airport Management, airline personnel, or their designated representative when a threat has been made, when a weapon, explosive or incendiary devices have been discovered during the pre-board passenger screening process, or when any incident occurs that could be life threatening, or involve bodily harm. The Law Enforcement officer will respond as quickly and safely as possible when summoned by airport, air carrier or their designated representatives for all other incidents that would warrant the presence of a Law Enforcement Officer.

C. Alerting System

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In the event of a situation which requires Law Enforcement response, Outagamie County Sheriff's Office Deputies shall receive cell phone and/or radio notification from the Transportation Security Administration, Airport Public Safety and/or Outagamie County Sheriff's Office Communications Center. Deputies assigned to the airport are required to have on their person the cell phone provided by Airport Public Safety at all times.

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Airport Public Safety and/or Outagamie County Sheriff's Office Communications Center. Deputies assigned to the airport are required to have on their person the cell phone provided by Airport Public Safety at all times.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Awards & Citations	Series: 107
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 August 1, 2010 July 2013 December 2015, August 2021

- 107.01 GENERAL POLICY
- 107.02 SPECIFIC AWARDS
- 107.03 NOMINATIONS
- 107.04 AWARDS PRESENTATION
- 107.05 WEARING OF AWARDS

107.01 GENERAL POLICY

In order to show proper recognition for service to the community, the Office will present awards and citations to individual employees or citizens who provide outstanding service in public safety to the community.

107.02 SPECIFIC AWARDS

A. Medal of Honor

A posthumous award presented, with the consent of the family, to the family of an employee who has made the supreme sacrifice in the performance of duty.

B. Medal of Valor

An award presented to an employee, who on his/her own initiative, voluntarily performs an act with great personal risk, which either saves or attempts to rescue a human life. This act must be above and beyond the call of duty and the omission of such act would not justly subject the individual to reprimand for failure in the performance of duty.

C. Meritorious Service Medal

An award to an employee that performs his/her duty at a consistently high level of professionalism over a long period of time, which reflects a positive image of the office, or on any single occasion which results in positive public recognition of his/her actions.

D. Letter of Appreciation

An award presented for acts or services which do not meet the criteria of the above commendations but which the Sheriff personally wishes to recognize by written letter on office stationery. While this award is determined by the Sheriff, an employee may recommend that a letter be written.

Awards & Citations

E. Honorable Service Plaque

An award presented for honorable service by an employee retiring from the force.

F. Community Service Medal

An award presented to a citizen who saves a life, without regard for personal safety, assists in the apprehension of a criminal, or takes action to preserve public safety.

G. Community Recognition

A certificate presented to a junior citizen of the County for recognition of positive service to the community.

107.03 NOMINATIONS

Any employee of the Office may nominate another employee or citizen for one of the awards. Such nominations will be made within a reasonable period of time after the incident and will include a detailed statement of the employee or citizen's action and other pertinent information. Nominations shall be submitted to the Sheriff.

107.04 AWARDS PRESENTATION

The Sheriff will present the awards. Normally, the Honorable Service Plaque will be presented at the employee's retirement.

107.05 WEARING OF AWARDS

Officers may wear their service awards on the daily uniform centered above the name plate on the right pocket. The medal itself may be worn at any formal Office occasion.

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SHERIFF'S OFFICE

POLICY MANUAL

Title: Development of Policy	Series: 108
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 August 1, 2010 July 2013 December 2015, Aug 2021

- 108.01 GENERAL POLICY
- 108.02 COMMITTEE MEMBERSHIP
- 108.03 MEETINGS
- 108.04 COMMITTEE FUNCTION
- 108.05 EMPLOYEE PARTICIPATION
- 108.06 COMMITTEE BUSINESS

108.01 GENERAL POLICY

The Office has established a Policy Development Committee to assist the Sheriff in the establishment of policy to provide guidance and direction to the employees in achieving the goals and objectives of the Office. All members of the Office are encouraged to bring to the attention of the Sheriff areas where they believe new policies need to be established or old policies need to be amended to improve Office operations.

108.02 COMMITTEE MEMBERSHIP

- A. The Sheriff, or his designee, shall appoint a Committee comprised of employees to make recommendations concerning the policies of the Office. The Committee will consist of representatives from all Divisions of the Office.

108.03 MEETINGS

The Policy Development Committee shall meet as scheduled by the Sheriff or his designee.

108.04 COMMITTEE FUNCTION

The function of the Policy Committee is threefold: development of new policies, review of present policies, and assistance in implementation of policy.

A. Policy Development

The Committee is charged with development of policy in areas where the Office is presently without policy and a policy would provide important direction and control for the Office.

B. Review of Present Policy (Sunset Clause)

The Committee, on a continuing and regular basis, shall review the policies of the Office within four years of the date of issue. Policies

Development of Policy

should be reviewed more often when there is a need for additions or amendments due to changes in Office needs and changes in legal requirements.

C. Assisting in Implementation of Policy

The Committee is charged with the responsibility of making recommendations to the Sheriff relating to the implementation of policy and appropriate training.

108.05 EMPLOYEE PARTICIPATION

All employees of the Office are encouraged to assist in the development of policy. Any employee who believes there is a need for a new policy or for amendments or additions to present policy should make his/her concerns known to either their supervisor, facilitator of the Policy Committee or the Sheriff. Any policies which appear to be unworkable or hinder the Office in its accomplishment of its objectives and goals should be brought to the attention of the Committee. All employees are encouraged to provide input and recommendations to the Sheriff or committee members.

108.06 COMMITTEE BUSINESS

The facilitator of the committee may assign responsibility to individual members of the committee to assist in the research and drafting of policies. Other employees of the Office may be called upon to assist in the development of the policy when they have special expertise in the policy area.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Travel and Training	Series: 109
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 April 2, 2015; Aug 2021

109.01	GENERAL PURPOSE
109.02	REIMBURSEMENT OF TRAINING EXPENSES
109.03	MEAL REIMBURSEMENT
109.04	MILEAGE REIMBURSEMENT
109.05	NORMAL WORKDAY
109.06	<i>TRAINING AND STANDARDS BUREAU REQUIREMENTS</i>

109.01 GENERAL PURPOSE

Employees of the Sheriff's Office attend training programs and meetings to meet requirements of their assignments. Additionally, their duties require travel both within and outside the State of Wisconsin. Therefore, the following policy is developed to establish reimbursement procedures.

109.02 REIMBURSEMENT OF TRAINING AND MEETING EXPENSES

Employees attending training outside of Outagamie County will be reimbursed as follows:

- A. When two or more employees are attending the same training or duty assignment, car pooling is required, when practical, to receive mileage reimbursement.
- B. When only one employee is attending the training or duty assignment and using their own vehicle, the individual will be eligible for mileage reimbursement.
- C. Mileage and meals will be reimbursed at the rate established by the Outagamie County Board. Employees must complete the Outagamie County Travel Expense Documentation Form, attach itemized receipts (required) sign the form and forward it to their supervisor.
Training requiring overnight stays must be approved by the Division Captain.

109.03 MEAL REIMBURSEMENT

It shall be the policy of the Sheriff's Office to reimburse meal expenses upon submission of receipts for meals in an amount not to exceed that approved by the Outagamie County Board. The allowable amount will be posted on the reimbursement form.

- A. There will be no reimbursement for meals if training or duty is conducted

Travel and Training

within Outagamie County. Meal reimbursements will be made for full-day training assignments outside of the county.

- B. Meal expenses will be reimbursed for overnight training.
- C. Meal expenses will be reimbursed for duty assignments which are more than 90 miles from the courthouse. If the duty assignment is less than 90 miles, the following will be considered:
 - 1. The nature and length of assignment outside of Outagamie County,
 - 2. The length of disruption from the routine meal time. Subject to approval by the division head.
- D. All expense vouchers for meals during any month and required receipts must be submitted as soon as possible but no later than the fifth (5th) of the month following the expense. Such expense vouchers must be approved by the Resource Development Office.

109.04 MILEAGE REIMBURSEMENT

It shall be the policy of the Sheriff's Office to use county vehicles whenever possible.

- A. Mileage will be reimbursed from the courthouse to the training site, or the employee's residence to the training site, whichever is the lesser distance traveled.
- B. Employees are expected to car pool, if a county vehicle is not available. Car pools must be approved by a Supervisor. Employees not wishing to car pool will not be reimbursed for mileage without prior approval by a Supervisor.
- C. Expense vouchers for mileage reimbursement shall be submitted as soon as possible.

109.05 NORMAL WORKDAY

The normal workday for those scheduled for training shall be shift hours.

- A. Employees scheduled to attend training on a regularly scheduled workday will receive their regular day's pay.
- B. Employees scheduled to attend training on a regularly scheduled day off will receive payment for actual hours in attendance.
- C. Employees will be paid for actual time when traveling to and from training outside of Outagamie County.

109.06 TRAINING AND STANDARDS BUREAU REQUIREMENTS

All deputies are required to comply with Wisconsin Department of Justice, Training and Standards Bureau procedures for online training documentation through the Wisconsin ACADIS Portal.

- A. Deputies are required to properly maintain their personal and contact information via the ACADIS Personal Portal.*
- B. Deputies are required to affirm, renew or otherwise properly record any information needed to satisfy the requirements pursuant to the maintenance of their training records via the ACADIS Portal.*
- C. Deputies are required to report all training attended to the Patrol Lieutenant or designee as soon as practicable to ensure that the training is properly recorded in ACADIS as required by the Training and Standards Bureau.*

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Employee Drug Testing Policy and Procedure	Series: 110
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 August 1, 2010 July 2013 December 2015; Aug 2021

110.01	GENERAL PURPOSE
110.02	DISCUSSION
110.03	DEFINITIONS
110.04	PROCEDURES
110.05	ACTIONS TAKEN FOR POSITIVE RESULTS
110.06	REFUSAL TO SUBMIT
110.07	REPORTING DRUG CONVICTION

110.01 GENERAL PURPOSE

The purpose of this policy is to provide all employees with notice of the provisions of the office drug-testing program.

110.02 DISCUSSION

It is the policy of this office that the critical mission of law enforcement justifies maintenance of a drug-free work environment through the use of a reasonable employee drug-testing program.

Law Enforcement has several uniquely compelling interests that justify the use of employee drug testing. The public has a right to expect that those who are sworn to protect them are, at all times, both physically and mentally prepared to assume these duties. There is sufficient evidence to conclude that the use of controlled substances and other forms of drug abuse will seriously impair an employee's physical and mental health, and thus job performance.

Where law enforcement employees participate in illegal drug use and drug activity, the integrity of the law enforcement employee and public confidence in that integrity are destroyed. This confidence is further eroded by the potential for corruption created by drug use.

Therefore, in order to ensure the integrity of the office and to preserve public trust and confidence in fit and drug-free law enforcement employees, this office shall implement a drug testing program to detect prohibited drug use by employees.

110.03 DEFINITIONS

- A. Supervisor - Those employees assigned to a position having day-to-day responsibility for supervising subordinates, or are responsible for commanding a work element.
- B. Drug Test - The compulsory production and submission of urine by an employee, in accordance with office procedures, for chemical analysis to

detect prohibited drug usage.

- C. Reasonable Suspicion - That quantity of proof or evidence that is more than a hunch, but less than probable cause. Reasonable suspicion must be based on specific, objective facts and any rationally derived inferences from those facts about the conduct of the employee that would lead the reasonable person to suspect that the employee is or has been using drugs while on or off duty.
- D. Drugs of Abuse/Controlled Substances - Marijuana, cocaine, heroin, amphetamines, barbiturates, or any other major drug of abuse or illegal drug (excluding alcohol).

110.04 PROCEDURES

A. Prohibited Activity

The following rules shall apply to all applicants, probationary employees and all other employees while on and off duty:

- 1. No employee shall illegally possess any controlled substance.
- 2. No employee shall ingest any controlled substance, unless as prescribed by a licensed medical practitioner.
- 3. Any employee who unintentionally ingests, or is made to ingest, a controlled substance shall immediately report the incident to his/her supervisor so that appropriate medical steps may be taken to ensure the employee's health and safety.
- 4. Any employee, having a probable basis to believe that another employee is illegally using, or is in the possession of any controlled substance, shall immediately report the facts and circumstances to his/her supervisor.
- 5. Discipline of employees for violation of this policy shall be in

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accordance with the due process rights provided in the office discipline and grievance procedures.

B. Applicant Drug Testing

1. Applicants for positions in the Sheriff's Office shall be required to take a drug test as a condition of employment during a pre-employment medical examination.
2. Applicants shall be disqualified from further consideration for employment under the following circumstances:
 - a. Refusal to submit to a required drug test; or,
 - b. A confirmed positive drug test indicating drug use prohibited by this policy.
 - c. Probationary Employee Drug Testing
 1. All probationary employees shall be required, as a condition of employment, to participate in unannounced drug tests prior to the completion of the probationary period. The frequency and timing of such testing shall be determined by the Sheriff or his/her designee.

C. Employee Drug Testing

Employees will be required to take drug tests as a condition of continued employment in order to ascertain prohibited drug use as provided below:

1. A supervisor may order an employee to take a drug test upon documented reasonable suspicion that the employee is or has been using a controlled substance. A summary of the facts supporting the order shall be made available to the employee prior to the actual test.
2. A drug test may be administered as part of all promotional

procedures.

3. Members of the following units, as a condition of their assignment to the unit, shall, in addition to the provision in Section 6, submit to random drug testing upon request of his/her supervisor.
 - a. ERT team
 - b. Special Assignments/Narcotics/Bomb Squad
4. Any employee who is directly involved in a serious incident defined by the following cases shall be required by the supervisor to participate in a drug screening test immediately following the event, or as soon as the tactical situation allows. A directly involved employee is the employee who actually discharges the weapon in case #a, and who is the driver of the police vehicle in case #b.
 - a. Discharge of a firearm at a human being or a vehicle in which human beings are contained.
 - b. Auto accident involving a Sheriff's vehicle in which a personal injury occurs and which required a report as defined by Wisconsin State Statute 346.70, unless the Sheriff's vehicle was legally parked or legally stopped at the time of the accident.

If the involved employee is injured and unable to produce a urine sample, the employee agrees to a blood test and agrees to allow the results of the test to be released to the employer.
5. Any employee, who in the carrying on of his/her duties, ingests, either directly or indirectly, any controlled substance, is required to document, as soon as possible thereafter, such contact.

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Documentation should occur in writing explaining all circumstances, and the employee's supervisor should be notified as soon as possible. Drug tests will be administered and no disciplinary action will be taken if the tests are positive under the following conditions.

- a. The employee was in physical danger if he/her did not ingest the controlled substance.
 - b. Nothing in this policy shall be construed as granting permission for employees to ingest any controlled substance under any circumstance except as cited in #5a.
6. On a yearly basis random testing will be conducted on employees of the Sheriff's Office as per a memorandum of understanding between bargaining units and management.
- The manner of random selection of the names of employees will be made by Management.

D. Drug Testing Procedures

1. Employees shall respond within two (2) hours of notification by a supervisor of a random test.
2. The testing procedures and safeguards provided in this policy to ensure the integrity of office drug testing shall be adhered to by any personnel administering drug tests.
3. Personnel authorized to administer drug tests shall require positive identification from each employee to be tested before they enter the testing area. This shall consist of picture ID or Driver's License.
4. A pre-test interview shall be conducted by testing personnel with each employee in order to ascertain and document the recent use of any prescription or non-prescription drugs, or any indirect exposure

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to drugs that may result in a false positive test result. All information disclosed to testing personnel shall be kept confidential and shall not be communicated to the employer. The employer may, at his/her option, authorize the testing personnel to confirm the use of any prescription or non-prescription drugs with the employee's physician within the sole discretion of the employee.

5. The bathroom facility of the testing area shall be private and secure.
Authorized testing personnel shall search the facility before an employee enters it to produce a urine sample, and document that it is free of any foreign substances.
6. Where the employee appears unable or unwilling to give a specimen at the time of the test, testing personnel shall document the circumstances on the drug test report form. The employee shall be permitted no more than eight hours to give a sample; during which time he/she shall remain in the testing area. Reasonable amounts of water may be given to the employee to encourage urination. Failure to submit a sample shall be considered a refusal to submit to a drug test unless the employee agrees to a blood test and agrees to allow results of the test to be released to the employer.
7. Employees shall have the right to request that their urine sample be split and stored in case of legal disputes. The urine samples must be provided at the same time, and marked and placed in identical specimen containers by authorized testing personnel. One sample shall be submitted for immediate drug testing. The other sample

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shall remain at the facility in frozen storage for one year. This sample shall be made available to the employee or his/her attorney should the original sample result in a legal dispute or the chain of custody be broken. The employee may request a second test of the master sample be performed at NIDA certified laboratory of his/her choice and the parties mutually agree to maintain the chain of custody.

8. Specimen samples shall be sealed in the presence of the participants, labeled, and checked against the identity of the employee to ensure the results match the tested specimen. All collections are handled forensically, which means they are labeled, double-sealed, doubled-check for accuracy and completeness, stored in a secure, locked refrigerator until testing, and accompanied by a forensic chain-of-custody.
9. Whenever there is a reason to believe that the employee may have altered or substituted the specimen to be provided, a second specimen shall be obtained immediately under direct observation of the testing personnel.

E. Drug Testing Methodology

1. The testing or processing phase shall consist of a two-step procedure:
 - a. Initial screening test
 - b. Confirmation test
2. The urine sample is first tested using the initial drug screening procedure. An initial positive test result will not be considered conclusive; rather, it will be classified as "confirmation pending." Notification of test results to the supervisor or other office designee

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shall be held until the confirmation test results are obtained.

3. A specimen testing positive will undergo an additional confirmatory test. The confirmation procedure shall be technologically different and more sensitive than the initial screening test.
4. The drug screening tests selected shall be capable of identifying marijuana, cocaine and every major drug of abuse including heroin, amphetamines and barbiturates. Personnel utilized for testing will be certified as qualified to collect urine samples or adequately trained in collection procedures.
5. Concentration of a drug at or above the following levels shall be considered a positive test result when using a FPIA immunoassay drug-screening test.

Amphetamines 500 ng/1

Barbiturates 500 ng/1

Cocaine. 300 ng/1

Opiates 300 ng/1

THC 100 ng/1

PCP 25 ng/1

Benzodiazepines 200 ng/1

Methadone 25 ng/1

Concentration of a drug at or above the following levels shall be considered a positive test result when performing a confirmatory GC/MS test on a urine specimen that tested positive using a technologically different initial screening method.

Marijuana metabolite . . . 15*

Cocaine metabolite 150**

Drug Testing

Opiates:

Morphine. 300***

Codeine 300

Phencyclidine. 25

Amphetamines:

Amphetamine 500

Methamphetamine . . 500

* Delta-9 tetrahydrocannabinol-9-carboxylic acid

** Benzoylecgonine

*** 25ng/ml if immunoassay-specific for free morphine

6. The laboratory selected to conduct the analysis shall be experienced and capable of quality control, documentation, chain-of-custody, technical expertise, and demonstrated proficiency in urinalysis.
7. Employees having negative drug test results shall receive a memorandum stating that no illegal drugs were found. If the employee requests such, a copy of the letter will be placed in the employee's personnel file.
8. Any employee who breaches the confidentiality of testing information shall be subject to discipline.

F. Chain of Evidence - Storage

1. Each step in the collection and processing of the urine specimens shall be documented to establish procedural integrity and the chain of custody.
2. Where a positive result is confirmed, urine specimens shall be maintained in secured, refrigerated storage for one year.

G. Drug Test Results

Drug Testing

1. All records pertaining to office-required drug tests shall remain confidential, and shall not be provided to other employers or agencies without the written permission of the person whose records are sought.
2. Drug test results and records shall be sent directly to the Undersheriff. These documents will be maintained by the Undersheriff for an indefinite period of time in a secured file.

110.05 ACTIONS TAKEN/POSITIVE RESULTS

- A. If an employee tests positive, and the tests identify cocaine, heroin, amphetamines, barbiturates, or any other major drug of abuse or illegal drug, the Employer, within its sole discretion, may terminate the employee.
 1. The exception shall be forced use as defined in Section 110.04, C, 5-a.
- B. An employee who tests positive for marijuana or who uses another's prescription medication shall be subject to discipline and referred to the Employee Assistance Program or other recognized facility at the employee's own expense.
 1. The employee shall be subject to mandatory random testing for a period of two years.
 2. The Employee Assistance Program or other recognized facility at the employee's own expense shall not be a substitute for disciplinary action if other rules and regulations have been violated or crimes committed.
 3. A second positive test for marijuana or the use of another's prescription medication, may be grounds for termination.

110.06 REFUSAL TO SUBMIT

Employees who refuse to submit to a required drug test under this policy shall be terminated from employment as an employee of the Sheriff's Office.

110.07 REPORTING DRUG CONVICTION

Pursuant to the Drug-Free Workplace Act of 1988, any employee who is convicted of any violation must notify the County no later than five (5) days after such conviction.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Mobile Data Communication	Series: 111
Effective Date: December 2018	Original Date Issued: June 15, 1998
Sheriff:	Re-Issue Date: December 2018 July 2013, December 2015; Aug 2021

- 111.01 GENERAL PURPOSE
- 111.02 BACKGROUND
- 111.03 OBJECTIVE
- 111.04 USE OF MOBILE DATA TERMINALS/COMPUTERS
- 111.05 SITUATIONS REQUIRING VOICE COMMUNICATIONS
- 111.06 REVIEW OF MOBILE DATA COMPUTER SYSTEM TRAFFIC

111.01 GENERAL PURPOSE

It is the policy of the Outagamie County Sheriff's Office to, wherever possible, install mobile data computers in office vehicles. The office will also install and support a mobile data base station network to provide mobile data communications service to other law enforcement agencies throughout Outagamie County.

111.02 BACKGROUND

In the past, law enforcement personnel used either police radio voice communications or the telephone for virtually all communications between officers and the Communications Center. Improvements in communications technology and the integration of the computer with communications technology have resulted in the development of a mobile data communications system (MDCS) which utilizes mobile data computers (MDC).

The MDCS provides law enforcement with a more secure, quicker means of communicating with the Communications Center, DOT files and other mobile units. The MDCS also allows the user to access NCIC and CIB wanted files through the State T.I.M.E. System and In-house Computer System. The MDCS is effective in decreasing the load on the voice communications channels and can increase accuracy and response times on mobile unit initiated or received messages and inquiries. Officer safety will be enhanced with proper utilization of the MDCS.

111.03 OBJECTIVES

The objective of this policy is to provide office personnel with guidelines that will allow them to efficiently and professionally utilize the MDCS. All Agencies will comply with all FCC and T.I.M.E. System, in-house computer records system procedures and requirements.

111.04 USE OF MOBILE DATA TERMINALS/COMPUTERS

The messages transmitted and received on the MDCS are provided for law enforcement purposes. MDCS users should guard against the unintentional or improper dissemination of information and messages received on the MDCS. While the information received on the MDCS is often confidential, messages, and other communications may fall under the open records law and be available to defendants or the public under either discovery motions or the open records provisions of state statutes.

The MDCS should only be used while the patrol vehicle is stopped, except if short transmissions can be made safely.

- A. Logging Duty Status -- Logging in service, out of service, on duty or off duty on the MDCS does not replace the need to also properly call in and out of service with the telecommunicator using the voice communication radio. MDCS users must log in and out of the system in the following manner:
 - 1. Log onto the system at the start of the shift or after proper temporary log off using correct identifying information. Using false identification at any time on the MDCS is prohibited.
 - 2. Notify the Communications Center verbally or via MDC.
 - 3. Properly log off the MDCS at the end of the shift.
 - 4. Use of the MDCS is not a replacement for officer welfare reporting. Officer welfare reporting can only be accomplished using voice traffic on regular radio channels.
- B. Running Vehicle and Driver Checks -- The MDCS may be used to run driver's license, registration and other computer checks through T.I.M.E. System. MDCS operators must:
 - 1. Follow all T.I.M.E. System rules regarding use of the T.I.M.E.

Mobile Data Communication

System.

2. Run T.I.M.E. System checks only for valid law enforcement purposes.
3. Not use the T.I.M.E. System resources unnecessarily, for personal gain, the commercial gain of others, or personal entertainment.

C. Administrative Messages -- The MDCS can be used for official communications between the officer's patrol car and the Communications Center, other law enforcement vehicles or agencies. The MDCS has the capability of sending administrative messages to "all points" or to a restricted group of people. Officers using this capability must be careful to follow-up on the continuing status of this type of message.

In most cases, it is preferable to have general information or emergency notification messages transmitted by the telecommunicator so that proper follow-up procedures can be observed by Communications Center personnel. The following guidelines should be followed by all MDCS users:

1. The administrative message capability of the system may not be used for personal gain, the commercial gain of others or personal entertainment.
2. Administrative messages must relate to legitimate law enforcement purposes.
3. Clear and concise language avoiding the use of slang, personal codes or ten codes should be used.
4. The use of obscene, profane, discriminatory, demeaning, or degrading language in any MDCS message is prohibited.
5. The MDCS should not be used to send greetings or other personal messages to other officers, groups of officers or agencies.

- D. Maintenance of the Mobile Data Terminal -- Officers and operators shall not remount, rewire, or modify any MDCS terminal, computer, or radio equipment except as otherwise authorized by office policy. All equipment breakdowns and system malfunctions should be reported to the Communications Center by radio or telephone.

111.05 SITUATIONS REQUIRING VOICE COMMUNICATIONS

The MDCS allows officers to communicate between themselves and others and between themselves and the Communications Center. The MDCS is a part of the communications system and does not stand by itself.

When dispatching officers to assignments the initial dispatch will be done by voice, and by a MDCS message when possible.

Proper use of the system can increase officer safety and reduce the load on the voice radio channels. Officers must, however, follow regular radio procedures using the voice radio channels to keep the Communications Center and other officers advised of continuing changes in their safety and duty status. Emergency traffic should be transmitted on proper voice channels first and then followed up by MDCS administrative text if appropriate.

- A. For the safety of all officers, when making personal contact with another individual, e.g., traffic stop, occupied disabled vehicle, officers shall contact the Communications Center via the radio and inform the telecommunicator of their location, nature of contact, and license plate number of the vehicle involved, or other descriptive information as appropriate. The Communications Center will initiate a traffic stop screen. Once the Communications Center has been contacted, officers may conduct all appropriate checks through the Mobile Data Computer. Communications Center contact shall not apply to self initiated checks

Mobile Data Communication

where no personal contact is made.

- B. Confirmation of Status - MDCS users should confirm all DOT, NCIC, CIB, or other hits through the Communications Center using proper and timely procedures. The MDCS is not a replacement for voice communication. Do not use the MDCS to make direct contact with other agencies or officers to confirm warrant or wanted status. Use the regular radio voice channels to confirm the following situations with the Communications Center:
 - 1. Anytime a revoked, or suspended driver is encountered.
 - 2. Anytime a hit or wanted status is received as a result of an MDCS generated inquiry.
 - 3. Anytime the MDCS operator cannot accurately interpret a response.
- C. Change of Duty Status - MDCS users should notify the Communications Center using voice radio channels and appropriate MDCS function keys of any change in duty status including:
 - 1. En route to call for assistance.
 - 2. Arriving at the scene of a call.
 - 3. Complete a call or assignment.
- D. If the emergency button on a Mobile Data Unit is activated, the telecommunicator will ask for the officer's status. If no reply, appropriate officers will be dispatched to the last known location of the unit in distress. If the officer is able to confirm that they are not under duress and the emergency activation was accidental, visual confirmation from another officer will be requested by the Telecommunicator.

Mobile Data Communication

Each agency should periodically review its MDCS messages initiated and received by units in their agency to insure that the procedures of this policy are being met. Wherever possible, and when required by law, the Office Head or his/her designee will make and provide copies of MDCS message traffic to persons making valid requests for information under applicable state statutes.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Electronic Messaging	Series: 112
Effective Date: December 2018	Date Issued: October 29, 2001
Sheriff:	Revised Date: December 2018 August 1, 2010 July 2013 December 2015; Sept 2021

- 112.01 GENERAL PURPOSE
- 112.02 BACKGROUND
- 112.03 DEFINITION
- 112.04 PROCEDURES

ELECTRONIC MESSAGING

112.01 GENERAL PURPOSE

It is the purpose of this policy to provide officers with guidance on the proper use of computers and related electronic messaging systems utilized in this agency for purposes of disseminating electronic mail, electronic message transmission, recording and storage devices.

112.02 BACKGROUND

The availability and use of the computer within the work environment has provided many opportunities for enhancement of productivity and effectiveness. These technologies also entail the opportunity for rapid transfer and broad distribution of sensitive information that can also have damaging effects on this agency, its members, and the public if not managed properly. Therefore, it is the policy of this agency that all abide by the guidelines set forth herein when using computers and the services of both internal and external databases and information exchange networks, and where applicable, voice mail, mobile digital terminals, and related electronic messaging devices. All electronic messaging may be subject to Wisconsin open records laws.

112.03 DEFINITIONS

Electronic Messaging Device (EMD): For purposes of this policy, electronic messaging devices include computers, cell phone, electronic mail systems, voice mail systems, paging systems, electronic bulletin boards, mobile digital terminals, and facsimile transmissions, and any other electronic messaging equipment.

IT Department: For purposes of this policy, the county agency designated with responsibility for managing all aspects of electronic messaging through individual county owned computers, computer networks and cell phones within this agency.

ELECTRONIC MESSAGING

112.04 PROCEDURES

A. General

1. Transmission of electronic messages and information on communications media provided for employees of this agency shall be treated with the same degree of propriety, professionalism, and confidentiality as official written correspondence.
2. This agency encourages authorized and trained personnel with access to EMD's to utilize these devices whenever necessary. However, use of any of these devices is a privilege that is subject to revocation. Users must identify themselves clearly and accurately in all electronic communications.
3. EMD's and their contents - are the property of this agency and intended for use in conducting official business with limited exceptions noted elsewhere in this policy.
4. Members are advised that they do not maintain any right to privacy in EMD equipment or its contents.
 - a. This agency reserves the right to access any information contained in EMD's and may require members to provide passwords to files that have been encrypted or password protected.
 - b. The agency reserves the right to access electronic and voice transmissions of members conducting business of this agency. Outagamie County and IT may monitor network activity in any form to maintain network integrity and to ensure that no illegal, inappropriate or improper activity is occurring.
5. Accessing or transmitting materials (other than that required for police business) that involves the use of obscene profane language,

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sexually explicit images, jokes, materials, or messages that disparage any person, group, or classification of individuals is prohibited whether or not a recipient has consented to or requested such material. Use of electronic messaging for harassment is prohibited.

6. Confidential, proprietary, or sensitive information may be disseminated only to individuals with a need and a right to know and when there is sufficient assurance that appropriate security of such information will be maintained. Such information includes but is not limited to the following:
 - a. Transmittal of personnel information, such as salary, performance reviews, complaints, grievances, misconduct, disciplinary information, medical records, or related employee information.
 - b. Criminal history information and confidential informant master files, identification files, or related information.
 - c. Intelligence files and information containing sensitive tactical and undercover information.
7. No member shall access or allow others to access any file or database unless that person has a need and a right to such information. Additionally, personal identification and access codes shall not be revealed to any unauthorized source.
8. An EMD is designed and intended to conduct business of this agency and is restricted to that purpose. Installation of or access to software for purely entertainment purposes is prohibited. Additionally installation of personally owned or any other non-agency software (other than that required for official police business) is prohibited. Exceptions to business use include the

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following:

- a. Infrequent personal use of these devices may be permissible if limited in scope and frequency, if in conformance with other elements of this policy, and if not connected with a profit-making business enterprise or the promotion of any product, service, or cause that has not received prior approval of this agency.
- b. Personnel may make off-duty personal use of agency computers for professional and career development purposes when in keeping with other provisions of this policy and with prior knowledge and approval of an appropriate supervisor.
- c. E-mail and unused files should be deleted in a timely manner.

B. Importing/Downloading Information and Software

1. Members shall not download or install on their computer or network terminal any file (including sound and video files and files attached to e-mail messages), software, or other materials from external sources without taking prescribed steps to preclude infection by computer viruses.
 - a. Material shall be downloaded to external digital storage device and scanned for viruses prior to being entered into any system.
 - b. In no case shall external materials or applications be downloaded directly to any shared (network) drive. When in doubt, members shall consult the IT Department for guidance.
2. Members shall observe the copyright and licensing restrictions of

ELECTRONIC MESSAGING

all software applications and shall not copy software from internal or external sources unless legally authorized.

- a. Any software for which proof of licensing (original disks, original manuals and/or license) cannot be provided is subject to removal by authorized agency personnel.
3. Members shall observe copyright restrictions of any documents, images, or sounds sent through or stored on electronic mail.
4. Any hardware enhancements or additions to agency-owned equipment must be approved and authorized and installed by IT Office or their designee. The IT Department is responsible for determining proper installation procedures.
5. Members shall not permit unauthorized persons to use this agency's electronic mail system.
6. To avoid breaches of security, members shall log off any computer that has access to the agency's computer network, electronic mail system, or sensitive information whenever they leave their workstation. Users will be held accountable for all activity that occurs under their passwords and/or account code.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Racial Profiling	Series: 113
Effective Date: December 2018	Original Date Issued: May 7, 2001
Sheriff:	Re-Issue Date: December 2018 August 1, 2010; July 2013 December 2015; Aug 2021

- 113.01 PURPOSE
- 113.02 DEFINITION
- 113.03 APPLICABILITY
- 113.04 STATEMENT OF POLICY

RACIAL PROFILING

113.01 PURPOSE

To establish guidelines for all personnel regarding the issue of racial profiling and its relationship to the broad range of discretion afforded to them in the performance of their official duties. These guidelines are intended to ensure the consistent application of professional, fair, and impartial treatment of all citizens and visitors.

113.02 DEFINITION

Racial Profiling: The practice of basing decisions upon individual differences such as race, color, nationality, or other non-relevant factors.

113.03 APPLICABILITY

All Personnel:

Any scenario where the decision to detain an individual or to extend the duration of such a detainment, to investigate and question or to arrest is based *solely* upon that individual's race, color, or nationality. Any scenario where the decision regarding the services provided, disciplinary sanctions or housing an inmate labor assignments given to inmates are based upon that individual's race, color, and nationality.

113.04 STATEMENT OF POLICY

Decisions based upon racial profiling are in direct conflict with the mission, vision, values, and goals of this agency.

- A. Practices used to identify the race, color, nationality or other individual factors prior to determining reasonable suspicion or probable cause shall not be used. Decisions to extend the duration of a detainment, or to investigate and question an individual shall be based upon reasonable suspicion and justified need. The decision to arrest must be based on

RACIAL PROFILING

probable cause.

- B. The race, color nationality or other individual factors of an individual shall not be used as a basis for decisions regarding inmate disciplinary action or for housing and labor assignments. All such decisions shall be made impartially and within federal, state, and local codes.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Internet Policy	Series: 114
Effective Date: December 2018	Original Date Issued: October 17, 2003
Sheriff:	Re-Issue Date: December 2018 August 1, 2010 July 2013 December 2015; Aug 2021

114.01.	GENERAL PURPOSE
114.02	DEFINATION
114.03	STATEMENT OF POLICY
114.04	PROCEDURES

114.01 GENERAL PURPOSE

It is the purpose of this policy to use the Internet as an important tool for research and communications to support organizational processes, goals, and objectives.

114.02 DEFINITION:

“Internet” refers to the global information system that:

- A. Is logically linked together by a globally unique address space based on the Internet Protocol (IP) or its subsequent extensions/follow-ons.
- B. Is able to support communications using the Transmission Control Protocol/Internet Protocol (TCP/IP) suite or its subsequent extensions/follow-ons, and/or other IP-compatible protocols; and
- C. Provides, uses, or makes accessible, either publicly or privately, high level services layered on the communications and related infrastructure described herein.

114.03 STATEMENT OF POLICY

Employees using the Internet are acting as representatives of the Outagamie County Sheriff's Office. As such, employees shall act accordingly so as not to damage the reputation of the office. Connections to the Internet are to be used only for county-related purposes. Such use must conform to all local, state, and federal laws.

114.04 PROCEDURES

- A. Users must identify themselves clearly and accurately in electronic communications. Concealing user identity or misrepresenting a user name to mask the user from irresponsible or offensive behavior is a serious abuse of Internet privileges and is strictly prohibited. “No member shall access or allow others to access any file or database unless that person has a need and a right to such

information. Additionally, personal identification and access codes shall not be revealed to any unauthorized source.”

- B. Internet use for commercial solicitation, chain letters, viewing or distributing obscene or pornographic material, harassment or discriminatory remarks, or the use of vulgar language is strictly prohibited.
- C. Downloading of any computer programs or attachments without first contacting IT (Information Technology) is prohibited. All downloads must be scanned with virus detection software.
- D. Users may be held accountable for all activity that occurs under their passwords and/or account codes.
- E. Employees should not have an expectation of privacy. “This agency reserves the right to access all Internet activities of members conducting business of this agency. Outagamie County and IT may monitor Internet activity to ensure that no illegal, inappropriate, or improper activity is occurring.”

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Line of Duty Deaths	Series: 115
Effective Date: December 2018	Original Date Issued: January 4, 2005
Sheriff:	Re-Issue Date: December 2018 September 15, 2013 December 2015; Aug 2021

115.01	GENERAL PURPOSE
115.02	POLICY
115.03	DEFINITIONS
115.04	PROCEDURES

115.01 GENERAL PURPOSE

This policy is designed to prepare this agency for the event of an active duty officer's death in the line of duty and to direct the agency in providing proper support for the deceased officer's family.

115.02 POLICY

It is the policy of this agency to provide liaison assistance to the immediate survivors of an active duty officer who dies in the line of duty and to provide tangible and emotional support during this traumatic period of readjustment for the surviving family. It has been requested that all Outagamie County Sheriff's Office personnel complete a voluntary Line of Duty/Serious Injury information packet. This packet will be kept sealed and confidential until such time it's contents are required.

115.03 DEFINITIONS

Line-of-Duty Death: The death of an active duty officer by felonious or accidental means during the course of performing **Sheriff Office** functions while on or off duty.

Survivors: Immediate family members of the deceased officer to include spouse, children, parents, siblings, fiancée and/or significant others.

115.04 PROCEDURES

A. Death Notification

The following procedures should be adhered to in cases of line-of-duty deaths and in cases of critically injured officers with poor prognosis of survival. These procedures should be followed whenever possible with the understanding that the wishes of the family take precedence over the desires of the agency. Officers providing services and assistance to family members and survivors shall take all possible measures to accommodate their needs, wishes and desires, but should not make promises to family members that they are not sure can be met.

1. The name of the deceased officer shall not be released to the media or other parties before immediate survivors living in the area are notified.
2. The Sheriff or his designee will inform the immediate family of the officer's condition or death. If not immediately available, the senior ranking officer will make the notification assignment.
3. Notification of the immediate family should be made as soon as possible and, if possible, coincidental with command notifications.
4. Notification of survivors in the immediate area shall be made in person and, whenever appropriate. Whenever the health of

immediate survivors is a concern, emergency medical services personnel shall be requested to stand by.

5. If the opportunity to get the family to the hospital exists prior to the officer's death, notification officers shall inform the hospital liaison officer that the family is on its way. In such cases, immediate transportation should be provided for survivors rather than waiting for any other members of the departmental delegation to arrive. If the officer has died, notification should be made to the survivors in as forthright and empathetic a manner as possible.
6. Communication of information concerning the officer and the incident shall, whenever possible, be restricted to the telephone to avoid interception by the media or others. Should the media obtain the officer's name prematurely, the ranking officer should request that the information be withheld until proper notification of survivors can be made.
7. The notification officer shall be responsible for identification of additional survivors outside the area and shall make any notifications as desired by the immediate family. Such notifications shall be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made.
8. The notification officer shall submit a written report to the Sheriff specifying the identity, time and place of survivors notified.

B. Assisting Survivors at the Hospital

Whenever possible, the Sheriff shall join the family at the hospital in order to emphasize the agency's support. The next highest ranking officer to arrive at the hospital shall serve as or designate a hospital liaison officer who shall be responsible for coordinating the arrival of immediate survivors, departmental personnel, the media and others and assume the following responsibilities:

1. Arrange for waiting facilities for immediate survivors and a press staging area. The desires of the surviving family members should be followed with regard to their accessibility to other officers and friends.
2. Ensure that medical personnel provide pertinent medical information on the officer's condition to the family before any other parties.
3. Assist family members, in accordance with their desires, in gaining access to the injured or deceased officer.
4. Provide hospital personnel with all necessary information on billing for medical services. The liaison officer should ensure that all medical bills are directed to the appropriate departmental authority and that they are not forwarded to the officer's family or other survivors.

5. Arrange transportation for the family and other survivors upon their departure from the hospital.
6. Ensure that immediate family members are provided with appropriate assistance at the hospital.

C. Appointment of Office Coordination Personnel

The designated departmental officer(s) shall begin serving in the following capacities: Office liaison, funeral liaison, benefits coordinator and family support advocate. These assignments will be made in writing to departmental personnel and the surviving family members will be informed of those designated. In addition, the Sheriff or his designee will:

1. Make additional personnel assignments to assist in handling incoming phone calls and inquiries and to direct the public to appropriate personnel;
2. Ensure that the employee assistance program is implemented to assist surviving family members and emphasize the family's right to psychological services; and
3. Ensure that other officers are provided the opportunity to participate in critical incident stress debriefings.

D. Office Liaison

The office liaison officer will serve as a facilitator between the family and the law enforcement agency. This individual will normally be a commanding officer in order to expedite the tasks of employing departmental resources and the delegation of assignments. This officer will work closely with the funeral liaison officer to ensure that the needs and requests of the family are fulfilled. This includes, but is not necessarily limited to, the following:

1. Providing oversight of travel and lodging arrangements for out-of-town family members.
2. Identifying alternative churches and reception halls that will accommodate the law enforcement funeral. These alternatives will be presented to the family, who will make the final determination.
3. Coordinating all official law enforcement notifications and arrangements to include the honor guard, pallbearers, traffic control and liaison with visiting law enforcement agencies.
4. Assisting family members in dealing with general media inquiries and informing them of limitations on what they can say to the media specifically.
5. Providing liaison with the media to include coordination of any statements and press conferences. The departmental liaison shall also ensure that members of the agency are aware of restrictions regarding release of any information that might undermine future legal proceedings.

6. Ensuring that security checks of the survivor's residence are initiated immediately following the incident and for as long as necessary thereafter.

E. Funeral Liaison

The funeral liaison officer acts as facilitator between the decedent officer's family and the department during the wake and funeral. The funeral liaison officer is responsible for:

1. Meeting with family members and explaining his responsibilities to them,
2. Being available to the family prior to and throughout the wake and funeral;
3. Ensuring that the needs and wishes of the family come before those of the office;
4. Assisting the family in working with the funeral director regarding funeral arrangements;
5. Relaying any information to the family concerning the circumstances of the decedent officer's death and appropriate information regarding any investigations;
6. Determining the need for travel arrangements for out-of-town family members and any other special needs of the family during the funeral and reporting this information to the office liaison; and
7. Briefing the family members on the procedures involved in the law enforcement funeral.

F. Benefits Coordinator

The benefits coordinator is responsible for:

1. Filing workers' compensation claims and related paperwork,
2. Presenting information on all benefits available to the family;
3. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions, as appropriate;
4. Preparing all documentation of benefits and payments due survivors to include the nature and amount of benefits to be received by each beneficiary, the schedule of payments and the name of a contact person or facilitator at each benefit or payment office;
5. Filing all benefits paperwork and maintaining contact with the family in order to ensure that benefits are being received. A copy of the benefits documentation should be provided to all survivors affected and explained to each of them; and
6. Advising the surviving family of the role of police associations and organizations and the nature of support programs that they sponsor for law enforcement survivors.

G. Family Support Advocate

Line of Duty Deaths

The family support advocate serves in a long-term liaison and support capacity for the surviving family. The duties of this individual include:

1. Providing contact with surviving family members in order to keep them abreast of criminal proceedings relating to the death of their family member.
2. Accompanying surviving family members to criminal proceedings, explaining the nature of the proceedings and introducing them to prosecutors and other persons as required;
3. Identifying all support services available to family members and working on their behalf to secure any services necessary;
4. Maintaining routine contact with family members to provide companionship and emotional support and maintain an ongoing relationship between the office and the immediate family; and
5. Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance, and encouraging others to visit and help as necessary.

H. LEDR Team

In the event of a line of duty death or death of an active Sheriff's Office deputy, the LEDR Team may be utilized to assist with any procedures. The LEDR Team is activated by contacting the Wisconsin State Patrol.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Vehicle Usage Policy	Series: 116
Effective Date: December 2018	Original Date Issued: January 2001
Sheriff:	Re-Issue Date: December 2018 September 15, 2013 December 2015; Sept 2021

1. INTRODUCTION
2. SCOPE
3. GENERAL GUIDELINES
4. VEHICLE IDENTIFICATION
5. PRE-OPERATION INSPECTION
6. OPERATOR'S LICENSE
7. ASSIGNMENT OF VEHICLES
8. PARKING AND GARAGING
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13. VEHICLE ALLOWANCE
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15. TRAILERS AND TOWING
16. LEASED OR RENTED VEHICLES
17. PARKED VEHICLE
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19. USE OF SAFETY RESTRAINTS
20. PERSONALLY OWNED VEHICLES USED FOR COUNTY BUSINESS
21. HIGHWAY VEHICLES
22. LAW ENFORCEMENT VEHICLES
23. ACCIDENT REPORT
24. COUNTY POOL VEHICLES
25. ATTACHMENT 1
26. ATTACHMENT 2

VEHICLE USAGE POLICY

Subject: Vehicle Usage Policy

Number:

Effective Date: January 2001

Replaces: AR 95-03, AR95-04, Ordinance O--1986-87, Ordinance G--1988-89

1. INTRODUCTION

The operation of County vehicles is necessary in conducting the day-to-day business of Outagamie County. The use of County vehicles represents one of the greatest liabilities facing the self-insurance programs. Recognizing this, it is imperative the County take reasonable steps to control the use of County owned, leased and privately owned vehicles used while performing County business. This policy sets forth the guidelines governing the operation of vehicles used in the performance of official County business. Office heads are responsible for implementation and enforcement of this policy for all vehicles and drivers assigned in their office.

2. SCOPE

This policy applies to all County owned and leased vehicles operated on public roads and includes special use vehicles such as construction and excavation equipment designed to operate primarily off-road but driven on public roads to a job site. Where appropriate, this policy applies to the operation of privately owned vehicles used while performing official County duties.

3. GENERAL GUIDELINES

- 3.1 Only County employees are authorized to operate County vehicles, except in case of an emergency. Persons volunteering services to the County are considered volunteers of the County for purposes of this policy and may operate County vehicles when their duties require travel as long as such travel is under the approval or direction of the office head and necessary in the course of performing official County business.
- 3.2 Intentional abuse, moving violations, reckless operation or negligent actions while operating any County vehicle may result in the suspension of the employee's use of a County vehicle and may be grounds for further disciplinary action.
- 3.3 Employees shall obey all local, state and federal laws while operating County vehicles and anytime personal vehicles are used on official County business.

- 3.4 County vehicles are to be used only for official County business and shall not be used by employees for personal reasons except for de minimis use and as detailed in Section 9.
- 3.5 County vehicles may be used to transport County employees and individuals employed by firms or other governmental entities for the purpose of, and to promote, ridesharing/carpooling to a County sanctioned meeting or event. Family members may not be transported in County vehicles.
- 3.6 When cargo, materials or tools are being transported, the driver is responsible for assuring that all items are properly secured to prevent them from shifting or falling from the vehicle or trailer.
- 3.7 No person shall be allowed to ride on running boards, fenders, hoods, tailgates, beds or other locations on a vehicle not designed or approved by the vehicle manufacturer for passenger seating.
- 3.8 The driver shall not operate any vehicle when normal vision is obstructed.
- 3.9 The driver must be positioned at the vehicle's controls any time it is running unless otherwise approved by the manufacturer. No vehicle shall be left unattended without first stopping the motor, locking the ignition, removing the key and locking the doors or otherwise securing the vehicle to prevent theft, vandalism or unintentional movement. Law Enforcement, construction and excavation equipment are excluded from this requirement.
- 3.10 The County will not be responsible for the personal property left in County vehicles.
- 3.11 The County may conduct a driver record review for any employee using a County vehicle.
- 3.12 Smoking, eating and use of hand-held cell phones are prohibited while operating a County vehicle.
- 3.13 Employees operating a County owned vehicle or their personal vehicle for County business must obey all alcohol and drug use regulations as set forth by state law as well as alcohol and drug use rules issued by the County.
- 3.14 Installation and/or use of any speed detection devices in County owned vehicles are prohibited except as required for law enforcement vehicles.
- 3.15 County vehicles shall not be used to transport hitchhikers, jump-start vehicles or

provide other vehicle services unless required by job duties or an emergency.

- 3.16 Each office head will be responsible for ensuring that all of their employees who drive County vehicles are aware of the provisions of the Vehicle Usage policy. This information may be conveyed in office work rules, vehicle usage logs, the Vehicle Usage Agreement (Attachment 2) or other administrative method as deemed appropriate by the office head.

4. VEHICLE IDENTIFICATION

- 4.1 All County owned or leased vehicles, with the exception of those vehicles specifically designated as unmarked squad cars or vehicles specifically exempted by the County Executive due to the nature of the vehicle's use, shall have a clearly identifiable Outagamie County logo on both the driver and passenger side doors.
- 4.2 All County owned or leased vehicles, with the exception of those vehicles used by the Sheriff's Office for undercover purposes, shall be registered as municipal vehicles.

5. PRE-OPERATION INSPECTION

- 5.1 An employee who operates a County vehicle, regardless of frequency, is responsible for the proper care and operation of that vehicle.
- 5.2 Any defects that will affect safe operation of the vehicle will be promptly reported to the driver's supervisor. No employee shall operate a County vehicle in an unsafe condition. Any vehicle damage that is beyond normal wear and tear must be documented and reported to the employee's supervisor and risk management.

6. OPERATOR'S LICENSE

- 6.1 A valid Wisconsin vehicle operator's license must be in the employee's possession at all times while operating a County vehicle. In the case of commercially rated vehicles, the proper commercial driver's license for the vehicle's weight and class must be valid and in the possession of the driver.
- 6.2 Any employee who operates a vehicle in the performance of official County duties and whose operator's license is suspended or revoked shall immediately report this information to the appropriate office head.

7. ASSIGNMENT OF VEHICLES

- 7.1 County vehicles may be assigned to a County office, individual officer or employee only when the duties or responsibilities of said office, officer or employee requires that a vehicle be installed with special equipment, and/or is used regularly to transport materials which could damage a vehicle or which is requested by an employee who is subject to frequent and regular calls.
- a. Requests or applications for assignment of County owned or leased vehicles shall be made through the annual budget process. The following information will be provided when submitting a request:
- i. Type of vehicle required;
 - ii. Use of vehicle;
 - iii. Estimated annual business miles;
 - iv. Estimated cost of vehicle; and
 - v. Estimated annual ancillary vehicle costs (fuel, maintenance, etc.).
2. On an annual basis, a report will be provided to the County Board which details vehicle assignment by employee title, authorized use, annual mileage, purchase price/insurable value and whether personal use of vehicle is authorized, including whether the vehicle is to be parked/garaged at the employee's home.
3. Annual mileage for all assigned vehicles will be tracked by each department with assigned vehicles and reported annually to the Risk Administrator for inclusion in the report to the County Board.

8. PARKING AND GARAGING

- 8.1 All County vehicles shall be parked or garaged in County facilities which are nearest to either the location from which the normal driver or drivers are assigned to or the site or facility of actual use (exception for one to one squad cars).

9. TAKE HOME VEHICLES

- 9.1 The decision regarding assignment of County vehicles allowed to be driven to and from work (commuting) shall be upon recommendation of the employee's supervisor and considering the best interests of the County and must be authorized by the County Executive and subject to County Board approval. Personal usage of any assigned vehicle is restricted to commuting miles only except for de minimis use.

- 9.2 Requests for assignment of vehicles to be taken home must follow the same application, review and approval process as detailed in Section 7.
- 9.3 When the County Board has authorized an employee to use a County vehicle for commuting purposes, the employee shall be required to follow Internal Revenue Service regulations as detailed in Section 11.
- 9.4 Employees assigned County vehicles that may be used for commuting purposes shall submit usage reports on a quarterly basis to Financial Services.
- 9.5 No reimbursement to the County shall be required if the County Board has determined that the parking or garaging of a County vehicle at an employee's home is for the benefit of the County.
- 9.6 County vehicles that are taken home over night shall be locked and secured in the responsible employee's driveway or other designated parking space which is in close proximity to the employee's residence.
- 9.7 When an employee is on vacation or leave, his/her assigned vehicle shall be made available for use as a pool vehicle when practical.

10. LIMITATION ON USAGE

- 10.1 Use of any County vehicle, including vehicles assigned to offices, commuting vehicles and pool vehicles, shall be limited to the State of Wisconsin, bordering cities and the metropolitan Chicago or Minneapolis areas unless approved by the County Executive.

11. ACCOUNTING AND REPORTING FOR PERSONAL OR COMMUTING USE MILES

- 11.1 Each employee that uses a County vehicle for personal use shall document all business or commuting miles for that vehicle. The number of miles used for personal use shall be calculated as the total miles driven during the period less the business miles documented.
- 11.2 Employees assigned County vehicles that are used for personal (commuting) use shall submit a Personal Use of County Vehicle Report to Financial Services on a quarterly basis. Failure to provide the usage reports or to maintain adequate documentation of commuting miles shall result in all miles being considered personal miles.
- 11.3 The personal use of County vehicles will be computed for the twelve months

ending October 31 of each year with a final accounting to be received by the Finance office no later than November 15 of each year.

- 11.4 Annually, the Finance department shall compute the taxable value of the personal use miles using the least costly method allowable by the IRS. The taxable value will be reflected on the employees W-2 at year-end. Each employee will be notified of the taxable value prior to inclusion on the W-2.
- 11.5 Annually, the Finance department shall notify the affected individuals of the intent not to withhold federal or state taxes for the subsequent tax year. Only Social Security/Medicare will be withheld on the taxable value computed.
- 11.6 Certain Qualified Non-personal Use Vehicles do not require substantiation of business miles. Qualified Non-personal Use Vehicles, as defined by the IRS, are vehicles which, by reason of its nature (i.e., design), are not likely to be used more than a de minimus amount for personal purposes. The vehicles eligible as qualified non-personal use vehicles will be based upon current and all future applicable IRS guidelines. Attachment 1 to this policy includes a listing of the vehicles that meet this qualification according to IRS Publication 535 as of January 1st, 2000.

12. ACQUISITION, PURCHASE OR LEASE OF VEHICLES

- 12.1 County-provided vehicles shall be acquired, purchased or leased through the annual budget process and under procedures established by the County's purchasing agent or designee. The County will attempt to reassign used vehicles when practical.
- 12.2 No County agency, department or office, nor any employee associated with any such agency, department or office, may acquire, purchase, lease or cause to be acquired, purchased, or leased any vehicle without the approval of the County purchasing agent or designee.
- 12.3 The County highway commissioner shall be authorized to purchase and sell County road machinery as authorized by the County Board pursuant to Ss. 83.015(2)(a) and (b).

13. VEHICLE ALLOWANCE

- 13.1 Under certain circumstances, Outagamie County may determine it would be more advantageous to both the County and the employee to provide a monthly vehicle allowance in lieu of an assigned County vehicle. The following criteria shall be

considered when making that determination.

1. Type of vehicle required;
2. Use of vehicle;
3. Annual business miles;
4. Annual personal miles (if applicable); and
5. Depreciation/annual lease value. (The annual lease value shall be determined by the County purchasing agent or designee based on vehicle specifications provided by the requesting department).

- 13.2 The amount of the monthly vehicle allowance shall be recommended by the County Executive, reviewed by the committee of jurisdiction and approved by the County Board during the annual budget process.
- 13.4 A fiscal note detailing the total annual cost of the vehicle allowance will be provided to the County Board during the annual budget process.
- 13.5 The vehicle allowances for the County Executive and Highway Commissioner shall be approved annually during the budget process.

14. OUT OF TOWN TRAVEL AND MEETING ATTENDANCE

- 14.1 With department head approval an employee may take a County vehicle home prior to leaving for an out-of-town trip or attending a late evening or early morning meeting which would require a return to the work place outside of normal working hours. The employee may use the County vehicle only for travel necessary to accomplish official County business.

15. TRAILERS AND TOWING

- 15.1 A driver whose vehicle is towing a trailer or other equipment shall assure that the trailer hitch is securely latched, adequate for the load being towed, properly installed on the towing vehicle and that safety chains are properly attached.
- 15.2 The driver shall insure that the trailer or other towed equipment is supplied with proper lighting including brake lights, turn lights and running lights.

16. LEASED OR RENTED VEHICLES

- 16.1 When it is necessary for a County employee to use a short-term rental vehicle for County business, the employee shall purchase, at the County's expense, optional

comprehensive and collision damage coverage through the renting agency at the time the vehicle is rented. Refer to the County Travel Policy detailing appropriate use of short-term rental vehicles.

- 16.2 Long term leases will be insured through the County's insurance program upon written notification of the lease to risk management.

17. PARKED VEHICLE

- 17.1 Any vehicle left unattended shall be legally parked in a designated parking space. Vehicles responding to emergency situations or those parked at job sites shall be parked with due regard to safety and security considerations.
- 17.2 County vehicles not taken home shall be secured in County parking lots during non-working hours. When it is necessary to leave a vehicle at a job site overnight, the operator shall insure the vehicle is parked and secured in an area that provides reasonable security.

18. PARKING, TRAFFIC TICKETS AND LOCKSMITH CHARGES

- 18.1 County vehicle users are responsible for any parking or traffic tickets received while using a County vehicle. The user is also responsible for any cost incurred as a result of locking keys in a vehicle or losing the vehicle's keys.

19. USE OF SAFETY RESTRAINTS

- 19.1 All County vehicles must be equipped with seat belts and all occupants of County vehicles must properly wear seat belts when the vehicle is in operation and when so equipped.
- 19.2 The operator of construction, excavation and other off road equipment shall use the occupant restraint system any time the vehicle is in operation.
- 19.3 Employees are prohibited from removing, deactivating, modifying or otherwise altering any occupant restraint system installed by the manufacturer unless approved or instructed by the manufacturer.

20. PERSONALLY OWNED VEHICLES USED FOR COUNTY BUSINESS

- 20.1 The County's liability insurance program provides limited coverage for employees while operating personally owned vehicles to conduct County business. This coverage is limited to protection from claims made against the

County and the employee while operating in the course of employment. The County's liability insurance coverage is excess over the employee's personal automobile liability insurance.

- 20.2 The County does not provide insurance coverage for physical damage to an employee's privately owned vehicle. Employees who use personally owned vehicles for County business should confirm that their personal auto insurance policy provides coverage for this use.
- 20.3 Employees who transport County clients in their own vehicles and whose vehicle suffers damage during the transport, may be eligible for partial reimbursement for damages.
1. The employee must carry insurance coverage on the vehicle and proof of insurance must be provided prior to reimbursement payment.
 2. Damages will be covered to the amount of the deductible or five hundred dollars (\$500.00), whichever is less.
 3. Coverage is limited to incidents that occur while the employee is using his/her vehicle for official, authorized County business.
 4. In the event of a vehicular accident, the employee must submit a police report showing the employee to be less than fifty percent (50%) responsible.
 5. The employee must submit to his/her department head, a signed explanation of the damages that are not reportable to the police and a dated receipt for repairs, cleaning, etc.
 6. Department heads will submit a recommendation for reimbursement to Risk Management. Any reimbursements will be paid from the Vehicle Physical Damage fund and an annual report of all reimbursements will be prepared.
- 20.4 The County will reimburse employees for actual necessary and reasonable mileage expenses incurred while on official authorized County business. Commuting expenses between an employee's residence and his/her normal place of employment are not reimbursable. All travel must be authorized by the department head to be reimbursable. Mileage reimbursement will be equal to that authorized by the IRS for use of an employee's personal vehicle while on authorized business.
- 20.5 Motorcycles, mopeds, bicycles, all-terrain vehicles and other similar type methods

of transportation are prohibited from use for County business travel purposes.

21. HIGHWAY VEHICLES

All County employees in the Highway Department are instructed to refer to the Vehicle Operation and Repair section of the Public Works Employee Handbook for additional information regarding the operation of Public Works Department vehicles.

22. LAW ENFORCEMENT VEHICLES

22.1 One-to-One Squad Program. The one-to-one car plan is designed to increase the number of police units available to respond to reports of crime or other emergencies, to provide higher visibility of police presence, and to reduce the maintenance costs of the fleet. With an increased number of marked units in the County, there will be increased deterrence to unlawful activity, a faster response time for off-duty personnel to respond to incidents as needed and a greater perception of security on the part of the citizens. The officer's assigned cars are responsible for their care and maintenance. The rules and procedures governing those who elect to participate in the one-to-one program are as follows.

1. Participants must reside in Outagamie County (exceptions for #7 below) and be deputized employees of the Sheriff's Office.
2. Participants must have successfully completed probationary period, unless specifically authorized by the Sheriff.
3. Participation in the program is voluntary and at the sole discretion of the Sheriff.
4. Only Sheriff's Office personnel are permitted to operate a one-to-one vehicle, except in case of an emergency.
5. Off-duty officers operating one-to-one vehicles shall carry, at a minimum, badge and I.D., authorized firearm, handcuffs or flexcuffs and note taking material.
6. All regular maintenance on one-to-one vehicles shall be performed while assigned officer is off-duty. It is the responsibility of the assigned officers to arrange and ensure the completion of regular maintenance.
7. There will be reasonable mileage restrictions set up for all personnel. The one-to-one vehicle will be limited to the boundaries of Outagamie

County, except as authorized by the Sheriff for on-call personnel or other specialized unit personnel.

8. The one-to-one vehicle may not be used in the course of secondary employment.

9. An officer will not operate a one-to-one vehicle if that officer has consumed alcohol, nor will the vehicle be used when patronizing an establishment whose primary business is the sale of intoxicants.

10. Officers shall assist civilian vehicles requiring road service and other persons in need of help.

11. Officers are responsible for conducting safety and maintenance checks, i.e., fluid checks, supplies and equipment, the condition, lighting equipment, cleanliness, etc.

12. There will be no addition to or deviation from standard issued department equipment nor any alteration as to lighting or squad design.

13. All policies, procedures and regulations of the Sheriff's Office shall apply to officers operating one-to-one vehicles while off-duty.

14. All officers will be properly attired, i.e., shirt, pants, footwear. No shorts allowed (except for provisions of 22.3).

15. The police radio shall be turned on while using the one-to-one vehicle.

16. Officers are expected to notify the Communications Center and take action on those police matters that they encounter while operating in an off-duty capacity.

17. One-to-one vehicles shall be locked when not in service.

18. One-to-one vehicles are owned by Outagamie County. As such, they may be reassigned or deployed as needed to accomplish the objectives of the Sheriff's Office.

19. An officer shall not leave a weapon unattended in a one-to-one vehicle unless locked in the trunk or glove box.

20. The assigned officer shall be responsible for the appearance and cleanliness of his/her one-to-one vehicle.

21. Each vehicle will have an ***office issued first aid kit***.

22. Officers shall wear restraint devices when operating department vehicles. Passengers will also be required to wear restraint devices. Common sense exceptions will be permitted as situation dictates.

23. Officers will not presume any special privileges unrelated to law enforcement with a marked vehicle while off-duty. Officers shall comply with all parking regulations, including the use of parking meters and compliance with prohibited parking areas. Officers may, however, leave their marked vehicles parked on the street all night.

24. Officers on sick leave or on off-duty status for an extended period will have their vehicles reassigned until such time they return to full duty.

25. Sheriff's vehicles may only be used to transport Sheriff's Office personnel, persons in custody and citizens requiring official services.

In the event that immediate action is necessary, the off-duty officer will respond to the situation. In certain cases encountered off-duty, the officer may summon an on-duty officer to handle the call and will stand by and assist until the on-duty unit arrives.

- 22.2 Ride Along. Outagamie County does not endorse a ride-along program due to the inherent high risk of law enforcement activities. Ride-along passengers will be limited to Outagamie County patrol officer candidates. Other requests for ride-along approval will be considered on a case by case basis by the Sheriff.
- 22.3 The Sheriff shall be authorized to use a County owned vehicle for personal use. Any personal use shall be subject to the remaining sections of this policy with the exception of Sec. 3.5 relating to passengers. Other specified personnel (Undersheriff/Chief Deputy, division heads, investigative division supervisor and lieutenants) while on call are exempt from 22.1(14),(25) relating to passengers.
- 22.4 Participating officers in the one to one program will be responsible for any non-work related damages that they cause to department vehicles and related equipment outside of work hours. This includes damage caused by members of their immediate family.

23. ACCIDENT REPORT

- 23.1 Any accident involving a County owned, rented, leased or privately owned vehicle used in the performance of County business shall be handled as follows:

1. Summon medical care for any injured parties.
 2. Notify appropriate law enforcement authorities.
 3. Notify employee's immediate supervisor.
- 23.2 The office shall immediately notify risk management.
- 23.3 The Sheriff's office shall be responsible for initiating the department investigation of the accident, preparing a statement detailing the accident, securing repair estimates for County vehicles and recommending any follow-up preventative actions.
- 23.4 When the County driver is determined to be at fault in a vehicle accident, the supervisor shall recommend disciplinary action subject to review and approval of the department head.
- 23.5 All County employees in the Highway Department are instructed to follow the accident reporting procedures included in the Highway Employee Handbook.

24. COUNTY POOL VEHICLES

- 24.1 Employees with a valid driver's license may use a County pool vehicle when conducting County business.
- 24.2 Use of a County pool vehicle is on a first come-first served, scheduled basis and is generally intended to be used for out of town business trips. It is the employee's responsibility to schedule and confirm reservations prior to use and complete necessary vehicle mileage and expense logs.
- 24.3 Only authorized County employees with a valid driver's license and a good driving record will be permitted to drive County pool vehicles.
- 24.4 A procurement card is provided for pool vehicle expenses. Charge slips must be turned in with the vehicle keys upon return.
- 24.5 Reimbursable vehicle expenses include storage, parking, toll charges and emergency vehicle expenses that are paid directly by the employee when the procurement card is not accepted.
- 24.7 In case of an accident, a certificate of insurance coverage is located in the glove compartment of the vehicle.

ATTACHMENT 1

Qualified Non-personal Use Vehicles

1. Clearly marked police and fire vehicles - a vehicle that a police officer or fire fighter who is always on call must use for commuting. The governmental unit must prohibit any personal use (other than commuting) of the vehicle outside the limit of the police officer's arrest powers or the fire fighter's obligation to respond to an emergency. A police or fire vehicle is clearly marked if, through a painted symbol or words, it is easy to see the vehicle is a police or fire vehicle. A marking on a license plate is not a clear marking for this purpose.
2. Unmarked vehicles used by law enforcement officers if the use is officially authorized - Personal use must be necessary to help enforce the law, such as being able to report directly from home to a stakeout site or to an emergency. Use for vacation or recreation trips cannot qualify as an authorized use.

Law Enforcement Officer - is defined as an employee of the governmental unit that is responsible for preventing or investigating crimes involving injury to persons or property (including catching or detaining persons for those crimes). The law must allow the employee to take all of the following actions:

- * Carry firearms.
- * Execute search warrants.
- * Make arrests (other than citizen's arrests).

The employee must regularly carry firearms except when working undercover. A law enforcement officer includes an arson investigator if the investigator meets the above requirements.

3. An ambulance or hearse used for its specific purpose.
4. Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.

Trucks and vans - pickup truck or van is not a qualified non-personal use vehicle unless it is specifically modified so it is not likely to be used more than minimally for personal purposes. The following are general guidelines that a pickup truck or van can meet to be a qualified non-personal use vehicle.

Pickup truck - a truck with a loaded gross weight not over 14,000 pounds qualifies if clearly marked with permanently affixed decals, special painting, or

other advertising associated with our business or function. It must meet either of the following requirements:

- * Be equipped with at least one of the following items; hydraulic lift gate, permanent tanks or drums, permanent side boards or panels that materially raise the level of the sides of the truck bed or other heavy equipment (such as electric generator, welder, boom or crane).

- * Be used primarily to transport a particular type of load in a construction setting or other similar operation for which it was specifically designed or significantly modified.

Van - a van with a loaded gross weight not over 14,000 pounds qualifies if clearly marked with permanently affixed decals, special painting, or other advertising associated with our business or function. It must have a seat for the driver only, or the driver and the one other person, and either of the following items:

- * Permanent shelving that fills most of the cargo area.

- * An open cargo area and the van always carry merchandise, material, or equipment used in your business or function.

5. Delivery trucks with seating for the driver only, or the driver plus a folding jump seat.
6. A passenger bus with a capacity of at least 20 passengers used for its specific purpose.
7. School buses.
8. Tractors and other special purpose farm vehicles.

ATTACHMENT 2

VEHICLE USAGE AGREEMENT

Please Print

Driver Name – First, Middle, Last Driver License Number State

Department Birth Date

Work Telephone Number

PROVISIONS

ALL VEHICLES

1. The provisions of this agreement are applicable to all employees of Outagamie County.
2. I currently possess a valid Wisconsin driver license or a commercial driver license and will immediately notify my supervisor whenever my license is revoked, restricted or suspended.
3. I understand that the County may request my driving record from the Department of Transportation.
4. Only County employees or volunteers are authorized to operate County vehicles.
5. County vehicles may be used to transport individuals employed by firms or governmental entities for the purpose of ridesharing/carpooling to a County sanctioned meeting or event. Family members cannot be transported in County vehicles.

PERSONALLY ASSIGNED VEHICLES

6. I will maintain accurate records of all business miles or daily commutes.
7. Personally assigned take home vehicles are restricted to commuting usage only unless otherwise specifically exempt.
8. I will submit my Personal Use of County Vehicle report quarterly.

POOL VEHICLES

9. At the end of each trip, I will turn in the vehicle keys promptly along with any charge slips and complete the mileage and expense log sheet.
10. I will ensure that the vehicle is clean and has an adequate fuel supply when returned and any defects will be reported.
11. The vehicle may be taken home prior to leaving for an out of town trip or attending a late evening or early morning meeting which would require a return to the workplace outside of normal working hours.

ONE TO ONE SQUADS

12. I will comply with the vehicle usage policy including the additional provisions specifically pertaining to the law enforcement vehicles.

PERSONAL USE RESTRICTIONS- ALL COUNTY OWNED VEHICLES

Personal usage is permitted only for personally assigned vehicles unless otherwise exempt and limited to commuting miles and de minimis only. Commuting miles are defined as travel from home to your permanent work site and from the permanent work site to your home.

CERTIFICATION

I certify that I have read and understand this agreement and the Vehicle Usage Policy (Admin. Rule AR00-01*) and will adhere to all provisions.

Driver Signature Date Signed

*The Admin. Rules can be accessed from County's intranet site on the County Executive's page.
Revised: 03/14/05

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Law Enforcement Safety Act for Retired Deputies <i>and 2011</i> <i>Wisconsin Act 35</i>	Series: 117
Effective Date: December 2018	Original Date Issued: April 9, 2009
Sheriff:	Re-Issue Date: December 2018 September 15, 2013 December 2015; Sept 2021

117.01	POLICY
117.02	PURPOSE
117.03	DEFINITIONS
117.04	PROCEDURE

**Law Enforcement Safety Act of
2004 (HR 218) for Retired Deputies**

117.01 POLICY

The United States Congress passed the Law Enforcement Safety Act of 2004, commonly referred to as HR 218, which amended Chapter 44 of Title 18, United States Code by authorizing active and qualified **former** law enforcement officers to carry a concealed firearm under certain conditions. ***Additionally, the Wisconsin Act 35 of 2011 provides authorization for retired deputies to carry concealed weapons.*** The Outagamie County Sheriff's Office will assist its former deputies, who meet the requirement of **each** law and retired in good standing, in exercising the authority granted by Congress **and the State of Wisconsin.**

117.02 PURPOSE

The purpose of this policy is to set out the procedures by which **qualified former** Outagamie County Sheriff's Office deputies may obtain identification cards required by the statutes.

117.03 DEFINITIONS

Unless otherwise specifically stated in Outagamie County Sheriff's Office regulations, policies or procedures, the definitions listed below are intended to be limited to the purpose of this policy.

Deputy: The title "Deputy" is intended to include all sworn law enforcement officers employed by the Outagamie County Sheriff's Office regardless of rank or assignment. All Outagamie County Sheriff's Office deputies are fully sworn and certified law enforcement officers with powers of arrest and authorized to carry firearms as part of their duties.

Duty Disability Retirement: Duty disability retirement includes non-probationary deputies who were otherwise in good standing but received a disability retirement due to an on duty injury that rendered them incapable of continued service as an Outagamie County Sheriff's Office Deputy, but not related to stress or mental instability.

Law Enforcement Safety Act Identification Card: Refers to the identification card required for **qualified former** law enforcement officers and described in U.S. C. Title 18, Chapter 44, Section 926C (d)(1).

Law Enforcement Safety Act of 2004 (HR 218): Refers to the United States Code (U.S.C.), Title 18, Chapter 44, Sections 926B and 926C.

Qualified Retired Law Enforcement Officer: A retired deputy who meets the requirements of U.S.C. Title 18, Chapter 44, Section 926C.

Retired in Good Standing: For the purpose of this policy, retired in good standing means deputies who retired from the Outagamie County Sheriff's Office after having reached the years of service, age and other criteria set

Law Enforcement Safety Act of 2004 (HR 218) for Retired Deputies

by the Wisconsin Retirement System (WRS), are eligible to receive retirement benefits and at the time of their separation, were active duty employees who were not the subject of an internal affairs, administrative or criminal investigation, were not under discipline or pending discipline, whose separation was not part of a settlement agreement and whose separation was not due to mental disability.

117.04 PROCEDURES

I. Determination of Eligibility

A. The Sheriff or his designee will maintain a database record of **qualified former** deputies. The database will indicate whether the **qualified former** deputy is eligible to request a Law Enforcement Safety Act identification card under this policy. At a minimum, the deputy must have:

1. Served as a certified law enforcement officer for a minimum of 15 years **under federal law or 10 years under state statute,**
2. Retired in good standing or as the result of a duty disability not related to mental instability.
3. **Additionally, the qualified former law enforcement officer is not prohibited under federal law from possessing a firearm as indicated by a search of the transaction information for management of enforcement system and the national criminal background check system (175.49(2)(b)(4))**

B. The Sheriff or his designee will use U.S.C. Title 18, Chapter 44, Section 926C (c) as a guideline to determine eligibility.

Notwithstanding of provisions listed within the Law Enforcement Safety Act, the Sheriff reserves the right to approve or deny any request for an identification card authorized by this policy or the Law Enforcement Safety Act.

C. Firearms Qualification – The State of Wisconsin has established a State standard for firearms training or qualification beyond that required for basic recruit training in compliance with Wisconsin Act 35.

1. The former officer has been found by the state, or by a certified firearms instructor if such instructor is qualified to conduct a firearm qualification test for

Law Enforcement Safety Act of 2004 (HR 218) for Retired Deputies

active law enforcement officers in the state, to meet the standards for qualifications in firearms training for active officers established by the state, or if the state does not establish standards, by the law enforcement agency from which the former officer separated.

- D. Qualified **former** deputies must successfully complete the retired firearms qualification course before receiving a Law Enforcement Safety Act identification card.

II. Law Enforcement Safety Act Card Design

The Outagamie County Sheriff's Office may issue a Law Enforcement Safety Act identification card as described in Section 926C(d)(1). At a minimum, the card will contain the following:

- A. A recent photo of the retired deputy.
- B. The type of firearm with which the deputy qualified.
- C. The last date the deputy successfully completed the firearms qualification course
- D. An expiration date ***of 12 months after the date of the last successfully completed firearms qualification course.***

III. Requests for Law Enforcement Safety Act Identification Card

- A. Eligible deputies may request a Law Enforcement Safety Act identification card either upon retirement or anytime thereafter.
- B. If a Law Enforcement Safety Act identification card is requested within a year of retirement, the card will contain the date the deputy last successfully completed the firearms qualification course and the type of firearm(s) used.
- C. If a Law Enforcement Safety Act identification card is requested more than a year after retirement:
 - 1. The Training section will confirm the deputy's eligibility.
 - 2. The retired deputy must attend and successfully complete. ***The course prescribed under Wisconsin Act 35.***

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: County Owned Cell Phones	Series: 118
Effective Date: December 2018	Original Date Issued: April 9, 2009
Sheriff:	Re-Issue Date: August 18, 2021

118.01 GENERAL POLICY

A. County Owned Cellular Phones While on Duty. The county provides cellular phones for some employees as a means of official communication for an employee on and off duty. These phones are the sole property of the county issued for official use and as such all phone use is monitored by the county

1. Although de minimus personal use is permitted, making or receiving personal calls, messaging and other functions should be limited to emergencies and immediately important family matters while on duty.
2. Employees issued cellular phones are responsible for the safe keeping of their assigned phones and are subject to disciplinary actions for damages due to neglect or abuse. Protective cases and screen protectors placed on cellular phones may not be removed.
3. Employees who are issued a department cellular phone must carry it on their person and keep it turned on while on duty, unless a supervisor is notified and approves, or it is an operation concern to possess the phone.
4. Only department approved applications or software may be used or installed on the cellular phone and all location and privacy settings will only be adjusted or deactivated by a supervisor or IT.

B. County Owned Cellular Phone While Off-Duty. Employees who are issued a cellular phone may use the phone for official communication off duty, but are not required to carry the phone or keep it turned on.

C. Personally owned Cellular Phone While On-Duty. The use of a personal cellular phone may not interfere with a member's official duties, and are subject to regulation by their respective Division Supervisor. The county accepts no responsibility for the loss or damage to personal phones for employees who choose to possess their personal phones on duty.

D. Cellular Phone Use While Driving/Moving. When possible and practical, employees should pull vehicles off the road and come to a complete stop prior to using their phones.

E. Cellular Communication on County Owned Phones. All communication is subject to open records requests and will be provided upon request in accordance with applicable open records laws.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Officer Involved Domestic Violence	Series: 119
Effective Date: November 7, 2018	Original Date Issued: May 1, 2011
Sheriff:	Re-Issue Date: November 7, 2018 January 25, 2016 December 2015; Aug 2021

Officer Involved Domestic Abuse

I. PURPOSE

The purpose of this policy is to establish clear procedures, protocols, and actions for investigating, reporting, and responding to domestic abuse involving employees of law enforcement agencies in Outagamie County and law enforcement officers from other jurisdictions and to thereby discourage and reduce acts of domestic abuse. This policy will provide guidance in addressing incidents where one (or more) party to a reported domestic abuse incident is an employee, whether sworn or civilian, of any rank in a law enforcement agency.

II. GUIDING PRINCIPLES

Public confidence in law enforcement is important to our ability to maintain public safety. Transparency is very important when investigating officer involved domestic abuse incidents. However, nothing in this policy should be read as impacting Open Records law. This policy recognizes that the profession of law enforcement is not immune from members committing acts of domestic abuse against their intimate partners. The participating agencies will not tolerate domestic abuse by their employees. The public must trust that law enforcement employees are held to the same standards of the law regarding domestic abuse. Federal law prohibits police officers convicted of qualifying domestic violence crimes from possessing firearms, pursuant to the Lautenberg Amendment of the Federal Firearms Act. In such cases, the chief or sheriff shall present a case for termination to the body vested, under Wisconsin Statute, with the authority to terminate an officer. The policy will apply to past convictions, pending, existing, or future domestic violence, or domestic abuse crimes or cases.

III. DEFINITIONS

- A. "Outagamie County law enforcement agency employees" refers to any person, sworn or civilian, who is employed by a law enforcement agency within Outagamie County.
- B. "Domestic abuse" refers to an act or pattern of abuse perpetrated by an individual

Officer Involved Domestic Abuse

upon his or her intimate partner not done in defense of self or others, including but not limited to, the following:

1. Intentional infliction of physical pain, physical injury or illness
 2. Intentional impairment of physical condition
 3. Sexual assault
 4. A physical act that may cause the other person reasonably to fear imminent engagement in the conduct listed in 1., 2., or 3.
- C. An “intimate partner” is any person who meets one or more of the following criteria:
1. Spouse or former spouse
 2. An adult with whom the person resides or formerly resided
 3. An adult with whom the person has a child in common
- D. “Protection order” refers to any injunction or other order issued by a court, including criminal or civil orders of protection, regardless of form, content, length, layout, or name (such as stay away, restraining, criminal, and emergency or temporary protection orders or injunctions), issued for the purpose of preventing the following:
1. Violent or threatening acts against another person
 2. Stalking or harassment of another person
 3. Contact or communication with another person
 4. Physical proximity to another person

IV. PROCEDURES

While prioritizing the safety of victims, this policy is designed to address prevention through hiring and training practices, provide direction to supervisors for intervention when warning signs of domestic abuse are evident, institutionalize a structured response to reported incidents of domestic abuse involving law enforcement agency employees,

Officer Involved Domestic Abuse

and offer direction for conducting the subsequent criminal and administrative investigations.

Participating Agencies will agree to:

1. Provide pre-hire screening procedures reasonably calculated to disclose whether an applicant for a law enforcement position has a history of domestic abuse or child abuse allegations or has been subject to a protection order.
2. Cooperate and participate in programs designed to educate employees' partners and families about intimate abuse and avenues for assistance.
3. Maintain ongoing and meaningful relationships with victim advocacy groups and other domestic abuse professionals in the community.
4. In response to observed warning signs or at the request of an employee, intimate partner, or other family member, provide non-punitive avenues of assistance before an act of domestic abuse occurs, which will include providing services such as, employee assistance programs that should be outlined in critical incident or employee wellness policies.
5. Provide information to the employing law enforcement agency as soon as possible after a domestic abuse incident involving an employee.
6. Provide information on this domestic abuse policy to employees and make it available to employee families, partners and the public.
7. Provide victims of domestic abuse by agency employees contact information about domestic abuse services available.
8. Provide a point of contact and review safety concerns and domestic abuse service information with any agency employee who is known by the agency to be a victim of abuse by a law enforcement officer.
9. Provide for an appropriate criminal investigation and an impartial administrative investigation of all acts of domestic abuse allegedly committed by an employee and

Officer Involved Domestic Abuse

appropriate sanctions when it is found that the employee has committed an act of domestic abuse. Criminal investigations will be handled as outlined in this agreement. In addition, administrative investigations may also be conducted by the employing agency or through agreements with other law enforcement agencies. Employees who disclose they have personally engaged in criminal acts of domestic abuse are not entitled to confidentiality.

Employee Actions and Expectations:

1. Employees are encouraged to take personal responsibility in seeking confidential referrals and assistance from the department to prevent a problem from escalating to the level of criminal conduct against an intimate partner.
2. Employees who engage in the following actions will be subject to discipline up to and including dismissal:
 - a. Failure to report knowledge of abuse or abuse involving a law enforcement officer.
 - b. Failure to cooperate with the internal investigation of an employee domestic abuse case (except in the case where that officer is the victim).
 - c. Interference with cases involving themselves or other officers.
 - d. Intimidation/coercion of witnesses or victims (i.e., surveillance, harassment, stalking, threatening, or falsely reporting).
3. When a law enforcement agency responds to a call in which an employee is alleged to have been involved in a domestic dispute or committed an act of domestic abuse, employees who are accused in participating agencies must immediately report that police response to their supervisor.
4. Employees who are the petitioner or learn they are the respondent of any protective order proceeding, whether or not the order is issued and regardless of jurisdiction, are required to immediately report that information to their supervisor.

Officer Involved Domestic Abuse

5. Employees who are victims of domestic abuse are encouraged to request assistance, but are not subject to punitive measures for failing to report their abuse.

Notification Protocols

1. Notification of an incident of domestic abuse involving any employee requires:
 - a. A prompt supervisor response
 - b. Full investigation
 - c. A complete report by investigating agency
 - d. Notification to the employing agency
2. All incidents of domestic abuse by employees require notification directly to the agency head.
3. Incidents of domestic abuse by non-Outagamie County law enforcement agency employees require notification to the agency head of the employing agency.
4. In the event of a report of domestic abuse alleged to have been committed by the agency head, prompt notification will be made to the employing entity's chief executive officer; or, in the case of an elected Sheriff, the Outagamie County District Attorney or designee.
5. Incidents of officer involved domestic abuse should be reported immediately to the Outagamie County District Attorney or designee by the investigating and employing agency.

Communications Center Response

1. Communications Center employees receiving domestic abuse calls involving employees will enter a call for service and notify the on-duty Communications Center supervisor.
 - a. Communications Center employees will dispatch two units to both on-going and past-tense incidents, as well as notify the on-duty patrol supervisor. If a

Officer Involved Domestic Abuse

jurisdiction does not have an on-duty supervisor available, one will be assigned under the agency or mutual aid protocol.

2. Communications Center employees will prepare and preserve documentation of the facts of the call, including the 911 tape. The Communications Center supervisor will preserve the 911 tape.

Patrol Response

1. A patrol officer responding to a domestic abuse incident involving an employee shall request a supervisor respond to the scene consistent with department policy, if one has not been dispatched.
2. The responding officers shall perform the following actions:
 - a. Obtain needed medical assistance
 - b. Address immediate safety of all parties involved
 - c. Secure the scene and preserve evidence
 - d. Note all excited utterances, admissions and/or incriminating statements
 - e. Hold the scene until the supervisor arrives
 - f. A written report will be completed by all officers at the scene prior to the end of their shift
3. For an incident involving an employee from the responding agency's jurisdiction (i.e.; an officer living in Appleton and Appleton PD responding to the call) the patrol officer or supervisor will contact another agency pursuant to department protocol or notify command staff in a timely manner to make that decision.
4. For an incident involving an employee from a jurisdiction different from the responding agency, the patrol supervisor will coordinate the investigation applying appropriate resources as necessary.

Patrol Supervisor Response

Officer Involved Domestic Abuse

1. A patrol supervisor shall respond whenever feasible to the scene of any domestic abuse incident involving an employee regardless of the employing jurisdiction.
2. The patrol supervisor shall coordinate the investigation, applying appropriate resources.
3. The supervisor will write a report on all incidents, whether deemed criminal or not, and route it through the chain of command.
4. If an agency officer is arrested, the on-scene supervisor will seize all agency-issued weapons, and identification. Consideration should be given to other agency equipment and inquiries made about voluntary surrender of personal weapons that may be secured for safekeeping.
5. If an officer from another jurisdiction is arrested, the supervisor shall contact that jurisdiction as soon as practicable, but at least prior to custody transport, and request authorization to seize that employee's duty weapons and agency identification or arrange for the employing agency to do so.
6. The supervisor will make every reasonable effort to locate the suspect if there is probable cause for an arrest.
7. The supervisor will explain the process to the victim, including the opportunity for a protection order.
8. The supervisor should partition the CAD/RMS incident, or make arrangements to have the incident partitioned as soon as practical, to limit viewing of the incident to necessary personnel only.

Investigator response

1. The investigator assigned to the incident will conduct a thorough investigation, including, but not limited to:
 - a. Photographs of the crime scene and any injuries identified
 - b. Statements from all witnesses, including children, if any
 - c. Completion of the Outagamie County Domestic Abuse Worksheet, Outagamie County Lethality Assessment Program Worksheet, as well as OC Confidentiality

Officer Involved Domestic Abuse

Victim Information Sheet to determine if the victim is opting in or out of victim service in accordance with Marcy's law requirements.

- d. Seizure of any weapons used or referred to in the crime
 - e. Signed medical releases
 - f. Copies of dispatch (CAD) records
 - g. 911 call recording
 - h. Statement of the victim
 - i. Statement of the suspect, if possible
 - j. Collect and review officer recorded media
 - k. The investigator shall inquire if the victim requests any guns or specific weapons be removed for safekeeping and accommodate removal
 - l. The investigator will complete the report as soon as possible
2. The command staff of the investigating agency should delegate responsibility for the investigation to someone trained to handle complex, sensitive investigations, as governed by the department's major case/incident policy or an internal affairs policy or by calling in an agency with such capability. The assignment should be reviewed each time for potential conflict of interest.
 3. The investigator will coordinate with the Outagamie County District Attorney's Office regarding charging and prosecution.
 4. The investigator will coordinate with Harbor House to assist with victim safety concerns and notify the victim of any issues that arise critical to victim safety.
 5. All completed investigations of domestic abuse committed by an employee shall promptly be forwarded to the appropriate prosecuting authority for a charging decision. Any questions during the investigation can be directed to the Outagamie County District Attorney or his/her designee. Continued follow-up with the assigned prosecutor shall occur until a charging decision is made. Any conflicts of interest during the investigation

Officer Involved Domestic Abuse

or prosecution of a case will be determined by the District Attorney in accordance with the Wisconsin Supreme Court Rules of Professional Conduct.

Administrative Process

1. The agency will provide the victim a copy of this policy and contact information for the person who will be the department's liaison to the victim during the process.
2. The agency will observe all other policies and procedures generally applicable to investigation of alleged officer misconduct. The agency will respect rights of the accused employee under applicable collective bargaining agreements, case law and the Law Enforcement Officers' Bill of Rights.
3. The agency shall conduct an administrative investigation separate from the criminal investigation. The administrative investigation may be conducted by an outside agency as directed by the agency head.
4. In the case of an arrest for domestic abuse, the employee will be placed on administrative leave pending the outcome of an administrative investigation. Where sufficient information exists, the agency shall take immediate administrative action against the accused officer that may include removal of badge, service weapons and any other county owned property, reassignment, sanctions, suspension, or termination in accordance with due process.
5. If an investigation of an incident uncovers officers who had knowledge of the abuse on the part of another officer but failed to notify the agency or engaged in actions intended to interfere with the investigation, the agency shall investigate those officers and take disciplinary action as warranted.
6. In a timely manner, the agency shall ensure that all employees who dispatched or responded to an employee domestic violence call are debriefed. The debriefing shall include the following:
 - a. Review agency confidentiality guidelines with assigned employees
 - b. Order employees not to discuss the incident outside of the official inquiry

Release of Information

1. This policy is subject to open records law. All information released shall be communicated and discussed with the District Attorney and / or her designee.

County – Wide Policy Debriefing

1. After an officer involved domestic abuse incident, the case will be reviewed to determine whether the policy was followed, how the policy assisted in the investigation and whether any changes to the policy need to be made.
2. The review will be coordinated by the District Attorney or his/her designee and will include representatives from the investigating agency, the officer's agency and other appropriate parties.
3. The District Attorney will maintain any comments or edits to the policy that should be considered when the policy is next reviewed. If immediate changes should be made to the policy, the District Attorney will reconvene the Officer Involved Domestic Abuse Policy Committee.
4. An annual review of the policy will be completed by the Officer Involved Domestic Abuse Policy Committee.
5. Once the Committee has met, the District Attorney will report back to the Outagamie County Law Enforcement Executives at the last quarterly meeting of the year on how the policy is working, how many times it was put in place, any changes that are necessary, and any concerns or issues the District Attorney or members have.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Honor Guard	Series: 120
Effective Date: December 2018	Original Date Issued: February 2015
Sheriff:	Re-Issue Date: December 2018 January 25, 2016 December 2015; Aug 2021

120.01 GENERAL POLICY
120.02 DEFINITIONS
120.03 PROCEDURE

120.01 GENERAL POLICY

The Outagamie County Sheriff's Office may be represented by the Honor Guard at a variety of functions such as but not limited to; memorial services, civic events and funerals.

The Outagamie County Sheriff's Office shall honor those officers who die in the line of duty or whose death follows a lifetime of devotion to law enforcement, and members shall adhere to the standard operating procedures set forth herein conducting Honor Guard duties.

120.02 DEFINITIONS

Honor Guard Member: An Outagamie County Sheriff's Office Deputy, Correctional Officer or Staff Member who has completed training and has been approved by the Honor Guard Coordinator to function at all Honor Guard events.

Honor Guard: A group of at least two Honor Guard Members who attend all authorized funeral services of law enforcement officers or who carry and/or post colors in organized functions, civil ceremonies or parades. In limited circumstances (staffing shortages or other staffing issues) one member may be authorized to represent the Office at the aforementioned events.

Honor Guard Coordinator: A member for the Outagamie County Sheriff's Office appointed by the Sheriff or his designee to lead the Honor Guard.

120.03 PROCEDURE

I. Membership

Honor Guard

- A. The Honor Guard will consist of Office staff who has been selected to the unit and who agree to adhere to uniform standards of attire. This unit may consist of non-sworn and sworn personnel. It may also include both union and non-union membership without regard to rank or position. Selection to activities may not need adherence to seniority selection. Consideration may be given by management to allow involvement of various divisions as deemed appropriate to staffing levels. Further consideration will also be given to include an employee or deputy having a personal relationship to the fallen officer, a professional relationship to the fallen officer, or deputy being from the area the fallen officer served.

II. Honor Guard Line of Duty Death Response

- A. In the unfortunate event of a Category I Line of Duty Death Response that occurs within the Office; the Outagamie County Sheriff's Office may call upon Honor/Color Guards of surrounding Law Enforcement Agencies and/or the Wisconsin Honor Guard Association in order to allow Deputies, Officers and Staff to grieve and mourn the loss of the fallen deputy, officer or staff member to assist with or lead Honor Guard Line of Duty Death Response functions and duties.
- B. Honor Guard Line of Duty Death Response Definitions
 - 1. **Category I** – Line of Duty death of an Outagamie County Sheriff's Office active employee. This category reserves the highest honors for those men and women who make the ultimate sacrifice in the line of duty.

Honor Guard

2. **Category II** – Line of Duty death of an officer from another law enforcement agency. Sub-categories are defined below, which will weigh into the degree of involvement of the OUSO Honor Guard.
 - a. within Outagamie County
 - b. outside Outagamie County
 3. **Category III** – Active OUSO Employee, Non-Line of Duty death.
 4. **Category IV** – Active Law Enforcement Officer, Non-OUSO, within Outagamie County or adjacent counties.
 5. **Category V** – Retired OUSO Employee
 6. **Category VI** – Funerals not included in above categories.
 7. **Category VII** – Ceremonial Honor Guard/Color Guard services.
- B. Honors Defined – The Honor Guard shall keep up to date post orders detailing the specific procedures for performing honor guard functions, recognizing that the dynamics of each detail may require adaptation.
1. Casket Team – up to eight members may be responsible for posting the casket, and in some cases casket movement.
 2. Honors Posting – may be a form of casket posting or more often members will post in the area of the viewing. The

Honor Guard

number of members needed will be dictated by the length and structure of the service.

3. Flag Team – if the casket is draped with the National Colors, members will be required to properly fold the flag for presentation. In situations where a pre-folded flag is to be presented, a full Flag Team would not be necessary. In many cases the Flag Team may be the same members as the Casket Team.
4. Color Guard – typically used in ceremonial applications, the number of members will be dictated by the number of flags being posted plus two rifle guards.
5. Custodial Care – reserved for Category I honors, refers to providing non-stop custody of the fallen officer's body until the service. Typically, the Honor Guard would divide hours into shifts with two deputies on duty at all times. When appropriate, other OUSO members may participate in this service. This service is conducted if desired by the immediate family.
6. Family Escort – generally reserved for Category I honors, refers to providing the fallen officer's immediate family escort service to and from all arrangements and services if requested.
7. Presence – some services will only involve a uniformed presence of the Honor Guard.

C. The OUSO Honor Guard may be activated as follows:

Honor Guard

1. **Category I** – Line of Duty death of an OUSO active employee. Understanding that the Honor Guard response in such a tragic event involving one of our own will be most challenging; utilizing outside Honor Guard units as described in section A. may apply. When planning the response, the following shall be offered, however, the wishes of the family of the fallen officer shall be given the most weight. All assignments shall be directed by the Sheriff or his designee.
 - a. Casket Team – posting and movement
 - i. Visitation
 - ii. Funeral
 - b. Flag Team (can be same as Casket Team)
 - c. Family escort
 - d. Custodial care of the fallen officer's body
 - e. Additional considerations
 - i. Appoint liaison to funeral director (member)
 - ii. Appoint liaison to family (member)
 - iii. Appoint Traffic Coordinator (non-member)
 - iv. Appoint outside agency point of contact (non-member)
 - v. Arrange taps/bagpipes
 - vi. Coordination with military if applicable
2. **Category II** – Line of Duty death of officer from outside agency

Honor Guard

- a. Within Outagamie County
 - i. Recommended that two members attend
 - ii. OUSO Honor Guard should avail their services for any functions needed by the involved agency upon the direction of the Sheriff or his designee.
 - b. Outside Outagamie County – within 100-mile radius – recommended 4 members attend upon the direction of the Sheriff or his designee.
 - c. Outside Outagamie County – outside 100-mile radius – recommended that every effort should be made to send 2 members upon the direction of the Sheriff or his designee.
3. **Category III** – Active OUSO Employee, non-Line of Duty death. While the wishes of the family shall be considered, care should be given to keep the intended integrity of Category I, reserving the highest honor for the line of duty death.
 - a. Casket Team – generally posting only
 - b. Flag Team
 - c. Funeral Escort
4. **Category IV** – Active Law Enforcement Officer (non- OUSO), non-Line of Duty death, within Outagamie County or adjacent counties.
 - a. Recommended that two members should attend upon the direction of the Sheriff or his designee.
 - b. OUSO Honor Guard shall avail their services for

Honor Guard

any functions needed by the involved agency upon the direction of the Sheriff or his designee.

5. **Category V** – Retired OUSO Sworn Employee/Active Non-Sworn Employees
 - a. Casket Team – posting only upon the direction of the Sheriff or his designee.
6. **Category VI** – Funeral requests not covered by other categories
 - a. Presence only upon the direction of the Sheriff or his designee.
7. **Category VII** – Ceremonial Honor Guard Services
 - a. Color Guard

III. Administration

- A. The Sheriff shall appoint an Honor Guard Coordinator.
- B. Honor Guard activity outside the framework of this policy requires prior approval of the Honor Guard Coordinator and the Sheriff or his designee.
- C. Honor Guard Training
 1. The unit shall strive to train as needed to meet the needs of upcoming functions and duties.
 2. A record of training shall be kept for all training sessions.
- D. Honor Guard Participation

Honor Guard

1. Members will be expected to attend regular training annually to maintain active status on the Honor Guard roster.
 - a. Failure to meet minimum training requirements may result in removal from active status.
 - b. Inactive members are eligible to return to active status, with Sheriff or designee approval, after meeting minimum training requirements if or when a roster position is available.
2. Members are expected to avail themselves for details whenever possible.
3. Staffing of the Wisconsin Law Enforcement Memorial in May of each year will be considered a high priority.
4. When a death of a retired OUSO employee occurs, the Outagamie County Sheriff's Office Honor Guard shall participate in the wake/ funeral when;
 - a. The Outagamie County Sheriff's Office is contacted by the deceased's family or representative(s).
 - b. Staffing of Honor Guard and other requested OUSO personnel will be based on the level of involvement requested by the family.
 - c. All attempts will be made to honor the funeral request(s) made by the deceased's family, but may be adjusted due to staffing and shift needs of all divisions of the Outagamie County Sheriff's Office.
 - d. The Outagamie County Sheriff's Office Honor

Honor Guard

Guard Coordinator shall formalize staffing needs for the retired OUSO employee funeral and advise the Sheriff or their designee.

- e. The Sheriff or their designee shall approve the Outagamie County Sheriff Office's involvement upon review of the operational plan created by the Honor Guard Coordinator.

- 5. Officers participating in honor guard activities shall be considered on duty and subject to the protections of duty status regardless of pay status.

E. Member Selection

- 1. Members shall be appointed to honor guard by the Sheriff or his designee after a selection process. Staff wishing to participate in the honor guard should advise management of their interest.

IV. Honor Guard Uniforms and Equipment

- A. The Honor Guard Uniform shall be established in a side directive that is readily changed pursuant to the needs of the group. This directive shall be approved by the Honor Guard Coordinator in accordance with the department uniform policy.

- B. Badge covers shall be worn by all Honor Guard members for funeral and/or memorial services under Categories I through IV.

- 1. The Sheriff or designee shall authorize the badge covers to be worn by all Sheriff's Office personnel from the

Honor Guard

notification of death until at least the conclusion of the services.

2. The Sheriff or designee may authorize badge covers at other times when deemed appropriate.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Domestic Violence/Abuse	Series: 201
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 January 25, 2016 December 2015; Oct 2021

201.01	GENERAL POLICY
201.02	DEFINITIONS
201.03	SAFETY OF THE OFFICER
201.04	DISPATCH INFORMATION
201.05	ENTRY AND INTERVENTION
201.06	PROCEDURES
201.07	CALLS TO SERVICE: DOMESTIC RELATED
201.08	VIOLATIONS OF RESTRAINING ORDERS

201.01 GENERAL POLICY

It is the policy of the department to respond to all domestic disturbance complaints, recognizing that domestic violence involves serious criminal offenses.

The intent of this policy is to:

- A. Restore and maintain order;
- B. Maximize protection for victims of domestic abuse;
- C. Render emergency assistance;
- D. To hold the predominant aggressor accountable for his/her abuse behavior;
- E. Reduce potential injuries to involved parties and officers.

This policy recognizes that violent behavior will neither be excused nor tolerated regardless of the relationship of the persons involved. Domestic abuse is not a private matter, but a crime against the State of Wisconsin, whose prosecution does not depend upon the willingness of the victim to prosecute. Therefore, an officer shall make an arrest supported by probable cause and take a person into custody according to the procedures of this policy.

201.02 DEFINITIONS

Domestic abuse as defined by State Statute means any of the following actions engaged in by an adult person against his/her spouse, former spouse, or against an adult with whom the person resides or formerly resided, or an adult whom the person has a child in common.

- A. The intentional infliction of physical pain, physical injury or illness;
- B. The intentional impairment of physical condition;
- C. A violation of First, Second, or Third degree sexual assault statutes.
(940.255 (1), (2), or (3);
- D. A physical act, or a threat in conjunction with a physical act, which may cause the other person to reasonably fear imminent engagement in the conduct described in A, B, or C.

- E. Definition of Predominant Aggressor is defined as the most significant, but not necessarily the first, aggressor in a domestic abuse incident.

201.03 SAFETY OF THE OFFICER

- A. When preliminary information indicates that both parties are present or there is a potential for violence, the assignment should be assigned to two or more officers. The responding officers should coordinate their response time so as to have at least two officers on the scene at the time they enter the dispute, unless the emergency situation requires immediate action.
- B. Officers should exercise care to protect themselves in responding to all domestic abuse incidents.
- C. The officers, to the extent possible, should control access to weapons and the movement of all parties involved.

201.04 DISPATCH INFORMATION

- A. The individual taking the complaint shall relay to the officers as much information concerning the dispute as possible. Specifically:
 - 1. The exact location the dispute is taking place.
 - (e.g.- in Apt. #6E, 321 Smith Street
 - in the backyard of 621 Smith Street
 - in Shirley's Bar, 312 Smith Street
 - at the swimming pool, City Park)
 - 2. Nature of the dispute; i.e., husband/wife, parent/child, etc.
 - a. Names of parties involved
 - b. Number of persons involved
 - c. Relationship of caller to persons involved.
 - d. If children involved or present.

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3. The extent of injuries to determine if ambulance needs to be dispatched.
 4. If a weapon is involved or if physical violence has occurred.
 5. Whether involved persons are intoxicated.
 6. The existence of court injunction or temporary restraining order.
 7. If there have been previous calls to the address and/or difficulties with named subjects that may indicate a recurring problem.
 8. Past history of violence to responding officers or the use of weapons.
- B. Whenever possible, a minimum of two officers will be dispatched to a domestic disturbance. In extreme situations where only one officer is available, the officer shall be informed that he/she is responding alone and that a second unit will be sent as soon as possible.
- C. If there is a question whether or not to dispatch police personnel, that question will be referred to the on-duty shift supervisor. An unwillingness on the part of the caller to provide any requested information will not preclude the dispatch of officers.

201.05 ENTRY AND INTERVENTION

- A. An officer has authority to intervene in any domestic dispute taking place in areas accessible to the general public.
- B. The fact that a domestic disturbance occurs on private property or in a private dwelling is not in itself a bar to action if a crime has been or is being committed.
1. If entry onto private property is refused, don't go away. Be persistent. Knock again. Convey to the person that his/her attitude

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is understandable but that the officer is required to make sure there are no serious problems.

2. Forced entry should be undertaken only where there are no other reasonable alternatives.
3. If the initial disturbance call was made by a third party but both parties to the domestic dispute refuse to admit the officer, a breach of peace may have occurred. The officer should be persistent and minimal action should include:
 - a. Inform the parties that a call has been received regarding their conduct.
 - b. After entry to a dwelling on the consent of either or both parties and, subsequently, both parties request the officers to leave, the officers must leave unless they have reasonable grounds to believe that their continued presence is necessary to prevent injury, or if probable cause exists to execute an arrest.

C. Resolution of the Complaint

1. Assess the situation as you enter it. (weapons, occupants, and/or tension level)
2. Determine if medical assistance is needed or desired by either party.
3. Separate and isolate all parties involved.
4. Determine the type of threats and/or injuries received by the victim/complainant.
5. Make contact with Harbor House as soon as possible so that services may be offered to the victim immediately. If the victim shows evidence of being assaulted, this should be photographed at

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the scene or hospital. Consideration should also be given to getting photographs of injuries a day or two later when injuries may be more visible. Property damage should be photographed.

6. As part of the resolution, the officer may receive weapons voluntarily surrendered. All such weapons shall be brought to the department and turned into the property room.
7. Officers shall inform the victim that Harbor House will provide assistance if the victim should like to obtain a temporary restraining order or court injunction pursuant to Wisconsin State Statute 813.12(7) and 813.125(6). This order may be sought whether the parties are legally married or living in a spousal manner. Officers may provide direction and/or transportation to the Shelter for all victims and their children if needed.

201.06 PROCEDURES

- A. Probable Cause: Officers must evaluate each incident and determine if probable cause exists that a crime is being or has been committed. Factors to use in determining whether probable cause exists include, but are not limited to, the following:
 1. Bodily harm or pain to the victim. A decision not to arrest may not be based solely upon the absence of visible indications of injury or impairment, or lack of a signed medical release from the victim.
 2. Statements of the victim, including non-consent to the offense. Interviews should be conducted outside the presence of the suspect and written statements obtained whenever possible.

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3. Statements of family members including children, friends, neighbors, or other witnesses. Written statements should be obtained when possible.
4. Verbal and written statements of the defendant.
5. Observations at the scene and of the victim(s).
6. Previous calls at the same location or with the same parties.
7. Previous threats/offenses against the victim by the suspect.
Officers should check for the existence of a restraining order against the suspect, via the communications center.
8. There is no legal requirement that an officer witness the crime, nor is marriage a bar to prosecution for sexual assault.

B. Arrest: If probable cause exists to believe that domestic abuse has occurred and a crime has been committed, the officer shall arrest and take a person into custody. An officer who has probable cause to believe that both parties committed domestic abuse against each other should arrest the person the officer believes to be the predominant aggressor. In determining who the predominant aggressor is, the officer should consider the intent of this policy to protect victims of domestic violence.

MANDATORY investigative strategies to be used in determining the Predominant Aggressor:

1. History of domestic violence between the parties, if the Deputy can reasonably ascertain it and any information provided by witnesses regarding the history.
2. Statements made by witnesses.
3. The relative degree of injury inflicted on the parties.
4. The extent to which each person present appears to fear any party.

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5. Whether any party is threatening or has threatened future harm against another party or another family or household member.

6. Whether either party acted in self-defense of any other person.

An officer's decision as to whether or not to arrest may not be based on the consent of the victim to any subsequent prosecution or on the relationship of the persons involved in the incident. Additionally, an officer's decision as to whether or not to arrest may not be based solely upon the absence of visible indications of injury or impairment.

If the suspect is not on the scene, the officer shall make **reasonable** attempts to locate him/her. If the suspect cannot be located, the investigating officer shall refer the complaint to the District Attorney, via the Investigative Supervisor for filing of charges or issuance of a warrant, indicating that no arrest was made.

Regardless of whether or not a custodial arrest is made, a complaint will be completed and referred to the District Attorney's Office anytime probable cause exists to make an arrest. All decisions not to arrest shall be reviewed by the Investigative Supervisor or his designee prior to the complaint being forwarded to the District Attorney.

C. The officer(s) shall notify the suspect(s) and the victim(s) of the **72 hour statutory and the 5 day Outagamie County Court promulgated no contact provision.**

D. The victim shall be notified that during the **72 hours after arrest**, he/she may sign a written waiver, negating the **72 hour no contact** provision. Waiver forms will be available at the Outagamie County Sheriff's Office Jail. **The 72 hour waiver forms advise waivers that the time limit on the no contact provision may be extended by a judge or court commissioner when the suspect makes their initial appearance.**

- E. *The victim shall also be notified that during the 5 days after arrest, but prior to the suspect's initial appearance or release from custody on bond, he/she may sign a written waiver negating the 5 day no contact provision. Once a suspect makes their initial appearance the status of the 5 day no contact will be addressed by the court, (i.e. kept in place, removed, extended, adjusted with options, etc.). If the suspect bonds out of custody, the 5 day no contact becomes a condition of bond and can only be modified in a hearing by a judge. Waiver forms can be completed at the Outagamie County Sheriff's Office Jail.*
- F. *The arresting officer shall complete the 72 Hour Domestic Abuse No Contact Prohibition Arrest Notice. This notice informs the suspect that pursuant to State Statute 968.0759(5)(a)(2) they may be fined not more than \$10,000 or imprisoned for not more than 9 months or both for violations of the 72 hour no contact.*
- G. *The arresting officer shall complete the Intimate Partner Lethality Assessment (LAP) form with the victim. The officer shall only use victim and suspect initials on the LAP form in order to be in compliance with Marsy's Law. The arresting officer shall complete the Victim Contact Information form with the victim to determine if the victim decides to opt in or out to the sharing of their personal information with Harbor House and the Fox Cities Victim Response Team.*
- H. *The corrections officer who releases a person arrested for a domestic abuse incident from custody while the 72 hour or 5 day no contact period is in effect, shall complete the applicable no contact form notifying the released person both orally and in writing of the requirement and the consequences of violating the requirements detailed in State Statute 939.621, 968.075(2) or 946.49(1)(a) dependent on which no contact is in effect. The release shall be conditioned upon the*

persons signed agreement. The corrections officer releasing a person arrested for domestic abuse shall notify Harbor House of the release.

- I. *Violations of the 5 day no contact should be charged with Bail Jumping under State Statute 946.49(1) or (2).*
- J. *Violations of the 72 hour no contact should be charged with Contact after Domestic Abuse Arrest under State Statute 968.075(5)(A).*
- K. *If the released person commits an act of abuse during the 72 hour period following arrest, and the act constitutes the commission of a crime, the penalty increases from a misdemeanor to a felony, and the maximum term of imprisonment for that crime may be increased by not more than two (2) years pursuant to Wisconsin Statute 939.621.*

201.07 CALLS TO SERVICE: DOMESTIC RELATED

Officers may respond to complaints relating to domestic problems. The officers should assess the call and provide assistance deemed necessary. The officers should also document all actions taken in written report form.

- A. Custody of Children
 - 1. Domestic disturbances concerning the custody of children are extremely complicated. Where both parties have custody of a child and there is no probable cause that a crime has been committed, the officer has no authority to act when one party claims the other has stolen the child(ren).
 - 2. In all custody disputes, efforts will be made to preserve the peace and to assure the safety of the child(ren). Parties should be encouraged to resolve the dispute through consultation with their attorney and the court involved in the custody.

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3. When one party has taken a child from another party who has legal custody, the officer may make a custody arrest under WI Stats 946.71(2) - Interference with Custody of Child. This arrest will prevent the child from being removed from the state and allow for a full investigation to be made. ***Such arrests should only be made after consulting with the shift supervisor.***
 4. Officers do not normally have the authority to enforce orders made relating to custody, e.g., where one party is ordered not to contact another party - visitation. Such court orders can only be enforced when there is a specific order from the court ordering the police to take a specific action. ***Such arrests should only be made after consulting with the shift supervisor.***
 - (a) As an exception, WI Stats. 946.71(3) allows an officer to make an arrest for Interference with Custody of Child when a party takes away or withholds for more than twelve (12) hours beyond the court-approved visitation period any child under the age of fourteen (14) from a parent or other person having legal custody as a result of a court order.
 5. Obviously officers still have authority to act in situations where laws concerning trespassing or disorderly conduct are violated.
- B. Removal of Personal Property
1. When an officer is called to assist a party who has decided to take personal property from the home, the officer's actions are limited to standing by and preserving the peace while the property is removed.

2. If either party claims a theft is being committed, they shall be advised the matter is civil in nature and should be handled through Small Claims Court or a private attorney.

C. Stand By Procedure/No Contact Provisions.

While any no contact clause is in effect officers should not allow or assist any person identified as the respondent, (defendant), in a domestic abuse no contact order, restraining order or injunction, on the petitioner's (victim's) premises for any reason without court authorization. An officer may allow this only in extreme and unusual circumstances with shift supervisor approval. The petitioner may wish to make a request to drop the order in writing, this request must be submitted to a Judge for approval.

201.08

VIOLATION OF RESTRAINING ORDERS

Officers should ascertain whether or not there is a temporary restraining order or court injunction issued pursuant to WI Stats 813 in effect at the time of the incident by:

- A. Asking the complainant for an actual copy of the order.
- B. Checking with the Outagamie County Sheriff's Office Communications Center.
- C. Checking with the Outagamie County District Attorney or Family Court Commissioner.

Prior to taking enforcement action, the officer must determine:

- A. If the time period for the restraining order or injunction has expired.
- B. If the order has actually been served on the defendant.

If the restraining order has not expired and not been served, the officer shall advise the suspect of its existence and that he/she is to have no contact with the

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victim by any means. If there is probable cause to believe that the suspect has violated any part of a valid court order having been served, the officer shall arrest the suspect. An officer arresting a person for violation of a restraining order or injunction shall transport the person to the jail and charge under WI Stats.

813.12(8). Subject can be released if required bond is posted.

The arrest must be made even if the victim permitted the suspect to return contrary to the injunction or restraining order. No private citizen, including the victim, can authorize the violation of a court order. Failure to make the mandatory arrest for violation of the restraining order may result in disciplinary action against the officer.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Handling the Mentally Ill/ Drug Dependent/ Developmentally Disabled	Series: 202
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 September 15, 2013 December 2015; Nov 2021

202.01	GENERAL POLICY
202.02	DEFINITIONS
202.03	ALTERNATIVES TO TAKING INTO CUSTODY
202.04	TAKING INTO CUSTODY FOR EMERGENCY DETENTION
202.05	ARREST FOR CRIMINAL VIOLATION
202.06	ESCAPEES FROM TREATMENT FACILITIES

202.01 GENERAL POLICY

Officers of the Department often come into contact with a person who exhibits abnormal behavior and/or apparently suffers from mental illness/drug dependency/developmental disability or incompetence. While the Department recognizes that officers are not qualified to solve the underlying problems of such persons, it is the policy of the Department to respond to contacts with such persons in a manner that reflects:

- Sensitivity to the needs of the individual person.

- Concern for the safety of the officer and others at the scene.

- Concern to alleviate the situation in a reasonable manner and length of time.

Standing alone, mental illness/drug dependency/developmental disability or apparent incompetency does not require any police response. Persons with these conditions generally have a right to be left alone so long as they do not violate any law or present a substantial probability of physical harm to themselves or other persons. Whenever possible and appropriate, an officer should direct, and refer in writing, a person exhibiting abnormal behavior to those persons and agencies that can provide help.

202.02 DEFINITIONS

Developmental Disability: A disability due to ***cognitive disability***, autism, or other neurological condition closely related to ***cognitive disability*** or requiring treatment similar to that required for ***cognitive disability***, which has continued or can be expected to continue indefinitely and is a substantial handicap to the individual. "Developmental disability" does not include senility, which is primarily caused by aging or the infirmities of aging. (While normally epilepsy and cerebral palsy are considered to be developmental disabilities, they are not

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included in this definition since the statutes specifically do not allow those categories to be used for involuntary commitments.)

Drug Dependant: A person who uses one or more drugs to the extent that the person's health is substantially impaired or his/her social or economic functioning is substantially disrupted.

Incompetence: A general state or category to cover others who need assistance. (i.e. senility, early infancy.)

Mental Illness: Mental disease to such extent that a person so afflicted requires care and treatment for his/her own welfare or the welfare of others or of the community.

202.03

ALTERNATIVES TO TAKING INTO CUSTODY

Whenever possible an officer should attempt to handle a situation involving a mentally ill/drug dependent/ developmentally disabled/incompetent person by some means other than taking the person into custody.

A. Release and Referral

1. If the immediate situation can be relieved so that the individual no longer presents a danger to him/herself or others, the officer may release the individual and suggest further assistance be sought from Human Services or their designee.
2. If the individual refuses to cooperate with the officer, the officer may be able to get in contact with a relative or friend who can gain the individual's cooperation. In such cases, the individual may be released to such person with information concerning the mental health center as long as the officer reasonably believes that the individual does not pose a substantial probability of harm to self or others.

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3. In resolving the situation, any individual may voluntarily agree to come with an officer to an appropriate facility for care or assistance. Transportation other than the squad should be used if possible (ambulance, family's car, etc.) If it is necessary for an officer to transport, the officer should notify the Telecommunicator. While transporting, the officer should be conscious of the possibility of injury to self or to the person being transported and take necessary steps to prevent it.

202.04

TAKING INTO CUSTODY FOR EMERGENCY DETENTION

- A. At times it will become necessary to take an individual into custody. Wisconsin Law gives the officer the authority to do so if he/she has cause to believe that such individual is mentally ill/drug dependent/developmentally disabled and also demonstrates:
 1. A substantial probability of physical harm to self as manifested by evidence of recent threats of or attempts at suicide or serious bodily harm.
 2. A substantial probability of physical harm to other persons as manifested by evidence of recent homicidal or other violent behavior on his/her part, or by evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them, as evidenced by a recent overt act, attempt or threat to do serious physical harm on his/her part.
 3. A substantial probability of physical impairment or injury to him/herself due to impaired judgment as manifested by evidence of recent act or omission. The probability of physical impairment or injury is not substantial under this subdivision if reasonable

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provision for the individual's protection is available in the community.

4. Behavior manifested by a recent act or omission that he/she is unable to satisfy basic needs for nourishment, medical care, shelter or safety without prompt and adequate treatment so a substantial probability exists that death, serious physical injury, serious physical debilitation or serious physical disease will imminently ensue unless the individual receives prompt and adequate treatment for this mental illness or drug dependency.

(No substantial probability of harm exists if reasonable provisions for the individual's treatment and protection are:

- Available in the community.
- Can receive protective placement under 55.05
- Or if a minor is appropriate for services or placement under 48.13 (4) or (11).)

The officer's belief shall be based on a specific recent overt act, attempt or threat to act or omission made by the individual and observed by or reliably reported to the officer. The officer shall record the names of individuals witnessing the behavior.

B. Transporting the Individual

1. In taking an individual into custody for an Emergency Detention, an officer shall contact a worker from Outagamie County Crisis Intervention Center or their designee. The worker will assist the officer in determining the appropriate treatment facility for the individual.
2. Contact the Telecommunicator and inform of the intent to transport. The officer shall request a complete NCIC check.

Handling the Mentally Ill/Drug

3. Mentally ill individuals taken into custody on an Emergency Detention shall be transported to a designated treatment facility.
 4. Drug dependent/developmentally disabled individuals taken into custody on an Emergency Detention shall be transported to a treatment facility as designated by the worker from Outagamie County Crisis Intervention or their designee.
 5. Such individuals may be transported in the patrol car if the officer believes it can be accomplished safely. This may require additional officers being present in the car. Sufficient restraints should be used to insure the officer(s)' and individual's safety. To include having child safety locks engaged / active if the vehicle is so equipped, or taking other measures to insure that the doors and windows can't be accessed or operated by the subject being transported without officer assistance.
 6. If the individual cannot be safely transported in the patrol car, the officer should request an ambulance to transport. If necessary, the officer(s) may accompany the individual in the ambulance.
- C. Affidavit for Emergency Detention (Must be used in all cases that are not voluntary.)
1. Before the officer delivers the individual, the officer shall complete an Emergency Detention form, leaving one copy with the facility and attaching the original to his/her report. The affidavit shall indicate the individual's name, address, and the conduct leading the officer to believe that the individual is: 1) mentally ill; 2) dangerous to self or others, and the name(s) of individual(s) who observed such conduct. The behavior may either be observed by the officer or reliably reported to the officer. Before completing

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their duty shift, the officer shall make additional copies of the affidavit and see that they will be delivered to the Corporation Counsel. The detaining officer must be available for testimony for a probable cause hearing, held within 72 hours, excluding weekends and holidays, of the detention.

202.05 ARREST FOR CRIMINAL VIOLATION

In individual situations, arrest for criminal violation is an appropriate disposition for a person who is mentally ill. In such situations, the individual will be processed as in all custodial arrests and transported to the County Jail. At the time the individual is booked into the County Jail, the Correctional Officer shall be notified of the officer's belief that the person is mentally ill. All necessary care should be taken to insure that the individual does not injure self or others.

202.06 ESCAPEES FROM TREATMENT FACILITIES

- A. Wisconsin residents who have been involuntarily committed or detained on an emergency basis in a treatment facility and have left that facility on an unauthorized absence will be taken into custody and returned to the treatment facility. It is recommended that when a request is received to take such a person into custody the Telecommunicator should check with the Sheriff's Office where the facility is located to see if the party is actually on an unauthorized absence.
- B. Lacking any cause related to immediate behavior, escapees from mental health, drug abuse, developmentally disabled, or alcoholism institutions of another state may be detained only under an official order from the originating jurisdiction.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Handling the Alcohol Abuser (Chapter 55)	Series: 203
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 September 15, 2013 December 2015; Nov 2021

203.01	GENERAL POLICY
203.02	DEFINITIONS
203.03	HANDLING A PERSON INCAPACITATED BY ALCOHOL
203.04	HANDLING AN INTOXICATED PERSON

203.01 GENERAL POLICY

- A. Officers of the Sheriff's office come into contact with persons who are either intoxicated or incapacitated by the abuse of alcohol in a variety of different situations, including: the person not able to care for him/herself - the person threatening to harm someone - the person operating a motor vehicle - the person in a family dispute - the person in a serious crime. In all such situations it is the policy of the Sheriff's office to respond in a manner that reflects sensitivity to the needs of the individual, concern for the safety of the officer and others at the scene, as well as the general public, concern to alleviate the situation in a reasonable manner and amount of time, and concern to help (to the extent possible) the person receive the assistance of those agencies and persons that can provide professional help.
- B. A person who has consumed excessive amounts of alcohol, absent any criminal behavior, should be treated as a person in need of assistance.
- C. When an officer comes into contact with an individual having difficulty due to the overuse of alcohol, the officer should attempt to assess whether the individual is incapacitated or simply intoxicated based on the information provided in the following sections.

203.02 DEFINITIONS

Incapacitated by Alcohol: A person, as a result of the use of or withdrawal from alcohol, is unconscious or has his/her judgment otherwise so impaired that he/she is incapable of making a rational decision, as evidenced objectively by such indicators as extreme physical debilitation, physical harm or threats of harm to him/herself or to any other person or to property.

Intoxicated Person: A person whose mental or physical functioning is substantially impaired as a result of alcohol but who does not appear to need

medical attention and who has not threatened or committed physical harm.

203.03

HANDLING A PERSON INCAPACITATED BY ALCOHOL

- A. When an officer has contact with a person who is determined to be "incapacitated" by alcohol, the officer shall place the individual under custody and transport to the appropriate medical facility. The person who is incapacitated by alcohol must be taken into protective custody and transported to a treatment facility.
1. "Incapacitated by Alcohol" as evidenced by extreme physical weakness and/or mental impairment: (The following list of indicators might assist in the determination of incapacitation. The list is not all inclusive.)
 - a. The inability to stand without assistance. The need to cling to objects such as buildings or posts in order to remain standing.
 - b. Manner of walking. (staggering, falling, wobbling)
 - c. Presence of vomit, urination or defecation on clothing.
 - d. Dilation of eyes, flushed complexion, alcohol odor on breath.
 - e. The inability to understand and coherently respond to questions asked. (Name, age, address, destination)
 - f. Delirium tremors. (Sweating, trembling, anxiety, hallucinations)
 - g. Unconsciousness. (This alone constitutes sufficient grounds to evidence extreme physical debilitation if it is apparent that the condition is related to alcohol consumption. Unconsciousness, even when the individual has consumed alcohol, could be caused by other factors,

Handling the Alcohol Abuser

e.g. diabetic shock. Any individual found unconscious should be conveyed to a hospital for examination by an ambulance/Rescue Squad.

2. "Incapacitation by Alcohol" as evidenced by physical harm or threats of harm to him/herself, or to any other person or to property: (The following list is not all inclusive.)
 - a. Walking into streets or intersections, regardless of the flow of traffic.
 - b. Sleeping on the street or gutter, where he/she may be hit by a motor vehicle.
 - c. Sleeping on the sidewalk where he/she is subject to being robbed, assaulted or molested.
 - d. Anger or hostility expressed toward individuals, e.g. wife, friends, pedestrians.
 - e. Threats of damage to property or persons, e.g. assault.

B. Procedures

1. As soon as an officer decides to take a person into custody, the officer shall inform Communication Center of the intent to transport. If additional assistance is required, request a backup unit and ambulance/Rescue Squad.
2. The officer shall conduct a pat-down search, if possible, and at his/her discretion may handcuff. Once the officer has obtained the name of the individual, a warrant check will be made on all persons taken into protective custody.
3. The officer shall complete an Affidavit of Emergency Detention. A copy of the Affidavit of Emergency Detention shall be delivered to the facility and to Human Services, the detained person, the

Handling the Alcohol Abuser

court and the original shall be attached to the officer's report.

203.04 HANDLING AN INTOXICATED PERSON

If the officer has determined that the person is not incapacitated but is simply intoxicated, the officer should offer to assist the person. ***Every reasonable effort to protect the person's health and safety shall be taken.***

- A. If assistance is accepted, the officer may:
 - 1. Call a relative to pick up the person, arrange public transportation or lodging.
 - 2. Call Human Services and request assistance. During their normal working hours they may be able to assist directly at the scene and after normal working hours they may be able to offer advice over the telephone or make arrangements for a later referral.
 - 3. As a last resort, transport the person home if he/she resides within the city/county, unless it conflicts with other policy.
In any situation where a person is being transported, the telecommunicator shall be given prior notice.
- B. If assistance is refused, the officer should not further intervene.
- C. In any situation where an officer has contact with an intoxicated person who either accepts or refuses assistance, the officer shall notify the telecommunicator of the disposition.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Mutual Aid	Series: 204
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 September 15, 2013 December 2015 Reviewed, no changes: Sept 22, 2021

204.01	GENERAL POLICY
204.02	RESPONDING TO REQUESTS FOR ASSISTANCE
204.03	SEEKING ASSISTANCE FROM OTHER DEPARTMENTS
204.04	PAYMENT FOR ASSISTANCE PROVIDED BY OFFICERS OF OTHER AGENCIES
204.05	COMMANDING AID FROM CITIZENS
204.06	COMMANDEERING PRIVATE PROPERTY
204.07	MUTUAL AID BY MUNICIPAL LAW ENFORCEMENT OFFICERS

204.01 GENERAL POLICY

The primary responsibility of the Sheriff's office is to provide protection and service to the members of this community; however, whenever circumstances allow, deputies should respond to request from other law enforcement agencies for assistance. Deputies may request assistance from other law enforcement agencies whenever the situation requires it and the assistance cannot be delivered by other members of this Sheriff's office. Only in extreme situations should deputies command assistance from citizens or commandeer private property.

204.02 RESPONDING TO REQUESTS FOR ASSISTANCE

- A. Deputies of this Sheriff's office shall assist any Police Officer from another department whenever it is requested by word or action, unless such action would not provide sufficient coverage for Outagamie County. In responding to requests for assistance from other jurisdictions, the deputy shall immediately notify the Telecommunicator and the Telecommunicator shall notify the Shift Supervisor.
- B. Deputies responding to other Departments' requests shall have the same jurisdiction as the Police Officers of the requesting jurisdiction.
- C. In performing law enforcement duties in the requesting jurisdiction, the deputies shall follow the policies of this Department, unless given a direct contradictory order by a Police Officer of that jurisdiction.
- D. If for some reason a deputy is not able to respond to a request for assistance from another agency, the deputy shall have the Telecommunicator notify the agency immediately. As soon as the deputy is free to respond, the deputy will notify the requesting agency and determine if assistance is still needed.
- E. Deputies responding to requests from other jurisdictions will make every effort to return as quickly as possible to their own jurisdiction. Once the

emergency situation is resolved, the requesting jurisdiction should utilize its own personnel to take the necessary follow-up steps.

204.03 SEEKING ASSISTANCE FROM OTHER DEPARTMENTS

- A. Other Departments with Jurisdiction in the County: The Shift Supervisor may command a Police Officer or Officers of another Department with jurisdiction in the county to assist for the purposes of:
 - Keeping and preserving the peace and suppressing *civil unrest*;
 - serving process in civil or criminal cases; or - apprehending and securing any person for felony or breach of the peace.
- B. Departments from Outside of the County: The Shift Supervisor when the need exists may request assistance from any other Police Officer of any department, whether the department is in the county or not.
- C. If time permits and the situation allows, any officer requesting assistance from an outside agency should confer with the Shift Supervisor prior to requesting or commanding assistance.
- D. Any Police Officer who comes to assist has the same jurisdiction and authority as an employee of the requesting agency.
- E. Once the emergency situation for which assistance has been requested has been resolved, the Police Officers from other jurisdictions should be allowed to return to their own jurisdictions as quickly as possible. If necessary, the Shift Supervisor may call out off-duty deputies from his/her own jurisdiction to complete the follow-up. ***The shift supervisor shall notify the on-call personnel when appropriate.*** They shall be advised of the nature of the situation, which required assistance, time assistance requested, time secured, and agency assisting.

204.04 PAYMENT FOR ASSISTANCE PROVIDED BY OFFICERS OF OTHER AGENCIES

- A. A Police Officer shall be compensated by the Police Officer's own department for any services provided for another department subject to paragraph B of this section.
- B. A department who has provided a Police Officer to assist another department shall bill the requesting department for all wages, disability payments, pension and worker's compensation claims, damage to equipment and clothing and medical expenses which were incurred. The Sheriff may use discretion in not billing for such services when the two departments normally assist each other.

204.05 COMMANDING AID FROM CITIZENS

- A. Only in extraordinary situations should a deputy command a citizen to assist in the performance of law enforcement duties. A deputy may command such assistance when:
 - 1. No other Police Officers of any agency are available to assist; and
 - 2. Such aid is the only way to prevent great bodily harm or the escape of a violent felon.
 - 3. At the deputy's judgment, no harm will result to the assisting citizen.
- B. In commanding aid from a citizen, a deputy to the extent the situation permits should offer positive identification of his/her police authority.
- C. A citizen may be informed that failure to aid a Police Officer who commands it without a reasonable excuse is an offense against WIS. STATS.

- D. In requesting assistance from a citizen, a deputy should remember the citizen has no specific law enforcement training and may be limited in what he/she can accomplish. A deputy must offer as much instruction and direction as possible under the circumstances.

204.06 COMMANDEERING PRIVATE PROPERTY

- A. A deputy should use his/her authority to commandeer private property only under the following extreme situations:
 - 1. It is necessary to prevent death or great bodily harm; or
 - 2. It is necessary to apprehend a person who the deputy believes to have committed an illegal act, which either threatens or causes great bodily harm.
- B. If the owner of the property is present, the deputy to the extent the situation allows should identify him/herself as a Police Officer.
- C. It is the deputy's responsibility to exercise due care in protecting such property. The deputy in the report should indicate whenever such property is commandeered, indicate whom the property belonged to, whether it was returned and whether any damage was done.

204.07 MUTUAL AID BY MUNICIPAL LAW ENFORCEMENT OFFICERS

- A. General Policy

The Sheriff of Outagamie County may deputize local municipal law enforcement officers in Outagamie County. These officers, while on duty, may observe an emergency situation or crime occurring beyond their jurisdiction as a municipal police officer. The primary responsibility of law enforcement officers throughout Outagamie County is to provide protection and service to citizens of Outagamie County. Local police

officers may respond to emergency situations or crimes they observe being committed outside their jurisdictions but within Outagamie County.

- B. Use of Deputization Status Within Outagamie County; Certified law enforcement officers who are employed by Outagamie County may be sworn as deputy sheriffs. Deputization status shall not be used for the purpose of outside employment as part-time deputies, without the authorization of the Sheriff or designee. Deputization is intended to supplement on duty (payroll status) authority of the officer's respective police jurisdiction/community, for the following purposes:
1. Allows for Intra-county drug/vice and other specialized operations deemed necessary.
 2. Alleviates "jurisdictional boundaries" related problems/concerns, and also in handling on-sight situations adjacent to home jurisdiction.
 3. Provides additional county/wide law enforcement officers/resources especially in times of fiscal cutbacks.
 4. Provides incentive/legal security motivation to officially act on behalf of the public when necessary and appropriate.
 5. Provides necessary police identification when outside municipal boundaries and officer is challenged by violators.
 6. Alleviates the need for court testimony verification of officer's status/authority involving mutual-aid assistance requests.
- C. Requests for Assistance by Outagamie County Sheriff's Office
- The Sheriff or his designee may request the assistance of any police officer within Outagamie County, under Section 59.24(2) to respond outside their jurisdiction. [see also 61 OAG 79, 81 (1972)] It shall be the duty of local police officers to cooperate and provide the requested assistance.

D. Responding to Emergencies or Crimes in Progress

1. Any deputized municipal law enforcement officer on duty within their jurisdiction, who observes an emergency or crime in progress may respond to the scene, unless such reaction would result in improper protection of their jurisdiction.
2. When responding to the emergency or crime, the municipal officer shall switch their communication equipment to Outagamie County Sheriff's Office frequency and advise the Sheriff's Office telecommunicator of the nature and location of the situation. If question is raised, the Sheriff's Office Shift Supervisor, or designee, shall make the decision as to response.
3. When responding to an emergency or crime outside their jurisdiction, they shall be acting as deputy sheriffs for Outagamie County and shall have the same authority and responsibilities as a deputy of the Outagamie County Sheriff's Office, and are under the direction of the Sheriff's Office Shift Supervisor or designee.
4. Once the situation is resolved, the municipal officer should return to his/her own jurisdiction as quickly as possible. The Shift Supervisor shall release the officer as soon as possible to return to his/her jurisdiction. The Shift Supervisor may request a written report of the officer's observations and actions taken be submitted to the Sheriff's Office within twenty-four (24) hours by the officer involved. At the discretion of the Shift Supervisor, the Division Head may be notified of the nature of the situation, which required the response, time of response by the police officer, time secured and agency providing assistance.

E. Payment for Assistance Provided by Officers of Other Agencies

Mutual Aid

1. A police officer shall be compensated by the police officer's own department for any services provided to the Sheriff's Office.
2. Outagamie County will not undertake the defense of, nor pay a judgment against, any municipal police officer, whose only connection to the County in the matter, which is the subject of litigation is his/her deputy status. If the officer is proceeded against in his/her response to a mutual aid request, the County will adhere to all provisions of Section 895.35 and 895.46.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Civil Process	Series: 205
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 September 15, 2013 December 2015; Nov 2021

- 205.01 GENERAL POLICY
- 205.02 ACCEPTANCE OF PAPERS FOR SERVICES
- 205.03 PROCESSING OF PAPERS
- 205.04 SERVICE OF PAPERS
- 205.05 REPLEVIN
- 205.06 AFFIDAVIT AND CERTIFICATES OF SERVICE

205.01 GENERAL POLICY

The Sheriff's Department has the responsibility to serve or execute according to law all processes, writs, precepts and orders issued or made by lawful authority according to WIS. STATS. 59.23(4). The proper administration of the civil court system requires such documents be properly served and executed. The Process Server, the Process Section and all employees shall take appropriate care in the acceptance, service and the execution of civil papers.

205.02 ACCEPTANCE OF PAPERS FOR SERVICE

- A. Papers for service will be accepted for the Sheriff's Office at the front desk (3030 E Goodland Drive) by the Process Server or by a member of the clerical staff. In situations where service of the papers require special instructions or by the nature of the papers themselves, they will be accepted by the Process Server or designee only.
- B. Special instructions from the court or attorney to deviate from the Statutes or standard procedures must be in writing.
- C. All papers accepted by the Sheriff's Office should be accompanied by an authenticated copy of the papers.
- D. Papers which are part of actions in which the statute of limitations is about to expire will be accepted at any time. If such papers are accepted by clerical staff they shall immediately notify the Process Server.
- E. At the time papers are accepted the receptionist shall take the service fee and any appropriate witness or travel fees. Attorneys known to the Sheriff's Office or those presenting a business card may be billed for services and other fees. A schedule of fees and service charges will be kept in the Civil Process office.
- F. As far as possible the Sheriff's Office will cooperate with the attorney or person delivering the papers for service so long as such action does not prejudice the rights of other parties. Employees shall not offer legal advice concerning the validity, service or execution of papers to

individuals coming to the Sheriff's Office beyond the scope of their responsibility. If additional legal information is necessary, the party may be referred to the Clerk of Courts, appropriate Court, public attorney or to a private attorney.

- G. Papers will be accepted for service only if they are validly drawn. If a clerk is not sure of the validity of a paper he/she shall have the paper checked by the Process Server before accepting it or shall accept it conditionally until reviewed by the Process Server. The Process Server or clerk may inform a party of an error, which affects the validity of a paper and refer them to the appropriate Wisconsin Statute for correcting the error. However, no legal advice shall be given regarding the drawing up of papers. Papers received via mail, which are not valid shall be returned to the sending party.

205.03 PROCESSING OF PAPERS

- A. In addition to the person accepting the papers, the Process Server or designee shall also review all papers accepted for validity prior to having them served.
- B. The Process Server shall upon acceptance of papers and authenticated copies stamp them with appropriate date and time stamp.
- C. Normally all papers will be served by the Process Server, while also utilizing Deputy Sheriffs to assist as needed. In situations where timely service cannot be made by this division, the Process Server may assign such papers for service to other employees through their Division Head or Shift Supervisor. The Process Server may also call upon other divisions for assistance in assuring the proper and safe service of papers or execution of papers.

205.04 SERVICE OF PAPERS

- A. Whenever an employee is given a paper for service, that employee, whether in the Process Section or not, shall review the paper to assure it is valid on its face.
- B. Prior to serving the paper a member of the Process Section shall be certain he/she knows:
 - 1. What is meant to be accomplished by serving the paper.
 - 2. How it must be served in order to be valid, including time limits on service, which must be observed.
 - 3. The proper person to be served.
 - 4. How it must be returned.
- C. Each service action requires that the employee identify him/herself, exhibit the document and read it to the party. The employee should make sure the person understands the contents of the paper by explaining in understandable terms their basic purpose without giving legal advice.
- D. Whenever serving a paper an employee shall take precautions for his/her own safety, including notifying the tele-communicator of the location (by radio or mobile computer through CAD). In any situation where an employee believes assistance is necessary, he/she shall arrange for appropriate backup. In any situation where an employee is physically abused or violently threatened, a patrol supervisor shall be notified.
- E. The **deputy** must attempt to personally serve the person named in the document.
 - 1. If the party cannot be located after three attempts at personal service, service may be made on a competent family member 14 years of age and over of the party's immediate family or a competent adult residing at his/her abode. In executing service in this way the employee should proceed to inform the family member or adult of the contents of the document in the same

manner as with the party himself. Substitute service shall only be made at the place of abode.

2. After an action has started and an attorney has appeared on behalf of the party, subsequent service can also be made on the attorney so long as he/she is not a party to the action, if the attorney consents.
3. If the party who is to be served cannot be located after a reasonably diligent effort, and neither his or her attorney or a competent family member can be served in his/her abode, the papers should be returned to the issuing party with notice of the failure to locate.

F. Service on an Organization

If service is to be made on a corporation, government body, partnership or other organization rather than specifying a natural person, an officer of the organization receives the papers. Normally officers of a corporation are the president, vice-president, corporate secretary, treasurer or director. If none of these individuals are available service may be left with a person who has general supervision over the affairs of the company or any one apparently in charge of the office. If there are questions concerning whether service is appropriate, the employee shall check with the Process Server. Foreign papers (those coming from another state or country) shall be served on the person named and substitute service shall not be done unless authorized by the Process Server.

G. Interference with Service

If an employee in the act of service is refused entrance, he/she should not force entry unless such forced entry is authorized by a court in writing. If forced entry is needed, it should not be made until the employee contacts the Telecommunicator to send assistance and the approval of the Process Server is obtained.

205.05 REPLEVIN

A. Court Determination Required

No action of replevin with seizure will be accepted for service by the Sheriff's Office unless there has been a court determination that the plaintiff has a right to have the property seized.

B. Organizing for Replevin

Before beginning any replevin, the Process Server should be sure that he/she understands all the terms of the order and should make necessary arrangements before seizure. When making a replevin the Process Server should:

1. Be certain he/she has enough help to move the property, and a place to store the goods.
2. Provide proper custodial services for live animals seized.
3. Vehicles should be towed if removed by department personnel.
4. If appropriate, vehicles may be driven to destination by the plaintiff or designee or defendant.
5. A bond is required before enforcing replevin.

205.06 AFFIDAVIT AND CERTIFICATES OF SERVICE

The Process Server shall prepare appropriate affidavits and certificates of service and return them to the appropriate party along with appropriate bills for fees and services.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Escort Service	Series: 206
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 September 15, 2013 December 2015 Updated March 2022

- 206.01 GENERAL POLICY
- 206.02 BACKGROUND
- 206.03 OBJECTIVE
- 206.04 GENERAL REQUIREMENTS
- 206.05 ESCORTING OTHER EMERGENCY VEHICLES
- 206.06 ESCORTING PRIVATE VEHICLES UNDER EMERGENCY CIRCUMSTANCES
- 206.07 VIP SECURITY AND ESCORT
- 206.08 FUNERAL PROCESSIONS
- 206.09 PARADES AND OTHER LOCAL EVENTS
- 206.10 SPECIAL ESCORT REQUESTS
- 206.11 REIMBURSABLE ESCORT SERVICE

206.01 GENERAL POLICY

It is the policy of the Outagamie County Sheriff's Office hereafter referred to as OUSO to provide escort or security services when such services are in the interest of public safety, when necessary for the protection of VIPs, or valuable property, or when reimbursable escort service is required as a condition of an oversize vehicle permit. The OUSO will provide escort service only when the escort can be accomplished in a safe and efficient manner.

The OUSO will provide non-emergency escort services dependent upon the type of service requested, demonstrated need, and personnel availability. Requests for reimbursable escort service must allow a minimum of 48 hours advance notification.

206.02 BACKGROUND

The OUSO is often called upon to provide escorts using department vehicles under a variety of circumstances. In cases of inter-jurisdictional escorts, OUSO assistance may be the most appropriate alternative.

Field personnel often receive requests to escort other emergency vehicles or private vehicles in emergency situations. This type of escort typically tends to magnify rather than diminish the potential danger. Other motorists see the emergency vehicle and fail to notice the trailing vehicle(s).

Safety in completion of the assignment must be given the highest priority.

206.03 OBJECTIVE

This policy provides department personnel with guidelines to use in determining the advisability of providing escorts under those circumstances delineated in this policy. This policy prescribes proper methods of assigning and reporting escort services furnished under this policy.

206.04 GENERAL REQUIREMENTS

The persons assigned to handle the escort are responsible for the proper timely submission of the completed report **when such report is necessary**. The report is to include a statement of any problems encountered for future consideration.

206.05 ESCORTING OTHER EMERGENCY VEHICLES

OUSO vehicles should not be used to escort other emergency vehicles, such as ambulances or fire trucks. Exception: To lead another emergency vehicle to an emergency center when the other vehicle operator is not familiar with the area. OUSO personnel providing such service shall use extreme caution as to speed, obedience to traffic signs or signals, and distance between vehicles.

206.06 ESCORTING PRIVATE VEHICLES UNDER EMERGENCY CIRCUMSTANCES

- A. **With the exception of certain VIP motorcades, authorized by the Sheriff or designee**, OUSO vehicles will not be used for emergency escorts of private vehicles.
- B. When emergency transportation of persons in private automobiles is warranted, other available options are:
 - 1. Calling an ambulance while stabilizing the situation as per First Responder Training.
 - 2. As a last resort, transporting the patient in the OUSO emergency vehicle if the transfer can be done safely.
 - 3. Provide escort at the speed limit without the use of emergency equipment.

206.07 VIP SECURITY AND ESCORT

- A. When authorized by the Sheriff or his designee, department personnel will provide VIP escort service and/or security protection as directed.
- B. VIP escorts may be conducted within the statutory limits of Wisconsin Statute 346.215.
 - 1. All VIP escorts will have a minimum of two (2) police vehicles. Vehicle one shall lead the escorted vehicles while vehicle two will trail the escorted vehicles.
 - 2. Police vehicles may have activated visual signals, if their use is believed to increase the safety of the motoring public and improve the efficiency of the escort.

206.08 FUNERAL PROCESSIONS

- A. When authorized by the Sheriff or designee, personnel may provide escort service and/or traffic direction for funeral processions.
- B. Personnel involved in funeral escorts should be guided by the provisions of state statutes regarding funeral processions and general rules of right-of-way. Squad emergency equipment may be used if warranted.

206.09 PARADES AND OTHER LOCAL EVENTS

- A. When authorized by the Sheriff or his designee, department personnel may escort or take part in parades and other local public relations functions.
- B. Emergency equipment may be used dependent upon the nature of the event.
- C. Personnel involved in this type of escort shall be guided by the general provisions of right-of-way.

206.10 SPECIAL ESCORT REQUESTS

- A. When approved by the Sheriff or designee, department equipment and personnel may be used to provide security or escort service for other special events. Such events may include strategic military shipments, sensitive historical displays, or prominent governmental or public events.
- B. The level of department involvement will be determined by the Sheriff or designee.

206.11 REIMBURSABLE ESCORT SERVICE

- A. When authorized by the Sheriff or his designee, department personnel and/or equipment may be used to escort specially permitted oversize vehicles. OUSO escort of such vehicles will be provided when the escort is required by the oversize vehicle special permit. The cost of all escorts under this section are to be reimbursed by the motor carrier, along with any other related costs.
- B. Personnel Assignment - Reimbursable escorts will be completed using off-duty personnel if applicable. If overtime hours are required, assignment shall be made following the provisions of the current union labor agreement.
- C. Escort Safety - Personnel assigned to such escorts shall use proper squad emergency equipment when required. All escorts shall be conducted within the confines of applicable statutes. Per Wisconsin Statute 349.02 Police and traffic officers to enforce law (1)....Police officers, sheriffs, deputy sheriffs and traffic officers are authorized to direct all traffic within their respective jurisdictions either in person or by means of visual or audible signal in accordance with chs. 346 to 348 and 350.

Escort Service

OUSO personnel will, at all times, conduct escorts using due regard for safety.

- D. Communications During the Escort - Personnel assigned to a reimbursable escort shall maintain proper radio communications during the escort.
 - 1. Notify the Shift Supervisor and Communications Center when the escort service begins and when the detail has been completed.
 - 2. Officers performing an escort shall obtain an activity/report number for the assignment for the Communications Center.
 - 3. Request the Communication center to notify large municipalities of estimated time of arrival when the escort may cause congestion or traffic problems.
 - 4. Officers shall verify the oversize permit issued to the move. Special attention should be paid to routes, times, limitations, utility/business permits applicable.
- E. Fees for reimbursable escorts shall be paid at the time the permit is issued by the County Highway Commissioner. Fee structure shall be established by the Sheriff and subject to periodic review.
- F. Law Enforcement escorts shall be required for all oversize loads in excess of 16 feet in width. A minimum of two OUSO units will be assigned to escort.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Officer-Involved Death & Notification of Victim Rights	Series: 207
Effective Date: December 2018	Original Date Issued: April 2, 2015
Sheriff:	Re-Issue Date: January 31, 2022 December 2018 / April 2, 2015

- 207.01 DEFINITION
- 207.02 OBLIGATION OF LAW ENFORCEMENT AGENCY
- 207.03 OBLIGATION OF INVESTIGATORS
- 207.04 INTERNAL INVESTIGATION
- 207.05 NOTIFICATION OF VICTIM RIGHTS

Officer-Involved Death & Notification of Victim Rights

207.01 DEFINITION

An officer-involved death is defined by law as a death of an individual that results directly from an action or an omission of a law enforcement officer while the law enforcement officer is on duty or while the law enforcement officer is off duty but performing activities that are within the scope of his or her law enforcement duties.

See Wis. Stat. § 175.47(1)(c).

207.02 OBLIGATION OF LAW ENFORCEMENT AGENCY

In the event of an officer-involved death, the Outagamie County Sheriff's Office will authorize at least two investigators, one of whom is the lead investigator and neither of whom who is employed by the Outagamie County Sheriff's Office, to conduct the officer-involved death investigation. If the officer-involved death being investigated is traffic-related, the Outagamie County Sheriff's Office must use a crash reconstruction unit from another law enforcement agency that does not employ a law enforcement officer involved in the officer-involved death being investigated, except that a policy for a state law enforcement agency may allow an investigation involving a law enforcement officer employed by that state law enforcement agency to use a crash reconstruction unit from the same state law enforcement agency.

See Wis. Stats §. 175.47(2) and Wis. Stat. § 175.47(3)(a) and (b).

207.03 OBLIGATION OF INVESTIGATORS

The investigators from the outside agency/agencies must provide a complete report in an expeditious manner to the District Attorney's Office of the county in which the officer-involved death occurred.

See Wis. Stat. §175.47(5)(a).

Officer-Involved Death & Notification of Victim Rights

207.04 INTERNAL INVESTIGATION

The Outagamie County Sheriff's Office may conduct its own internal investigation of the death, but this does not replace the external investigation and it must not interfere with the required outside investigation, described above.

See Wis. Stat. §175.47(3)(c).

207.05 NOTIFICATION OF VICTIM RIGHTS

If the district attorney determines there is no basis to prosecute the law enforcement officer involved in the officer-involved death, the investigators conducting the investigation under sub. [\(3\) \(a\)](#) shall release the report, except that the investigators shall, before releasing the report, delete any information that would not be subject to disclosure pursuant to a request under s. [19.35 \(1\) \(a\)](#).

The Outagamie County Sheriff's Office will provide the following notification of victim rights to victims of officer-involved deaths. See Attachment A.

Officer-Involved Death & Notification of Victim Rights

(ATTACHMENT A)

POSSIBLE OPTIONS IF A DISTRICT ATTORNEY DECLINES TO ISSUE CRIMINAL CHARGES

In Wisconsin, the district attorney of the county in which the crime is alleged to have occurred is primarily responsible for the decision of whether to charge someone with a crime. There are many factors that go into that decision and they are generally given great latitude. Generally these decisions are not subject to review by any other agency or authority. There are, however, some limited exceptions to that process under Wisconsin law.

In addition to the written notice of their rights as crime victims, as required under Wis. Stat. § 950.08 (2g), victims of an officer-involved death must be provided with information about such exceptions pursuant to Wis. Stat. § 950.08(2g)(h). Providing the following information satisfies that duty.

1. Complaint Filed by a Circuit Judge Under Wis. Stat. 968.02

- 1.1 If a district attorney refuses or is unavailable to issue a complaint, a circuit judge may permit the filing of a complaint, if the judge finds there is probable cause to believe that the person to be charged has committed an offense after conducting a hearing. If the district attorney has refused to issue a complaint, he or she shall be

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informed of the hearing and may attend. The hearing shall be ex parte without the right of cross-examination.

- 1.2 If the judge does not find probable cause to believe that an offense has been committed or that the accused has committed it, the judge shall endorse such finding on the complaint and file the complaint with the clerk. *See Wis. Stat. § 968.03.*

2. Complaint Filed Under a John Doe Proceeding Wis. Stat. § 968.26(2)

2.1 If a person who is not a district attorney complains to a judge that he or she has reason to believe that a crime has been committed within the judge's jurisdiction, the judge shall refer the complaint to the district attorney or, if the complaint may relate to the conduct of the district attorney, to another prosecutor. *See Wis. Stat. § 968.26(2)(am).*

2.2 If a district attorney receives a referral under par. (am), the district attorney shall, within 90 days of receiving the referral, issue charges or refuse to issue charges. If the district attorney refuses to issue charges, the district attorney shall forward to the judge in whose jurisdiction the crime has allegedly been committed all law enforcement investigative reports on the matter that are in the custody of the district attorney, his or her records and case files on the matter, and a written explanation why he or she refused to issue charges. The judge may require a law enforcement agency to provide to him or her any investigative reports that the law enforcement agency has on the matter. The judge shall convene a proceeding as described under sub. (3) if he or she determines that a proceeding is necessary to determine if a crime has been committed. When determining if a proceeding is necessary, the judge may consider the law enforcement investigative reports, the records and case files of the district attorney, and any other written records that the judge finds relevant. *See Wis. Stat. § 968.26(2)(b).*

3. Complaint Filed Under Wis. Stat. § 979.05 – Inquest

3.1 An inquest is conducted by a circuit judge or a circuit court commissioner. The inquest shall be conducted before a jury unless the district attorney, coroner, or medical examiner requests that the inquest be conducted before the judge or circuit court commissioner only. If the inquest is to be conducted before a jury, a sufficient number of names of prospective jurors shall be selected from the prospective juror list for the county in which the inquest is to be held by the clerk of circuit court in the manner provided in s. 756.06. The judge or circuit court commissioner conducting the inquest shall summon the prospective jurors to appear before the judge or circuit court commissioner at the time fixed in the summons. The summons may be served by mail, or by personal service if the judge, circuit court commissioner, or district attorney determines personal service to be appropriate. The summons shall be in the form used to summon petit jurors in the circuit

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courts of the county. Any person who fails to appear when summoned as an inquest juror is subject to a forfeiture of not more than \$40. The inquest jury shall consist of 6 jurors. If 6 jurors do not remain from the number originally summoned after establishment of qualifications, the judge or circuit court commissioner conducting the inquest may require the clerk of the circuit court to select sufficient additional jurors' names. Those persons shall be summoned forthwith by the sheriff of the county. *See Wis. Stat. § 979.05(1) and (2).*

3.2 The judge or circuit court commissioner shall examine on oath or affirmation each person who is called as a juror to discover whether the juror is related by blood, marriage or adoption to the decedent, any member of the decedent's family, the district attorney, any other attorney appearing in the case or any members of the office of the district attorney or of the office of any other attorney appearing in the case, has expressed or formed any opinion regarding the matters being inquired into in the inquest or is aware of or has any bias or prejudice concerning the matters being inquired into in the inquest. If any prospective juror is found to be not indifferent or is found to have formed an opinion which cannot be laid aside, that juror shall be excused. The judge or circuit commissioner may select one or more alternate jurors if the inquest is likely to be protracted. This subsection does not limit the right of the district attorney to supplement the judge's or circuit commissioner's examination of any prospective jurors as to qualifications.

3.3 When 6 jurors have been selected, the judge or circuit court commissioner shall administer to them an oath or affirmation which shall be substantially in the following form: You do solemnly swear (affirm) that you will diligently inquire and determine on behalf of this state when, and in what manner and by what means, the person know as ____ who is now dead came to his or her death and that you will return a true verdict thereon according to your knowledge, according to the evidence presented and according to the instructions given to you by the ____ (judge) (circuit court commissioner).

3.4 Prior to the submission of evidence to the jury, the judge or circuit court commissioner may instruct the jury on its duties and on the substantive law regarding the issues which may be inquired into before the jury. The district attorney may, at any time during the course of the inquest, make statements to the jury relating to procedural or evidentiary matters he or she and the judge or circuit court commissioner deem appropriate. Section [972.12](#) applies to the conduct of the inquest jury.

3.5 The judge or circuit court commissioner conducting the inquest may order that proceedings be secret if the district attorney so requests or concurs.

3.6 Inquest jurors shall receive the same compensation as jurors under s. [756.25](#).

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Release of Information	Series: 301
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 April 2, 2015 Reviewed, no changes: Sept 22, 2021

301.01	GENERAL POLICY
301.02	DEFINITIONS
301.03	PERSONS WHO MAY CONSIDER REQUESTS FOR RELEASE OF INFORMATION

301.01 GENERAL POLICY

This Department wishes to cooperate fully with the public and the media in promptly providing permissible information, in accordance with federal and state guidelines. The Department will release only factual information that will not jeopardize a continuing investigation, a court case, the right to privacy of an individual or the Department's investigative methods.

301.02 DEFINITIONS

A. DEPARTMENTAL RECORDS:

All property and things, which the Sheriff shall have received from a predecessor or other persons;

1. Which are required by law to be filed, deposited or kept by the Department -or-
2. Which are in the lawful possession or control of the Sheriff or deputies, or to the possession or control of which they may be lawfully entitled as Officers of the County.
3. ***If an official document prepared in the course of law enforcement duties contains any information that identifies an individual, it is presumed that this information was obtained in connection with a motor vehicle record. Therefore, this information is presumed to be protected by the DPPA Act.***
4. ***Definition of Record is pursuant to Wis. Stat. §19.32(2).***

B. INFORMANT:

Informant means an individual who requests confidentiality from a law enforcement agency in conjunction with providing information to that agency or, pursuant to an express promise of confidentiality by a law enforcement agency or under circumstances in which a promise of confidentiality would reasonably be implied, provides information to a law enforcement agency or, is working with a law enforcement agency to obtain information, related in any case to any of the following:

Release of Information

1. Another person who the individual or the law enforcement agency suspects has violated, is violating or will violate a federal law, a law of any state or an ordinance of any local government.
 2. Past, present or future activities that the individual or law enforcement agency believes may violate a federal law, a law of any state or an ordinance of any local government.
- C. RECORDS CUSTODIAN:
Sheriff or any employee designated by the Sheriff to act as such custodian in the Sheriff's absence.
- D. RECORDS INSPECTION:
Examination and/or copying of department records by a requestor.

301.03 OPEN RECORDS REQUESTS

- A. It is the policy of the Outagamie County Sheriff's Office to honor all open records requests in conformity with Wisconsin State Statutes. The Sheriff has designated various employees within each division to act upon these requests. Those employees can only act upon requests within the scope of their assignment.
- B. Requests for records inspection or information on the following subjects may be honored only after consultation with the Sheriff or his designee, or the Corporation Counsel's office.
1. Information concerning policies and procedures of the Department.
 2. Budget requests and logistical information.
 3. Intra-departmental memoranda.
 4. Plans of the Department.
 5. Prepared releases concerning specific news items.
 6. Any ongoing investigation.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Media Relations	Series: 302
Effective Date: December 2018	Original Date Issued: June 23, 1997
Sheriff:	Re-Issue Date: December 2018 April 1, 2013 December 2015 (updated February 2022)

302.01	PURPOSE AND GENERAL POLICY
302.02	SOURCES OF INFORMATION
302.03	RESPONSIBILITIES
302.04	NEWS RELEASE PROCEDURES
302.05	NEWS RELEASE AUTHORIZATION
302.06	MEDIA ACCESS RESTRICTIONS TO MAJOR INCIDENTS
302.07	MEDIA PARTICIPATION IN POLICY DEVELOPMENT
302.08	GUIDELINES GOVERNING THE RELEASE OF INFORMATION
302.09	INFORMATION REPORTING TO THE PIO
302.10	INFORMATION RELEASE REGARDING THE ACTIVITIES OF OTHER AGENCIES

302.01 PURPOSE AND GENERAL POLICY

The Outagamie County Sheriff's Office is committed to informing the community and the news media of agency activities which may include, but are not limited to: 1) Police reports, 2) Arrest reports, 3) Crime trends, 4) Crime Prevention programs, 5) State statutes and local ordinances, and 6) Internal agency administration and operational functions. Through this information exchange, the Outagamie County Sheriff's Office hopes to obtain the support, trust, cooperation, and respect of the community which it serves. Although every effort will be made to foster an open environment, occasionally information must be withheld from the news media in order to safeguard the constitutional rights of the accused, to avoid interfering with an on-going investigation, or because it is legally protected.

302.02 SOURCES OF INFORMATION

The Public Information Officer (PIO) will be an employee designated by the Sheriff, who will coordinate the dissemination of information to the community, to the media, and to other criminal justice agencies. The PIO will assist the news media in gathering information about situations and cases involving the activities of the Outagamie County Sheriff's Office.

302.03 RESPONSIBILITIES

The Public Information Officer will be responsible for the following activities:

- A. Responding to information requests from the media in a timely and efficient manner.
- B. Preparing and disseminating news releases within department guidelines.
- C. Coordinating the release of information pertaining to victims, witnesses, and suspects.
- D. Arranging for, and assisting at news conferences.

302.04 NEWS RELEASE PROCEDURES

The Sheriff or his designee will disseminate the information in a timely manner. Every effort will be made by Outagamie County Sheriff's Office personnel to ensure that all media representatives have equal access to this information.

302.05 NEWS RELEASE AUTHORIZATION

In the absence of the PIO or designee, or if information is requested that the PIO may not have access to, or authorization to release, information shall be obtained in the following manner:

- A. Major crime scene information or information pertaining to incidents under investigation should be obtained from the Sheriff or his designee.
- B. At times when the PIO or Sheriff's designee is unavailable, information should be obtained from the shift supervisor *or his designee*.
- C. On certain occasions, the media may request to speak with or interview Outagamie County Sheriff's Office representatives who may possess specific information pertaining to a newsworthy topic. These interviews are permissible, however must first be approved by the officer's supervisor and must be conducted in conformance with the guidelines outlined in this policy.
- D. Any information requests pertaining to departmental policy or internal investigations shall be directed to the Sheriff or his designee.
- E. A copy of any press release must be forwarded to the PIO.

302.06 MEDIA ACCESS RESTRICTIONS TO MAJOR INCIDENTS

The news media, including photographers, will not be allowed access to any area, including fires, natural disasters, etc. where such access would adversely affect police operations. Nor will the media be permitted access to an area where their presence would jeopardize the life of, or present a substantial possibility of injury or death to a member of the Outagamie County Sheriff's Office or the community. Whenever the news media is denied access to an incident, they will be given an explanation for that denial.

302.07 MEDIA PARTICIPATION IN POLICY DEVELOPMENT

The Outagamie County Sheriff's Office shall provide media representatives with copies of all policies, if requested, which have an effect on their ability to obtain or report the news, or which may in any other way affect their ability to perform their job functions.

302.08 GUIDELINES GOVERNING THE RELEASE OF INFORMATION

In the event of an ongoing investigation, any information which may jeopardize that investigation can be withheld from the media. With this in mind, the Outagamie County Sheriff's Office will generally release information in accordance with Policy 301 Release of Information.

302.09 INFORMATION REPORTING TO THE PIO

Every effort shall be made by all members of the department to notify the PIO in a timely fashion of newsworthy events occurring within the agency itself, as well as in the community.

302.10 INFORMATION RELEASE REGARDING THE ACTIVITIES OF OTHER AGENCIES

Whenever an agency other than the Outagamie County Sheriff's Office is involved in an activity or investigation in Outagamie County, that specific outside agency will be responsible for releasing information pertaining to its activity to the media.

In a situation where multiple agencies are involved in an investigation, all agencies will be consulted to plan for the release of information to the media.

If the Outagamie County Sheriff's Office assists an agency outside Outagamie County, that outside agency will be responsible for releasing information about the incident to the media.

401 - Table of Contents (4/10/23 Update)

The Sheriff's Office recognizes that a jail can be a dynamic and ever changing environment. The following policies and procedures are in place to help guide staff in the performance of their duties. At times because of the dynamic environment events could cause a staff member to fail to comply with a policy. When these events occur administration will take into account the totality of the circumstances when assessing staff response.

The Sheriff's Office Policy Manual will be available for staff to view within the internal Sheriff's Office Web-site, a shared computer drive and paper manuals if printed.

Lock up inmates will be provided with a copy of an inmate handbook at booking that outlines jail policy and procedures. Reporting Huber inmates will be provided with a copy of the inmate handbook when they report or upon their move from the lock up portion of the jail to Huber.

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OUTAGAMIE COUNTY CORRECTIONS DIVISION

AM 1 – MISSION and VALUES STATEMENT / PROFESSIONALISM

Policy Section: ADMINISTRATION AND MANAGMENT	Effective Date: 04/10/23	Review/Revision Date:		Page: 1 of 6
		2/15/06	3/31/20	
		5/15/17		
		9/30/19		
Reference:	Mission and Values Statement / Professionalism			
WI State Statute	SS940.29			
WI Administrative Code				
Related Policies	AM 4			
Related SOP's	Approved by: Outagamie County Sheriff			

Policy: The purpose of the Outagamie County Sheriff's Office Mission and Values Statement is to establish the philosophical basis on which the Outagamie County Sheriff's Office Corrections Division will be operated. Giving the members of the Corrections Division guidance in the performance of their duties. Corrections Division staff members will maintain the highest standards of professionalism and integrity, in their personal and official conduct. The Corrections Division shall promulgate and enforce rules of conduct for employees.

AM 1.1 Mission and Values Statement General Information

- A. The Outagamie County Sheriff has established a mission and value statement that will be the basis for the development of operational policies and procedures for the Outagamie County Sheriff's Corrections Division.
- B. It is the responsibility of each member of the Outagamie County Sheriff's Correction Division to have a clear and full understanding of the mission and values of the office.
- C. The Outagamie County Sheriff's Office mission and value statement will be displayed in numerous areas of the Justice Center.
- D. A staff member's standard of conduct will be consistent with the mission and

values of the office. (Ref. Outagamie County Sheriff's Policy 102.02)

AM 1.2 Mission and Value Statement

“Serving the Community with P.R.I.D.E.”

Mission Statement:

Our mission is to work in partnership with our community and other public service agencies to protect and serve the citizens of Outagamie County with P.R.I.D.E.

Values:

Professionalism- We are proud of our profession and will promote a collaborative environment for sharing information, resources, assistance and expertise. We will conduct ourselves in an exceptional manner by consistently improving our skills while we strive for perfection.

Respect- We will provide professional law enforcement services while treating citizens with compassion, tolerance and dignity. We will act objectively and defend the rights and beliefs of all.

Integrity- We will adhere to the highest moral and ethical standards and will be honest and sincere when dealing with each other and the community. We have the courage and commitment to uphold these values in all we do.

Dedication- We are dedicated to each other, our families, and the citizens we serve to protect life, property, and maintain order while assuring fair and equal treatment to everyone.

Excellence- We will maintain the highest standards of training to create a safe environment for our citizens and ensure our community receives the best care when we are called upon to perform our duties.

AM 1.3 Professionalism

A. Unlawful Acts

1. Staff members shall obey all laws of the United States and of any state, county, or municipality. (Ref. Outagamie County Sheriff's Policy 102.2)
2. When a staff member has been arrested for a criminal offense or becomes aware that they are the subject of a criminal investigation or complaint from any law enforcement agency other than this agency, they shall immediately notify their Division Head.

B. Subpoenas

1. When a staff member is duly notified of a subpoena, it will serve as an order to appear for court or a hearing. (Ref. Outagamie County Sheriff's Policy 104.02)

C. Sickness or Injury

1. Staff members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the office as to the condition of their health.

D. Asleep on Duty

1. Employees shall remain awake while on duty. If unable to do so, they shall report this to their supervisor who shall determine the proper course of action.

E. Radio Transmission

1. Staff members on duty may not delay answering a call except upon the expressed authorization of their supervisor.

F. Level of Competency

1. Staff members shall maintain a level of competency in performing their duties and shall assume the responsibilities of their position. Staff members shall perform their duties in a timely manner. (Ref. Outagamie County Sheriff's Policy 101.2 & 101.03)

G. Use of Controlled Substance

1. No staff member shall use or possess illegal controlled substances except as required to be held as evidence or as otherwise required in the performance of an employee's duty. No employee shall abuse any prescription drug. Any prescribed drug with a warning label that states it may affect one's performance shall be reported by the staff member to their immediate supervisor. (Ref. Outagamie County Sheriff's Policy 102.08)

H. Use of Alcohol

1. A staff member is required to have absolute sobriety when reporting for duty, while on duty, in uniform, or off duty when operating a county owned vehicle.(Ref. Outagamie County Sheriff's Policy 101.02, 101.03, &102.08)

I. Obeying Orders

1. A staff member shall obey any lawful order from a supervisor including written or oral directives, regulations, orders, or Standard Operating Procedures.(Ref. Outagamie County Sheriff's Policy 101.04)

J. Conflicting Order

1. A staff member who receives an order, which they regard as being in conflict with a previous order, or a departmental rule, policy, regulation, or procedure, shall respectfully apprise the fellow staff member of the perceived conflict.(Ref. Outagamie County Sheriff's Policy 101.04)

K. Illegal Order

1. A staff member shall not, under any circumstances knowingly obey an order which would require that employee to commit an illegal or criminal act.

L. Supervisor Responsibility

1. A supervisor shall not knowingly permit a staff member under their supervision to violate any law or any departmental policy or procedure. No supervisor shall allow a personal or social relationship with a subordinate interfere with his or her duties or interfere with the administration of discipline or the supervisory decision-making process.

M. Unbecoming Conduct on duty

1. Each staff member shall be courteous toward the public and fellow employees. A staff member shall not harass or use coarse, violent, profane, or insolent language, acts, or gestures. A staff member shall not express any prejudice concerning race, religion, politics, national origin, life-style, sex, or other personal characteristics. (Ref. Outagamie County Sheriff's Policy 102.02, 101.07)

2. Staff members shall not talk about or disseminate untrue or derogatory information about another staff member or the Sheriff's Office.(Ref. Outagamie County Sheriff's Policy 101.15)
3. Staff members will not intentionally fail to aid, assist or protect a fellow staff member, to the greatest extent possible, in time of need or emergency.

N. Public Appearance

1. A staff member shall not make any planned public appearance or make any public statement as a representative of the office unless that staff member has the proper authority from the Sheriff or his designee.

O. Telephone and Address

1. Each staff member shall have a telephone in their residence and shall immediately report any change in phone number or address to their division head.(Ref. Outagamie County Sheriff's Policy 101.09)

P. Confidentiality

1. The official business of the office shall be regarded as being confidential, and no staff member shall disclose information regarding official business, remove or copy official records or reports, divulge the identity of persons who have given confidential information, or otherwise disseminate official departmental information, unless that employee is acting in accordance with the open records law of the State of Wisconsin.(Ref. Outagamie County Sheriff's Policy 101.12)

Q. Reports

1. All reports shall be accurate and complete and shall be submitted in a timely fashion and in accordance with established departmental procedures. An employee shall not intentionally enter or cause to be entered in a report any information which is knowingly inaccurate, false, or improper. (Ref. Outagamie County Sheriff's Policy 101.13)

R. Truthfulness

1. When questioned by the Sheriff, or a designated representative, a staff member shall truthfully answer all questions, which are specifically directed and narrowly related to that staff member's employment.(Ref. Outagamie County Sheriff's Policy 101.15)

S. Employee's Role in Internal Investigation

1. Each staff member shall cooperate in any official departmental investigation concerning alleged misconduct or unlawful act on the part of that staff member or of any other employee. With reasonable cause and upon the order of the Sheriff or his designee, an employee shall submit to medical, ballistics, chemical, photographs, or line ups deemed necessary in the conduct of an internal investigation which are specifically related to that staff member's duties.

T. Departmental Property

1. A staff member is responsible for proper care and use of departmental property. All staff members shall report promptly any loss, damage, or unserviceable condition of such property to their supervisor.(Ref. Outagamie County Sheriff's Office Policy 101.05)

U. Telephone / Intercom Etiquette

1. When answering a telephone calls a staff members will identify the post they are at and their name. For example, "Central Control – Officer Smith, can I help you?" Politeness and proper etiquette should be used at all times.(Ref. Outagamie County Sheriff's Office Policy 102.02)
2. When answering an intercom a staff member will render an appropriate greeting. For example, "How may I help you?"(Ref. Outagamie County Sheriff's Office Policy 102.02)

V. Identification

1. On-duty staff members will carry their identification cards with them at all times.(Ref. Outagamie County Sheriff's Office Policy 101.10)
2. Staff members will give their name, and badge number or other proper information in the performance of their duty.

W. Messages

1. Messages should not be passed from inmate to inmate without supervisory approval.

X. Violations of Policy

1. Staff members will report violations of policy in a timely manner.

OUTAGAMIE COUNTY CORRECTIONS DIVISION

AM 2 – SHERIFF’S AUTHORITY

Policy Section: ADMINISTRATION AND MANAGEMENT	Effective Date: 04/10/23	Review/Revision Date:		Page: 1 of 2
		3/15/12	6/1/20	
		2/15/06		
		4/15/13		
Reference:	Sheriff’s Authority			
WI State Statute	SS 59.27			
WI Administrative Code				
Related Policies				
Related SOP’s	Approved by: Outagamie County Sheriff			

Policy: The Outagamie County Sheriff’s Office in accordance with Wisconsin State Statutes shall maintain the Outagamie County Jail.

AM 2.1 Sheriff’s Statutory Authority over Jail Operations

A. Wisconsin State Statute 59.27 mandates the Sheriff to:

“Take the charge and custody of the jail maintained by the county and the persons therein, and keep the persons therein personally or by a deputy or jailer.”

“Keep a true and exact register of all prisoners committed to any jail under the sheriff’s charge, in a book therefore, which shall contain the names of all persons who are committed to any such jail, their residence, the time when and cause of commitment, and the authority by which they were committed; and if for a criminal offense, a description of the person; and when any prisoner is liberated, state the time when and the authority by which the prisoner was liberated; and if any person escapes, state the particulars of the time and manner of such escape.”

B. The Outagamie County Sheriff’s Office will conform to all applicable

Wisconsin Office of Corrections (DOC) Administrative Codes and statutes.

AM 1.2 Sheriff's Authority over Program Placement

- A. Once an offender is placed in the care and custody of the Outagamie County Sheriff's Office the inmate's placement/program participation is at the discretion of the Sheriff. (State of Wisconsin District III Appeal #02-1394-CR, State of Wisconsin vs. La Rae J. Schell)

AM 1.3 Sheriff's Authority over Maintaining the Orderly Operation of the Facility.

- A. The Sheriff's Office has the discretion to protect victims of a crime by supporting bond conditions regardless of the status of the bond.
- B. At the request of an arresting agency the Sheriff's Office can temporarily restrict an arrestee's access to a telephone and/or other means of communications when there is an articulable threat to facility operations and/or an articulable threat to an ongoing investigation.
 - 1. Requests should be submitted on an appropriate form.
 - 2. Requests will be reviewed and approved or denied on a case by case basis.
 - 3. Requests should not normally exceed 12 hours.
 - 4. Once an inmate is placed in general population any restrictions requested by the arresting agency will be considered null and void.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
POLICY**

AM – 3 VOLUNTEERS

Policy Section: ADMINISTRATION AND MANAGEMENT	Effective Date: 04/10/23	Review / Revision Date:		Page: 1 OF 4
		2/15/06		
		6/1/20		
Reference:	Volunteers			
WI State Statute	SS302.095			
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail may use non-staff resources, primarily in the form of citizen volunteers, to provide important and ancillary services in the Outagamie County Jail for the benefit of staff and inmates.

AM 3.1 Volunteers Program Philosophy

- A. Volunteers assist in providing direct services to inmates and help promote opportunities for inmates to engage in positive, satisfying activities.
- B. Volunteers provide the skills and commitment to assist the operation and implementation of programs that help inmates better themselves.
- C. Volunteers may provide educational classes, religious services, social services, and library services to inmates in the Outagamie County Jail
- D. Volunteers, through their services in the jail, help to build a safer community as well as provide a cost savings to the County.

AM 3.2 Coordination of Volunteer Program

- A. Criminal Justice Treatment Services (CJTS) will serve as the coordinator of the volunteer programs in the Outagamie County Jail. The volunteers serving under Jail Chaplaincy Program will be coordinated by the Jail Chaplain. The coordinators, or designees, will oversee the screening, approval, orientation and supervision of their respective volunteers in the Outagamie County Jail. The Outagamie County Jail Administrator, or designee will have final authority regarding programs and volunteers.
- B. The Outagamie County Jail Administrator, or designee, will review and approve volunteer programs in the jail prior to their implementation.

- C. CJTS and FVJM will each maintain a volunteer handbook covering jail rules and procedures related to security and orderly operations. All volunteers will receive a copy of the handbook. Any updates or changes to the handbook will be approved by the Jail Administrator or his/her designee.

AM 3.3 Eligibility

- A. Volunteers shall be dependable, of good moral character and capable of carrying out the duties and responsibilities of a volunteer.
- B. Volunteers must be at least 21 years old unless approved by jail administration.
- C. Volunteer applicants with pending criminal charges or a history of criminal convictions may be disqualified.

AM 3.4 Recruitment and Application

AM 3.4.1 Recruitment

- A. Volunteers will be accepted from all economic and cultural segments of the community. Interested individuals must submit an application to CJTS or Jail Chaplaincy and will be interviewed before the application is approved.

AM 3.4.2 Application

- A. Each applicant must complete an application packet, which shall include information consistent with the criteria of ~~VIOS~~ CJTS /Jail Chaplaincy.
- B. All questions on the application must be answered truthfully and completely.
- C. Willful omission, falsification or misrepresentation of information will be the basis for disqualification.
- D. The volunteer packet will include the following:
 - 1. Name, sex, race, date of birth.
 - 2. Home address and telephone number for each.
 - 3. Employment history.
 - 4. List of all non-traffic arrests.
 - 5. Types of programs the volunteer has interest in.
 - 6. Credentials for those volunteers who wish to provide professional services such as literacy, GED, etc.
 - 7. Name, address, work and home telephone number of three character references.
 - 8. The dated signature of the director, or designee, of CJTS /Jail Chaplaincy.

AM 3.4.3 Criminal History and Background Investigations

- A. The Outagamie County Sheriff's Office will conduct a criminal history check on each volunteer applicant.
- B. Applicants may not volunteer in the jail until the results of the investigation are received and reviewed by the jail administrator or designee and CJTS or Jail Chaplaincy.
- C. Criminal history checks will be conducted on volunteers periodically.
- D. Applications will be approved/denied by the jail administrator or designee and returned to ~~VLOS~~ CJTS or Jail Chaplaincy.

AM 3.4.4 Interview

- A. Each applicant will be interviewed by the program coordinator of CJTS or Jail Chaplaincy.

AM 3.4.5 Volunteer ID/Fingerprint

- A. After a volunteer's application has been approved the volunteer will schedule an appointment with the identification center where fingerprints and photographs will be taken.

AM 3.5 Volunteer Roster

- A. The volunteer program coordinator will maintain a current roster of all authorized volunteers. The roster will include: the volunteers name and specific program or programs they are involved. The roster will be continually updated and made available to the correctional supervisor at all times upon request to CJTS / Jail Chaplaincy.

AM 3.6 Training and Orientation

- A. Volunteers must complete a formal training and orientation program before volunteering in the jail, and on-going volunteer training as required by the program coordinators.
- B. Volunteers will be instructed in the philosophy of the facility, facility design, evacuation, inmate rules and regulation, volunteer guidelines, proper conduct with inmates, security and safety procedures.
- C. Volunteers will be issued an informational handbook. Procedures, rules and guidelines will be contained in the handbook. Volunteers are expected to agree, in writing, to follow all volunteer guidelines and Outagamie County Jail policies on hostage incidents.

AM 3.7 Volunteer Termination

- A. The Program Coordinators may terminate a volunteer at anytime.
- B. Volunteers jail access may be denied for any of the following reasons:
 - 1. Breach of security
 - 2. Breach of confidentiality
 - 3. Unlawful conduct
 - 4. Violation of facility rules and regulations
 - 5. Physical or emotional distress
 - 6. Inability or unwillingness to cooperate with staff or other volunteers.
 - 7. Inconsistent or unreliable attendance.
 - 8. Personal involvement with an inmate.
 - 9. Improper contact with an inmate or an inmate's family.
 - 10. Untruthfulness
 - 11. An activity that threatens the safety, tranquility, or security of the jail or the safety of the volunteer, inmates or staff.

OUTAGAMIE COUNTY CORRECTIONS DIVISION

AM 4 - CONFLICT OF INTEREST

Policy Section: ADMINISTRATION AND MANAGEMENT	Effective Date: 04/10/23	Review/Revision Date:		Page: 1 of 2
		02/15/06		
		04/15/13		
		6/1/20		
Reference:	Conflict of Interest			
WI State Statute				
WI Administrative Code				
Related Policies	AM 1			
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy

Every staff member of the Outagamie County Sheriff's Office Corrections Division is expected to provide effective service on a fair and impartial basis. Personal interest will never interfere with the employee's professional responsibilities and duties.

AM 4.1 Definitions

- A. Conflict of interest - is a situation which limits, compromises, restricts, or prevents a member of the Outagamie County Sheriff's Office Corrections Division from acting fairly and impartially in the performance of their professional duties and responsibilities or creates an appearance of possible impropriety.

AM 4.2 Conflict of Interest

- A. Situations involving favors, gratuities, friendships, associations, outside employment, financial obligations, personal services, position, or marital relations may create conflicts of interest. (Ref. Outagamie County Sheriff's Office Policy 102.03)
1. In order to ensure professionalism, safety and security of the Corrections Division's operations, staff members are to report any potential conflicts of interest.

2. When a staff member has any doubt about an actual or potential conflict of interest, that staff member will obtain a determination from the Sheriff or his designee as to whether a conflict of interest exists.
3. Staff members are cautioned to avoid known business establishments or have personal associations with present or past inmates, which may compromise the staff member's integrity. (Ref. Outagamie County Sheriff's Office Policy 102.07)

AM 4.3 Soliciting

- A. While on duty, a staff member will not solicit or engage in an activity, which enhances, promotes or involves any off-duty activity or employment. (Ref. Outagamie County Sheriff's Office Policy 102.03)

AM 4.4 Gratuities

- A. No staff member will knowingly accept or solicit any gift, gratuity, loan, fee, or service, because of their employment. (Ref. Outagamie County Sheriff's Office Policy 102.04)

AM 4.5 Telephone Calls

- A. A staff member will not receive or make telephone calls connected with private business while on duty.

AM 4.6 Records or Equipment

- A. A staff member will not use official records or equipment for purposes of furthering private business or personal interest or gain.

AM 4.7 Conducting Personal Business or Association with Incarcerated Inmate

- A. In order to ensure the professionalism, safety and security of the Corrections Division's operations, staff members are prohibited from knowingly associating with or conducting personal business with any business owned by a currently incarcerated inmate. (Ref. Outagamie County Sheriff's Office Policy 102.03)
- B. Establishing or attempting to establish a personal relationship with a currently incarcerated inmate is prohibited.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

AM 5 - PREA

Policy Section: Administration and Management	Effective Date: 4/10/23	Revision Date:		Page: 1 of 15
		9/1/10		
		7/1/19		
Reference:	PREA (Prison Rape Elimination Act)			
WI State Statute	940.225			
WI Administrative Code	DOC 350.24			
Related Policies	AM1, AM4, AM7, IM6, IM4, IM2, SC5, SC8			
Related SOP'S		Approved by: Outagamie County Sheriff		

The Prison Rape Elimination Act (PREA) is a Federal law established to address the prevention, investigation, and documentation of sexual assaults and harassment in correctional systems. PREA requires the Outagamie County Jail to ensure that sexual abuse and harassment are reported immediately and accurately. Outagamie County will have a ZERO TOLERANCE for sexual abuse and harassment. We will respond appropriately to every allegation of sexual misconduct. All allegations will be investigated and substantiated incidents will be subject to the disciplinary process and the Wisconsin Legal System if appropriate.

AM 5.1 Purpose

To protect inmates of the Outagamie County Jail from sexual abuse and harassment through proactive education, diligent monitoring and appropriate investigation and follow through.

AM 5.2 Definitions

STAFF – For the purpose of this policy staff includes all Outagamie County Sheriff's Office employees, vendors, contracted employees, volunteers and those with facility access.

SEXUAL MISCONDUCT – Any behavior or act of a sexual nature directed toward an inmate by staff. This includes sexual contact of any kind as well as sexual harassment or abuse. Sexual misconduct can also include obscenity and unreasonable or unnecessary invasions of privacy. It can also include conversations or correspondence that suggests a romantic or sexual relationship. Sexual misconduct is not limited to unwanted sexual contact. Sexual misconduct is also a range of behaviors or situations that include inappropriate remarks, sexualized name calling, inappropriate displays, fondling, inappropriate viewing and or sexual contact with individuals vulnerable to the authority of the justice system or any other person in a work setting.

SEXUAL HARASSMENT – Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another or by staff directed toward an inmate.

SEXUAL ABUSE of an inmate includes the following behaviors:

- Any type of sexual assault as defined by Wisconsin State Statute 940.225.
- Any type of sexual activity or contact between staff and inmates, including consensual acts.
- Any intentional display by a staff member of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate.
- The invasion of privacy of an inmate by staff for voyeuristic purposes unrelated to official duties when an inmate is in the process of discreetly dressing or undressing or is using the toilet.
- Consensual acts between adult inmates does not meet the PREA definition of sexual abuse.

VICTIM ADVOCATE – A trained and qualified staff member or community-based advocate who may accompany and provide support for victim.

YOUTHFUL OFFENDERS – Inmates under the age of 18.

AM 5.3 Prevention and Screening

- A. Any staff who learns that an inmate is subject to a substantial risk of imminent sexual abuse must immediately take action by removing the inmate from the situation or reporting it to someone who can.
- B. During the intake process, each inmate, before being placed in general population shall receive an inmate handbook that includes pertinent PREA information including ways to report sexual abuse.
- C. Outagamie County has a zero-tolerance policy regarding sexual abuse and sexual harassment.
- D. Ordinarily, within 72 hours of arrival, during the classification process, inmates will be screened for risk of sexual victimization or risk of sexually abusing other inmates using an effective objective screening instrument that, at a minimum shall consider the following criteria:
 - 1. Whether the inmate has a mental, physical or developmental disability.
 - 2. The age of the inmate.
 - 3. The physical build of the inmate.
 - 4. Previous incarceration history.
 - 5. Criminal history of violence.
 - 6. Prior sex offense convictions.
 - 7. Whether the inmate is gay, lesbian, bisexual, transgender or intersex.
 - 8. Previous sexual victimization.
 - 9. The inmate's own perception of vulnerability.
 - 10. Whether the inmate is detained solely for civil immigration purposes.
- E. If the risk screening instrument indicates that an inmate has experienced prior sexual victimization or perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow up meeting with a medical or mental health practitioner within 14 days of the intake screening. This will normally be done by a mental health professional.

- F. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary to inform treatment plans and security and management decisions, including housing, bed, education, and program assignments, or otherwise as required by Federal, State, or local law.
- G. Medical and mental health practitioners shall obtain informed consent from inmates before reporting about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.
- H. Within 30 days of the first screening, inmate's risk of victimization or abusiveness will be reassessed. Additional, relevant information received since the first intake screening will be considered. This will normally be done by medical staff.
- I. Inmates' risk assessment levels will also be reassessed when warranted due to a request, referral or incident.
- J. While truthfulness is necessary for screening to be accurate, inmates will not be disciplined for refusing to or incorrectly answering questions regarding their disabilities, perceived sexual preferences or past victimizations or not disclosing their own perception of vulnerability.
- K. Information learned during these screenings will be used to inform housing, work, education and program decisions with the goal of keeping inmates with a high risk of being victimized away from inmates with a high risk of being sexually abusive. Each inmate's safety decisions will be made on a case-by-case basis, including transgender and intersex inmates.
- L. Employees shall not disclose or disseminate, without authorization, the responses to screening questions to ensure that sensitive information is not exploited to the inmate's detriment by staff or inmates.
- M. Within 30 days of intake, inmates and shall receive comprehensive education either in person or via video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. Inmate education will be provided in formats accessible to all inmates and including those who are limited English proficient, deaf, visually impaired, or otherwise disabled as well as to inmates and who have limited reading skills. The Outagamie County Jail classification staff shall maintain documentation of inmate participation in these education sessions on a spreadsheet or other properly titled, savable and retrievable format.
- N. Lesbian, gay, bisexual, transgender or intersex inmates shall not be placed in a housing unit or wing solely on the basis of such identification or status.
- O. Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice per year to review any threats to safety experienced by the inmate. The inmate's own views will be given serious consideration.
- P. Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers. If an assessment cannot be immediately conducted, the inmate may be held in involuntary segregated housing for less than 24 hours while completing the assessment. Inmates/detainees placed in

segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education or work opportunities, the Outagamie County Jail classification staff shall maintain documentation on a spreadsheet or other properly titled, savable and retrievable format:

1. The opportunities that have been limited;
2. The duration of the limitation; and
3. The reasons for such limitations.

Q. The Outagamie County Jail shall assign such inmates to involuntary segregated housing only until alternative means of separation from likely abusers can be arranged, and such an assignment shall not exceed a period of 30 days. If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, the Outagamie County Jail classification staff shall maintain documentation on a spreadsheet or other properly titled, savable and retrievable format:

1. The basis for the jail's concern for the inmate's or detainee's safety; and
2. The reason why no alternative means of separation can be arranged.

R. Every 30 days, each inmate in involuntary segregated housing shall have his/her placement reviewed to determine whether there is a continuing need for separation from the general population

S. Captains and Lieutenants will conduct unannounced rounds to identify and deter staff sexual abuse or harassment. These rounds shall be documented in the Spillman jail log. Staff shall not alert other staff of unannounced rounds.

T. Doors to closets, restrooms, classrooms, meeting rooms, etc. should be closed and locked when rooms are not in use.

U. During any or all required prevention and screening processes listed in this section, if the inmate is sight or hearing impaired, unable to speak or understand English, or developmentally challenged to a point where staff suspects they may have trouble understanding the information being given to them, staff responsible will take steps necessary to ensure they understand. These steps may include enlarging the print on regular PREA information given to inmates, the use of an interpreter (never another inmate), reading rules aloud to the inmate, stopping and explaining the educational video, etc. The Outagamie County Jail classification staff shall maintain documentation of these extra steps on a spreadsheet or other properly titled, savable and retrievable format.

V. Inmates shall be able to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia except in exigent circumstances or when such viewing is incidental to routine cell checks.

W. In addition to the announcements made three times daily from Central Control, staff may announce their presence when entering an inmate housing unit of the opposite sex.

AM 5.4 Reporting Requirements for Staff

A. Any staff member who knows or reasonably suspects that any inmates or employees may be or has been involved in sexual misconduct is required to immediately inform their supervisor or jail administration. Staff may also report directly to Human Resources if privacy is a concern. Apart

from reporting to designated supervisors or officials, staff shall not reveal information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.

- B. Staff members are required to immediately report any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.
- C. False reports or allegations may result in discipline and potential prosecution.
- D. Retaliation in any form against those who report misconduct is strictly prohibited. Staff members are required to report any retaliation against inmates or staff who reported an incident to their supervisor. Administration will use housing changes to separate abusers from victims, removal of alleged staff or inmate abusers from contact with the victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations as protection measures.
- E. Supervisors will monitor the conduct and treatment of inmates or staff who reported sexual misconduct as well as those who cooperated with the investigation and have expressed fear of retaliation. This monitoring will include periodic status checks and a prompt response to remedy any retaliation and shall last at least 90 days and will be documented by the supervisor in a supplemental narrative to the report or in a separate staff incident report. Continued monitoring beyond 90 days will continue if initial monitoring indicates a need.
- F. Upon receiving a report of alleged sexual misconduct, jail administration will initiate the necessary investigation and notify the appropriate parties as required.
- G. Allegations of sexual misconduct received from other agencies must be immediately referred or reported to jail administration. The PREA coordinator shall ensure that the allegation is investigated in accordance with PREA standards and that the administrator of the other facility is notified as soon as possible, not to exceed 72 hours. This notification and investigation will be documented with a staff incident report being completed.
- H. Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section and to inform inmates/detainees of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services. If the victim is under the age of 18 or considered a vulnerable adult under a state or local vulnerable persons statute, the Outagamie County Jail Administrator shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

AM 5.5 Reporting requirements for inmates

- A. Any inmate in the Outagamie County Jail that believes they have been sexually assaulted or harassed, or have knowledge of such acts, may report the violation in the following manner:
 - 1. Directly to a staff member.
 - 2. Through the inmate complaint system.
 - 3. Through the Jail Tip phone line.
 - 4. Through an outside party.
 - 5. Confidentially, through the Sexual Assault Crisis Center of Appleton.
 - 6. Through jail intercom emergency button in each cell block.

- B. Inmates may also use these same avenues to report retaliation or staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment.
- C. Retaliation in any form against those who report misconduct is strictly prohibited. Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of AM5.3 P-R.
- D. False reports or allegations may result in discipline and potential prosecution.
- E. Staff must accept, report and document allegations of sexual abuse or harassment made verbally, in writing, anonymously and/or from a third party in a jail incident report. Documentation must be made as soon as possible after receiving notification.
- F. Third parties, including fellow inmates, staff, family members, attorneys and outside advocates may assist inmates in filing requests for administrative remedies relating to allegations of sexual misconduct and to file such requests on behalf of inmates. The inmate (alleged victim) must agree to have the allegation filed on their behalf by the third party and personally pursue subsequent steps. If the inmate declines to pursue the allegation, the inmate's decision shall be documented in the jail incident report.
- G. Upon receiving a report of alleged sexual abuse or harassment, jail administration will initiate a thorough and objective investigation and notify appropriate parties as required. The investigation will consider third-party and anonymous reports.
- H. In cases where the alleged victim does not speak English, staff will not use an inmate interpreter except in limited circumstances where an extended delay could compromise the inmate's safety, first responder duties or the investigation. If staff uses an inmate interpreter it will be documented along with circumstances that required the use of an inmate interpreter in the jail incident report.
- I. The Outagamie County Jail shall receive third-party reports of sexual abuse sexual harassment made to the Lieutenant at (920) 832-5022 and shall publicly distribute information on how to report sexual abuse and sexual harassment on behalf of an Inmate on the Outagamie County Jail webpage.
- J. Reporting options will be covered for new inmates and inmates who have factors making them vulnerable during the inmate's classification interview.
- K. Instructional PREA posters will be posted in conspicuous areas throughout the jail.
- L. The instructional PREA posters will include the number for the Harbor House. Inmates will have access to call this number from their cellblock. The calls will be free and unrecorded. The Harbor House notify the PREA Coordinator when they receive a report of sexual abuse alleged to have occurred in the jail. Harbor House will not be required to identify the reporting inmate.

AM 5.6 Response

- A. When a correctional officer receives a report of an alleged inmate/inmate sexual abuse incident in our jail (this includes reports from other facilities) he/she will initiate the following steps immediately:
 - 1. Separate the accused and the alleged victim. Instruct victim not to change clothes, wash,

- shower, brush their teeth or use the bathroom.
2. Evaluate condition of victim. Notify medical staff immediately if emergency medical care is required.
3. Notify supervisor.
4. Secure physical evidence and/or the crime scene.

B. Upon being notified, a jail supervisor shall evaluate the allegations and initiate the following steps if appropriate:

1. Ensure the safety of all inmates involved in the alleged incident.
2. Notify medical staff.
3. Initiate an investigation to determine if the complaint has merit and whether or not a criminal act has occurred.
4. Notify OUSO law enforcement, if appropriate, for criminal investigation. Document all referrals to law enforcement in the jail incident report.
5. Ensure the victim is offered immediate (allowing for evidence collection and protection) access to the jail mental health professional if available.

C. If a forensic exam is necessary, medical staff will facilitate an exam by a qualified SANE or SAFE at no cost to the inmate. Efforts to provide a SANE or SAFE will be documented in the jail incident report. If a SANE or SAFE is not possible, a qualified medical practitioner.

D. If a forensic exam is necessary, the victim will be offered an advocate from the Rape Crisis Center – Fox Cities. If RCC advocate is unavailable, Outagamie Crisis should be notified.

E. In certain situations OUSO administration may make the decision refer the internal or criminal investigation to an outside law enforcement agency.

F. The agency that is assigned to, or agrees to conduct the investigation will be responsible for conducting the investigation consistent with Wisconsin statute and administrative code.

G. A victim advocate may be present during investigation interview and throughout the investigative process if requested by victim.

H. OUSO staff and investigators will follow protocol that maximizes the potential for obtaining usable evidence for administrative proceedings and criminal prosecution including the identification of evidence, a written chain-of-custody and securing the evidence properly.

I. The PREA Coordinator will collect information about the victim, alleged perpetrator, time and location of the assault, the action taken by first responders and other information to include in the incident review, the annual report, and make any recommendations for changes in the risk screening tool and response procedures.

J. Jail Administration will arrange security for transporting the victim and perpetrator to the SANE exam site, ensure that a classification hearing is convened to reclassify the victim and perpetrator for assignment to appropriate housing, (considering the information from the risk screening tool), and ensure that a new risk screening is completed on the victim and perpetrator.

K. Inmates who are victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is

made, security staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners.

- L. Inmate victims of sexual abuse while incarcerated shall be offered timely information about and access to all pregnancy-related medical services that are lawful in the community and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser.
- M. The Outagamie County Jail shall offer ongoing medical and mental health evaluation and, as appropriate, treatment to all inmates/detainees who, during the present term of incarceration, have been victimized by sexual abuse in any prison, jail, lock up, or juvenile facility. The evaluation and treatment of sexual abuse victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, or release from custody. The Outagamie County Jail shall provide such victims of sexual abuse with medical and mental health services consistent with the community level of care.
- N. Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests and if pregnant, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services. Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- O. If first responder is not a security staff member, they will instruct the inmate not to wash, shower or use the bathroom (to not destroy potential evidence) and immediately notify security staff.
- P. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, jail administration shall notify the appropriate office of the agency or facility where sexual abuse is alleged to have occurred. This notification will take place as soon as possible (no later than 72 hours) and be documented.
- Q. No disciplinary action will be taken against any inmate or staff member who makes a report of sexual abuse or harassment in good faith based upon reasonable belief that the alleged conduct occurred, even if the investigation does not establish evidence sufficient to substantiate the allegation.

AM 5.7 Investigation

- A. The PREA Administrator will review all reports of sexual misconduct, abuse and/or harassment. Each will be investigated and, as warranted, resolved through the jail disciplinary process and/or criminal charges. When sexual abuse is alleged, staff who've received special training in sexual abuse investigations pursuant to 115.34 shall be assigned.
- B. Staff assigned to investigate shall protect, gather and preserve direct and circumstantial evidence including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. When the quality of evidence appears to support criminal prosecution, investigators shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- C. The rights of both the accused and the complainant shall be protected, and the confidentiality of

the proceedings will be maintained to the fullest extent possible. Primary consideration will be to safeguard the well being and security of the complainant and the subject.

- D. The credibility of the victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. Inmates who allege sexual abuse will not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.
- E. Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and copies of all documentary evidence where feasible. Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution.
- F. In addition to this policy on sexual misconduct, Wisconsin Statutes make it a criminal offense for correctional staff members to have sexual contact with an individual confined in a correctional institution.
 - 1. Staff members who are found to have engaged in staff sexual misconduct will be disciplined up to and including termination.
 - 2. Under Wisconsin Statutes, consent is not an element in a criminal case of staff sexual misconduct.
- G. Administrative investigation shall include an effort to determine whether staff actions or failures to act contributed the abuse and shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind the credibility assessments, and investigative facts and findings.
- H. In administrative investigations, the standard of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated is the preponderance of evidence.
- I. The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating the investigation, and when outside agencies investigate sexual abuse, the facility shall cooperate with the outside investigators and shall endeavor to remain informed about the progress of the investigations.
- J. All written reports referenced in this section will be retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

AM 5.8 Sexual Abuse Incident Follow Up

- A. The findings of the appropriate investigative authority shall be released to jail administration for follow up.
- B. A review of the placement status of the victim and accuser will be completed.
- C. Any inmate who alleges he or she suffered sexual abuse shall be informed as to whether the allegation has been determined to be substantiated, unsubstantiated or unfounded following an investigation. If the investigation was not conducted by the Outagamie County Jail, the PREA coordinator shall request the relevant information from the investigative agency in order to inform the inmate.
- D. Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate, (unless the agency has determined that the allegation is

unfounded) whenever:

1. The staff member is no longer employed at the Outagamie County Jail.
 2. The Outagamie County Jail learns that the staff member has been indicted on a charge related to sexual abuse within the facility, or
 3. The Outagamie County Jail learns that the staff member has been convicted on a charge related to sexual abuse within the jail.
- E. Following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever:
1. The Outagamie County Jail learns that the alleged abuser has been convicted on a charge related to sexual abuse within the jail.
- F. Notifications required in paragraphs E1 shall be documented in the jail incident report. The jail's obligation to report under this standard shall terminate if the inmate is released from custody.
- G. A sexual abuse incident review will be conducted by administration within 30 days of the completion of every sexual abuse investigation unless the incident is determined to be unfounded.
1. The incident review team will include administration officials and will allow for input from line supervisors, investigators and medical or mental health professionals.
 2. A report of the review team's findings will be prepared and will contain, at a minimum, the following:
 - a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
 - b. Consider whether the incident or allegation was motivated by race; ethnicity; sexual preference; gender identity status or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics within the jail.
 - c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
 - d. Assess the adequacy of staffing levels in that area during different shifts.
 - e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
 - f. Recommendations for improvement resulting from the review team's findings. Findings must be implemented or a reason for not implementing must be documented in the report.

AM 5.9 Disciplinary Process for Inmates

- A.** Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in sexual abuse, or following a criminal finding of guilt, for sexual abusing another inmate. Sanctions shall be commensurate with the nature and circumstance of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.
- B.** The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, shall be imposed. If therapy, counseling, or other interventions to address and correct underlying reasons or motivations for the abuse become available, the offending inmate may be required to participate in such interventions as a condition of access to programming or other benefits.

- C. The agency may discipline an inmate for sexual contact with a staff only upon a finding that the staff member did not consent to such contact.
- D. For the purposes of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish sufficient evidence to substantiate the allegation.
- E. All sexual activity between inmates is prohibited and inmates/detainees may be disciplined for such activity. However, such activity will not be deemed to constitute sexual abuse under the ambit of PREA if that activity is not coerced.

AM 5.10 Training

- A. The Outagamie County Jail shall train all employees who may have contact with Inmates on:
 - 1. Its zero-tolerance policy for sexual abuse and sexual harassment
 - 2. How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures
 - 3. Inmates' right to be free from sexual abuse and sexual harassment
 - 4. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment
 - 5. The dynamics of sexual abuse and sexual harassment in confinement
 - 6. The common reactions of sexual abuse and sexual harassment victims
 - 7. How to detect and respond to signs of threatened and actual sexual abuse
 - 8. How to avoid inappropriate relationships with inmates
 - 9. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates
 - 10. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities
 - 11. How to conduct cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible consistent with security needs.
- B. New correctional officers and operations assistance will be notified to begin 4 hours of initial online PREA training within 30 days of the completion of their training period. The training should be completed by the employee within 30 days of notification.
- C. Jail security staff will receive regular training regarding PREA; at a minimum every two years. In years employees do not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies.
- D. The Outagamie County Jail shall have written verification that all volunteers and contractors who have contact with inmates/ have received training on their responsibility under the Outagamie County Jail's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. The level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report sexual abuse.
- E. Non-sheriff county employees, FVJM employees, kitchen and medical/mental health staff who have

sustained contact with inmates will receive PREA training including but not limited to the following topics:

1. How to detect and assess signs of sexual abuse and sexual harassment.
 2. How to preserve physical evidence of sexual abuse.
 3. How to respond effectively and professionally to victims of sexual abuse and sexual harassment
 4. How and to whom to report allegations or suspicions of sexual abuse.
 5. Providing the training, and proof of training, will be the responsibility of the vendor.
- F. Outagamie County will ensure staff employed by vendors receive PREA training and provide vendors the opportunity to have their staff attend Outagamie County security staff PREA training.
- G. In addition to the general training provided to all employees, and to the extent the Outagamie County Jail itself conducts sexual abuse investigations, the Outagamie County Jail shall ensure that its investigators have received training in conducting such investigations in confinement settings, to include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.
- H. Documentation that the agency investigators have completed the required specialized training in conducting sexual abuse investigations will be maintained by the Outagamie County Jail.
- I. Outagamie County will ensure that all PREA related training is documented and maintained.

AM 5.11 Youthful Offenders

- A. Best efforts will be made to ensure youthful offenders are not housed in the same cell block with inmates who are 18 or older. This may include considerations for electronic monitoring or housing youthful offenders in another PREA certified jail.
- B. If youthful offenders are within sight, sound or physical contact with other inmates outside of their cell block they will be under the direct supervision of a staff member.
- C. If youthful offenders are housed in the same block as other inmates, extra care and attention will be taken by the classification specialist and other staff to ensure the inmates is not placed in unnecessary danger.
- D. The classification specialist will spend extra time ensuring that youthful offenders understand what constitutes sexual abuse and harassment and how to report it.
- E. Best efforts will be made to avoid placing youthful offenders in isolation to comply with this provision.
- F. Youthful offenders will have access to large muscle exercise, education programs and/or other program/work opportunities to the extent possible.

AM 5.12 Data Collection and Retention

- A. The PREA Coordinator shall collect accurate, uniform data for every allegation of sexual abuse at the Outagamie County Jail using a standardized instrument and set of definitions. Upon request, the PREA Coordinator shall provide all such data from the previous year to the Department of Justice no later than June 30.

- B. Data will be collected from all available incident-based documents, including reports, investigation files and sexual abuse incident reviews.
- C. The Outagamie County Jail shall review data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:
 - 1. Identifying problem areas;
 - 2. Taking corrective action on an ongoing basis; and
 - 3. Preparing an annual report of its findings and corrective actions for the Outagamie County Jail.
- D. The Outagamie County Jail shall make all aggregated sexual abuse data readily available to the public at least annually through its website. Before making aggregated sexual abuse data publicly available, the Outagamie County Jail shall remove all personal identifiers and is allowed further redactions when the publication would present a clear and specific threat to the safety and security of the facility, but must indicate the nature of the material redacted.
- E. Incident-based and aggregate data will be securely retained and maintained for a minimum of 10 years after the date of initial collection, unless federal, state or local law requires otherwise.

AM 5.13 Interpreters

- A. Inmates may not be used as interpreters except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties or the investigation of the inmate's allegations.
- B. The Outagamie County Jail shall take appropriate steps to ensure that inmates with disabilities (including, for example, those who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. The Outagamie County Jail will also ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including those who have intellectual disabilities, limited reading skills, or who are blind or have low vision.
- C. The Outagamie County Jail shall take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using necessary specialized vocabulary.

AM 5.14 Civil Immigration Detainers

- A. Inmates who are solely detained for civil immigration purposes shall be provided with information on how to contact relevant consular officials and relevant official of the Department of Homeland Security.

AM 5.15 Staffing Plan: Hiring, Promotions, Contractors

- A. The Outagamie County Jail will develop, document, and make best efforts to comply on a regular basis with a staff plan that provides for adequate levels of staffing and, where applicable, video monitoring to protect inmates against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, the following will be considered:
 - 1. Generally accepted detention practices;
 - 2. Any judicial findings of inadequacy as well as any findings of inadequacy from federal investigative agencies or internal or external oversight bodies;
 - 3. All components of the jail's physical plant (including blind spots or areas where staff or inmates may be isolated);
 - 4. The composition of the inmate population;
 - 5. The number and placement of supervisory staff;
 - 6. Institutional programs occurring on a particular shift;
 - 7. Applicable state or local laws, regulations, or standards;
 - 8. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and,
 - 9. Any other relevant factors.
- B. In circumstances where the staffing plan is not complied with, the Outagamie County Jail shall document and justify all deviations from the plan in a staff incident report. Whenever necessary but no less frequently than once each year, jail administration in consultation with the PREA Coordinator will assess, determine, and document where adjustments are needed to the staffing plan, the deployment of video monitoring and other monitoring technologies, and the resources available to commit to ensure adherence to the staffing plan in a staff incident report.
- C. The Outagamie County Jail will not hire or promote anyone to a position or enlist the services of any contractor who may have contact with inmates and who has:
 - 1. Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution (as defined in 42 U.S.C. 1997).
 - 2. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse.
 - 3. Has been civilly or administratively adjudicated to have engaged in the activity described in the previous paragraph.
- D. Before the Outagamie County Sheriff's Office hires any new employee, we will conduct a criminal background record check. We will make our best effort to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of sexual abuse.
- E. Any incidents of sexual harassment will be considered in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.
- F. A criminal background record check will be completed before enlisting the services of any contractor who may have contact with inmates. Any contractor or volunteer found to have engaged in sexual abuse or harassment will not be allowed to have contact with inmates.
- G. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates

and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

- H. Outagamie County shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.
- I. At least every five years, current employees and vendor employees who may have contact with inmates shall undergo a criminal background records check.
- J. All applicants and employees who may have contact with inmates will be directly asked about previous misconduct in written applications or interviews for hiring or promotions. The Outagamie County Jail shall also impose upon employees a continuing affirmative duty to disclose any such misconduct. Material omissions regarding such misconduct, or the provision of materially false information shall be grounds for termination.
- K. The Outagamie County Jail shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom the employee has applied to work.
- L. Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual misconduct, abuse or harassment policies and termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual touching.
- M. Disciplinary sanctions for violations of agency policies related to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstance of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.
- N. All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing body.

AM 5.16 New building construction or modification

- A. When designing or acquiring any new facility and in planning any substantial expansion or modification of the existing facility, the Outagamie County Jail shall consider the effect of the design, acquisition, expansion, or modification upon the jail's ability to protect inmates from sexual abuse.
- B. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the Outagamie County Jail shall consider how such technology may enhance the jail's ability to protect inmates from sexual abuse.

AM 5.17 Contracts or agreements

- A. Neither the agency nor any other governmental entity responsible for collective bargaining on the agency's behalf shall enter into or renew any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.
- B. Nothing in this standard shall restrict the entering into or renewal of agreements that govern:

- (1) The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of §§ 115.72 and 115.76; or
- (2) Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

AM – 6 Respirator Use

Policy Section: Respirator Use	Effective Date: 4/10/23	Revision Date:		Page: 1 of 1
		8/1/11		
		7/1/19		
Reference:	Respirator Use			
WI State Statute				
WI Administrative Code				
Related Policies	Outagamie County Respiratory Protection Program, OSHA 1910.134			
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail will ensure that all correctional officers are screened upon hire and periodically throughout their employment regarding their ability to wear respirators as part of their job duties.

6.1 Compliance

- A. The Outagamie County Corrections Division will follow the applicable sections of the Outagamie County Respiratory Protection Program.
- B. Staff members who are required to wear a respirator will successfully complete fit testing annually.
- C. As part of the medical evaluation process staff will complete the appropriate sections of the OSHA Medical Respirator Questionnaire on the schedule set by the medical reviewer.
- D. The following respirators are utilized within the Corrections Division.
 - 1. N95 (Required: Correctional Officer, Lieutenant, Captain)
 - 2. SCBA (Required: Correctional Officer)
 - 3. Gas Mask (Required: Correctional Officer, Lieutenant, Captain)

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

AM 7 – Radiation Protection				
Policy Section: Administration and Management	Effective Date: 4/10/23	Revision Date:		Page: 1 of 2
		2/21/18		
Reference:	Radiation Protection			
WI State Statute				
WI Administrative Code	DHS 157			
Related Policies	IM1, SC5			
Related SOP'S		Approved by: Outagamie County Sheriff		

To maintain a Radiation Protection procedure as required by the State of Wisconsin in compliance with the department of Health and Family Service, Radiation Protection Section recommendations and Wisconsin Administrative Code DHS 157: Radiation Protection.

AM 7.1 Definitions:

Full Body X-Ray Scanner: A low dose x-ray screening system that detects many types of contraband, including illegal substances, drugs, and weapons.

AM 7.2 Equipment

- A. The full body x-ray scanner will have an annual preventative maintenance inspection conducted by the current service provider.
- B. The full body x-ray scanner will have radiation leakage testing completed annually by the service provider.
- C. The Corrections Captain or designee will ensure that the Wisconsin equipment registration and X-ray tube registration is renewed annually and is posted in a conspicuous location near the scanner.
- D. The stated required ‘Notice to Employees’ will be posted in a conspicuous location near the scanner along with other materials relative to the operation of the scanner.
- E. The service provider will ensure that equipment failure procedures are in place and available for all operators to access. These procedures will include both over the phone technical support and an emergency on-site response.
- F. In the event of equipment failure, the scanner will not be used. If possible, the

scanner should be powered off until serviced.

- G. The service provider will verify and install all software and hardware updates as they are made available.

AM 7.3 Personnel: The personnel portion is covered by IM 1 Prisoner Receiving, Pre-book and Booking, as well as, the following items:

- A. All trained operators will have annual refresher training.
- B. New operators/users will receive training prior to use of the scanner.
- C. Training may consist of hands-on training, as well as, classroom, and power point presentations.
- D. Positive results cases (contraband) will be evaluated on an annual basis and will be used as a training tool.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

AM8 – LGBTI Policy

Policy Section: Administration and Management	Effective Date: 4/10/23	Revision Date:		Page: 1 of 4
		7/1/19		
Reference:				
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

This policy addresses appropriate classification, housing, respectful treatment, as well as specific safety, security and medical needs of LGBTI and gender non-conforming inmates. This policy is not intended to require inmates to identify themselves as LGBTI or gender non-conforming. Inmates who are concerned about their vulnerability based on their identity or those who need access to medical care or facility accommodations that respect their gender identity, shall be given a clear opportunity to inform jail staff of these concerns and needs. Jail staff shall evaluate each inmate's needs on a case-by-case basis and balance those needs with jail safety and security requirements.

AM 8.1 DEFINITIONS:

Gender: A socially constructed concept classifying behavior as either "masculine" or "feminine," unrelated to one's external genitalia.

Gender expression: A person's expression of their gender identity, including appearance, dress, mannerisms, speech, and social interactions, regardless of the individual's gender at birth.

Gender identity: Distinct from sexual orientation and refers to a person's internal, deeply felt sense of being male or female.

Gender non-conforming: Gender characteristics and/or behaviors that do not conform to those typically associated with a person's biological sex.

Intersex: A condition in which a person is born with external genitalia, internal reproductive organs, chromosome patterns, and/or endocrine system that does not fit typical definitions of male or female.

Sexual Orientation: How a person identifies sexually – meaning the physical and emotional ways we are attracted to persons of the same gender, another gender, or all genders.

Transgender: A person whose gender identity (i.e. internal sense of feeling male or female) differs from their birth sex.

AM 8.2 ZERO TOLERANCE

The Outagamie County Sheriff's Office has zero tolerance for any sexual misconduct, sexual abuse or sexual harassment directed towards any inmate, whether it is from staff or other inmates. LGBTI and gender non-conforming inmates shall be treated with fairness, dignity and respect and shall not be discriminated against or subjected to verbal or physical harassment or a hostile environment by staff or other inmates. Staff shall avoid subjecting the inmate to abuse, humiliation or ridicule. Individuals who engage in discrimination or abuse of any type are subject to disciplinary action.

AM 8.3 RESPECT AND CONFIDENTIALITY

- A. LGBTI and gender non-conforming inmates shall not be limited in their access to programming solely based on this status.
- B. Staff shall only ask questions related to sexual orientation or gender identity for the purpose of completing intake, classification and housing assignments, programming, providing health care and health assessments, or when the information is necessary to ensure the safety of inmates, staff or the public.
- C. Any questions related to sexual orientation or gender identity shall be asked in a professional and respectful manner. Confidentiality and dignity shall be maintained.
- D. Inmates shall not be disciplined for refusing to answer questions related to sexual orientation or gender identity.
- E. Staff shall address all inmates in a respectful manner. Staff shall be sensitive to the use of pronouns (e.g., Mr., Ms., Miss, He, She) which may upset the inmate, draw unwanted attention to the inmate or compromise inmate safety and/or order in the jail.
- F. Staff shall not search or physically examine an inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined by the following:
 - 1. Conversations with the inmate.
 - 2. Reviewing medical records.
 - 3. As part of a broader medical examination conducted in private by a medical practitioner only in the course of a regular medical exam. (PREA 115.15(e)).

AM 8.4 HOUSING

- A. During the intake process, staff shall take inmate transgender and intersex status, behaviors, characteristics, and concerns for safety into consideration when determining where the inmate is housed.
- B. Segregation or administrative confinement shall not be a default housing designation for LGBTI or gender non-conforming inmates. The goal shall be placement in the least restrictive environment necessary to ensure the inmate's health and safety and provide the inmate with equal access to facility services (i.e. programs, privileges, education, and work opportunities). If access to such facility services is restricted, the following shall be documented:
 - 1. The opportunities that have been limited;
 - 2. The duration of the limitation; and

3. The reasons for such limitations. (PREA 115.43[b])

- C. Involuntary segregation may be used for initial housing of LGBTI or gender non-conforming inmates if booking staff has concerns or questions regarding appropriate housing. Upon placement of the inmate in involuntary segregation, the on-duty supervisor shall make contact with classification staff. Classification staff shall make the matter of assessing proper housing a priority. In these cases, the goal shall be placement in segregation for less than 24 hours.
- D. Nothing precludes an inmate from being housed in segregation or administrative confinement voluntarily, or for reasons unrelated to LGBTI or gender non-conforming status such as intoxication, administrative confinement review due to a flag in the inmate's jail record, or medical/mental health reasons.
- E. As part of the booking process, booking staff in consultation with mental health staff and classification staff, if available, shall discuss housing options with transgender, intersex, and gender non-conforming inmates.
- F. When deciding whether to assign a transgender or intersex inmate to a housing area for male or female inmates, and in making other housing and programming assignments, the Sheriff's Office shall consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems. (PREA 115.42[c]) This assessment may consider such things as gender identity, inmate privacy issues, the physical layout of housing options, the safety of other inmates in the housing unit, levels of supervision available, level of supervision needed, criminal history, institutional history, housing availability, inmate appearance, and gender non-conforming attributes.
- G. A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration. (PREA 115.42[e])
- H. Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate. (PREA 115.42[d])
- I. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates. (PREA 115.42[f])
- J. Inmates who are LGBTI or gender non-conforming shall not be placed in dedicated facilities or housing units solely on the basis of such identification or status, unless such placement is in a dedicated area established in connection with a consent decree, legal settlement or legal judgment for the purpose of protecting such inmates. (PREA 115.42[g])
- K. Segregation or administrative confinement housing of LGBTI or gender non-conforming inmates shall not be a default housing solution should abuse or harassment take place while an inmate is incarcerated in the Outagamie County Jail.
- L. When conducting the primary classification review, classification staff shall engage transgender and intersex inmates in conversation regarding housing unit options, pat down and strip search procedures, and their preferences. Relevant inmate housing unit rules and practices shall also be reviewed.

AM 8.5 SEARCHES OF TRANSGENDER OR INTERSEX INMATES AT BOOKING

- A. Inmates known to be transgender or intersex or who disclose their transgender or intersex status in the Booking search area shall be pat and/or custodial searched by a female officer absent exigent

circumstances pursuant to policy SC5 Searches. All searches will be conducted in a professional and respectful manner.

- B. Inmates known to be transgender or intersex or who disclose their transgender or intersex status in the Booking search area, shall be strip searched according to their genital status when applicable. When there is a question about the inmate's genital status and the inmate refuses to answer related questions, the on duty supervisor shall use all information available in determining whether a male or female officer should be utilized for a strip search pursuant to policy SC5 Searches. All searches will be conducted in a professional and respectful manner.

AM 8.6 ACCOMMODATIONS

- A. Undergarments, inserts, wigs, and hygiene items shall be security reviewed. Approval will be based upon a medical, mental health, and physical need of the product. All approved items shall be subject to routine searches.

AM 8.7 IDENTIFICATION OF TRANSGENDER, INTERSEX AND GENDER NON-CONFORMING INMATES

- A. There may be situations where inmates are processed through Booking without disclosing as transgender or intersex. Classification shall be notified of inmates suspected to be or who self-identify as transgender or intersex during their incarceration or who display gender non-conforming behaviors or characteristics which give cause for concern for inmate safety. The officer receiving this information shall notify the supervisor on duty, Mental Health, and Classification. The officer shall consult with the supervisor on duty regarding housing of the inmate while a classification review is conducted

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IM 1 – Prisoner Receiving, Pre-Book and Booking

Policy Section: INMATE MANAGMENT	Effective Date: 2/21/18	Revision Date:		Page: 1 of 6
		5/1/03	1/15/16	
		6/15/12		
		9/24/14		
Reference:	Prisoner Receiving, Pre-Book and Booking			
WI State Statute				
WI Administrative Code	DOC 350.13, DHS 157			
Related Policies	IM7, SC5, SC7, SC11, AM7			
Related SOP'S		Approved by: Clint C. Kriewaldt		

Policy

Prisoners shall be received, pre-booked and booked into the Outagamie County Jail in an efficient and timely manner, to ensure the safety of the arresting officer(s), facility staff inmates and the security of the facility. The process will ensure the legality of the incarceration, the appropriateness of the conditions of the confinement.

Definitions:

Receiving Cell: A single cell used to house an inmate after initial arrest.

Assessment Cell: A double cell used to house an inmate after a move from a receiving cell and/or upon receipt from another institution.

Holding Cell: A single cell located in booking or an area that can allow more frequent observations of inmates and/or to isolate an inmate.

IM 1.1 Prisoner Receiving

Prisoner receiving at the Outagamie County Jail begins when the Central Control Officer and/or another staff member is notified that a lawful authority requires entry with a prisoner. The process includes, but is not limited to:

- A. Verifying the identity of the officer(s) or person requesting entry.
- B. Securing the transporting vehicle in the vehicle sally port and/or securing the

prisoner and officer(s) in the secure elevator vestibule (elevator 4).

- C. Officers securing their weapons (Refer to Policy SC11) prior to entering the secure portion of the jail.
- D. Moving the prisoner and officer(s) to the appropriate elevator. The secure elevator that accesses the Outagamie County Jail pre-book and booking area is elevator #4.
- E. Prisoners being received from street arrests should be handcuffed before entering the secure elevator.

IM 1.2 Pre-Book

Prisoner processing in the Outagamie County Jail begins in Pre-Book. The process includes, but is not limited to:

- A. The prisoner and officer(s) are met at the pre-book area by a designated Correctional Officer.
- B. Verify the identity of the arresting officers.
- C. Prisoners being received from street arrests should be handcuffed and supervised by the officer requesting detention while in the Pre-Book area.
- D. The new arrest is pat searched by a correctional officer while restrained.
- E. The correctional officer will make a visual medical assessment and observation of the prisoner's behavior.
- F. Combative behavior or uncooperative attitude may be cause to immediately detain the prisoner in an appropriate manner. (Refer to Policy SC 7 Use of Force or Restraints).
- G. The correctional officer that receives the inmate shall determine when during the process the restraints will be removed.
- H. The correctional officer that receives the new arrest shall perform a custodial search.
- I. The correctional officer shall take custody of the prisoner's property and secure valuables in an appropriate container. Items or objects that are prohibited to be inside the jail shall not be accepted as property. Such items will be returned to the arresting officer. (See Policy IM 7).
- J. Inmates being received/returned on WRIT's/outside appointments will at a minimum be pat searched.

IM 1.3 Booking

Inmate processing in the Outagamie County Jail begins in Booking. The process includes, but is not limited to:

- A. The Booking Officer will review the arrest paperwork and ensure that the officer requesting detention has documentation appropriate for the detention of the prisoner.
- B. The Booking Officer begins a medical screening of the prisoner.

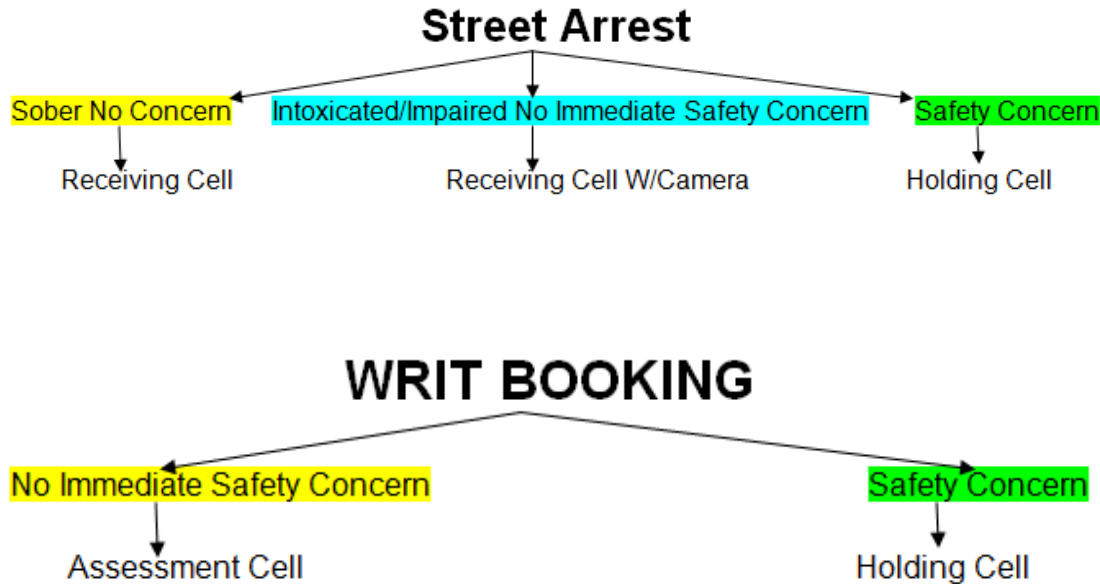
IM 1.3.1 Custody Refused

- A. Custody of the prisoner may be refused for lack of lawful authority or need for medical attention.
- B. If custody is refused for any reason the booking officer will immediately inform the Correctional Staff Sergeant of the reason. The staff sergeant will determine if documentation is necessary.
- C. The Correctional Staff Sergeant shall determine the facts of the refusal and, if s/he decides to not accept custody, shall provide an explanation to the arresting officer and provide assistance to the officer to depart with the prisoner.

IM 1.3.2 Custody Accepted

- A. The prisoner's permissible property shall be accepted and accurately accounted for. Items of contraband or other non-permissible property shall be processed in accordance with appropriate policy.
- B. The medical screening process and the Outagamie County Jail booking record of the prisoner shall be completed.
- C. The inmate shall be relieved of his/her clothing and remaining property and provided with an Outagamie County Jail uniform.
- D. The inmate identification process shall be completed which may include the taking of photographs and/or fingerprints.
- E. An appropriate search, determined by arrest charge and initial inmate classification, shall be made of the inmate. (Refer to Policy SC5).
- F. The inmate shall be issued one (1) copy of the booklet Outagamie County Jail Information and Rules of Conduct for Inmates .
- G. The inmate is assigned and located to his/her initial housing following the guidelines below absent any must have cellmate restrictions. In the absence of an appropriate receiving cell, the on-duty S/Sgt. should direct

triage of the most recent bookings generally moving the oldest bookings to an assessment cell barring any other issues.



- H. When an inmate has an implant or piercing that can be safely removed by the inmate it should be removed by the inmate. If the inmate claims it can't be removed then the on duty nurse should be notified to review. If the nurse can safely remove the implant or piercing they should remove it. If the assessment is that the implant or piercing cannot safely be removed the on duty S/Sgt. should make an initial housing decision and refer the inmate to the classification officer and/or the 3-East Committee.

IM 1.4 Fingerprinting and DNA at Arrest Collection

- A. All individuals arrested for a felony shall be fingerprinted.
- B. All individuals arrested and brought to jail for a state misdemeanor charge or violation of a County ordinance included in Wisconsin Statute 165.82, shall be fingerprinted.
- C. An officer may use discretion to take fingerprints in other arrest situations where it is felt it serves and investigative and/or identification purpose.
- D. All individuals meeting 2013 Wisconsin Act 20 requirements for DNA collection at arrest will have their DNA collected.
- E. Corporals or other staff will collect the DNA sample in conjunction with the taking of fingerprints when possible.
- F. If the individual refused to provide a DNA sample, the on-duty S/Sgt. will be notified.

IM 1.5 Full Body X-Ray Scanner

A. Method of Scanning

1. Only Sheriff's Office approved Full Body X-Ray Scanner equipment will be used.
2. Only officers who have been trained in the use of the device will be authorized to operate the scanner. Female operators who are pregnant will notify the Agency, in writing of the pregnancy. The operator will wear an agency provided dosimeter during the time of pregnancy.
3. Officers will remain professional at all times when performing a scan of any inmate and use such scan for its intended purpose of contraband detection.
4. Any scans or results of the scan are subject to agency confidentiality and records retention requirements.

B. Times of Application

1. The Full Body X-Ray Scanner may be used at any time that an officer feels is necessary for the safety and security of the facility. The body scanner is a tool to be used to help facilitate searches of inmates.

When a trained operator is available the following inmates may be scanned:

- Newly arrested persons (entering the pre-booking area)
- Inmates coming into the jail on a writ
- Inmates returning from Huber/work release
- Inmate workers
- Any inmate suspected of concealing contraband
- Any inmate residing in a housing location subject to a security search

C. Persons/Inmates Not to be Scanned

1. Female inmates claiming to be pregnant until such time it is determined by medical staff that they are not pregnant. A Pregnancy Release and Consent Form will be completed on all female inmates prior to scanning.

D. Detection of Contraband

If it is believed that an inmate is potentially concealing contraband in a body cavity, the scanner operator may direct the inmate to remove the object. If the inmate is unable or unwilling to remove the contraband, a Body Cavity Search should be pursued. When there is a concern an inmate will not be accepted until the contraband is removed, or the inmate is medically cleared by a physician. If a warrant is necessary to conduct a

body cavity search for contraband, the scanner operator will provide information relevant for the warrant. . If this occurs during intake it will be the responsibility of the arresting agency to have the contraband removed by the inmate, or to transport the inmate to a medical facility for removal.

E. Inmates Refusing to be Scanned

Inmates who are unable to be scanned due to levels of intoxication, uncooperative, etc will be isolated until they are able to complete a scan. They will be searched according to Agency procedures.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IM 2 - Inmate Classification

Policy Section: INMATE MANAGEMENT	Effective Date: 03/31/20	Revision Date:		Page: 1 of 6
		04/15/13	9/25/14	
		06/15/12		
		03/01/07		
Reference:	Inmate Classification			
WI State Statute	302.36			
WI Administrative Code	350.21			
Related Policies	OP5, IP1, IP7			
Related SOP'S		Approved by: Outagamie County Sheriff		

Outagamie County Jail will implement and maintain an inmate classification policy to ensure that inmates are classified in an objective and consistent manner according to their custodial management and program needs.

IM 2.1 Purpose

The purpose of inmate classification is to provide a fair and consistent process to determine assignments to housing units, security levels, and program services.

The classification system shall provide for the management and confinement needs of this facility, for the protection of the inmate, the safety of other inmates, to prevent escape, and to protect the general public. The risk and needs of each newly admitted inmate shall be assessed individually based on objective and identifiable criteria which provides for placement of the inmate in the least restrictive housing.

A classification record shall be maintained for each inmate who is classified. The record shall contain all available information concerning current offenses, prior offense(s), past and present institutional records, including inmate's disciplinary history, and special housing considerations.

IM 2.2 Definitions

Inmate Classification – The process of assigning an inmate to an appropriate level of security.

Classification Custody Level – The inmate's assigned institutional custody designation within the assigned security level, consisting of one of the following:

- Level 1: Maximum -- High
- Level 2: Maximum – Close Custody
- Level 3: High Medium
- Levels 4 Medium
- Level 5: Medium – Low Medium Felons (Pre-sentenced)
- Level 6: Minimum – Low Misdemeanants (Pre-sentenced)
- Level 7 Minimum – Low (Felons Out of County)
- Level 8 Minimum – Very Low (Felons In County or Misdemeanants Out of county)
- Level 9: Minimum –Very Low (Misdemeanants in County)

Override – The option of changing the normal objective classification decision due to mitigating or subjective circumstances as determined appropriate by the classification or supervisory staff.

Primary Classification – The initial process of applying objective and consistent guidelines in determining inmate security designation and housing assignments.

Reclassification (Classification Review) – The process of reviewing the appropriateness of an inmates security / custody level periodically, or as a result of disciplinary action, a new charge being added, a change in mental health, other new pertinent information, or by staff request.

Special Needs Inmates– Due to special needs such as vulnerability, protective custody, etc. some inmates will be assigned to housing units designated for inmates with special needs.

Decision Tree – Instrument used to determine primary classification based on current charge, past charges, and institutional behavior.

IM 2.3 Responsibilities

- A. The Jail Administrator will ensure a classification system is in place.
- B. Classification unit staff will receive specialized training in inmate classification methods and theory.
- C. Jail staff will have training on classification policies and procedures.
- D. The jail lieutenants will ensure that decisions made by classification staff concerning level of custody shall be consistent with the jail classification plan.
- E. Classification unit staff will be responsible for making inmate-housing assignments consistent with the assigned security level.

IM 2.4 Classification Staffing

- A. Classification staff will have the authority to:
 - 1. Assign inmates to security / custody categories.
 - 2. Conduct reclassification reviews to ensure inmates' appropriate classification.
 - 3. Make housing assignments.

IM 2.5 Security Classification Categories

- A. **Minimum Security** – Includes inmates with designated custody of 6, 7, 8, or 9. Those inmates assigned to a minimum-security level are sentenced misdemeanants or felons or are misdemeanants awaiting sentencing. They must also have no holds or pending court action against them. Minimum-security inmates will be allowed more privileges than other inmates. Minimum-security inmates must display a cooperative attitude towards the staff and the rules and regulations of the facility.
- B. **Medium Security** – Includes inmates with designated custody levels of 4 or 5. Inmates assigned to the medium security level will include those unsentenced misdemeanors and felons who do not qualify for minimum security and who do not require a higher level of security. These inmates will normally be housed in lock-up units. Medium Security Pre-Sentenced inmates, custody level 5, are those who have no other factors which warrant a medium security level other than the fact they are on-felony charges awaiting sentencing.
- C. **High Medium Security** – Includes inmates with a designated custody level of 3. Inmates assigned to the high medium security level will include sentenced and unsentenced misdemeanors and felons who qualify for medium security but have an escape history, institutional behavior incidents or assaultive felony.
- D. **Maximum Security** – Includes inmates designated as custody level 1 or 2. Inmates who are assigned to a maximum-security level will be those who have been charged with assaultive serious felony crimes and/or have holds or other pending court action concerning such types of crimes. In addition, such inmates may be individuals who have displayed a significant disciplinary problem within the facility and/or displayed a need of maximum amount of supervision.

Special Needs – Inmates having a need or condition, which requires special attention such as physical or mental disability, suicide risks, vulnerability, high risk for sexual victimization, or protective custody issues. Such inmates shall be treated in accordance with the requirements of the special condition, which may or may not require being housed in a unit designated for special needs inmates. Involuntary segregated housing is prohibited unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers. If an assessment cannot be immediately conducted the inmate may be held in involuntary administrative segregation status for less than 24 hours while completing the assessment.

IM 2.6 Overrides

- A. **Discretionary Overrides**- If it is determined that circumstances requiring a deviation from the primary decision tree resulting in a security designation that is other than what would routinely occur by following the decision tree, it will designated an override. The reason for the override will be noted in the designated area.
- B. **Administrative Overrides**- Inmates with the following holds will not be assigned a security lower than level 4, Medium Security.

- Writs
- Other Agency Holds
- Out of county Probation holds
- All state prisoners

IM 2.7 Classification of Females and Youthful Offenders.

- A. The same classification policies and procedures will be applied to the female inmates and juvenile inmates, with the following exceptions of the separation requirement:
1. Female inmates will be housed separate from male inmates.
 2. Youthful offenders will be housed separate from the adult population when available.

IM 2.8 Primary Classifications, Interview, and Housing Assignment

Primary classification of an inmate will normally occur prior to an inmate being moved to the general housing areas of the facility.

- A. The Classification staff will review at a minimum the following information:
1. Current charges.
 2. Summary of criminal history for NCIC/CIB, the data base from Outagamie County, CCAP and any other sources available.
 3. All institutional behavior records from prior incarcerations if applicable.
 4. Primary classification instrument.
 5. Review classification instrument.
 6. Detention/Commitment orders from Probation and Parole.
 7. Any information that would affect classification and housing for example: medical, mental health and gender identification issues.

Information necessary to conduct the primary classification of inmates will be researched, collected, and utilized by the classification staff to determine the inmate's initial primary classification. The inmate will be assigned to a housing unit consistent with their primary classification level. The staff shall assign an inmate to the least restrictive housing unit, which appears to be consistent with his/her classification determination. When appropriate bed space matching the inmates' security level is not available, the inmate will be housed in the next security level, either above or below the inmate's security classification and be moved to the appropriate housing unit as soon as space becomes available.

- B. The classification staff will conduct the primary classification interview for the purpose of determining the security level and the general housing assignment.

IM 2.9 Classification Appeal

- A. All inmates will have the opportunity to request a review of their classification assignment within ten (10) days of the original primary classification decision. Classification appeals can be filed on an inmate request form.
- B. Upon receipt of the appeal notice the classification will be:
 - 1. Reviewed by the classification staff who did not conducted the original primary classification.
 - 2. Reviewed by the Classification Supervisor

IM 2.10 Privileges

- A. Privileges for each classification category will be detailed in the Outagamie County Jail Inmate Handbook.
- B. Eligibility criteria for prisoner participation in available work assignments will be described in policy IP7.
- C. Eligibility criteria for prisoner participation in available programs and community service projects will be described in policy IP1.

IM 2.11 Classification Review (Reclassification)

- A. It is the purpose of classification review procedure to assure objective and consistent periodic reviews of an inmate's security classification level.
- B. Under normal circumstances the classification staff will conduct the classification review.
 - 1. Classification reviews will normally be conducted as follows:
 - a. All inmates who were classified unsentenced will be reclassified after sentencing.
 - b. Maximum security, level 1 inmates will be scheduled for review every 7 days.
 - c. Maximum security, level 2 inmates will be scheduled for review every 15 days
 - d. Medium security level, 4 and 5 inmates will be scheduled for review every 30 days.
 - e. Minimum security level 6 inmates will be reviewed every 30 days.
 - f. Minimum security level 7, 8 and 9 will be periodically reviewed at the discretion of the classification staff.
 - g. Inmates being released from segregation will be reviewed prior to placement in general population.
 - h. Inmates shall be reviewed as a result in legal status (charges added or dropped, detainers, etc.) or new information identified regarding such

factors as gang affiliation, a change in mental health, protective custody needs, change in work, etc.

IM 2.12 Double Celling

- A. The county board and sheriff shall determine jointly the adequate staffing needs, including support staff and services that are required to ensure the health, safety and security of the jail staff and inmates when using cells for by the representatives of the county board and the sheriff and shall be filed with the department. The written joint determination shall remain in effect until rescinded or amended by mutual written agreement of the county board and sheriff.
- B. Unless there is adequate staff as agreed upon by the county board and the sheriff, double celling may not occur.
- C. Inmates housed in the same cell shall have the same custody classification and be properly segregated as required under s. 302.36, Stats.
- D. For male and female housing areas, at least one cell or 15% of the jail's total number of cells, whichever is greater, shall be maintained for single occupancy.
- E. Receiving cells may not be used for double occupancy

OUTAGAMIE COUNTY CORRECTIONS DIVISION

IM 3 – Release of Inmates

Policy Section: INMATE MANAGEMENT	Effective Date: 5/25/21	Review/Revision Date:		Page: 1 of 9
		03/01/07		
		05/01/03		
		6/15/12		
Reference:	Release of Inmates			
WI State Statute	345.24(1)			
WI Administrative Code				
Related Policies	IM 1, IM 7, OP5			
Related SOP's SOP 3, SOP 4		Approved by: Outagamie County Sheriff		

Policy:

The Outagamie County Jail will release inmates under legal authority using procedures that ensure the security of the facility and the safety and welfare of the staff, inmates, and community.

IM 3.1 Release of an inmate

- A. The release from custody of any inmate remanded to the custody of the Sheriff's Office must be authorized by order of the court or under conditions prescribed by the court or incarcerating authority.
- B. An inmate may be released from custody under any of the following conditions:
 - 1. Payment of bail/bond and/or fine.
 - a. Refer to SOP 5 Collection and Routing of Bonds.
 - 2. Release on signature bond.
 - a. A copy of the signature bond will be maintained in the inmate's file.

3. Per court order.
 - a. A copy of the court order will be maintained in the inmate's file.
4. Probation/Parole cancellation order.
 - a. A Cancellation of Order to Detain must be received from the Department of Corrections prior to the release of an inmate who is being held in the facility on a Probation/Parole Hold. A facsimile copy will be sufficient, telephone cancellation by the agent will not be permitted or accepted.
 - b. If the cancellation contains instructions for the inmate, (i.e. report to agent immediately upon release), as a courtesy the officer will verbally relay the information to the inmate and have him/her sign the cancellation.
 - c. A copy of the cancellation will be placed in the inmate's file.
5. Release of an inmate to a responsible party for OWI violation.
 - a. Per 345.24(1) "A person arrested under 346.63(1) or (5) or an ordinance in conformity therewith or s.346.63(2) or (6) or 940.25 or 940.09 where the offense involved the use of vehicle, may not be released until 12 hours have elapsed from the time of their arrest or unless a preliminary breath test shows that the person has an alcohol concentration of less than 0.04, but the person may be released to their attorney, spouse, relative or other responsible adult at any time after the arrest."
 1. A person who is being held for OWI may be released on the following conditions:
 - A. To a responsible adult.
 - B. After being in custody for 12 hours, (12 hour hold)
 - C. They may be release before 12 hours, if a P.B.T. test shows 0.04% or less.
 - D. If the person's alcohol concentration is above 0.04 after 12 hours, the Outagamie County Sheriff's

Office may hold a person beyond the 12 hours. In these instances, a notation will be made in the supplemental tab of the Jail Management System (JMS) on why the person was held past 12 hours.

- E. After any bonds have been posted, and A, B, or C listed above are satisfied.
- 2. A person being held for operating under the influence of a controlled substance may be released under the following conditions:
 - A. To a responsible adult.
 - B. After being in custody for 12 hours, (12 hour hold).
 - C. After any bonds have been posted, and A or B listed above are satisfied.
 - 3. When a person arrives at the jail to take responsibility for an intoxicated person, the person's general condition and demeanor will determine whether or not the person seems to be responsible.
 - 4. The responsible person's identification must be verified via an identification card to ensure that he/she is an adult 18 years of age or older.
 - 5. A staff member must read and explain the Release to Responsible Party Form to the responsible person and explain all conditions for taking responsibility for the 12 hours from the time of the person's arrest.
 - A. After the responsible party signs the form, the form needs to be routed per procedure.
 - 6. Prior to releasing an inmate arrested for OWI (12-hour hold), the Release to Responsible Party Form shall be explained to the inmate. In order for the inmate to be released from the facility, he/she must sign the Release to Responsible Party Form. If the inmate refuses to sign the form, he/she may not be released under this condition.

7. Dismissal of charges, or pending further investigation, by the District Attorneys Office or a Judge.
 - a. An inmate will be released upon official documentation from the District Attorney's Office or the responsible court.
 - b. A copy of the order will be placed in the inmate's file.
 - b. Transfer to any law enforcement authority, including extradition to another state (Governor's Warrant).
 - a. No out-of-state detainees will be released to that jurisdiction or contract transporting agency until the inmate has appeared in a Outagamie County Court and has waived extradition or upon receipt of a Governor's Warrant.
 - b. The releasing officer will ensure that all necessary paperwork has been completed and teletypes/confirmations for the requesting agency are on file.
 - c. Pursuant to a teletype message from another law enforcement authority having confinement jurisdiction over the inmate.
 - a. A copy of the teletype message will be placed in the inmate's file.
 - d. Completion of sentence, time served.
 - e. Transported to Prison.
 - a. An inmate being transported to prison will follow the same release procedure with the exception that the inmate will remain in his/her jail issued uniform.
 - b. The inmate will only be allowed to take those items outlined by the Department of Corrections.
 11. Any scenarios not covered in this section will be reviewed by the on-duty supervisor.
- D. An NCIC/CIB check will be completed to query the T.I.M.E. system for the

existence of any wants/warrants, or holds that may have been placed on an inmate since his/her incarceration.

1. If NCIC/CIB indicates any new warrants, check with the issuing agency to obtain confirmation that the warrant is active and the agency still wants the inmate held on the warrant.
2. Confirmation must be completed via the T.I.M.E. system, along with obtaining the date and approximate time (ETA) in which the issuing agency will arrive to assume custody.
3. The NCIC/CIB check should be completed prior to removing an inmate from his/her housing unit.

IM 3.2 Releasing an inmate on a WRIT

- A. The transporting officer must have a copy of the WRIT for court to show proof that the inmate must appear in a county court at a certain time and date.
 1. The transporting officer will sign the inmate out on the WRIT log.
 2. The releasing officer will inquire from the transporting officer how long he/she expects to house our inmate.
 3. A copy of the WRIT will be placed in the inmate's file.

IM 3.3 Release of Domestic Violence Arrests

- A. When a person is booked into the facility pursuant to a domestic violence offense, and has had a bond posted prior to appearing before the court, he/she must be read/explained the Conditional Release and Conduct Prohibition Form.
- B. The releasing officer who is reading/explaining the form to the inmate is required, along with the inmate, to sign and date the form prior to the inmate being released.
- C. If an inmate refuses to sign the form or provide all information requested on the form he/she will not be released. An incident report will be completed, and the on-duty supervisor will ensure that the District Attorney's Office is notified.
 1. Upon completion of the form, a copy of the signed form will be provided to the inmate. The remaining copies will be routed per procedure.

- D. The releasing officer will notify the Domestic Abuse Shelter prior to the release of any inmate on a domestic violence offense. This notification will be noted in the inmate's file.

IM 3.4 Operations Assistant Responsibilities

- A. When assigned, the operations assistant responsibilities regarding the release of an inmate include, but are not limited to:
 - 1. Verify the custody of an inmate upon receiving notification to release.
 - 2. Determine if any holds, wants or warrants are outstanding.
 - 3. Prepare the inmate's file and deliver it to the releasing officer.
 - 4. Provide ancillary support services to the releasing officer.
 - 5. Complete computer log entries to reflect the release of that inmate.
 - 6. Process the inmate's file, (master file)
 - 7. Note the cancellation/confirmation of any warrants/detainers on the booking information sheet.
 - 8. Determine that commitments have been satisfied and a proper release authorization has been received for each commitment.
 - 9. Release applicable funds either via check or card.
 - 10. After release, review inmate's file for material that may be purged.

IM 3.5 Releasing Officer Responsibilities

- A. The releasing officers responsibilities regarding the release of an inmate include, but are not limited to:
 - 1. When a jail records clerk is not assigned, steps 1-10 of IM 3.4.
 - 2. Receive and review the inmate's entire file from the jail records clerk.

3. Determine if any holds, wants or warrants are outstanding.
4. Determine that commitments have been satisfied and a proper release authorization has been received for each commitment.
5. Verify that the inmate's file contains a current photograph and that the inmate's ID work has been completed. If the inmate refuses to allow his/her photo and fingerprints to be taken they will not be released. The on-duty supervisor will be notified who will ensure that the court of jurisdiction is notified of the refusal.
6. Determine the inmate's housing assignment and coordinate the escort of the inmate being released to the releasing area.
7. Retrieve and return the stored property to the inmate. (Refer IM 7 Inmate Property). ***The only property that will be placed in the change over room will be clothing for the inmate to change into. All other property will remain in view of the releasing officer.*
8. Recover and document all county property that is in the possession of the inmate. When the inmate is missing property or claims to have damaged property an incident report will be completed detailing the situation.
9. Notify the on-duty supervisor of the pending release of the inmate and prepare the inmate's file for the on-duty supervisor's review prior to release.
10. Confirm the inmate's identity by comparing the inmate who is present with the information and the photograph in the inmate's file. After verifying the inmate's identity, the releasing officer will check the back of the booking information sheet indicating that the photo was verified.
11. If the inmate is being released to another law enforcement agency, ensure that a Health Transfer Summary is completed. (Refer SOP 3)
12. Have the inmate sign out of the facility. The releasing officer who is having an inmate sign out of the facility should have reviewed the file and verified the inmate's identity prior to having the inmate sign the file.
13. Approve release of the inmate by signing the corresponding area on the release authorization.

14. Complete any ancillary documentation and/or notifications related to the release of the inmate.
15. Prior to the inmate's release the releasing officer will immediately book the inmate out of the JMS.
16. Arrange for the inmate's movement out of the facility.
17. Return the inmate's file to the jail records clerk when staffed to process the release file.
18. When releasing an inmate to another agency, the releasing officer must verify the identity of the transporting officer prior to turning over custody.

IM 3.6 Retrieving Officer's Responsibility

- A. The retrieving officer's responsibilities regarding the release of an inmate include, but are not limited to:
 1. Determine the location and the identification of an inmate to be released when notified.
 2. Notify the identified inmate to prepare for the release process.
 3. Locate any medication, mail or property being held in the floor office that is to be returned to the inmate.
 4. Locate and identify the inmate.
 5. Advise the inmate, that he/she is to bring all county issued property with them.
 6. Escort the inmate to the releasing area.
 7. Ensure that the inmate location boards are updated.

IM 3.7 On-duty Supervisor's Responsibilities

- A. The on-duty supervisor's responsibilities regarding the release of an inmate include, but are not limited to:
 1. Review the inmate's entire file to ensure that all holds are satisfied and that the inmate is eligible to be released.

2. Ensure that a current photo is located in the file.
3. Ensure that all ancillary documentation and/or notifications related to the release of the inmate have been completed.
4. Approves release of the inmate by signing the corresponding area on the booking information sheet.

OUTAGAMIE COUNTY CORRECTIONS DIVISION

IM – 4 RULES AND DISCIPLINE

Policy Section: INMATE MANAGEMENT	Effective Date: 05/25/21	Review / Revision Date:		Page: 1 of 5
		6/15/12		
		02/15/06		
		9/25/14		
Reference:	Rules and Discipline			
WI State Statute	302.40, 302.43, 303.065, 303.08(2)			
WI Administrative Code	350.24			
Related Policies	IM 4.6			
Related SOP’S		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail will have a system of inmate discipline that protects the public, inmates, and staff while maintaining order in the facility. This will be accomplished through the impartial application of a fully developed set of rules and regulations and a disciplinary hearing procedure that is fair and just.

IM 4.1 Rules of Conduct for Inmates

- A. The commission of a criminal offense may result in criminal charges against the perpetrator. The Rules of Conduct are established to provide for the orderly operation of the facility and to hold offenders accountable for their actions and misbehavior while incarcerated. Violations may result in minor or major disciplinary action being taken against the perpetrator. Violations may be classified as major or minor depending on the severity of the inmate's actions.
- B. Inmate rules will be made known to inmates through the Inmate Handbook issued to all inmates and verbal or written direction by facility staff at the time of admission.
- C. Inmate who are illiterate, or do not speak or read English, will be given an interpretation of the rules by the most expedient means available. This may include:
 - 1. Verbal explanation by staff
 - 2. Rules written in language inmate understands.

IM 4.2 Purpose of Discipline

- A. Protect inmates, staff and visitors.
- B. Hold inmates accountable for their behavior.
- C. Promote inmate self-control.
- D. Maintain order.
- E. Ensure inmate compliance to Outagamie County Jail rules, local, state, or federal laws.

IM 4.3 Prohibitions

- A. Disciplinary action taken to regulate inmate behavior will not be arbitrary, retaliatory or discriminatory.

IM 4.4 Penalties

- A. Disciplinary penalties may include:
 - 1. Loss of privileges
 - 2. Assigned unpaid work hours
 - 3. Loss of good time
 - 4. Segregation from general population.

IM 4.5 Administrative Confinement

- A. A separate policy (IM 8) addresses an inmate's placement into administrative confinement.

IM 4.6 Minor Violations

- A. Minor violations include acts that interfere with the orderly operation of the facility, but do not present an immediate threat to the security or safety of staff or inmates.
- B. Penalties may include:
 - 1. Verbal reprimand
 - 2. Written reprimand
 - 3. Restriction of Privileges for less than 24 hours
 - 4. Placement in Punitive Segregation for less than 24 hours
- C. A staff member who observes a minor rule violation will inform the inmate of the rule that he/she has violated, the contemplated penalty, and will ask the inmate to give a verbal statement concerning the incident. The officer will allow the inmate to respond. The officer will advise the inmate of the penalty or may note, 'verbal reprimand' on the minor ticket. Verbal reprimand minor violations will accumulate. The accumulation of three verbal reprimand minor tickets in a 60-day time period will be handled as a major violation.
- D. The staff member may impose a minor penalty if he or she finds that a violation occurred.

The staff member shall inform his or her supervisor of the incident and the penalty administered as soon as the supervisor is available. The supervisor shall review the incident and penalty administered as soon as the supervisor is available. Upon review the supervisor may confirm, dismiss, or amend the ticket to a major violation.

- E. The inmate may appeal the supervisor's decision per the appeal process as described in this policy by submitting a request to the supervisor. Minor disciplinary appeals should be routed to a supervisor as soon as possible.
- F. Information about the incident, the discipline administered, and the supervisor's decision shall be made part of the inmate's file.
- G. If the supervisor finds that no violation occurred or if the reviewer of an appeal submitted finds that no violation occurred, the due process records shall reflect those findings.

IM 4.7 Major Violations

- A. Major rule violations include three verbal reprimand minor rule violations in a 60 day time period and violations which may present an immediate threat to the facility security or the safety of staff or inmates.
- B. Major violations of inmate rules may result in:
 - 1. The loss of good-time for up to 2 days per incident.
 - 2. Transfer to segregation for up to 10 days per incident.
 - 3. Restriction or loss of privileges for more than 24 hours.
 - 4. Solitary confinement for more than 24 hours.
- C. The inmate shall be notified of the charges and of his or her right to a hearing at least 24 hours in advance of the hearing. The inmate may waive this time requirement
- D. A staff member who observes an inmate committing a major violation will notify the shift supervisor of the incident as soon as it's tactically feasible and submit a written report prior to the end of their shift unless authorized to turn in the report within 24 hours by a supervisor. The report will include:
 - 1. A formal statement of the charge or charge(s), including the specific rule(s) violated.
 - 2. A detailed description of the facts concerning the incident, including the date and time of the incident.
 - 3. Any unusual inmate behavior.
 - 4. Staff and inmate witnesses and their statements.
 - 5. The disposition of any physical evidence.
 - 6. Any immediate action taken, including the use of force.
 - 7. The time and date of the report.
- E. The supervisor will review the incident report and make a summary disposition.

- F. Inmate will be given the option of accepting the summary disposition or requesting a disciplinary hearing.
- G. A designated supervisor who has not personally observed, been part of, or investigated the incident will conduct a due process hearing.
- H. The inmate has the right to be present at the hearing, make a statement, and present relevant evidence. If the inmate refuses to attend the hearing the hearing officer will note this. If the inmate disrupts the hearing, the hearing officer may have the inmate removed from the hearing. The hearing officer may hear the testimony of a witness outside the presence of the accused inmate if there is significant risk of bodily harm to the witness by testifying in front of the accused inmate. The reason for the accused inmate's absence will be documented in the JMS..
- I. The inmate has a right to present any relevant witnesses whose testimony is not cumulative of other evidence unless the safety of any other witness or the security of the facility would be threatened if that witness testified. The reason for the witness's absence will be documented in the JMS..
- J. If the inmate is illiterate or the issues are complex, the inmate has the right to a staff advocate or adequate substitute aide to assist him or her in understanding the charges and preparing a defense.
- K. The hearing officer or committee may consider the inmate's mental illness, developmental disability or other emotional or mental disability as a mitigating factor in imposing the discipline.
- L. The hearing officer will document his or her decision on the Disciplinary Hearing form and disciplinary notes will be made in the inmate's file and the inmate will receive a written copy of the decision.
- M. The inmate shall be notified of his or her right to appeal the hearing officer or committee's decision and of the jail's procedure for making an appeal.
- N. Information on the incident, the discipline administered, and the hearing officer or committee's decision shall be made part of the inmate's file.
- O. Upon appeal, if the hearing officer or committee or the reviewer finds that no violation occurred, the due process records shall reflect those findings.
- P. An inmate may waive the right to a due process hearing in writing at any time. If the inmate waives the right to a due process hearing, the violation shall be disposed of in accordance with the procedures for minor violations except that a major discipline may be imposed if the relevant staff member finds a violation occurred. A waiver does not constitute an admission of the alleged violation.

- Q. An inmate may be evaluated for custody classification following the imposition of discipline.

IM 4.8 Non-Disciplinary items

- A. Discipline may not include:
1. Restriction of nutritional needs.
 2. Restriction of health or sanitary conditions.
 3. Restriction of clothing.
 4. Restriction of medical access.
 5. Restriction of religious or legal reading materials.
 6. Use of Corporal Punishment.
 7. Restriction of visitation from attorney or clergy.

IM 4.9 Appeals

- A. Major Violations
1. An inmate may appeal the hearing officer's decision by submitting an appeal in writing to the appeal officer within 3 calendar days after receiving the hearing officer's decision. The appeal officer shall have 3 working days to issue his or her decision to the inmate.
 2. Inmates shall have 3 calendar days to appeal the appeal officer's decision to the Jail Administrator. The Jail Administrator shall have 3 working days to issue his or her decision to the inmate
- B. Minor Violations
1. An inmate may appeal the Officer's penalty by submitting an appeal to the jail lieutenant.
 2. The jail lieutenant will review each appeal and make a notation in the inmate's JMS file as to their decision. When a jail lieutenant is not available an on duty supervisor not involved with the incident will review the appeal and make a notation in the inmate's JMS file.
 3. A copy of the decision will be forwarded to the inmate.

IM 4.10 Group Punishment

- A. Staff will avoid imposing the loss of privileges upon a group of inmates without affording each inmate the due process right set forth in the preceding sections.
- B. Restrictions of less than 24 hours should be handled in accordance with I.M. 4.6.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IM 5 - Inmate Rights

Policy Section: INMATE MANAGMENT	Effective Date: 3/31/20	Revision Date:		Page: 1 of 3
		09/25/14	1/15/16	
		06/15/12	2/21/18	
		05/01/03		
Reference:	Inmate Rights			
WI State Statute	301.328			
WI Administrative Code	350.27			
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail Staff will protect and preserve the constitutional rights of all inmates confined in the Outagamie County Jail.

Definitions

Pro se: Appearing for oneself, as in the case of one who does not retain a lawyer and appears for himself or herself in court.

IM 5.1 Access To Courts/Counsel

- A. Outagamie County Jail inmates will be allowed to communicate with the courts and attorneys representing them in present or pending cases. The only exception to this will be if allowing the communication would cause a threat to safety, security or the orderly operation of the jail.
1. Telephones - Inmates will be permitted telephone communication with their attorney via the inmate phone system. Outagamie County Jail Staff shall not prohibit inmates' access to telephone communication for legitimate legal purposes.
 2. Visits - Inmates will be allowed visits with their attorneys. Scheduled professional visiting hours will be provided to avoid disruption of normal facility operations. (See professional visits) Outagamie County Jail Staff will ensure that inmates have access to official visits with attorneys, court representatives and other government officials.

3. Mail - Official correspondence from an inmate's attorney will not be interfered with, limited, censored, or read by Outagamie County Jail Staff. Staff may examine legal mail solely for the detection of contraband or if a reasonable suspicion is raised that the safety or security of the facility is threatened.
4. Reprisals or penalties - Outagamie County Jail Staff members shall not subject inmates to reprisals, or penalties as a consequence of their decision to seek judicial or administrative redress.

IM 5.2 Access To Legal Materials

- A. Outagamie County Jail inmates will be allowed access to available legal materials to help them with criminal, civil, and administrative legal issues. This access may be satisfied by liberal access to private or court appointed counsel. Inmate access to legal materials may be suspended if it causes a threat to safety and security of the jail/staff and inmates.
- B. Legal Research Center
 1. Computerized legal reference materials will be maintained in the Outagamie County Jail legal resource center for use by inmates upon request.
 2. Outagamie County Jail inmates will be allowed access to legal research. Staff members may examine research materials solely for the detection of contraband.
 3. Outagamie County Jail inmates will not be allowed access to the internet outside of the dedicated resources in the legal resource center.
 4. Outagamie County Jail inmates will not be allowed access to devices that have the ability, either active or inactive, to access the internet outside of their attorney's presence. Due to our inability to properly monitor pro se inmates without standby counsel present pro se inmates will not be allowed access to similar devices.
 5. Any evidentiary type items/files that are dropped off will be placed in the S/Sgt.'s office and when an inmate wishes to review they can make a request to the S/Sgt if they cannot review with their attorney.
- C. Pro se indigent inmates may request paper, writing utensils, and other supplies, in reasonable quantities set by the facility that will aid inmates in the resolution of their legal matters as noted below. A yearly monetary limit will be established in the form of a legal loan. Pro se indigent inmates who do not have a pending lawsuit or are not representing themselves in an open court action, verifiable, will be directed to use their weekly indigent allotment to aid in the resolution of their legal matters.
- D. Jail staff will not act as a 3rd party delivery system for any items to other entities such as the courts, county clerk, probation agent, etc. on an inmate's behalf with the exception of legal briefs filed in the Outagamie County Clerk of Courts.
- E. To prevent malware and/or viruses from infecting the Outagamie County computer system, neither attorneys nor inmates will be allowed to provide or utilize their own electronic storage devices to receive county records. If electronic records are requested

and allowed, OCJ will provide them on county provided devices. These devices may incur a cost and prepayment may be required.

- F. Inmates who make a request for materials that are represented by counsel will have their requests reviewed on a case by case basis.

IM 5.3 Access to Grievance Procedure

- A. An inmate grievance procedure is in place and available to all inmates. This procedure includes the ability to appeal. Refer to Policy IM-6 Inmate Grievance.

IM 5.4 Indigent Inmates

- A. Inmates with less than \$1.00 in their accounts are considered indigent.
- B. Inmates' access to necessary health care, programming and other essential services will not be precluded by inability to pay.

IM 5.5 Protection From Harm and Abuse

Each Outagamie County Jail inmate will be protected from harm (including self-harm), physical, sexual and psychological abuse, corporal punishment, personal injury, disease, property damage and sexual harassment that jail staff is aware of.

IM 5.6 Freedom From Discrimination

All inmates will be treated equally ensuring freedom from discrimination based on race, national origin, political views, sex, handicap or religion.

IM 5.7 Freedom of Personal Grooming

Outagamie County Jail inmates will be permitted to exercise freedom of personal grooming to the extent that it does not threaten the safety and security of the facility, interferes with inmate identification or promotes poor hygiene.

OUTAGAMIE COUNTY CORRECTIONS DIVISION

IM 6 – Inmate Grievance

Policy Section: INMATE MANAGEMENT	Effective Date: 05/25/21	Review / Revision Date:		Page: 1 of 5
		9/1/10	9/25/14	
		5/1/05	8/15/17	
		5/1/03		
WI State Statute				
WI Administrative Code	350.26			
Related Policies				
Related SOP’S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will establish, be committed to, and provide inmates with resources for a fair, credible and impartial grievance procedure.

IM 6.1 Grievance Objectives

- A. To allow inmates to raise, in an orderly fashion, significant issues regarding rules, living conditions, and staff actions.
- B. To encourage communication between inmates and staff.
- C. To develop a sense of involvement in and respect for the correctional process among the inmates.
- D. To explain or clarify correctional policy to inmates and staff.
- E. To correct any errors and deficiencies in correctional policy through questioning and review.

IM 6.2 Grievance Philosophy

- A. Inmates in the Outagamie County Jail are encouraged to use the established grievance procedure to secure equitable and timely responses and/or solutions to legitimate grievances filed in good faith, without fear of reprisal.
- B. Inmates who abuse the grievance procedure by providing false or misleading information are subject to disciplinary action.

- C. Inmates who file a grievance alleging sexual abuse will not be disciplined unless they are found to have filed it in bad faith.

IM 6.3 Grievance Criteria

The following are the criteria for a legitimate grievance.

- A. An inmate may use the inmate grievance system to raise significant issues that personally affect them regarding classification, rules, health and welfare, living conditions and staff actions that affect facility operations and services.
- B. Issues which are **NOT** within the scope of the inmate grievance system include:
 - 1. Rules, regulations, procedures, and personnel matters over which Outagamie County Jail has no authority.
 - 2. Disciplinary issues. (A separate appeals process exists for disciplinary issues.)
 - 3. A denial of an open records request.
- C. Grievances that do not meet the criteria for a legitimate grievance or are determined to be frivolous by the staff member assigned to review grievances may be rejected:
 - 1. The grievance was submitted to harass or cause malicious injury to a staff member.
 - 2. The grievance does not raise a significant issue regarding rules, living conditions, or staff actions.
 - 3. The grievance does not provide sufficient facts upon which redress may be made.
 - 4. The grievance procedure is not followed.

IM 6.4 Filing A Grievance

- A. Step one: The inmate must speak with a staff member about the issue.
- B. Step two: If the issue cannot be informally resolved by the staff member the inmate must submit a request form to discuss the issue with a jail supervisor or speak to a jail supervisor directly.
- C. Step three: If the supervisor cannot informally resolve the issue the inmate may file a formal grievance. The formal grievance must be filed within fourteen (14) calendar days of the occurrence giving rise to the grievance.

1. Grievances should be filed using the in unit kiosks. In the absence of a kiosk a paper form can be used.
 2. The grievance form must be completely and accurately filled out and instructions followed.
 3. The inmate is responsible for submitting his/her own grievance.
 4. When a literacy or language problem exists, an officer, or inmate may help the inmate understand the procedure and/or complete the grievance form.
 5. When paper the grievance should be handed directly to a Corrections Supervisor.
- D. Grievances, which represent a risk to the health, safety, or well being of an inmate, including those alleging sexual abuse, requires immediate follow-up and may bypass any of the normal steps described in sections A,B and C of this section. The receiving staff member will immediately notify the Shift Supervisor or Jail Administrator of the nature of the grievance and will initiate appropriate action.
1. Grievances of this nature require an initial response within 48 hours. (PREA Guideline)

IM 6.5 Processing A Grievance

- A. Grievances will be reviewed frequently and or accepted directly from an inmate.
- B. Grievances will be forwarded to the grievance officer for review and assignment.
 1. The grievance officer, normally the Administrative S/Sgt., may reject any form that is not properly completed or addresses an issue that does not meet the criteria for a legitimate grievance. In the absence of a staff member being assigned to the Administrative S/Sgt. position the 3rd shift S/Sgt.'s will act as the grievance officer.
 2. The grievance officer will assign an appropriate staff member to investigate the issue when necessary.
 3. The grievance officer will assign a grievance file number to each grievance received either kiosk or paper.
 4. A grievance file will be created to contain documentation of the grievance.
 5. The grievance officer will ensure all grievances are responded too.

6. Medical grievances will be responded to initially and at the first level appeal by medical staff members.
- C. The grievance officer will forward a copy of the grievance to the complainant including his/her written decision within fourteen (14) calendar days of receiving the grievance form. The grievance officer may decide any of the following:
1. Deny the complaint. (There is not sufficient evidence to prove the allegation or the allegation is false or staff actions were appropriate.)
 2. Resolve the complaint. (Come to an agreeable resolution to resolve the issue.)
 3. Sustain the complaint. (There is sufficient evidence to prove the allegation.)
 4. Reject the complaint. (The grievance process was not followed or the issue is not appropriate for the inmate grievance system.)
 5. Assign for further investigation.
- E. Rejected grievances may be refiled if the rejection was due to a procedural error.
- F. An appeal may be filed to a Jail Lieutenant within seven (7) calendar days of receiving the grievance officer's decision. A Jail Lieutenant has fourteen (14) calendar days to review and respond to appeals. If a decision is not received in fourteen (14) calendar days the appeal should be considered denied. A secondary appeal can be filed to the Jail Administrator within seven (7) calendar days of receiving the grievance officer's decision. The Jail Administrator has fourteen (14) calendar days to review and respond to appeals. If a decision is not received in fourteen (14) calendar days the appeal should be considered denied.
- G. An inmate released during the grievance-processing period will have fourteen (14) calendar days from his/her release to request a written response to the grievance. Should the inmate fail to make this request, the grievance will be considered resolved and noted as such.
- H. A decision on the merits of any grievance or portion of a grievance alleging sexual abuse shall be made within 90 days of the filing of the grievance. If a decision cannot be made within 90 days of the filing of the grievance the investigator may request one 70 day extension. If an extension is requested, the inmate (victim) will be notified in writing.

IM 6.6 Confidentiality

- A. Information filed within the inmate grievance system is confidential.

- B. Staff working in the grievance system shall respect the confidential nature of the work.
- C. The identity of complainants and the nature of the complaint may be revealed only to the extent that is reasonable and appropriate for thorough investigation and implementation of a remedy. Confidentiality of information may be waived if the security, safety, or health of staff or inmates is involved.
- D. An inmate may waive confidentiality in writing or by making public any aspect of the grievance.
- E. If the grievance contains a false statement or accusation directed specifically at a staff member is proven to be false the inmate shall be held responsible for his/her actions and the grievance will no longer be considered confidential.
- F. Grievances forms and paperwork associated with the inmate grievance process will be subject to Wisconsin's Open Records Law.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IM – 7 INMATE PROPERTY

Policy Section: Inmate Management	Effective Date: 05/01/17	Revision Date:		Page: 1 of 8
		5/1/03	9/25/14	
		2/15/11		
		9/15/12		
Reference:	Inmate Property			
WI State Statute	66.0139, 66.28, 59.66(3)			
WI Administrative Code	350.12			
Related Policies	IM1, IM3			
Related SOP'S		Approved by: Clint C. Kriewaldt		

Policy

The Outagamie County Jail will ensure that all inmate property is thoroughly searched, accurately inventoried and securely stored in a designated area. All remaining property will be appropriately returned to inmates according to procedure at release.

7.1 Inmate Property Received at Booking

- A. Upon entering the jail, all inmate property will be searched by the receiving officer. Personal property except authorized items of eye wear, dentures, court related papers and medical accessories will be taken from inmates and stored in an appropriate property storage location.
1. Clothing exceptions: in certain situations if an inmate is being held in a holding cell at booking or is pending bond posting, the inmate may stay dressed in his/her personal clothing while all other personal items will be kept in an appropriate storage container at the booking station.
 2. Inmates confined in the Outagamie County Jail will not be allowed to wear or have in their possession, any clothing or item not issued by the facility. Inmate will be issued necessary clothing while incarcerated in accordance with policy. Medical items will be approved on an as needed basis.
- B. Jail staff will not accept certain types of personal property including:
- Evidence of a crime
 - Illegal contraband
 - Knives/other potential weapons

-Perishable food items

-Large items and/or a quantity of allowable items that will not fit into a property bag.

In these instances the arresting officer, if applicable, will have to make arrangements to secure such items outside the jail.

****Anytime property is not accepted the on-duty supervisor must be notified prior to the arresting officer leaving the facility. Exceptions will be made on an as needed basis taking the facts of the situation into account.****

- C. The booking officer will record the quantity and kind of property for each inmate received into our custody. All property shall be accurately described to facilitate identification of the property. When accepting noticeably damaged property, the booking officer will describe the item, the damage to it and specify that it occurred prior to being accepted to the jail. Jail staff should avoid using general / nonspecific terms such as, multiple, numerous, many, etc.
1. All items: wallets, purses, containers, etc, will be searched to prevent the introduction of contraband into the secure perimeter of the facility.
 - a. Document/Record items example:
 - Wallet – Brown, Leather Like, Tri-Fold
 - Key Ring – 6 keys
 - 1 Ring, Yellow Colored Metal, Clear Stone Red-Colored
 - Levi Blue Jeans
 - White in Color, Leather Like, Nike Tennis Shoes, etc.
 2. All items regardless of size should be inventoried and searched for contraband, prior to the items being placed in the inmate's property storage location.
 3. Property storage containers shall be sanitized before reuse
- D. Each inmate will be given the opportunity to review the property form. If the inmate has any questions concerning the accuracy of the inventory or how the property will be stored, the booking officer will address it at that time. Once satisfied the inventory is accurate, the inmate will sign in the space provided as acknowledgment. If the inmate refuses to sign the property form, the booking officer will have another member of the jail staff review the inventory; document the refusal and the name of the jail staff member who reviewed the inventory.
- E. Items that are small, which could be easily misplaced, should be sealed in a plastic bag. All property will then be placed in the standard jail property bag, marked with the inmate's name and property bag number. The property bag will then be stored in the booking property room.
- F. Any amount of cash that is removed from an inmate or the inmate's property shall be accurately accounted for and deposited in the jail commissary accounting

system. When the jail commissary is not accessible, the booking officer will record the amount of money received in the bond book. The money will be placed in an envelope with the inmates name and amount of money written on it. The envelope will then be sealed and deposited in the jail safe.

- G. Payroll checks and checks from other county jails, that are made out to the inmate are to be accounted for, documented and then deposited in the jail commissary accounting system. The inmate should be given the opportunity to endorse the check, however the endorsement of the inmate is not a necessity, and the jail may still deposit the check. When the jail commissary system is not accessible, the booking officer will record the amount of the check in the bond book. The check will then be placed in an envelope with the inmate's name and amount of the check written on the outside of the envelope. The envelope will then be sealed and deposited in the jail bond safe. Personal checks made out to the inmate are not to be deposited in the jail commissary accounting system. They will be recorded on the inmate property sheet and stored with the rest of his/her general property.
- H. All foreign monies received will be recorded on the inmate property sheet and be stored with the rest of the inmate's general property. Any unusual or unique cash, metal and or paper currency that the inmate is claiming to be a memento or collectors item, will be recorded on the inmate property sheet and stored with the inmate's general property. ****Anytime these items are placed into an inmate's property the on-duty supervisor must be notified prior to the placement.****
- I. Any medications brought into the facility will be forwarded to the Health Services Unit and documented.

7.2 Huber Transfers to Lock Up

- A. When a Huber inmate is transferred to lock up, all property will be inventoried and stored appropriately.

7.3 Contaminated or Soiled Clothing

- A. Jail staff handling soiled or contaminated clothing will follow standard universal precautions.
- B. Clothing requiring cleaning (extreme soiling, strong odor, wet, etc.) will be placed into a water-soluble biohazard bag and will be washed and dried. The reason for the biohazard bagging will be noted on a tag on the outside of the bag. The receiving officer will ensure that the kitchen staff is aware that any clothing owned by an inmate needs to be returned to booking after it is laundered.
- C. Other clothing, which is possibly infested (lice, scabies, etc) or contaminated with body fluids, blood, etc. will be double bagged in a water-soluble biohazard bag and routed to the laundry area for cleaning. The reason for the biohazard bagging will be noted on a tag on the outside of the bag. The receiving officer will ensure that the kitchen staff is aware that any clothing owned by an inmate needs to be returned to booking after it is laundered.

1. Jail staff will document on the property sheet what items were laundered.
- D. Dry clean only clothing will not be washed, unless authorized in writing by the requesting inmate.
 1. When this type of item is contaminated, it shall be double bagged in a biohazard bag and then placed in a heat sealed bag.

7.4 Inmate Property Received During Incarceration

- A. Inmates wishing to receive items that are normally not allowed or designated as an approved vendor only purchase while in-custody must have pre-approval from a supervisor. The supervisor will note the approval in the inmate's JMS file.
- B. The drop off for clothing for jury trials must be coordinated by the inmate's attorney. The clothing may be brought to the jail within a reasonable time period of the jury trial. Any person that delivers any item must present a photo ID.
- C. If an inmate receives a package through the US Postal Service that contains items that are not allowed or designated as approved vendor only purchases the delivering staff member will record the items not given to the inmate and there disposition in the inmates JMS file.
- D. Hard cover books are not allowed and soft cover books will be allowed when received from an approved vendor and the size of the book does not create a safety and/or security concern.
- E.. Inmates who receive property from a delivery company that was not approved have two options:
 1. The inmate may refuse the package and return it to sender.
 2. The inmate may request that the package be opened and inspected for money, medical or legal items. If the package contains non-allowed items the package will be returned to sender at the inmate's expense minus the money, medical or legal items.

7.5 Inmate Property at Release

- A. Prior to releasing an inmate, the releasing officer will remove all contents from the property bag except clothing and foot wear and place them on the booking desk in plain view. The inmate will be instructed to enter an appropriate changing area, with his/her property bag and change into their own clothes. Once changed the inmate will return to the booking desk to review and retrieve their remaining property with the releasing officer.

- B. The inmate will acknowledge the return of his/her property by signing the 'prisoner's signature on release' portion of the booking report, detailing the return of all applicable property.
- C. If an inmate refuses to sign for returned property at release, the releasing officer will not turn the property over to the inmate. A jail supervisor will be notified and the property will be held by the jail until the signature is obtained, or if, after review by a jail supervisor or another decision is made. The releasing officer will generate an incident report.
- D. If the inmate claims to have items missing from his/her property, the releasing officer will conduct his/her own search of the inmate property bag to insure the claim is accurate. If the search turns up nothing the releasing officer will circle the disputed item and place their initials next to the item on the inmate property form and notify the on-duty supervisor. The inmate will then sign for the balance of his/her property. The releasing officer will generate an incident report.
- E. In cases when an inmate is claiming to be missing property, that is not mentioned or described on the inmate property form, the on-duty supervisor should be notified and the noting staff member will generate an incident report.

7.6 Inmate Released/Transferred to Department of Corrections

- A. When an inmate is released or remanded to the Department of Corrections, all inmate property not accepted by DOC will be stored in an appropriate location.
- B. The inmate will be asked to sign a property release form identifying an individual who will be allowed to pick up their property.
- C. After one year any unclaimed property will be disposed of in accordance with SS 59.66(3).

7.7 Inmate Money Received while Incarcerated

- A. Cash, cashier checks, and money orders will be accepted for deposit into an inmate's account during their incarceration; personal checks will not be accepted.
- B. Funds deposited as the result of a money order or cashier's check will not be available to the inmate until the authenticity is verified.
- C. Money can be received through mail and from visitors.
 - 1. Officers who account for money received through the mail will provide the inmate with a receipt noting the inmate's name, the origin of money and the amount received.
 - 2. After receipting the money the Officer will place it in a deposit envelope and route the money to the Jail Records Office. The Officer will log the inmate's name and deposit amount on the money receipt log. Money should not be left unattended at any time.

3. Visitors can deposit cash into the kiosk located on the 1st floor of the Justice Center.

7.8 Inmate Medications

- A. Necessary medical items will be accepted 24 hours per day 7 days per week.
- B. If medical staff is on-duty they will be notified and will coordinate the acceptance of any medical items.
- C. If medical staff is not on-duty the medical items will be recorded in the appropriate log and the on-duty supervisor will be notified who will determine the necessity of the item.

7.9 Excess Property

- A. Excessive property is defined as any property that does not fit in an inmate's assigned property storage bag.
- B. Inmates having excessive property may be notified in writing that they have seven (7) calendar days to have the excessive property removed or they will lose their personal visiting privileges until the property is removed.
- C. Excessive property belonging to Huber inmates serving revocations of less than 30 days will be allowed.
- D. Inmates may appeal the loss of visiting privileges through the inmate grievance process.

7.10 Release of Property while in Custody

- A. Under normal circumstances the only items that can be released by an inmate while the inmate is in custody are: keys, cell phones, and/or wallets/purses with supervisory approval, with the exception of a onetime property release at the time of a sentencing to the Wisconsin Department of Corrections.
- B. Inmates wishing to release these items must complete a property disposition form.
- C. The form must include the date, the inmate's name and housing unit.
- D. The form must be signed.
- E. Without supervisory approval approved property will not be released between 8:00 am and 7:00 pm Monday – Friday, with the exception of a onetime property release at the time of a sentencing to the Wisconsin Department of Corrections. (Other exceptions can be made by a supervisor.)

- F. The date, time and the signature of the person to whom the property was released shall be recorded on the property disposition form.
- G. The name and the badge number of the officer releasing the property shall be recorded on the property disposition form.
- H. The property release form will be placed in the inmate's file.
- I. A supervisor may authorize the release of an item without the inmate's consent when the requesting party can establish ownership of the item. This property release should be noted in the inmate's JMS file.
- J. Property that is inventoried and stored by jail staff will not be released to law enforcement agencies without a warrant or consent of the property owner with the exception of the Wisconsin Department of Probation and Parole and approved searches by the District Attorney's office.
- K. Under normal circumstances a staff member will not release inmate property without a property release form.

7.11 Unclaimed Property

- A. Unclaimed inmate property shall be held for one year at the Outagamie County Jail after an inmate has been released from custody. Any property not claimed after one year shall be disposed of in accordance with Wisconsin Statute 59.66(3)
- B. The disposition of the inmate's property will be noted in the Corrections Division Incident report. Unclaimed items containing identification information will be disposed of pursuant to 59.66(3).

7.12 Inmate Expenses

- A. Inmates may incur certain expenses while incarcerated in the Outagamie County Jail such as commissary purchases, health care, indigent supplies, and jail processing fee.
- B. All legitimate expenses incurred by an inmate while incarcerated in the Outagamie County Jail will be charged against his/her commissary account.
- C. Jail Processing Fee
 - 1. Effective February 14, 2003, a jail processing was established by county ordinance.
 - a. Generally, the processing fee is applicable to every sentenced person booked into the Outagamie County jail.
 - b. In the case of an inmate who does not satisfy the processing fee prior to his/her release, the fee will be charged against the balance

of his/her commissary account.

- c. If charging the processing fee against the commissary account results in a negative balance the account may be referred to a debt collection agency to be satisfied.
- d. If an inmate disputes the application of a processing fee to his/her incarceration, the inmate must completed a Processing Fee Refund Application outlining his/her dispute to the applied charge.

7.13 Holding Cell Property

- A. Inmates placed in a holding cell due to behavior may have their property restricted. Each property restriction will be made on a case by case basis taking the totality of the situation into account and it will be documented when appropriate.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IM 8 – Administrative Confinement

Policy Section: INMATE MANAGMENT	Effective Date: 05/25/21	Revision Date:		Page: 1 of 3
		06/15/12		
		3/1/07		
		9/25/14		
Reference:	Administrative Confinement			
WI State Statute				
WI Administrative Code	350.25			
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail shall provide for an involuntary or voluntary non-punitive status for the segregated confinement of an inmate.

IM 8.1 Involuntary Administrative Confinement

- A.** An inmate may be placed in administrative confinement for any of the following reasons:
1. The inmate is a substantial risk of causing physical harm to self, another person or property.
 2. The inmate threatens the security or order of the jail.
 3. The inmate inhibits a pending disciplinary or criminal investigation.
- B.** An inmate may be placed in administrative confinement by a correctional officer. Whenever possible the correctional officer shall first inform his or her immediate supervisor of any situation that may require administrative confinement of an inmate. The supervisor shall determine whether to place the inmate in administrative confinement. The supervisor will ensure that medical and mental health staff are notified of the placement. In all cases when it is not practical to consult with a supervisor before placing an inmate in administrative confinement, the correctional officer is required to inform his or her supervisor immediately after placing an inmate in administrative confinement.

1. Any case of administrative confinement must be reviewed by a correctional supervisor within 24 hours and the inmate must be notified in writing of the reason(s) he or she has been confined. This review shall include evaluation of the inmate's classification.
2. An inmate's progress in administrative confinement shall be reviewed, at a minimum, every seven days by a correctional supervisor. This review will be documented. The supervisor shall determine when the inmate no longer presents a threat to the safety, security, and order of the jail and may be returned to the general population.
3. The reason the inmate is placed in administrative confinement, the length of time the inmate remains in administrative confinement and the results of subsequent reviews shall be entered in the inmate's file..
4. Normally inmates directly placed on involuntary administrative confinement from booking will be locked down in a receiving unit until follow up with a mental health worker is conducted.

IM 8.2 Voluntary Administrative Confinement

- A. An inmate may request to be placed in administrative confinement
- B. Any request for voluntary administrative confinement will be decided by a correctional supervisor or higher authority.
- C. An inmate placed on voluntary administrative confinement is subject to the policies, procedures and practices that are in effect for the housing unit in which the administrative confinement takes place.
- E. An inmate's progress in voluntary administrative confinement shall be reviewed, at a minimum, every seven days by a correctional supervisor. This review will be documented. The supervisor shall determine when conditions no longer exist for voluntary administrative confinement and the inmate may be returned to the general population.
- F. An inmate placed on voluntary administrative confinement may request to the correctional supervisor to be returned to the general population at anytime. The supervisor shall schedule a time for the inmate to returned to the general population or take other action.
- G. Normally inmates requesting voluntary administrative confinement at the time of booking will be locked down in a receiving unit until follow up with a mental health worker is conducted.

M 8.3 Administrative Confinement For Health Reasons

- A. A Health Services Unit professional may refer an inmate for administrative confinement under the following conditions:

1. The inmate has or is suspected of having an infectious or communicable disease.
 2. An inmate is infested or suspected to be infested with vermin such as lice or scabies.
 3. The inmate exhibits traits of suffering from a mental illness or an emotional distress or has a history of such illness or distress.
 4. The inmate refuses to submit to testing for tuberculosis.
 5. The inmate has a need for specific medical attention or as determined by a Health Services Unit professional.
- B.** A supervisor shall approve placement and will determine when the inmate may be returned to the general population.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IM – 9 Security Threat Groups

Policy Section: Inmate Management	Effective Date: 2/21/18	Revision Date:		Page: 1 of 3
		6/15/12		
Reference:	Security Threat Groups			
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Clint C. Kriewaldt		

Policy

The purpose of this policy is to establish guidelines for the collection, analysis, and dissemination of intelligence information relating to security threat group (STG) activity.

IM 9.1 Definitions

- A. Security Threat Group (STG): individuals who collaborate with the purpose of breaking the law, disrupting the security of a facility, causing injury to any person or damages to jail property/equipment.
- B. Jail STG Investigators: correctional officers specifically assigned with responsibility for gathering STG related information and monitoring STG activity in the jail.
- C. Validation: An objective process by which an inmate is determined to be, or to have been, an active member of an STG
- D. Validated Member status: an inmate that has accrued fifteen or more points in two or more validation criteria and has had two STG officers and supervisory staff confirm that validation was met.
- E. STG Suspected Member: an inmate who is involved with a security threat group at a higher level than that of an associate. A suspected member is either attempting to join the STG, or is in the process of being validated as a member of an STG.

- F. STG Associate: an inmate who is involved with a security threat group but is not considered a member or suspect.

IM 9.2 Intelligence Files

- A. Department STG files shall be maintained separately from other records.
- B. STG files shall normally be made available to supervisory staff and STG investigators only.
- C. Review of STG information shall be an ongoing process.
- D. The corrections division does not sanction the collecting, storing or dissemination of information relating to lawful, political, special interest, or religious groups. However, this does not preclude the gathering of information relating to such groups when there is valid concern or reason to believe such group's activities may pose a threat to the security of the facility.

IM 9.3 STG Information Evaluation

- A. Criteria used to establish STG involvement include:
 - 1. **Admitted membership in an STG at time of booking:** Due to the nature of the booking process, and taking into account that the inmate does not sign the booking sheet, this criteria is valued at 2 points
 - 2. **Admitted membership at time other than booking:** This criterion requires the inmate to sign a document stating he/she is a member of a STG. Or the inmate must be told that he/she is being audio and/or visually recorded. This criterion is valued at 7 points
 - 3. **Identified by credible informant:** Credible informant information that is deemed credible/reliable indicating the subject is an STG member. This criterion requires that identification of what makes the informant credible be listed. This criterion is valued at 3 points.
 - 4. **Tattoos:** Must be STG specific and photos/video must be attached. This criterion is valued at 7 points.
 - 5. **Symbolism:** Use of STG specific colors, hand signs, insignia, logos, notations, drawings, graffiti, codes, etc. Attach photos/copies/memos for documentation. This criterion is valued at 4 points.
 - 6. **Documents:** possession of STG specific by-laws, ceremonial procedures, rosters, hit lists, address books, newsletters, fliers, posters, pamphlets, etc. This criteria is valued at 6 points
 - 7. **Membership:** Documents in the inmate's possessions that support their membership to a specific STG, certificates of rank, title, letters of introduction, letters of recognition, id cards etc. This criterion is valued at 8 points

8. **Authorship:** Documents/articles of actual STG business written by the inmate. This criterion is valued at 9 points.
9. **Court records:** Court documents that identify the inmate as a member of a STG. PSI, indictment, arrest warrant, court transcripts, etc. This criterion is valued at 12 points.
10. **Contacts:** Documents, correspondences, financial transcripts, money orders, etc, or receives visits from known relatives or close associates of validated STG members. This criterion is valued at 2 points.
11. **Media:** Articles, broadcasts of reputable media outlets that describe the arrest, prosecution, conviction or inmates STG activities. This criterion is valued at 4 points.
12. **Photos:** Photos depicting inmate with two or more validated STG members. This criterion is valued at 3 points.

B. Terrorism Related Intelligence

1. All potential terrorism information shall be forwarded to a jail supervisor.
2. The jail supervisor will disseminate the information appropriately.

IM 9.4 STG Validation

- A. An inmate will be validated as a STG member when the inmate accumulates 15 points.
- B. An inmate will be considered an associate of a STG when the inmate accumulates 2 points
- C. An inmate will be considered a suspected member when the inmate accumulates 4 points.
- D. Two STG officers must confirm the inmate as a validated member of the STG
- E. A supervisor shall review the STG validation process.
- F. The inmate shall be informed once the validation has been reviewed by the STG supervisor.
- G. The validated inmate may file a grievance on the STG validation.

IM 9.5 Release of Information

- A. A jail supervisor shall make the determination to release STG information to all non-law enforcement organizations.
- B. STG files will normally be subject to open records laws.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IS 1 – Commissary

Policy Section: Inmate Services	Effective Date: 12/01/22	Revision Date:		Page: 1 of 3
		05/15/08		
		07/01/01		
		9/25/14		
WI State Statute				
WI Administrative Code	350.35, 350.28			
Related Policies	IM4, IM7			
Related SOP’S: SOP 1		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail will offer a commissary service to inmates from which they can purchase health and/or comfort items not provided by the Outagamie County Jail based on their classification.

IS 1.1 Vendor

- A. Vendor employees who work within the secure perimeter of the Outagamie County Jail shall be attentive to security requirements and rules governing contraband and PREA.
- B. Commissary orders will be packaged and each package will contain the order of one inmate with an accurate shipping list of the inmate's order.

IS 1.2 Administration

- A. Pricing system: A specific pricing system will be established which ensures that inmates do not pay more than prevailing community prices for commissary items.
- B. Use of profits: Any profits from commissary will be placed in the Jail Fund. Profits from commissary may be used to support inmate services and programs.

IS 1.3 Commissary Management

IS 1.3.1 General Information

An up-to-date list will be made available to each inmate housing unit itemizing all items for sale in the commissary and their prices. Allowable items will be based on the inmate's classification. Commissary services will be available to inmates weekly. Procedures for placing orders and obtaining delivery may be posted in each inmate housing unit and will be a part of the Outagamie County Jail inmate handbook.

IS 1.3.2 Delivery of Commissary Packages

Commissary orders will be delivered weekly. .

IS 1.3.3 Spending Limits

A spending limit for inmates who have their own funds will be set for both food and non-food items. An indigent inmate may not place a commissary order but may request replacement of indigent items once each week. When an indigent inmate receives funds while still in custody he or she will be charged for items previously received while on indigent status. To be considered indigent an inmate must have \$1.00 or less on their account.

IS 1.3.4 Possession Limits

- A. There will be no commissary possession limits for food items unless the food items are possessed in a way and quantity to create a safety, security or operations issue.
- B. Disciplinary inmates may possess paper, envelopes and hygiene items. If an inmate requests commissary before he or she is reclassified to disciplinary status, and the items are not delivered to the inmate before the disciplinary classification, the undelivered items will be placed in the inmate's property.

IS 1.3.5 Limiting of Commissary Privileges

An inmate's commissary privileges may be limited as defined in the inmate discipline procedure or by his/her classification status.

IS 1.4 Ordering and Distribution of Commissary

IS 1.4.1 Ordering

Inmates may place commissary orders on scheduled ordering days, provided that funds are available in the inmate's account.

IS 1.4.2 Distributing Commissary Orders

- A. Commissary shall be distributed to the inmates at a time that is least disruptive to facility operations.
- B. The contents of each order must be checked against the enclosed order form in the inmate's presence.
- C. If an inmate is absent from the housing unit the order will be secured in the workstation and distributed to the inmate when he/she returns.
- D. If the inmate is released the order will be held for 1 year. If the order is not picked up within 1 year it will be treated as abandoned property.
- E. If there is a discrepancy between the inmate's commissary order form and the contents of the commissary package a correctional officer will note the discrepancy on the order form and the inmate and correctional officer must sign and date the order form. Discrepancies will be resolved with the vendor.
- F. If the commissary package is determined to be complete and there are no discrepancies the designated correctional officer and the inmate will sign and date the commissary order form.
- G. All commissary order forms are to be returned to the designated person after distribution has been completed.

IS 1.5 Problems with Orders

All discrepancies with commissary orders including missing, extra or damaged items will be reported to the vendor for resolution.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IS 2 – Food Service

Policy Section: Inmate Services	Effective Date: 12/01/22	Revision Date:		Page: 1 of 19
		05/15/08	5/15/17	
		07/01/01		
		9/25/14		
WI State Statute				
WI Administrative Code	350.11			
Related Policies	IM4			
Related SOP’S: SOP10		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail will provide inmates with three nutritious meals daily. All meals will be prepared under acceptable sanitary conditions.

IS 2.1 Meal Planning/Menus

- A. Menus will be prepared on a four-week cycle (28 days).
- B. Menus shall be approved annually by a certified dietician and a copy will be maintained in the facility files.
- C. Menus will be followed substantially without major or frequent changes. Whenever changes occur they will be properly documented.
- D. Special diets will be equivalent to the regular diet, in terms of nutritional adequacy, palatability, and to the degree possible, variety.
- E. Menus shall be kept on file in the food service office for 90 days after the date of application.
- F. All menus will be designed to provide inmates with the best possible meals consistent with budget plans and daily ration allowances. Food preparation will rely on a standard recipe system available to all food service staff. The recipe system will: standardize cost, enhance and preserve food flavors, improve appearance, provide optimum palatability and maximize utilization of the available equipment to enable service of high quality products.

IS 2.2 Food Supplies

IS 2.2.1 General

- A. Food shall be in sound condition, free from spoilage, filth or other contamination and shall be safe for human consumption.
- B. Food shall be obtained from sources that comply with all laws relating to food and food labeling.

IS 2.2.2 Special Requirements

- A. Fluid milk and fluid milk products used or served shall be pasteurized and shall meet grade A quality standards.
- B. Dry milk and dry milk products shall be made from pasteurized milk and milk products.
- C. Only clean whole eggs, with shell intact and without cracks, or pasteurized liquid, frozen, or dry eggs or pasteurized dry egg products may be used.

IS 2.3 Food Protection

IS 2.3.1 General

- A. At all times, including while being stored, prepared, served or transported, food and drink shall be protected from potential contamination to include dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding, drainage and overhead leakage or overhead drippage from condensation.
- B. The temperature of potentially hazardous food shall be maintained at 40° Fahrenheit or below or 150° Fahrenheit or above, as appropriate, at all times.
- C. Meals will be covered during transit to and within the facility.

IS 2.3.2 Emergency Occurrences

- A. In the event of a fire, flood, power outage or similar event that might result in the contamination of food or that might prevent potentially hazardous food from being held at required temperatures, the person in charge shall immediately notify the jail administrator.
- B. Upon receiving notice of this occurrence, the jail administrator shall direct the appropriate personnel to take whatever action deemed necessary to protect the health of facility staff and inmates.

IS 2.4 Food Storage

IS 2.4.1 General

- A. Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in a clean covered airtight container that is labeled and dated except during necessary periods of preparation or service.
- B. Container covers shall be impervious and non-absorbent.
- C. Containers of food shall be stored a minimum of six inches above the floor in a manner that protects the food from splash and other contamination and permits easy cleaning of the storage area.
- D. Containers may be stored on easily cleanable dollies, racks or pallets that are easily moveable.
- E. Food and containers of food shall not be stored under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads.
- F. The storage of food in toilet rooms or vestibules is prohibited.
- G. Food not subject to further washing or cooking before serving shall be stored in a way that protects it against cross-contamination from food requiring washing or cooking.
- H. Bulk food such as cooking oil, syrup, salt, sugar or flour does not need to be stored in the product container or package in which it was obtained. The bulk food shall be stored in a container identifying the food by common name.
- I. Food items will be stored in appropriate locations and temperatures.

IS 2.4.2 Refrigerated Storage

- A. Adequate refrigeration facilities shall be provided to assure the maintenance of potentially hazardous food at required temperatures during storage.
- B. Each refrigerated storage area shall be provided with a numerically scaled thermometer accurate to plus or minus 2° Fahrenheit.
- C. Refrigerated storage thermometers shall be located in the warmest part of the storage area and to be easily readable.

- D. Potentially hazardous food requiring refrigeration after preparation shall be rapidly cooled to an internal temperature of 40° Fahrenheit or below.
- E. Frozen food shall be kept frozen and shall be stored at a temperature of 0° Fahrenheit or below.

IS 2.4.3 Hot Storage

- A. Adequate hot food storage facilities shall be provided to assure the maintenance of food at the required temperature during storage.
- B. Each hot food storage facility shall be provided with a numerically scaled thermometer accurate to plus or minus 2° Fahrenheit.
- C. Thermometers shall be located in the coolest part of the storage area, and located to be easily readable.

IS 2.5 Food Preparation

IS 2.5.1 General

- A. Food shall be prepared with the least possible manual contact, with suitable utensils, and on surfaces that prior to use have been cleaned and sanitized to prevent cross-contamination.
- B. Raw fruits and raw vegetables shall be thoroughly washed with potable water before being cooked or served.
- C. Potentially hazardous foods requiring cooking shall be cooked to heat all parts of the food to a temperature to at least 150° Fahrenheit. Poultry, poultry stuffing, stuffed meats and stuffing containing meat shall be cooked to heat all parts of the food to at least 165° Fahrenheit with no interruption of the cooking process.
- D. Reconstituted dry milk or dry milk products may be used in instant desserts and whipped products for cooking or baking purposes.
- E. Liquid, frozen, dry eggs, egg products may only be used for cooking and baking purposes.
- F. Potentially hazardous foods shall be thawed in refrigerated storage units at a temperature not to exceed 40° Fahrenheit and under potable running water at a temperature of 70° Fahrenheit or below, with sufficient water velocity to agitate and float off loose food particles into the overflow. Thawing of potentially hazardous foods as part of the conventional cooking process is acceptable.

IS 2.6 Food Service and Transportation

IS 2.6.1 Milk

Milk and milk products shall be provided in unopened, commercially filled packages.

IS 2.6.2 Condiments

Condiments, seasonings and dressings may be provided when noted on the menu.

IS 2.6.3 Dispensing Utensils

To avoid unnecessary manual contact with food, suitable dispensing utensils with handles long enough to prevent handle contact with food shall be used by food service workers.

IS 2.6.4 Food Transportation

During transportation from the preparation area to where it will be served, food and food utensils shall be kept in containers, or completely wrapped, packaged, or covered in order to be protected from contamination. Foods in original individual packages do not need to be wrapped or covered if the original package has not been torn or opened.

IS 2.7 Food Service Workers

IS 2.7.1 Health

- A. No person knowingly infected with a disease in a form that is communicable by food handling may work as a food handler.
- B. If a food service worker is suspected of having a communicable disease that may be transmitted by food handling, facility officials shall exclude the worker from the food service area the food service worker will be referred to the appropriate health service.

IS 2.7.2 Personal Cleanliness

- A. Food service workers shall thoroughly wash their hands and the exposed portion of their arms with soap and warm water before starting work, during work as often as is necessary and after smoking, eating, drinking or using the toilet. Workers shall keep their fingernails cleaned and trimmed.
- B. The clothing of all food service workers shall be clean.

- C. Effective hair restraints, such as hairnets or caps, shall be used by food service workers. Effective hair control to eliminate unnecessary touching or handling of hair shall be practiced by food service workers.

IS 2.7.3 Food Service Worker Practices

- A. Food service workers may consume food only in designated areas of the kitchen to prevent contamination of other food, or contamination of equipment, utensils, or other items needing protection.
- B. Food service workers shall handle soiled utensils in a way that minimizes contamination of their hands.
- C. Food service workers shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods in the food service area.

IS 2.7.4 Inmate Food Service Workers

- A. Inmate food service worker candidates must be approved for kitchen work by the work program officer and medical staff.
- B. Inmate food service workers shall be closely monitored by food service staff.
- C. Inmate food service workers must be freshly showered prior to reporting for work in the food service area and must report to work clothed in a clean uniform.
- D. Inmate food service workers must comply with the same health and personal cleanliness standards as food service staff.

IS 2.8 Cleaning, Sanitization and Storage of Equipment and Utensils

IS 2.8.1 Cleaning Frequency

- A. Eating utensils shall be washed, rinsed and sanitized after each use.
- B. To prevent cross-contamination, kitchenware and food contact surfaces of equipment shall be washed, rinsed and sanitized after each use. The same procedure shall apply after any interruption of operations during which time contamination may have occurred.
- C. Where equipment and utensils are used for the preparation of potentially hazardous foods on a continuous or production line basis, utensils and the food contact surfaces of equipment shall be washed, rinsed and sanitized at intervals throughout the day.

- D. The food contact surfaces of grills, griddles similar cooking devices and the cavities and door seals of microwave ovens shall be cleaned at least once a day.
- E. The food contact surfaces of all cooking equipment shall be kept free of encrusted grease deposits and other accumulated soil.
- F. Non-food contact surfaces of equipment shall be cleaned as often as is necessary to keep the equipment free of the accumulation of dust, dirt, food particles and other debris.

IS 2.8.2 Wiping Cloths

- A. Moist cloths used for wiping food spills on kitchenware and food contact surfaces of equipment shall be clean, light-colored and sanitized between uses.
- B. Moist cloths used for cleaning non-food contact surfaces of equipment such as counters and shelves shall be clean, light-colored and sanitized between uses.

IS 2.9 Manual Cleaning and Sanitizing

IS 2.9.1 Sinks

- A. Adequate sinks with potable hot and cold water supplies shall be provided to accommodate pre-washing, washing, rinsing and sanitizing utensils. Sinks will be equipped with adequate drain boards.
- B. The size of each sink compartment shall be adequate to permit immersion of at least 50 percent of the largest utensil used.
- C. Fixed equipment and utensils and equipment too large to be cleaned in sink compartments shall be washed manually or cleaned through pressure spray methods.
- D. Drain boards of adequate size shall be provided for proper handling of soiled utensils prior to washing and clean utensils following sanitizing. Drain boards shall be located so as not to interfere with the proper use of the dishwashing facilities.
- E. Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing and sanitizing shall be conducted in the following sequence:
 - 1. Sinks shall be cleaned prior to use.

2. Equipment and utensils shall be rinsed or scraped and, when necessary, pre-soaked to remove food particles and soil.
3. Utensils and equipment shall be washed in water having a minimum temperature of 110° Fahrenheit and containing an adequate amount of an effective soap or detergent. Water shall be kept clean by changing it frequently.
4. Equipment and utensils shall then be rinsed free of detergent and abrasives with clean water.
5. After washing and rinsing, all utensils and equipment shall be sanitized by one of the following methods:
 - a. Submerge for 30 seconds in clean water continuously maintained at a temperature of 170° Fahrenheit or more.
 - b. Submerge for at least two minutes in a hypochlorite solution with a chlorine concentration continuously maintained at 100 parts per million, or another approved sanitizing solution which shall be used at the concentration at which it was tested.
 - c. Treatment with steam containing approved materials or additives in the case of equipment too large to sanitize by immersion.
 - d. Rinsing, spraying or swabbing with a chemical sanitizing solution of at least twice the strength required for the particular sanitizing solution in the case of equipment too large to sanitize by immersion.
6. All sanitizing solutions shall be prepared fresh after each meal period and shall be changed as often as necessary to keep sanitizing solutions clean.
7. Soaps, water softeners, washing compounds or detergents shall not be added to sanitizing solutions.
8. When chemicals are used for sanitizing, a test kit or other device that accurately measures the parts per million concentration of the solution shall be provided and used.

IS 2.10 Mechanical, Cleaning and Sanitizing

IS 2.10.1 Cleaning and Sanitizing

- A. Utensils and equipment may be cleaned and sanitized by using a dishwashing machine. The machine shall be properly installed, maintained in good repair and operated in accordance with the manufactures instructions. Utensils and equipment placed in the machine shall be exposed to all dishwashing cycles. Appropriate detergent and sanitizing agents shall be used in accordance with the manufactures instructions.
- B. Equipment and utensils shall be flushed or scraped and when necessary, soaked to remove food particles and soil prior to being washed in a dishwashing machine unless a pre-wash cycle is a part of the dishwashing machine operation. Equipment and utensils shall be placed in racks, trays, baskets, on conveyors in a way that food contact surfaces are exposed to the unobstructed application of detergent and sanitizing agents and clean rinse waters and permits free draining.
- C. For sanitizing, utensils and equipment shall be subjected to a rinse period of at least 10 seconds by water that is maintained at 180° Fahrenheit or more.
- D. Dishwashing equipment temperatures will be routinely monitored and documented.

IS 2.10.2 Drying

After sanitizing, all equipment and utensils shall be air dried.

IS 2.10.3 Handling

Cleaned and sanitized equipment and utensils shall be handled in a way that protects them from contamination. Spoons, knives, forks and similar utensils may be touched by their handles. Cups, glasses, bowls and plates shall be handled without contact with inside surfaces or surfaces that contact the user's mouth.

IS 2.10.4 Storage

- A. Cleaned and sanitized utensils or equipment shall be stored at least six inches above the floor in a clean, dry location in a way that protects them from contamination by splash, dust and other means.
- B. The food contact surfaces of fixed equipment shall also be protected from contamination.
- C. Utensils shall be air-dried before being stored or shall be stored in a self-draining position.
- D. Glasses and cups shall be stored inverted. Other stored utensils shall be covered or inverted, wherever practical. Storage containers for knives,

forks, spoons and similar utensils shall be designed and used to present the handle to the worker.

- E. The storage of food equipment and utensils in toilet rooms or vestibules is prohibited.

IS 2.11 Sanitary Facilities and Controls

IS 2.11.1 Toilet Rooms

- A. Toilet rooms shall be under the supervision of the food service staff.
- B. Toilet rooms shall be completely enclosed and have tight fitting, solid doors which shall be closed and locked except during cleaning or maintenance.
- C. Toilet room, floors, walls and fixtures shall be kept clean and in good repair.

IS 2.11.2 Hand washing Facilities

- A. Hand washing facilities shall be located near food preparation areas and in all toilet rooms.
- B. Sinks used for food preparation or for washing equipment or utensils may not be used for hand washing.
- C. Soap and single service disposable towels for drying hands shall be provided at hand washing facilities. Common towels are prohibited.
- D. Hand washing facilities, soap dispensers, towel holders and all other fixtures related to hand washing shall be kept clean and in good in repair.

IS 2.11.3 Garbage and Refuse

- A. Garbage and refuse shall be kept in durable, easily cleanable, insect proof and rodent proof containers that do not leak and do not absorb liquids. Plastic liners shall be used in garbage and refuse containers.
- B. Garbage and refuse containers shall be kept covered between uses and emptied daily.
- C. There shall be a sufficient number of containers to hold all the garbage and refuse that accumulates.
- D. Soiled containers shall be cleaned frequently to prevent insect and rodent attraction. Each container shall be thoroughly cleaned on the inside and

outside in a way that does not contaminate food, equipment, utensils or food preparation areas.

- E. Garbage and refuse shall be removed from food preparation and utensil cleaning areas immediately after the meal serving period or more frequently as needed.
- F. Garbage or refuse storage areas shall be kept clean.
- G. Garbage and refuse shall be removed from storage areas and disposed of often enough to prevent the development of odor and the attraction of insects and rodents.

IS 2.11.4 Insect and Rodent Control

Effective measures intended to minimize the presence of rodents, flies, cockroaches and other insects on the premises shall be used. The premises shall be kept in a condition that prevents the harborage or feeding of insects or rodents.

IS 2.12 Cleaning of Physical Facilities

IS 2.12.1 Cleaning of Floors and Walls

Floors, mats, duckboards, walls, ceilings and attached equipment and decorative materials shall be kept clean. Cleaning of floors and walls, except emergency cleaning of floors, shall be done during periods when the least amount of food is exposed, such as between meals or after normal daily operations. Only dustless methods of cleaning floors and walls may be used, such as vacuum cleaning, wet cleaning or the use of dust-arresting sweeping compounds with brooms.

IS 2.12.2 Utility Cleaning Area

A utility sink or curbed cleaning area with a floor drain must be used for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water or similar liquid waste. Lavatories, utensil washing sinks, equipment washing sinks, or food preparation sinks may not be used for the cleaning of mops or similar wet floor cleaning tools or for the disposal of mop water or similar liquid wastes.

IS 2.13 Storage of Poisonous or Toxic Materials

- A. Poisonous or toxic materials necessary for maintaining the kitchen area may be safely stored on the premises.
- B. Poisonous or toxic materials include, but are not limited to, insecticides, rodenticides, detergents, sanitizers, related cleaning or drying agents, caustics, acids, polishes and other chemicals.

- C. Containers of poisonous or toxic materials shall be stored in cabinets or in a physically separate place used for no other purpose. The cabinet shall be locked and the contents accessible only to food service staff.
- D. Containers of poisonous or toxic materials shall be distinctly labeled for easy identification.
- E. To prevent contamination, poisonous or toxic materials shall not be stored above food, food equipment, utensils, or single service articles. Detergents or sanitizers may be kept available at utensil or dishwashing stations.
- F. Bactericides, cleaning compounds or other compounds intended for use on food contact surfaces shall not be used in a way that leaves a toxic residue on the surface or that constitutes a hazard to inmates or staff.
- G. Poisonous or toxic materials shall not be used in a way that contaminates food, equipment, utensils, or most importantly in a way that constitutes a hazard to staff or inmates, or in a way other than full compliance with the manufacturers labeling.

IS 2.14 Storage of Cleaning Tools, Supplies, Implements and Equipment

- A. Maintenance and cleaning tools shall be maintained and stored in a way that does not contaminate food, utensils or equipment.
- B. A security procedure will be in place to control and account for sharps, tools and utensils at all times.

IS 2.15 Laundry Facilities

- A. A room separate from food preparation areas shall be provided for laundry services.
- B. Articles of clothing and other washables shall be stored in non-absorbent containers until removed for laundering.
- C. Clean articles of clothing and washables shall be stored in a clean place and protected from contamination.

IS 2.16 Special Diet

IS 2.16.1 Medical Diet

- A. Medical diets may be prescribed by a jail health services doctor or nurse as part of an inmate's treatment. The cost and content of a medical diet

may, if necessary exceed that of the general diet. Medical diet menus will be prepared when prescribed by medical staff for a specific number of days. Diet orders will be reviewed every 30 days and may be continued only on the approval of a health services official.

- B. A medical diet will be a complete meal and may not be used to supplement or provide a choice between a dietary meal and a regular meal. A medical diet will be used only when medically indicated and never as a reward or disciplinary measure.

IS 2.16.2 Religious Special Diet

- A. Diets satisfying the established requirements of a specific recognized religious denomination will be provided upon approval of a correctional supervisor. Fox Valley Jail Ministries may be consulted on a case by case basis.
- B. The cost and content of a religious special diet generally may not exceed that of the general diet.
- C. Special occasion meals may not be approved more than once a year per religious group.
- D. Consistent with available resources, the jail shall provide a substitute from other available foods from the menu served at the meal. In cases where special meal purchases appear to be unavoidable may require the food service head cook to confer with a correctional supervisor before committing to such purchases.
- E. An inmate may voluntarily abstain from any foods that violate the inmate's religion.

IS 2.16.3 Ramadan

Inmates who wish to participate in Ramadan meals must be on the special diet list. Only those inmates on the list will be allowed to participate. If other inmates wish to participate they must submit a request to the jail chaplain. Any inmate on the list who is observed eating breakfast, lunch or commissary items during daylight hours will be removed from the list. The correctional officer who witnessed such behavior will document the information in the daily log and notify the correctional supervisor. An inmate must submit a request to the correctional supervisor if he or she wishes to be removed from the list before the period of religious observation expires. Inmates observing Ramadan will be offered a morning meal prior to sunrise. No noon meal will be offered to inmates observing Ramadan. The evening meal will be offered to inmates observing Ramadan after sunset. In addition to the normal meal served, a bag lunch will be offered to the inmate once daily, which may be kept in their cell to eat during the evening hours.

IS 2.16.4 Termination of Special Diet

- A. Medical: Health services unit staff may remove an inmate from a medical special diet when there is no longer a medical need or if the inmate is observed eating restricted items. When a correctional officer observes an inmate failing to observe his/her dietary restriction the officer will immediately notify the correctional supervisor. The correctional supervisor will confer with a health services nurse who will determine if the inmate will continue to receive the medical diet.
- B. Religious diet: an inmate may be removed from a religious special diet if the jail chaplain after conferring with a correctional supervisor determines that the inmate is no longer adhering to the restrictions of his or her religion.

IS 2.16.4 Meals

All inmates except those with medical or religious diets will eat the same meals. Bag lunches may be served to the following inmates:

- A. Inmates who receive special diet/additional meal portions at unconventional meal times.
- B. Inmates who are being held in observation status.
- C. Huber Law/work release inmates who will not be present in the Huber Law Center during meal times.
- D. Inmates absent from their housing unit during meal times (see late meals).
- E. If an inmate is violent, unreasonably belligerent, etc., a bag lunch or rubber tray may be substituted for the regular meal tray.
- F. In accordance with SOP 6, Segregation Restrictions.

IS 2.16.4.1 Bag Lunch Components

Contents of a bag lunch will normally be one sandwich, one piece of fruit, a dessert item and a drink mix.

IS 2.16.4.2 Late Meals

- A. Inmates who return to their housing units from medical appointments, court appearances, or other activities after the regular meal has been served will receive a bag lunch. No meal will be offered to an inmate that

was not included in the meal count when the meals arrive at the housing units.

- B. Huber Law/work release inmates who return to the Outagamie County Jail after the regular meal has been served may request a bag lunch.

IS 2.17 Medical Needs

- A. Food service staff and inmate workers may obtain first aid from the health services unit.
- B. In the event of injury to a staff member or an inmate worker the incident must be reported to a correctional supervisor as soon as possible after the injury occurs.
- C. In the event of a medical emergency a food service staff will announce on the jail two-way radio system that a medical emergency (10-33) exists in the food services area.

IS 2.18 Inspections

- A. Daily safety and sanitation inspections will be performed by the food services head cook or designated staff member.
- B. The inspecting staff member will document inspection results according to the guidelines in effect at the time.
- C. The inspecting staff member will notify a correctional supervisor as soon as possible after the inspection of any deficiencies that can not be corrected at the food services level.
- D. Inspection areas shall consist of:
 - 1. All areas of food service including preparation areas, storage areas, coolers, and freezers.
 - 2. All fire, safety, and sanitation equipment or materials located in the food service area.
 - 3. All knives and other cutting implements must be accounted for.
 - 4. All fermentable items.
 - 5. All raw food.
 - 6. Accountability for all types of eating utensils.

IS 2.18.1 Food Service Equipment

- A. When not in use, food service equipment and area will be kept clean and secure in the Outagamie County Jail kitchen.
- B. The grease trap in the kitchen will be cleaned at least once every three months.
- C. Equipment in the food service area shall be maintained in a safe and operable condition.
- D. Eating and cooking utensils will be replaced as needed.

IS 2.18.3 Storage Facilities

- A. The following temperature ranges shall be maintained, monitored and documented in the jail kitchen:
 - 1. Shelf storage: 45° to 80° Fahrenheit.
 - 2. Refrigerated areas: 35° to 40° Fahrenheit.
 - 3. Frozen areas: 0° Fahrenheit or below.

IS 2.19 Food Service Management

- A. Three meals will be served each day. Two of the meals must be hot. Breakfast and dinner are to be no longer than 14 hours apart.
- B. Variations may be allowed based on weekend and holiday food service demands, provided basic nutritional goals are met.

IS 2.19.1 Meal Times

Meal times will be approximately 6:00 a.m. for the morning meal (breakfast), 11:30 a.m. for the noon meal (lunch), and 5:30 p.m. for the evening meal (dinner).

IS 2.19.2 Record Keeping

The food service vendor shall maintain the following records:

- 1. Menus shall be placed on file in the food service office for a period of 90 days.
- 2. Nutritional analysis of the meal as approved by a certified dietician.

3. Daily inspection for vermin infestation, sanitation, water temperature and quality, freezer temperature, etc.
4. Required public health inspections and tests.
5. Equipment maintenance, repair, testing and in house inspections.

IS 2.19.3 Training

At a minimum food services staff will be trained in the following areas:

1. Fire and building evacuation plan.
2. Use of safety equipment.

IS 2.19.4 Security

- A. Inmate food service workers will not be allowed in areas outside of the kitchen, laundry, and food storage areas and adjacent corridors unless under the direct supervision and observation of correctional officers.
- B. Food service staff is prohibited from giving to or receiving any thing not associated with the business of the food service area.
- C. Food service staff may not discuss official department information with inmate food service workers.
- D. The food service head cook and a correctional supervisor will jointly establish procedures that ensure adequate controls.
- E. Inmate food service and laundry workers will perform their duties under the direction of the food services and correctional staff. Incidents of unsatisfactory work performance or inappropriate behavior by an inmate worker shall be reported to a correctional supervisor and documented as necessary.

IS 2.19.5 Meal Count Reporting

- A. Breakfast count: The breakfast count is taken from the previous days lunch count.
- B. Lunch count: The A shift booking corporal will provide food service staff with an inmate count no later than 9:00 a.m.
- C. Supper count: The B shift booking corporal will provide food service staff with an inmate count no later than 4:00 p.m.

IS 2.19.6 Meal Distribution

- A. A correctional officer will work with food service staff to ensure that the food carts are moved from the staging area.
- B. When food carts arrive on the floor correctional officers will take charge of the carts and distribute the meals by offering one meal tray to each inmate.

IS 2.19.7 Retrieving Meal Trays

- A. At the end of the meal period a correctional officer will direct the recovery of all meal trays.
- B. The designated officer will direct the retrieval of all meal trays.
- C. Inmates will be permitted a minimum of 20 minutes to consume their meal before trays are retrieved.

IS 2.19.8 Serving Meals To Segregation Housing Units

- A. Inmates serving a period of disciplinary confinement will be served their meals while locked in their cells.
- B. A correctional officer will deliver meals cell by cell.
- C. Each inmate will be delivered one meal.
- D. After the meal a correctional officer will retrieve all trays.
- E. All trays and food carts will be returned to the food service area by a correctional officer.

IS 2.19.9 Food Cart Control

- A. Any person who pushes a food cart must have complete control of the cart.
- B. Damage to the cart, building, or other county property must be reported to the correctional supervisor.

IS 2.19.10 Problem Solving

- A. Correctional officers shall notify food service staff immediately upon discovering discrepancies with an individual meal.

- B. Correctional officers shall initiate immediate corrective actions upon discovering unclean, unhealthy, or unsanitary conditions associated with a meal tray, the contents, or food carts.

IS 2.20 Missing Eating Utensils

When trays or cups are missing after a meal all inmates present in the housing unit will be placed on administrative confinement. When the inmates are locked in, the officer will notify the correctional supervisor. The correctional supervisor will initiate a security inspection of the housing unit. When the missing item(s) is recovered or after a security inspection is completed the correctional supervisor can rescind the administrative confinement. An incident report detailing the incident will be completed.

IS 2.20.1 Refusal To Return Eating Utensils

If an inmate refuses to return his or her tray and/or spoon after a meal or other food service item the correctional officer will explain to the inmate the disciplinary consequences of failing to return the utensils. If the inmate continues to refuse to return the item, the officer will notify the correctional supervisor. The correctional officer will submit an incident report.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IS 3 – Hygiene

Policy Section: Inmate Services	Effective Date: 12/01/22	Revision Date:		Page: 1 of 5
		04/15/13	09/25/14	
		05/15/08	5/15/17	
		07/01/01		
WI State Statute				
WI Administrative Code	350.12, 350.28			
Related Policies	IS1, IM4			
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail will provide inmates that are housed within the facility with the resources and facilities to maintain themselves in a clean and hygienic manner.

IS 3.1 Personal Hygiene Items

- A. Each inmate that is placed into the general population will be provided with a towel and toilet articles sufficient for the maintenance of cleanliness and hygiene, including toothpaste and toothbrush, soap and comb. Basic feminine hygiene materials for females and toilet paper shall be provided to inmates upon request. Within 24 hours inmates in holding cells shall be provided the articles noted above within reason.
- B. Inmates may not share toothbrushes, combs, shaving materials, or feminine hygiene materials.

IS 3.2 Replacing Hygiene Items

IS 3.2.1 Hygiene Items from the Commissary

Inmates with money in their accounts may order hygiene items from the jail commissary.

IS 3.2.2 Indigent Inmates/Hygiene Bags

- A. Indigent inmates may order a hygiene bag once per week through the commissary provider. Inmates will be provided with a comb, soap, deodorant, toothbrush, and toothpaste on a set schedule.
- B. Indigent inmates will be charged for all items received.
- C. To be considered indigent an inmate must have \$1.00 or less on their account.

IS 3.3 Medical Hygiene Items

- A. Inmates may keep medical hygiene items issued by medical staff in their cells.
- B. Medical staff will record the information in the inmate's medical record.

IS 3.4 Access To Toilet and Sinks

- A. Inmates will have access to a working lavatory with hot and cold running water.

IS 3.5 Access To Showers

- A. Each housing unit shall be equipped with adequate showers for the inmates.
- B. The shower water will be thermostatically controlled and the temperature will range between 100° to 120° Fahrenheit.
- C. Access to showers will be determined by an inmate's classification and established procedure.
- D. Inmates housed in disciplinary confinement units will be afforded the opportunity to shower during their earned out time daily. When an inmate's daily "out time" is restricted because of behavior problems s/he will be offered the opportunity to shower at least every 72 hours.
- E. Inmates who refuse to maintain proper/acceptable hygiene standards will be referred to the Health Services Unit for evaluation. If no significant reasons exist, an inmate's refusal to shower may result in disciplinary action.

IS 3.5.1 Showering Routine

- A. All general population inmates in the Outagamie County Jail are expected to shower, at a minimum, every other day. Unit and floor trustees will shower everyday beginning in the morning before handling food trays and as often as necessary to remain clean and sanitary.
- B. Transgender and intersex inmates shall be given the opportunity to shower when other inmates are not present in the dayroom.

IS 3.6 Access To Bathtubs

- A. Inmate housing units are not equipped with bathtubs.
- B. Any inmate who is unable to use the housing unit showers due to health or disability limitations shall be referred to the Health Services Unit for evaluation.

IS 3.7 Shaving

- A. Inmates will be afforded the opportunity to shave based on their classification. Inmates may not share razors.
- B. Maximum Security and Segregation inmates will be afforded the opportunity to shave on days their names appear on the court calendar for a jury trial.
 - 1. These inmates will be moved to a holding cell to shave and will have the discretion to issue an additional razor and/or clippers.
- C. Razors are single use only and will be discarded upon collection.
- D. A depilatory cream will be offered during scheduled shaving times if approved by medical staff based on the restrictions noted above.

IS 3.7.1 Razor Inspection and Return

- A. The designated officer will inspect each razor prior to issue and again upon return.
- B. When the inmate returns the razor the officer will verify that the blade(s) are in the razor and have not been tampered with.
- C. When any portion of the razor cannot be accounted for the officer will immediately notify the correctional supervisor.

- D. When the portion of the razor cannot be accounted for a general lock down of the housing unit and a thorough search of the unit and all occupants will be completed.
- E. Inmates who tamper with, damage or destroy razors will be subject to disciplinary proceedings.

IS 3.7.4 Razor Disposal

- A. Used razors will be discarded per procedure.

IS 3.8 Barber Services

IS 3.8.1 Barber Qualifications and Equipment

The barber may be a person licensed by the State of Wisconsin to provide barbering and/or cosmetology services or an inmate trusty who has volunteered and demonstrates proficiency. In the case of a licensed barber, the barber will provide his own equipment and will be responsible to comply with all State standards for hygiene and equipment cleanliness. In the case of an inmate trusty the Outagamie County Jail will provide all equipment. A licensed barber is permitted to charge a reasonable agreed upon fee for this service. The fee will be deducted from the inmate's account. An inmate trusty may not charge for this service.

IS 3.8.2 Barber Service Hours, Location, and Supervision

- A. Barber service will be offered once a week by inmate request.
- B. Any available program room may be utilized for barber service.
- C. Direct inmate supervision will be provided by a designated correctional officer during barber service hours.
- D. Common use grooming tools will be disinfected and cleaned before reissue and are stored in a secure area.

IS 3.8.3 Inmate Requests for Barber Services

- A. Inmates must submit a written request for barber services by lock-down on the day prior to the scheduled haircut day. Eligibility requirements for barber services will be listed in the inmate handbook.
- B. Barber services may be denied to an inmate whose security status determines that he or she is a threat to him/herself, or whose behavior threatens the orderly operation of the facility.

- C. Inmates, including the inmate worker will be searched before and after barbering services.

IS 3.9 Hair care

- A. Outagamie County Jail inmates may possess hair care accessories allowed by the Outagamie County Jail and must maintain hair hygiene so it does not create a safety, security or operations issue.
- B. Inmates may only possess combs available through the Outagamie County Jail commissary or issued in an indigent bag. Inmates may not carry or use combs, brushes or picks outside their housing units.
- C. Inmates may wear plastic hair covers purchased through the Outagamie County Jail commissary, while inside their cell.

IS 3.10 Nail Care

- A. Inmates in the Outagamie County Jail will be afforded the opportunity to use a nail clipper weekly.
- B. After use the nail clippers will be turned into the Health Services Unit for sanitation.
- C. Finger and toenails should not extend past the tip of a finger or toe. Inmate's who refused to cut finger or toenails that extend past the tip of the finger or toe are subject to disciplinary action.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IS 4 – Inmate Marriage / Domestic Partnership's

Policy Section: Inmate Services	Effective Date: 12/1/22	Revision Date:		Page: 1 of 4
		9/1/10	8/1/11	
		5/15/08	6/15/17	
		7/1/01		
WI State Statute	770.07			
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy

Inmates may have the opportunity to be married or enter into a domestic partnership while housed at the Outagamie County Jail.

IS 4.1 Marriage / Domestic Partnership Qualifications

- A. Inmates may request to marry or enter into a domestic partnership while incarcerated if the following conditions are met:
1. The union does not pose a threat to the security of the institution/center or a threat to the safety of the public.
 2. There are no legal impediments to the union.
 3. The inmate is not scheduled for release within 120 days.
 4. The proposed spouse or the proposed spouse's children are not victims of the inmate.
 5. The proposed spouse is not a co-defendant and/or has never been convicted in any criminal activity with the inmate.
 6. The inmate has been in custody at least 120 days.

IS 4.2 Marriage Scheduling

- A. Inmate marriages will be performed within the confines of the Outagamie County Justice Center.
- B. The marriage ceremony will be scheduled for a time that is least disruptive to the normal operating schedule of the jail.
- C. Once a marriage request is approved the inmate's fiancé, family member or attorney will be responsible for scheduling a date and time that is agreed upon by the Jail Administrator or designee.
 - 1. Marriage ceremonies will be scheduled with and conducted by the Court Commissioner or the Family Court Commissioner.
 - 2. The marriage ceremony must take place within 30 days of the Jail Administrator or designee's approval.

IS 4.3 Marriage Cost

- A. Inmates are responsible for all costs of the marriage.

IS 4.4 Marriage Security

- A. Officers will provide security for all phases of the marriage ceremony if necessary.
- B. Conjugal visits will not be allowed.

IS 4.5 Marriage Witnesses

- A. The fiancé may not bring witnesses to the ceremony unless approved.
- B. Officers or some other official present at the ceremony may act as witnesses.

IS 4.6 Preparation for Inmate Marriage

IS 4.6.1 Inmate Responsibilities

- A. An inmate must submit a written request stating his or her desire to be married while incarcerated in the jail no later than 60 days before the desired date. The request must include the intended date

of the marriage and the name, sex, race, and date of birth of the inmate's fiancé. The request will be directed to the Jail Chaplain.

- B. The inmate must retain a state certified marriage counselor who will conduct counseling sessions at the Outagamie County Jail. The counselor must be approved by the Jail Administrator or designee. Counseling sessions must be completed to the satisfaction of the counselor.
- C. The inmate must meet all legal qualifications for marriage and provide his/her own documentation including but not limited to birth certificates and divorce decrees.
- D. After the ceremony, the inmate's account will be charged for the cost incurred to provide security for the ceremony.
- E. The Outagamie County Jail will provide a jail uniform to the inmate to wear to the ceremony.

IS 4.6.2 Fiancé Responsibilities

- A. The inmate's fiancé must obtain documents required for the marriage license from the Outagamie County Clerk.
- B. The inmate's fiancé or family member must make all arrangements for the wedding ceremony. The inmate's fiancé or family members are responsible for all costs associated with the ceremony excluding security costs.

IS 4.6.3 Outagamie County Jail Responsibilities

- A. Upon satisfactory completion of the counseling sessions, the union will be approved.
- B. Outagamie County Jail Staff will make arrangements for officer security during the marriage ceremony if necessary.

IS 4.7 Domestic Partnership

- A. Inmates may apply to enter into a domestic partnership while incarcerated at the Outagamie County Justice Center.
- B. All necessary paperwork must be completed through the County Clerk's office.
- C. The Sheriff's Office will assist in facilitating the process under a reasonable and necessary standard.

- D. Inmates who have entered into a domestic partnership will be housed according to his/her classification.
- E. If both incarcerated, inmates who have entered into a domestic partnership will not be housed together.

IS 4.8 Preparation for Domestic Partnership

IS 4.8.1 Inmate Responsibilities

- A. An inmate must submit a written request stating his or her desire to enter into a domestic partnership while incarcerated in the jail no later than 60 days before the desired date. The request must include the intended date of the domestic partnership and the name, sex, race, and date of birth of the inmate's perspective domestic partner. The request will be directed to the Jail Chaplain.
- B. The inmate must retain a state certified marriage counselor who will conduct counseling sessions at the Outagamie County Jail. The counselor must be approved by the Jail Administrator or designee. Counseling sessions must be completed to the satisfaction of the counselor.
- C. The inmate must meet all legal qualifications for domestic partnership.

IS 4.8.2 Domestic Partner Responsibilities

- A. The inmate's perspective domestic partner must obtain documents required for a domestic partnership from the Outagamie County Clerk.

IS 4.9 Domestic Partnership Costs

- A. The Sheriff's Office is not responsible for any costs related to an inmate entering into a domestic partnership.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IS 5 – Laundry/Clothing/Bedding

Policy Section: Inmate Services	Effective Date: 12/01/22	Revision Date:		Page: 1 of 3
		07/01/01	5/1/17	
		5/15/08	7/15/18	
		9/25/14		
WI State Statute				
WI Administrative Code	350.12			
Related Policies	IM4			
Related SOP’S		Approved by: Outagamie County Sheriff		

Policy

Outagamie County Jail will provide all necessary bedding and clothing for use while incarcerated in the Outagamie County Jail. A laundry schedule shall be established to meet daily needs. Laundry services will be provided for all county owned clothing and bedding.

IS 5.1 Clothing

IS 5.1.1 Outerwear/Uniforms

- A. Huber Law inmates will be issued a uniform that must be worn while in the Huber Law Center. (Refer to the Huber Law/WR Policy for other clothing requirements.)
- B. All inmates will be issued one uniform that must be worn when the inmate is outside of his or her individual housing unit. Inside of an individual housing unit uniform pants and a top must be worn.
- C. Each inmate will be issued footwear. Footwear must be worn by inmates when walking outside of his or her individual cell. Footwear shall be cleaned and sanitized before reissue.
- D. Each inmate with the exception of Huber Law inmates will be issued socks.

IS 5.1.2 Underwear

- A. Male inmates: Each lock up male inmate will be issued t-shirts and underpants.
- B. Female inmates: Each lock up female inmate will be issued t-shirts, underpants, and bras.
- C. Transgender inmates clothing issue will be addressed on a case by case basis.

IS 5.1.3 Damaged and/or Missing Items

- A. Inmates are responsible for the care of items issued to them by the Outagamie County Jail.
- B. The cost of replacing damaged or missing items will be charged to the responsible inmate's account in accordance with the jail's disciplinary process.

IS 5.2 Laundry

All issued and allowed clothing including towels will be exchanged two times per week for clean and laundered items.

IS 5.2.1 Blankets

- A. Blankets shall be laundered before being issued to an inmate.
- B. One blanket shall be laundered/exchanged weekly. Additional blankets may be exchange based on need.

IS 5.2.2 Underwear

- A. All articles of underwear shall be laundered before being issued to an inmate.
- B. T-shirts, underpants, and socks shall be exchanged and laundered once each week.

IS 5.3 Mattresses and Bedding

Mattresses and bedding shall be provided when there is a need for overnight detention. Each mattress shall be covered with a fire retardant, waterproof easy to sanitize material. Mattresses and bedding shall be kept in good repair and in a clean and sanitary condition.

IS 5.3.1 Mattresses

- A. Mattresses shall be at least three inches thick and of proper size to fit the bed frame.
- B. When requested, suppliers of mattresses shall provide evidence to the sheriff that the products are fire retardant, waterproof, and easy to clean.
- C. Mattresses shall be cleaned and sanitized. Sanitizing cleaning pads shall be made available to inmates at the time of booking and whenever they are relocated from one cell to another when they will utilize a new mattress. Sanitizing cleaners shall also be made available during specific times and in accordance with established procedures so that the inmate's may clean and sanitize their mattresses.

IS 5.3.2 Standard Bedding Issue

- A. The standard issue of bed linens for inmates shall be three blankets.
- B. The standard issue bed shall be one mattress with an attached pillow.

IS 5.4 Vermin Infestation

- A. Any bedding or clothing used by an inmate who has been found to be infested with vermin will be laundered separately from the bedding and clothing of the general population.
- B. Mattresses, bedding, and clothing that might be infested with vermin will be laundered and treated in accordance with guidelines established by the Health Services Unit.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IS 6 – Inmate Health Services

Policy Section: Inmate Services	Effective Date: 12/01/22	Revision Date:		Page: 1 of 5
		05/15/08		
		07/01/01		
		9/25/14		
WI State Statute				
WI Administrative Code	350.13,350.14,350.15, 350.16, 350.28			
Related Policies				
Related SOP’S: SOP2		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail shall provide or secure necessary medical and mental health treatment and dental care for inmates in custody in a manner which is consistent with NCCHC standards.

IS 6.1 Inmate Health Care

- A. The inmate health care provider shall have established policies that meet or exceed the standard of inmate health care established by the NCCHC.
- B. Health care staff shall be in compliance with state and federal licensure certification and registration. Verification of compliance shall be maintained at the facility.
- C. Medical records shall be kept separate from other records and shall be maintained in a confidential manner in accordance with ss. 146.81 to 146.83, Stats, and any other applicable state or federal laws.
- D. If an inmate dies or becomes acutely ill while in custody, the next of kin shall be notified as soon as possible.
- E. Officers shall receive documented annual training on health care policies and procedures, medications, and health screening at the time of admission.

IS 6.2 Medical Expenses

- A. The Outagamie County Jail will seek reimbursement for certain medical expenses incurred on behalf of the inmate.
- B. Certain medical expenses may be waived with approval of the supervising Captain when it is deemed in the best interest of the county.
- C. Indigent inmates will not be denied medical services based on their account status.
- D. To be considered indigent an inmate must have \$1.00 or less on their account.

IS 6.3 Treatment

Inmate complaints of illness or injury will be evaluated by a qualified health care professional. The staff will suggest treatment within the scope of their licensure and approved protocols. Treatment and issues beyond their scope of practice will be referred to an appropriate health care provider.

IS 6.4 Request For Medical Attention

- A. Inmates who submit a request to be seen face-to face by a qualified health care professional will be seen within 24 hours of the receipt of the request by health staff.
- B. Some additional methods that a qualified health care professional may be become aware of a request for medical attention are:
 - 1. Another staff member's observations/interactions.
 - 2. The emergency button in a housing unit may be activated.
 - 3. Notification from an outside party.
 - 4. Verbally during a nurse, inmate contact.
- C. When information isn't directly received from the inmate, staff should attempt to gather as much information as possible so a qualified health care professional can make a determination of medical need and assign the appropriate priority to the request.

IS 6.5 Inmate Sick Call

Inmate sick call will be conducted everyday when nursing staff is on duty. Inmates will be seen according to the priority placed on their need. A physician will be available to nursing staff at all times by telephone and will make regular scheduled visits to the facility.

IS 6.6 Health Services Unit Staffing

Nursing staff shall be scheduled to be on duty 24 hours per day 7 days per week. In the event of no nursing staff coverage jail staff shall notify the on-duty supervisor of any medical concerns.

IS 6.7 Health Services Unit Policy and Procedures

- A. The contracted inmate health services provider will operate under policies and procedures that are approved by jail administration and at a minimum cover all medical items noted in Administrative Code 350 including:
1. A procedure for the documentation of health referrals made or health care provided.
 2. A procedure for the maintenance of documents in an inmate's confidential file.
 3. The names, addresses and telephone numbers of health care providers or agencies who have agreed to provide emergency and routine health care services for inmates.
 4. A procedure for the referral of an inmate to jail health care staff or to other agencies that provide health care.
 5. Designation of staff who have the authority to make health care decisions, including emergency medical and dental care.
 6. A procedure for non-emergency health care, including use of an inmate's personal physician.
 7. A provision for inmates with chronic medical conditions.
 8. A procedure for processing inmate medical requests on a daily basis.
 9. A procedure for documentation in an inmate's confidential medical file of any referral and identification of the services provided, including emergency services.

10. Provision for special diets if ordered by a qualified health care professional.
11. A procedure for pregnancy management.
12. Maintenance of agreements between the jail and providers of health care services.
13. A procedure for use of health transfer summary form under s. 302.388 (2), Stats.
14. Policies and procedures relating to communicable disease and infection shall contain all of the following components:
 - a. Provisions for treatment and supervision of inmates during isolation or quarantine under s. 252.06 (6) (b), Stats.
 - b. Documentation of the need for isolation or quarantine under s. 252.06 (6) (b), Stats. in the inmate's confidential medical file.
 - c. Provisions for laboratory screening for inmates who may have been exposed to a communicable disease if ordered by medical personnel.
 - d. Provisions for handling bio-hazardous waste and decontaminating medical and dental equipment in accordance with regulations.
15. The detoxification and management of intoxicated inmates.

IS 6.8 Health Screening

- A. The jail will conduct a health screening that is developed in conjunction with health care professionals and is used at booking with each inmate to record information about medical, mental health and dental conditions, physical and developmental disabilities, alcohol or other drug abuse problems, and suicide risk.
- B. Referrals to medical, mental health or supervisory staff shall be made in a timely manner in response to identified concerns. If urgent concerns are identified, the referral shall be immediate.
- C. Documentation of the health screening results and subsequent review of the health screening form shall be placed in an inmate's confidential medical file.
- D. A health appraisal shall be completed within 14 days after arrival at the facility unless a health appraisal has been completed by health care staff within the previous 90 days.

- E. The health appraisal shall be completed by health care staff in accordance with protocols established by the responsible physician.

IS 6.9 Control and Administration of Medications

- A. Regarding the control and administration of medications. Jail administration and the contracted inmate health services provider will ensure that there are policies in procedures in place to ensure that:
1. A qualified health care professional shall prescribe medications and order treatments.
 2. Designated trained staff may administer or deliver prescribed doses of medication at prescribed times.
 3. Annual documented training be provided to jail staff that deliver medications
 4. Determination by appropriate personnel that all medications brought in by inmates or other persons for an inmate are necessary.
 5. All medications brought into the jail shall be inventoried and placed in secure storage.
 6. Any medications kept at the jail shall be stored in a locked drug cabinet that is not accessible to inmates.
 7. A process for the administration or delivery of prescription and nonprescription medications to inmates exists.
 8. Medication administered or delivered to an inmate shall be documented, including who prescribed the medication, who administered or delivered the medication, and the date and time of administration or delivery.
 9. All refusals of recommended or prescribed medications by an inmate shall be documented.
 10. A health care professional shall monitor the inmate in accordance with requirements of s. 302.384, Stats.
 11. A process for the return of an inmate's medications inventoried at admission exists.
 12. A process for the inventory or disposal of unused medications upon the inmate's release or transfer.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IS 7 – Religious Head Coverings

Policy Section: Inmate Services	Effective Date: 04/15/20	Revision Date:		Page: 1 of 5
		9/25/14		
WI State Statute				
WI Administrative Code / Other	350.09, ACA: (ALDF-5C-17)(4-ALDF-5C-19)			
Related Policies	IS6			
Related SOP’S:		Approved by: Outagamie County Sheriff		

Policy

To accommodate inmates in the custody of the Outagamie County Jail who wear head coverings as part of the exercise of their religious beliefs.

IS 7.1 Definition

A. Religious Head Coverings:

An article of clothing, worn on the head by men and women of various faiths for religious purposes. For example but not limited to: a yamaka, a turban, a hijab and a kufi.

B. Inmate:

An arrestee, detainee or convicted person in custody.

C. Exigent Circumstance:

Those circumstances that would cause a reasonable person to believe that the current situation requires a deviation from written policy and normal practices to ensure the safety and security of the facility.

IS 7.2 Rules

- A. Religious beliefs of inmates shall be accommodated and not substantially burdened absent a compelling governmental interest.
- B. Absent any exigent circumstances, the Outagamie County Sheriff's Department Corrections Division (OCSDCD) allows inmates to wear religious head coverings while in custody.
- C. At no time shall an inmate be asked to remove the religious head covering or/and be viewed without the religious head covering in front of the opposite gender, absent an exigent circumstance.
- D. If an exigent circumstance presents, a supervisor shall be notified.
- E. The reasons for denial of the inmate's religious head covering shall be documented in a JMS incident report.
- F. For the purpose of this policy, whenever a female inmate is authorized to wear a hijab as part of a jail issued uniform, a long sleeve t-shirt shall be issued to cover the inmate's arms.

IS 7.3 Procedure

- A. When an inmate wearing a religious head covering is brought to the Outagamie County Jail, booking staff shall:
 - 1. Notify the on-duty S/Sgt.
 - 2. Review the following guidelines with the inmate:
 - a. The religious head covering may be worn at all times in areas controlled by the Outagamie County Jail.
 - b. All inmates wearing a religious head covering are subject to additional searches by a staff member, of the same gender in a private location.
 - c. If the religious head covering is altered or used for anything other than its intended purpose, the inmate is subject to losing the privilege of wearing the religious head covering.
 - 3. Following the custodial search, the inmate shall be escorted into area of privacy by a staff member of the same gender. Only staff members of the same gender as the inmate shall be present during the removal of the head covering.

- a. The inmate shall be asked to remove the religious head covering in a respectful and private manner.
 - b. The staff member shall then search the inmate's head and hair to reasonably ensure that it contains no contraband.
 - c. The inmate's personal religious head covering shall be searched and the inmate will be allowed to keep provided there are no security issues.
 4. If an inmate requests a religious head covering once incarcerated:
 - a. A request should be submitted to a supervisor.
 - b. The supervisor will review the request on a case by case basis and if approved the inmate can purchase a religious head covering from an approved vendor.
 - c. Once the religious head covering arrives, the inmate can be asked to remove the religious head covering in a respectful and private manner.
 - d. Only staff members of the same gender as the inmate shall be present during the removal of the religious head covering.
 - e. The staff member shall then search the inmate's head, hair, and the personal religious head covering to reasonable ensure that it contains no contraband.
 - f. The inmate shall be allowed to wear their personal religious head covering prior to entering an area where the inmate can be viewed by the opposite gender.
 5. The on-duty S/Sgt. or designee shall document that the inmate was issued a religious head covering in the inmates JMS file, inmate log.
- B. When an inmate wearing a religious head covering is photographed:
1. The inmate shall be allowed to wear the religious head covering.
 2. Female inmates shall be instructed to pull back the religious head veering to reveal the hairline while still covering the ears.

3. The inmate shall be allowed to reposition the religious head covering before being instructed to continue with the booking process.

C. Following booking or receipt of a religious head covering:

1. The inmate shall be allowed to wear the religious head covering at all times within the Outagamie County Jail, during transportation or movement outside of the jail approval to wear the head covering will be subject to the controlling agency.
2. The religious head covering may be searched as any other article of clothing.
3. The inmate will not be required to remove the religious head covering in the presence of the opposite gender, including within the Outagamie County Jail, during transportation or movement outside of the jail search procedures will be subject to the controlling agency.
4. When a staff member reasonably believes a religious head covering may contain weapons and/or contraband, it shall be removed in a private area and searched by a staff member of the same gender. The staff member's reasonable belief shall be documented in a JMS incident report.

D. Loss of religious head covering privilege:

1. The inmate is subject to losing the privilege of wearing the religious head covering if the religious head covering, either jail issued or personal, is altered or used for anything other than its intended purpose, include by not limited to;
 - a. Hiding contraband.
 - b. Used as a gang identifier.
 - c. Given to another inmate.
 - d. Risk of harm to self or others.
 - e. Damaging jail property or equipment
 - f. Threatening the safety and security of the facility.
2. If the inmate loses the privilege of wearing the religious head covering as noted above, the inmate shall be informed of other ways they may continue to exercise their religious beliefs.
3. A supervisor must review the circumstances and approve the removal or loss of the privilege to wear the religious head covering. Documentation shall be made in a JMS incident report. .

E. Release:

1. Staff members shall allow the inmate to wear the OCSDCD issued religious head covering upon release unless the inmate has their own religious head covering in their property or made available to them upon release.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IP 1 - Education/Religious Programs

Policy Section: Inmate Programs	Effective Date: 09/25/14	Revision Date:		Page: 1 of 8
		5/1/10		
		11/1/01		
WI State Statute	118.15			
WI Administrative Code	350.31, 350.32			
Related Policies	AM3, IP6, IS2			
Related SOP'S		Approved by: Clint C. Kriewaldt		

The Outagamie County Jail will provide inmates with educational and religious programs to the extent that resources, staffing, and security permit.

IP 1.1 Educational Program Administration

IP 1.1.1 Coordination and Responsibilities

The Outagamie County Jail will provide inmates with educational and religious programs. Jail administration will ensure that the Office of Volunteers In Offender Services (VIOS) and Fox Valley Jail Ministries (FVJM) will:

- A. Ensure that programs are offered on a non-discriminatory basis.
- B. Schedule programs.
- C. Approve or deny inmate participation in programs.
- D. Add and/or cancel programs, based upon inmate attendance, program effectiveness, and projection of future needs.
- E. Evaluate programs to ensure that inmate needs are being met.
- F. Coordinate and supervise citizen volunteers.
- G. Meet with Outagamie County Jail officials on a frequent basis.

- H. Prepare periodic reports detailing inmate participation in each program and successes or failures.

IP 1.2 Educational Program Operation

IP 1.2.1 Instructors

- A. Program instructors in educational programs and professional service classes will be certified, licensed, or substantially otherwise qualified to perform those functions.
- B. Program instructors may be county employees, contract employees, or citizen volunteers.
- C. All program instructors/volunteers will receive instruction on volunteer procedures and PREA before implementing their program. VIOS and officials of the Outagamie County Jail will develop the procedures jointly. The volunteer procedures curriculum will include clear definitions of instructor roles and responsibilities within the facility; instruction on security considerations, including the facility policy on hostage incidents, emergency and evacuation procedures, and contraband policy.

IP 1.2.2 Schedules

- A. Programs will be scheduled through VIOS and operate within the safety and security requirements determined by the facility staff.

IP 1.2.3 Program Roster

- A. A master list of inmates enrolled in programs will be maintained by VIOS.
- B. The master roster will be updated as needed.

IP 1.2.4 Classification

The inmate classification system will include inmate assessments necessary to determine appropriate program placement.

IP 1.2.5 Classrooms

- A. Most educational programs will be held in classrooms that have been specifically reserved for that purpose.
- B. Multi-purpose rooms may be used based on the type of program and number of participants. Inmate dayrooms may also be utilized for approved programs.

IP 1.2.6 Group/Class Sizes

- A. Educational classes will be limited to a maximum of sixteen (16) inmates per class unless it is held in a unit dayroom. (Unless the class is held in a unit dayroom, then the size of the unit will determine the limit.)
- B. Education class size may be increased only with the pre-approval of the Outagamie County Jail Administrator.

IP 1.2.7 Gender Issues

- A. Lockup male and female inmates may not participate in programs together unless approved by jail administration. Huber Law male and female inmates may participate in programs together at the discretion of jail administration.

IP 1.2.8 Program Security

- A. Correctional staff will periodically check on programs in progress.
- B. At the discretion of the correctional staff sergeant, a correctional officer may be assigned to monitor any program.
- C. Direct dial telephones will be removed or secured in any classroom or multi-purpose room before inmates arrive to begin the program.
- D. After education programs are concluded all inmates will be returned to their housing units.
- E. Counseling or additional tutoring must be conducted in the designated visiting area.
- F. Random searches of inmates are encouraged.

P 1.2.9 Inmates on Keep Separate Status

VIOS will consider Keep Separate Status when reviewing requests for inmate program participation and will seek guidance from a correctional supervisor when appropriate.

IP 1.2.10 Program Cancellation

- A. The Outagamie County Jail Administrator may cancel a program at any time.
- B. The on-duty correctional staff sergeant may restrict programs, cancel programs, or limit program attendance for cause at anytime.

IP 1.2.11 Court Ordered/Other Programs

- A. Inmates must participate in all court ordered programs.
- B. The court of jurisdiction will be notified of any inmate who refuses to participate in court ordered programs.
- C. Educational programming for inmates who are under 18 years of age will be consistent with the requirements of the Department of Public Instruction.

IP 1.3 Inmate Participation

IP 1.3.1 Non-discrimination

- A. Inmate program participation shall be voluntary except for court ordered participation and for general population inmates attending educational class through the Appleton Area School District who are less than 18 years old.
- B. Each inmate in the Outagamie County Jail will have access to programs and may not be denied access based solely on: sex, race, national origin, physical handicap or political belief. Programs for male and female inmates will be comparable in scope and content and may be based on the needs of the inmates.
- C. Inmates with poor attendance or disruptive behavior may be removed or suspended from program participation.

IP 1.3.2 Inmate Eligibility

- A. Inmates in non-punitive administrative confinement status will have access to educational, library, recreational, counseling, commissary, and religious programs subject to safety and security considerations and in accordance with the program schedules for the housing unit in which they are assigned.

IP 1.3.3 Inmate Access to Programs

Inmates who wish to participate in a program must submit a written request to VIOS. If an inmate is unable to complete a written request a correctional supervisor may assign someone to assist him/her with the request. Information regarding VIOS programs will be noted in the inmate handbook, on periodic housing unit posting and during classification interviews.

IP 1.3.4 Inmate Placement

- A. An inmate's placement in a program will be based on his/her classification, length of sentence, behavior, keep-separate status, needs, programs availability and/or any other reason deemed necessary for the safety and security of the facility.

- B. The office of Volunteers in Offender Services will primarily make placements with occasional input from Outagamie County Jail staff.
- C. If an inmate is not accepted into a program he/she will be informed of the denial.

IP 1.3.5 Types of Programs

- A. Examples of educational classes are: AA, NA, Al-Anon, GED, High School Equivalency, Literacy and Job Seeking Skills.
- B. Educational classes may be added or deleted based on the needs of the general inmate population of the Outagamie County Jail.

IP 1.4 Religious Programs

The non-denominational Outagamie County Jail Chaplain will coordinate religious programs and related services.

IP 1.4.1 Participation Procedures

- A. Religious activities, including worship services, bible classes, study and counseling will be available for all inmates who wish to participate based on his/her classification, length of sentence, behavior, keep separate status, needs, program availability and/or any other reason deemed necessary for the safety and security of the facility.
- B. Inmate attendance to any religious activity is voluntary.
- C. Inmates in administrative confinement status will have access to educational, library, recreational, counseling, commissary, and religious programs subject to only safety and security considerations and in accordance with the program schedules for the housing unit in which they are assigned.
- D. Information regarding FVJM programs will be noted in the inmate handbook, on periodic housing unit posting and during classification interviews.

IP 1.4.2 Change of Religious Preference

- A. Inmates may declare a religious preference at the time of booking which will be considered the inmates religious preference during their incarceration.
- B. Requests to change religious preference must be submitted to the jail chaplain in writing. Each request will be reviewed and decided on a case-by-case basis.

IP 1.4.3 Religious Customs

- A. Inmates will be allowed to participate in the customs and practices of religious faith which includes access to religious materials and symbols or dietary requirements (refer to policy IS 2 Food Service), limited only by the safety and security of the inmates, facility staff and visitors and orderly operation of the facility.
- B. The use of any distilled alcohol, narcotic, or controlled substance during a religious activity is prohibited in the Outagamie County Jail.
- C. Inmates desiring to participate in religious customs that are not a part of an established program must submit a written request to the chaplain's office. The chaplain or a designee will interview the inmate to establish religious affiliation and custom requirements.

IP 1.4.4 Religious Denominations

- A. To the extent possible, all legitimate religious groups will be granted equal access by the Outagamie County Jail for worship activity.
- B. A legitimate religious group is defined as a religion, religious denomination, or sect supported by literature stating religious principals and recognized by a group of persons who share common ethical, moral, or intellectual views which are not defamatory, racial, political, or derisive.

IP 1.4.5 Jail Chaplains

- A. The Outagamie County Jail will have a designated Chaplain who will serve as the director of religious and ministerial programs.
- B. Citizen volunteers may participate as instructors in the jail chaplaincy program. All chaplaincy volunteers will receive training in volunteer procedures and PREA before participating in programs. The supervising chaplain and officials of the Outagamie County Jail will develop the training jointly. The curriculum will include clear definitions of instructor roles and responsibilities within the facility and security, hostage incidents, emergencies, evacuation and contraband policies and procedures.

IP 1.4.5.1 Services

- A. The Outagamie County Jail Chaplain will coordinate services and facilitate religious programs to ensure that the religious needs of the inmates are met and monitored.
- B. Special religious requests may be granted only to the extent that resources, staffing, safety and security considerations permit.

IP 1.4.5.2 Counseling

- A. The chaplain will interview and counsel referred inmates. Referrals may be made by staff or self-referred by an inmate.
- B. The chaplain will assist inmates in contacting religious leaders of the inmate's faith if the chaplaincy staff or religious volunteers do not represent their faith.
- C. The Outagamie County Jail Chaplain or religious volunteers will not attempt to influence any inmate to change his/her religious preference.

IP 1.4.6 Donations

- A. The jail chaplain and volunteers work through the privately funded Fox Valley Jail Ministries, Incorporated. The ministry may utilize donated materials and resources in the Outagamie County Jail.
- B. Materials may not be introduced into the secure perimeter of the Outagamie County Jail without prior inspection by a security staff member.

IP 1.4.7 Religious Leaders from the Community

- A. Religious leaders from the community who wish to visit an inmate will use the same procedures as a family member or professional non-contact visitor. (Refer to policy IP 6, Visiting).
- B. Requests for contact visits will be coordinated by the chaplain and approved by a correctional staff sergeant.

IP 1.4.8 Religious Services

- A. Religious services within the Outagamie County Jail are scheduled and conducted to permit inmates to continue practicing the religion of their preference. No more than 16 inmates may be present in the same religious service at the same time.
- B. Inmates who wish to attend a religious service must submit a written request to the chaplain's office. Inmates may attend only the service for the religious preference listed in their records.
- C. Correctional staff will make regular rounds during religious services.
- D. Counseling or additional ministering must be conducted in the designated visiting areas.
- E. The chaplaincy program will offer various religious study classes. Inmates wishing to attend such classes must submit a written request to the chaplain's office.

- F. The chaplain will periodically issue bulletins to notify the inmate population of available services and classes.

IP 1.5 Program Approval

New VIOS and FVJM programs must be approved by the jail's VIOS/FVJM liaison, normally a Lieutenant.

IP 1.6 Criminal Background Checks

Volunteers, community resources and contract providers will have their criminal background screened for appropriateness.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IP 2 - Library

Policy Section: Inmate Programs	Effective Date: 3/26/21	Revision Date:		Page: 1 of 2
		11/1/01		
		5/1/10		
WI State Statute				
WI Administrative Code	350.33, 350.34			
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will provide access to library services and library materials in the languages represented by significant numbers of inmates in the Outagamie County Jail population.

IP 2.1 Library Administration

- A. The office of Criminal Justice Treatment Services, CJTS, is responsible for the overall operation of library services in the Outagamie County Jail.
- B. Citizen volunteers may be utilized by CJTS to organize, stock, and otherwise maintain a library of reading materials for inmates in the Outagamie County Jail.

IP 2.2 Library Contents

- A. Acquisition: Subject to final approval from the Outagamie County Jail Administrator, CJTS will coordinate the acquisition, organization, and distribution of all library materials in the Outagamie County Jail.
- B. Inspection: CJTS staff or the citizen volunteer librarians will be trained to physically inspect all new reading materials brought into the Outagamie County Jail for contraband and condition. Library volunteers will also inspect all materials before and after use by inmates.
- C. Review/Standards: Reading materials will not be censored unless they are considered a threat to security or penological interest. The Outagamie County Jail Administrator or designee will make final approval of questionable materials.

- D. Sources of materials for the Outagamie County Jail library are:
 - 1. Donations to C.J.T.S. from Civic Groups and Private Vendors
 - 2. Direct purchases by jail.
- E. Types of Books: Only soft covered books or books from which the hard cover has been removed are allowed to be distributed to inmates in the Outagamie County Jail through CJTS's library services.

IP 2.3 Inmate Requests/Materials Distribution

- A. The library staff will assemble a diverse collection of reading materials and place them on a cart for distribution.
- B. The reading materials cart will be circulated throughout the inmate housing units on a set schedule.
- C. Each inmate may possess and store four books and four magazines, magazines must be purchased through an approved vendor, in their cell.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IP 3 - Inmate Mail

Policy Section: Inmate Programs	Effective Date: 03/26/21	Revision Date:		Page: 1 of 10
		11/1/01	4/15/13	
		5/1/10	9/25/14	
		2/15/11	1/15/16	
WI State Statute				
WI Administrative Code	350.29, 350.34			
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will allow inmates to correspond with family, friends, officials and other community contacts.

IP 3.1 Glossary

- A. Attorney of Record: The bona fide attorney(s) acting on behalf of the inmate for the reason of incarceration.
- B. Contraband: Any item, object, or thing that is not issued to an inmate or provided by officials for inmate use or for which specific permission has not been given to possess.
- C. General Mail: All articles of mail except privileged mail.
- D. Illegal Contraband: Items, objects, or things that are prohibited by law to possess.
- E. Indigent Inmate: An inmate with less than \$1.00 available to his/her account.
- F. Legal Contraband: Items, objects, or things that are not prohibited by law to possess, but are prohibited to possess or be introduced into the Outagamie County Jail.
- G. Privileged-Mail: An article of correspondence between an inmate and an attorney of record.
- H. Nudity: A pictorial depiction of genitalia, unclothed buttocks or unclothed female breasts.

- I. Obscene: Material that offensively depicts or describes sexual conduct which on the whole has no serious literary, artistic, political or scientific value.
- J. Sexually Explicit- Graphic materials that include any act or simulated act of sexual contact, intercourse and/or masturbation, including but not limited to:
 - When one of the participants in the act is, or appears to be, non-consenting; Where one of the participants appears to be forceful, threatening, or violent; Where one of the partners is dominating one or the other participant, and one of the individuals is obviously in a submissive role, or one of the participants is degraded, humiliated, or willingly engages in behavior that is degrading or humiliating.
 - One of the participants is a child, or appears to be a child; where there is actual or simulated penetration, be it penile/vaginal-oral, penile-anal, or penile-vaginal or anal cavity, or an act or simulated act that depicts adult sex toys or devices, or a depiction in the context presented is deemed to be a threat to legitimate penological objectives.
 - Where any bodily excretory function is depicted.
 - Material depicting bestiality, sadomasochistic behavior, or bondage.
 - The material is reasonably deemed to be a threat to the legitimate penological objectives.

IP 3.2

Outagamie County Jail staff will be trained in inmate mail procedures.

IP 3.3

During the intake process at the Outagamie County Jail, inmates will be provided with a jail rule book containing inmate mail procedures. The jail rule book will also be contained within the in unit tablets.

IP 3.4 Mail Delivery to the Outagamie County Jail

- A. All incoming and outgoing mail will be processed through the United States Postal Service with the following exceptions: the District Attorney's Office, the State Public Defenders Office, the Outagamie County Courts and the State of Wisconsin Department of Probation and Parole who will be allowed to drop off mail for in-custody inmates to jail staff for distribution.
- B. Outgoing mail does not become property of the United States Postal Service until it is delivered to the post office.

- C. All mail intended for inmates is delivered to: Outagamie County Jail, P.O. Box 1779, Appleton, WI 54912-1779. Any inmate that does not wish to receive mail may declare so and any mail received in the jail P.O. Box with the inmate's name on it will be marked REFUSED and returned to the sender.
- D. Staff members, visitors or volunteers are not permitted to bring mail into, take mail out of the facility for inmates or transfer letters between inmates.
 - 1. Delivery of mail by private services, UPS, Federal Express, etc. will be reviewed on a case by case basis by the jail supervisor.
 - 2. Inmates must request and receive permission from a supervisor to have any package sent to the Outagamie County Jail. Unauthorized packages will be refused and returned to the sender at the inmate's expense after follow up with the inmate is completed.

IP 3.5 Processing Incoming Mail

- A. Inmates are allowed to receive an unlimited number of correspondences.
- B. A designated staff member will pick up incoming mail at the Appleton Post Office, Monday through Friday and deliver it to the Outagamie County Jail.
- C. Mail will not be picked up/process on Saturdays, Sundays or Holidays.

Incoming inmate mail must be addressed to the inmate clearly showing the inmate's name and address.

- 1. In the case of illegible inmate names the item of mail will be marked REFUSED and returned to the sender.
- 2. 2nd class, 3rd class and business rate bulk mail will not be accepted at the Outagamie County Jail.
- 3. Incoming mail covers/envelopes will be disposed of and not be distributed to the inmate.
- 4. A designated staff member will sort the mail by floor and housing unit.
- 5. Any mail items that threaten the order, safety or security etc. will not be distributed to the inmate.
 - a. Depending on the severity of the incident a report may be drafted describing the concern and the on duty supervisor will determine the disposition of the letter which will be included with the report or at minimum the inmate will be notified via a mail hold form of the withheld mail.

IP 3.6 Inspection of Mail

A. Incoming Mail

1. **Non-Privileged Mail:** Articles of non-privileged mail will normally be opened and inspected by an officer in the presence of the inmate. At times a staff member will open non-privileged mail outside the presence of the inmate.
2. **Privileged Mail:** Articles of privileged mail shall be opened and inspected by an officer in the presence of the inmate. The written contents of privileged mail shall not be read by the officer unless:
 - a. Articulable suspicion has been established that the written contents might threaten the safety or security of the facility, staff or inmates.
 - b. The authenticity of the article as privileged mail is in question. The officer shall read no more of the contents than necessary to establish authenticity.
3. **Absent exigent circumstance requests to hold/forward/review incoming mail from a professional agency need to be directed to the on-duty supervisor via the Mail Review form. If approved, jail staff will make a copy of the mail in question while allowing the original to be processed and delivered absent a court order/search warrant.**
 - a. When jail staff is aware that an agency is actively working on a search warrant they will hold the mail until the warrant process has run its course.
 - b. When jail staff believes an inmate's mail is violating a condition of bond or probation a report will be drafted and the letter will be attached to a jail report and may be forwarded to the responsible agency. The inmate will be notified via a mail hold form of the withheld mail.

B. Outgoing Mail

1. All outgoing mail submitted by an inmate for processing is subject to inspection regardless if the mail is sealed. This will be noted in the inmate handbook.
2. Articles of outgoing privileged mail submitted by an inmate must clearly bear the name and address of a licensed attorney.
3. Absent exigent circumstance requests to hold/forward/review outgoing mail from a professional agency need to be directed to the on-duty

supervisor via the Mail Review form. If approved, jail staff will make a copy of the mail in question while allowing the original to be processed and mailed absent a court order/search warrant/criminal charges.

- a. When jail staff is aware that an agency is actively working on a search warrant they will hold the mail until the warrant process has run its course.
- b. When jail staff believes an inmate's mail is violating a condition of bond or probation a report will be drafted and the letter will be attached to a jail report and may be forwarded to the responsible agency. The inmate will be notified via a mail hold form of the withheld mail.

IP 3.7 Distributing Incoming Mail

- A. Incoming mail should be processed and distributed within 24 hours of when it is delivered to the Outagamie County Jail. Usually, mail will be distributed to inmates by 2100 of the day it is received at the facility.
- B. There will be no mail distribution on Saturday, Sunday or Holidays.
- C. The assigned floor officers will pick up the sorted mail after roll call.
- D. Mail addressed to inmates that are absent with authority will be held and distributed upon return of the inmate.
- E. Designated officers will distribute mail to the inmates.
 1. The officer will call the name of each inmate that is to receive mail in a strong and clear voice.
 2. The officer will verify the inmate's identity, open the mail, inspect it, and if it passes inspection, hand the allowable contents to the inmate through the tray door.
 3. Incoming mail covers/envelopes will be disposed of after opening and not be distributed to the inmate.

IP 3.7.1 Mail for Inmates on Disciplinary Status / Housed in a Disciplinary Housing Unit

- A. Mail for inmates housed in a disciplinary housing unit s will be distributed through the cell tray door utilizing the same procedure as noted in #2 and #3 above.

IP 3.8 Items Allowed In the Mail

- A. Inmates may receive correspondence, non-polarized photographs, funds, (personal checks will not be accepted), and authorized publications through the mail.
- B. Authorized publications (newspapers, magazines and soft cover books) may only be ordered from a local vendor that has been approved by the jail administrator and must be mailed directly from the vendor or picked up by jail staff in original mailing wrappers. Exceptions may be approved for items received that are not available through the local vendor. Preapproval is recommended.
- C. The department may not prohibit a publication on the basis of its appeal to a particular ethnic, racial, or religious audience or because of the political beliefs expressed therein.
- D. If a publication is not delivered pursuant to IP 3.8 B & C the publication will be forwarded to a jail lieutenant. The lieutenant shall notify the inmate and the publisher of the non delivery. The inmate may appeal the decision via the inmate grievance process. The publisher may appeal the decision to the jail administrator.
- E. Absent a search warrant when general incoming/outgoing mail is withheld the mail will be forwarded to a jail lieutenant. The lieutenant shall notify the inmate and the inmate may appeal the decision via the inmate grievance process.
- F. The jail lieutenant will document non delivered mail/publications.

IP 3.9 Non-Allowable Items In the Mail.

Incoming and outgoing mail including publications, in whole or in part, is not authorized if it:

- A. Threatens criminal activity or harm to any person.
- B. Threatens blackmail or extortion.
- C. Concerns sending contraband in or out of an institution.
- D. Concerns plans to escape.
- E. Concerns activity that, if completed, would violate the laws of Wisconsin or the United States or the administrative rules of the department.
- F. Is in code.
- G. Is "injurious", meaning material that:

1. Poses a threat to the security, orderly operation, or safety of the institution.
 2. Is inconsistent with or poses a threat to the safety, treatment or rehabilitative goals of an inmate.
 3. Facilitates criminal activity.
- H. Contains information that, if communicated, would create a clear danger of physical or mental harm to any person.
- I. Contains nudity, is obscene or sexually explicit. (Some publications containing nudity may be acceptable if the nudity is presented for the purpose of medical, educational, scientific or other similar purposes that are not contrary to the penological concerns that are the basis for this regulation. Approval must be based on a written appeal from Jail Administration.
- J. Teaches or advocates illegal activity, disruption, or behavior consistent with a gang or a violent ritualistic group.
- K. Is determined by a supervisor on a case by case basis, to interfere with an inmate's penological interests, goals, or needs.
- L. Is determined by a supervisor for reasons other than those listed in this paragraph, to be inappropriate for distribution throughout the institution.

IP 3.10 Contraband Received Through the Mail

- A. Legal contraband such as pens, watches, polarized photographs, etc. will be confiscated by an officer and placed into the receiving inmate's property. The inmate may request that the legal contraband be returned to the sender at the inmate's expense.
- B. An officer will confiscate illegal contraband and complete an incident report. A supervisor will coordinate an investigation to determine if criminal charges are warranted.

IP 3.11 Funds Received Through the Mail

- A. Any funds (cash, checks, money orders, etc.) received by an inmate through the mail will be confiscated by the officer at the time of mail inspection.
- B. At no time will inmate funds be left unattended. The funds will be processed for deposit into the inmate's jail account.
1. The officer will make an entry into the inmate's JMS file describing the type of funds (cash, check, or money order), value and the person that sent the funds to the inmate.
 2. The officer that takes the funds will issue the inmate a receipt for the funds.

3. The officer will place the funds inside an envelope, write the inmate's full name, the amount received, and who it is from on the front of the envelope, and then seal the envelope.
4. The officer will deliver the sealed envelope to the Records..
5. The operational assistant will deposit the funds into the inmate's account and produce a deposit receipt. The deposit receipt will be printed for routing back to the inmate.
6. If an inmate refuses to sign a check for deposit, the check will be placed in their property.

IP 3.12 Mail Received for an Inmate No Longer In Custody

- A. Mail that is received at the Outagamie County Jail for inmates that are no longer in custody will be marked RETURN TO SENDER - Released. The article of mail will then be processed out through the U.S. Postal Service. Except in the case when an inmate mailed the article from the Outagamie County Jail it will not be returned through the U.S. Postal Service.
- B. In the case of mail that is received for an inmate that is no longer in custody and was mailed by an inmate that is no longer in custody. These letters will be recorded in a log and after a minimum of 30 days they will be opened and reviewed prior to shredding. Items with monetary value such as: cash, checks, money orders, etc. will be recorded and turned over to the jail accountant.

IP 3.13 Mail Returned To an Inmate

- A. Articles of mail may be returned to an inmate for insufficient funds, incorrect address, graffiti, etc.
- B. All mail returned to an inmate for any reason will be placed in the inmate's property and the inmate will be notified.

IP 3.14 Processing Outgoing Mail

- A. Outgoing mail must have the return address of the inmate in the left hand corner on the front of the envelope.
 1. The inmate's return address must be clearly displayed in the top left corner of the front of any article mailed from the Outagamie County Jail. If not, the mail may be opened to determine sender. If sender is determined, it will go back to inmate so the inmate can put the return address on it. If the sender cannot be determined, a report will be drafted and the letter will be attached to the report.

2. The format for the inmate's return address is:

Outagamie County Jail
Inmate's Name, 4-H
P.O. Box 1779
Appleton, WI 54912-1779

- B. Outgoing mail must be addressed using a name and complete address. Example:

Name of Person
123 Some Street
Anywhere, WI 12345

- C. Outgoing mail must be free of any markings, drawings, graffiti, etc.
- D. Any articles of outgoing inmate mail that does not comply with requirements A, B and C of this section is contraband and will not be sent to the U.S. Postal Service.
- E. Inmates must place their outgoing mail at the designated pick-up place after the officer calls for mail pick up.
 1. An officer will pick up outgoing mail from the designated place.
 2. No mail will be picked up that is not at the designated place.
- F. Outgoing mail will be routed to the designated staff member for sorting and processing to the U.S. Postal Service.
- G. Outgoing mail that appears to contain contraband will be turned over to the on-duty supervisor for review.
- H. Inmate to inmate mail within the facility is not allowed. Limited exceptions can be made by a supervisor when a significant family relationship exists, i.e., parent-sibling, spouses, etc..

IP 3.15 Indigent Inmates

IP 3.15.1 General Mail

- A. Indigent inmates may request and receive writing material and embossed envelopes weekly.
- B. Outgoing indigent mail will be processed using the same procedures as any other mail.

IP 3.15.2 Indigent Legal Mail

- A. Indigent inmates may use their weekly allotment of envelopes to correspond with the courts and/or their attorney of record. Requests for additional assistance will be reviewed on a case by case basis.

IP 3.16 Inmate Requests

- A. An inmate may communicate with the facility administration, address a problem or make a request by filling out an Inmate Request Form.
- B. Officers will process inmate requests in a timely manner.
- C. Any request directed to a person beyond the persons level and responsibility will be channeled to an appropriate person expeditiously.
- D. Normally inmate requests will be submitted via the in unit kiosk(s). In the absence of a working kiosk, paper forms will be used.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IP 4 - Recreation

Policy Section: Inmate Programs	Effective Date: 03/26/21	Revision Date:		Page: 1 of 2
		8/1/11	9/25/14	
		5/1/10		
		11/1/01		
WI State Statute				
WI Administrative Code	350.33			
Related Policies	IM4			
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will provide recreational activities for all inmates based on their classification. The activities will be directly and/or indirectly supervised by jail staff in order to maintain the safety of inmates, staff and visitors.

IP 4.1 Inmate Recreation

Inmate recreational privileges in the form of exercise and leisure time are available to inmates at the Outagamie County Jail based on their classification. Schedules for off unit recreation will be posted in each unit.

IP 4.1.1 Exercise

General population inmates will have the opportunity to exercise outside their cells at least one hour per day, seven days per week. Exercise activities for Outagamie County Jail inmates include the following:

- A. Isometric exercise activities
- B. Cardio-Vascular fitness activities
 - 1. Use of the recreation room will be scheduled based upon classification.
 - 2. Inmates may perform cardio-vascular fitness activities inside their cell or in the housing unit day room.

- C. Youthful offenders will be allowed large muscle exercise/recreation daily, which can take place within their housing unit.

IP 4.1.2 Leisure Time

Inmates will have the opportunity to engage in leisure activities. Leisure time activities for Outagamie County Jail inmates may include:

- A. Board games and puzzles
 - B. Television
 - C. Tablets
 - D. Reading materials
 - E. Cards
1. Inmates desiring games or puzzles must submit a written request to the supply clerk for consideration.
 2. Reading materials are generally available in all inmate-housing units.

IP 4.1.3 Modification of Recreational Privileges

Recreational privileges may be modified in conjunction with the jail's disciplinary process.

IP 4.2 Television Viewing

Televisions and tablets may be viewed in conjunction with an inmate's classification status.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IP 5 - Telephone

Policy Section: Inmate Programs	Effective Date: 3/26/21	Revision Date:		Page: 1 of 2
		11/1/01		
		5/1/10		
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will permit inmates reasonable access to telephone privileges in order to maintain essential community and legal contacts. The inmate telephone system shall provide access to local and long distance dialing through an approved telephone services company. Telephone calls placed through the inmate telephone system may be monitored and/or recorded for security and quality control purposes.

IP 5.1 Types of Calls

IP 5.1.1 Intake Phone Calls

Inmates who have been booked may be allowed to place one or more telephone calls in the booking area at the booking officer's discretion.

IP 5.1.2 Collect Calls

The inmate telephone system at the Outagamie County Jail only permits out-going prepaid or collect calls. One or more telephones are located in each inmate housing unit day room. Time limits will be placed on all phone calls.

IP 5.2 Emergency Telephone Calls

IP 5.2.1 Reception and Verification

Inmates may not receive incoming telephone calls. Only messages regarding serious illness or death in the inmate's immediate family will be relayed to an inmate. The information should be verified by a correctional officer and must be approved by the correctional supervisor before being passed on to the inmate.

IP 5.2.2 Response to Emergency Calls

If an inmate cannot make a collect call regarding an emergency the correctional supervisor may offer him/her an alternative to making a collect call.

IP 5.3 Telephone Use/Restrictions

- A. The inmate telephone system is generally available for inmates to place telephone calls throughout the day.
- B. Telephone Devices and programs for the Deaf (TDD) are available by request for inmates with hearing impairment.
 - 1. TDD and program requests will be reviewed and approved/or denied by the on-duty supervisor.

IP 5.3.1 Disciplinary Housing Unit

Inmates will only be allowed telephone privileges during their out time.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IP 6 - Visitation

Policy Section: Inmate Programs	Effective Date: 08/15/17	Revision Date:		Page: 1 of 6
		11/1/01		
		5/1/10		
		9/25/14		
WI State Statute				
WI Administrative Code	350.30			
Related Policies	IP1			
Related SOP'S		Approved by: Clint C. Kriewaldt		

Through visitation the Outagamie County Jail will provide inmates the opportunity to maintain ties and contacts with family, friends, attorneys, clergy, etc. Reasonable visiting times and guidelines will be established. Visits will be conducted under conditions that are consistent with the safety and security of the Outagamie County Jail.

Definitions:

Professional Visitor: Professional visitors include but are not limited to attorneys, law enforcement officers, probation and parole agents, licensed private investigators, process servers, approved clergy and social workers/case workers. Other occupations not listed will require prior approval. If prior approval is not obtained, visits will be conducted as outlined in public visitation guidelines. Picture ID and professional credentials are required and, in some cases, additional documentation may be requested.

IP 6.1 General Information

- A. Except where specifically stated otherwise, all visits are conducted in a secure setting with the inmate and visitor(s) physically separated by a security screen in a locked area.
- B. Visitation schedules shall be posted in all housing units.
- C. No one under the age of 18 may visit an inmate unless accompanied by an adult 18 years of age or older.
- D. The names of visitors must be submitted on an inmate visiting listing form. A total of eight visitors are allowed per visiting list and a total of three visitors are

allowed to visit per visiting period. Visiting lists will be entered/updated nightly. Visiting lists will be updated under a reasonable and necessary standard, excessive requests, as defined by a supervisor, may be denied.

- E. All visitors, regardless of their purpose, may be asked to submit to a consensual search of their person and/or possessions. A visitor not wishing to submit to a consensual search of their person and/or possessions will be denied visiting privileges.
- F. Professional visitors will be allowed unrestricted access to inmates during reasonable hours, however visits are restricted during meal times or when the jail is closed. Exceptions will be approved by the on-duty supervisor.
- G. Special visits will be allowed under supervisory approval.
- H. Visiting areas will be searched on a random basis.
- I. Hearing assistive devices are available for use in the visiting area and may be obtained from an officer.
- J. Court and medical appointments have priority over personal and professional visits.
- K. Personal visits will be documented in the Jail Management System.
- L. Inmates will be subject to search prior to and after any visiting session.

IP 6.2 Rules of Conduct for Visitors

A visitor may be asked to leave the Justice Center, a visit may be canceled, or visiting privileges suspended if a visitor does not follow visiting rules. Any illegal activity may result in a citation and/or arrest. Rules of conduct for visitors will be posted.

- A. Visitors must abide by County Ordinances, Federal and State Laws.
- B. Visitors may be asked to store excessive belongings in storage lockers. When items are too large a supervisor should be consulted.
- C. Visitors must produce proper ID.
- D. Visitors under the influence of drugs and/or alcohol or known to have a contagious disease will be denied access to visiting.
- E. Visitors may be asked to submit to search procedure.
- F. Visitors may visit only the inmate they are signed in to visit.
- G. Visitors may not bring food, gum or beverage into the visiting area.

- H. Visitors may not vandalize (scratch, mark, paint and/or break) equipment, furniture, fixtures or walls.
- I. Children must be closely supervised by an accompanying adult while they are in the visiting area.
- J. Visitors must be appropriately dressed while in the Outagamie County Justice Center. The correctional staff sergeant will make determinations on the appropriateness of a visitor's attire.
- K. Visitors may not jeopardize the safety, orderly operation or security of the Outagamie County Jail.
- L. Visitors must conduct their behavior in such a way as not to interfere with other visitors.
- M. No property or written correspondence will be accepted without prior approval from a staff member.
- N. Smoking is prohibited in the Outagamie County Justice Center.
- O. The use of electronic devices is prohibited without specific permission from a correctional staff sergeant or higher authority.

IP 6.3 Visitor Identification

- A. All visitors 16 years of age or older may be requested to show picture identification at central control before they visit. Denials must be approved by a supervisor.
- B. Picture ID cards issued by an employer, a government agency, a school or other verifiable entity are acceptable forms of identification.
 - 1. Family/Friend:
A Wisconsin Driver's License, Wisconsin State Identification or other picture identification that indicates name and date of birth. Exceptions can be made on a case by case basis, denials must be approved by a supervisor.
 - 2. Police Officer:
Department ID and police badge.
 - 3. Attorney:
National or State Bar card, other identification may be requested.
 - 4. Professional Visitor:
Agency ID and a picture ID that indicates their name and date of birth may be requested. Denials must be approved by a supervisor.

IP 6.4 Professional Visits

- A. Normal unrestricted hours of operation are 0800 - 1130, 1300 - 1700 and 1900 - 2200.
- B. Inmates may have non-contact/contact visits with professional visitors seven days per week. Duration and frequency of visits will depend on the inmate's security status, facility's activity schedule and availability of visiting booths.
- C. Professional visitors will be documented using the professional visiting log in central control.

IP 6.4.1 Special Investigators

Special investigators may have contact visits with inmates under the following circumstances:

- A. The inmate's attorney and the investigator arrive together for the visit and conduct the interview together until the visit is concluded.
- B. Jail staff has received an official request for an identified special investigator to meet with the attorney's client outside of the attorney's presence subject to approval by a supervisor.

IP 6.5 Special Visits

Special visits can be ordered by a court or a jail official and may occur outside the normal visiting hours.

IP 6.5.1 Family

An inmate may request a special visit in writing to a correctional supervisor.

IP 6.5.2 Professional

Professionals requiring special visits must make the request to a correctional supervisor.

IP 6.5.3 Court Ordered

The court may order a special visit for an inmate. The court must issue an order for the visit. The correctional staff sergeant will review the order and may challenge the court order if appropriate. The visit will be scheduled to minimize interference with the daily schedule of the jail.

IP 6.5.4 Media

- A. Inmates are allowed visits with the news media during inmate personal visiting times provided the media personnel are listed on the inmate's visiting list and the media abide to all visiting rules.
- B. Special visits with the media must be approved by the Sheriff.

IP 6.5.5 Religious visits

Inmates are allowed visits with approved recognized religion representatives during normal unrestricted hours of operation when the visit is coordinated through the Jail Ministry Program.

IP 6.6 Denial/Cancellation/Suspension/Restrictions of Visiting

A visit may be denied or canceled and/or visiting privileges suspended by any staff in any of the following circumstance, with the approval of a supervisor:

- A. There is insufficient space available for a visit.
- B. The visitor refused or is unable to produce proper ID.
- C. The visitor falsifies identification.
- D. The visitor is ill or under the influence of drugs and/or alcohol.
- E. The visitor refused to submit to search procedure.
- F. The visitor displays conduct considered disruptive to visiting operations or to the security and safe order of the facility.
- G. The visitor is found to have an active warrant.
- H. The visitor or inmate violates visiting rules of conduct, local, state or federal law.
- I. The inmate refuses to visit.
- J. Prior acts of misconduct by the visitor or the inmate.
- K. Non-compliance with visiting guidelines.

IP 6.6.1 Staff Responsibilities

If an inmate visit is denied, suspended, or otherwise disrupted the staff member initiating the action shall notify the correctional staff sergeant as soon as possible and enter the reason in the inmate's JMS file.

IP 6.7 Visiting Canceled For the Outagamie County Jail

- A. The correctional staff sergeant, or higher authority, may cancel visiting for the Outagamie County Jail if he/she knows of, or suspects, an incident that interferes with the operations of visiting or the security and safe order of the jail.
- B. A staff member will inform arriving visitors that visiting has been canceled and deny them access to the jail. If visiting has already begun, the visitors will be notified that the visit must be terminated immediately.

IP 6.8 Video Visitation

- A. Inmates and visitors are subject to the rules of the facility during video visitation.
- B. When a video visit is cancelled by staff the on-duty S/Sgt. should be notified and a report should be drafted.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IP 7 - Inmate Work Programs

Policy Section: Inmate Programs	Effective Date: 03/26/21	Revision Date:		Page: 1 of 4
		11/1/01		
		5/1/10		
		9/25/14		
WI State Statute	973.03, 302.43, 302.37(4)			
WI Administrative Code	DHS 190			
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will provide as many inmates as possible the opportunity to be employed productively in internal institutional maintenance assignments, consistent with their security and supervision requirements and the needs of Outagamie County Jail.

IP 7.1 Administration Responsibilities

IP 7.1.1 Inmate Work Program Coordinator

A correctional supervisor will be designated to oversee inmate work programs. He/she and/or designee may supply a letter of explanation to the courts for workers who perform diligently.

IP 7.1.2 Inmate Work Program Officer

A staff member may be designated to assist the inmate work program coordinator with the process of screening and selecting inmate workers.

IP 7.2 Program Participation

- A. Inmates will be informed about the inmate worker program during their orientation process and the inmate handbook also contains information regarding the program.
- B. An inmate who wishes to be considered for an inmate worker program must submit a written request to the program officer.

IP 7.3 Eligibility Criteria for Inmate Workers

- A. Pre-trial and sentenced inmates may volunteer for the inmate worker program. Inmates will not be denied entry into the program because of sex, race, religion, national origin or physical disabilities. .
- B. An inmate's current legal status, prior criminal history and institutional behavior will be considered when selecting inmate workers.
- C. Inmate workers must be medically cleared by inmate health services unit before being selected for the program.

IP 7.4 Inmate Worker Rules

- A. Inmate workers assigned to the kitchen who prepare or serve food shall be held accountable for practicing good hygiene and be provided a clean uniform daily. Each morning staff prior to movement to the kitchen will observe inmate workers for proper hygiene and will take corrective action on any inmates who are lacking.
- B. Inmate workers will comply with Outagamie County Jail rules and regulations governing inmates.
- C. Inmate workers will be ready for work 15 minutes prior to their schedule start time.
- D. Inmate workers, during work assignments, will not communicate with other inmates in the Outagamie County Jail unless their jobs require it.
- E. Inmate workers will not pass messages or do favors for other inmates.
- F. Inmate workers are not allowed outside the secured perimeter or to work in administrative spaces unless under the direct and close supervision of a correctional officer.
- G. No inmate who is known to be infected with any illnesses transmittable by food or utensils may be employed or work as a food handler in a facility.
- H. All inmates who work in food service areas shall wear clean garments and clean caps or hairnets and shall keep their hands clean at all times when engaged in the handling of food, drink, utensils or equipment.

IP 7.5 Inmate Worker Training

Before an inmate is assigned duties, the inmate work program officer will ensure that the worker is orientated prior to assignment in the kitchen area.

IP 7.6 Inmate Worker Supervision

Kitchen and floor inmate workers will work under the direct and close supervision of a correctional officer or kitchen staff and will not be supervised by custodial workers. Kitchen inmate workers will be supervised throughout all aspects of food preparation and service. In disciplinary housing units inmate workers may work while directly and closely supervised by a correctional officer. Inmate workers will not supervise other inmates in any project or work assignment at any time.

IP 7.7 Inmate Worker Compensation

- A. Inmate workers will be compensated at a fixed rate or they may receive sentence credit as approved by the court. Sentence credit will take precedent over other forms of compensation. The accounting clerk will place earnings when applicable directly into their inmate account.
- B. Inmate workers will be compensated on a scheduled basis.
- C. A receipt indicating the deposit amount will be provided to each inmate worker if they receive pay.

IP 7.8 Working Conditions for Inmate Workers

Inmate working conditions will comply with all applicable federal, state, and safety laws and regulation.

IP 7.9 Inmate Work Attire

- A. Inmate workers who have special work assignments will be issued protective clothing and/or equipment as prescribed by applicable health and safety regulations. Such protective clothing may include, but is not limited to the following: latex or heavy plastic gloves, protective eye covers, hairnets, facemask for covering the mouth.

IP 7.10 Inmate Worker Visiting

Inmate workers may have visits during their regularly scheduled Outagamie County Jail visiting hours. Visits should not conflict with the inmate's work assignments.

IP 7.11 Removing an Inmate from The Inmate Work Program

- A. An inmate may be removed from the inmate work program at anytime by a correctional staff sergeant or higher-ranking officer.
- B. Any correctional officer may remove an inmate worker from an assignment when there is a breach of security. Such action shall be documented in an incident report. A correctional supervisor will review the incident and make a final determination based on available information.

- C. Inmates may be removed from the inmate program for any of the following examples:
1. Change in classification status
 2. Rules violation
 3. Unsatisfactory work performance
 4. Medical reasons
 5. Refusal to perform or complete an assignment
 6. Behavior that affects the safety or security and/or the orderly operation of the facility.
- D. Inmate workers who have been removed from the program may have the decision reviewed by writing a request to the program coordinator or filing an inmate grievance.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IP 8 - Law Resource Center

Policy Section: Inmate Programs	Effective Date: 3/26/21	Revision Date:		Page: 1 of 2
		11/1/01		
		5/1/10		
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will provide access to an electronic Law Resource Center (LRC) so that inmates may research, prepare and assist in their defense in current and pending legal cases.

IP 8.1 Administration

- A. A designated staff member will be the main point of contact regarding all reference and resource materials available in the LRC.

IP 8.2 Access to LRC

- A. Inmates wishing to go to the LRC must submit a written or electronic request stating their desire to access the computers.
- B. Access to the LRC may be limited to those inmates who require access to the courts or require research materials for the purpose of assisting in their defense in a current or pending legal case.
- C. Specific times will be scheduled for inmates from different housing units to access the LRC.
- D. Due to a limited number for research stations correctional staff will try to allow access to the LRC on a rotating basis when they are not able to facilitate all requests.
- E. The same program contained in the LRC is available on the in unit kiosk's.

- F. The LRC is not intended to be the sole means of reference sources or research materials for legal purposes. The center compliments liberal access to legal aid through the courts and individual attorneys.

IP 8.3 Contents

- A. The LRC electronic program contains various federal, state, local code, case law and state statute reference sources.
- B. Inmates who require copies, additional materials or legal forms may make a written or electronic request to obtain them. The inmate is responsible for any cost involved in obtaining the material requested.
 - 1. Requests will be approved and/or denied using a reasonable and necessary standard.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

IP 9 – Inmate Voting

Policy Section: Inmate Programs	Effective Date: 8/15/20	Revision Date:		Page: 1 of 2
WI State Statute				
WI Administrative Code				
Related Policies	IP3, IM5			
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will have procedures and guidelines in place to provide eligible inmates the opportunity to register and exercise their right to vote during elections while incarcerated.

IP 9.1 Administration Responsibilities

IP 9.1.1

Because incarcerated inmates are unable to access public voting polls, the Jail Administrator or the authorized designee shall develop written procedures whereby inmates are provided the opportunity to exercise their right to vote in local, state and federal elections, pursuant to election codes.

IP 9.2 Program Participation

IP 9.2.1 Voluntary

Participation is voluntary. Inmates will be responsible to initiate the process to participate.

IP 9.2.2 Instructions and Facilitation

- A. Instructions to inmates will be available regarding the following steps to vote:
1. How to obtain an application to register to vote
 2. How to obtain an absentee ballot application
 3. How to mail in their absentee ballot
- B. Designated jail and/or CJTS staff will facilitate requests for appropriate forms.

IP 9.2.3 Inmate Responsibility

Inmates will be responsible for determining their eligibility and the accuracy of information entered on the forms and meeting deadlines required for votes to be counted.

IP 9.3 Documentation

Designated jail or CJTS staff will document requests for appropriate forms and when requests were filled.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

OP 1 - Communications

Policy Section: Operations	Effective Date: 7/01/19	Revision Date:		Page: 1 of 3
		8/15/02		
		12/31/11		
		5/1/17		
Reference:				
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will maintain a communication system that ensures the safety and security of the Outagamie County Jail staff, inmates and visitors.

OP 1.1 GLOSSARY

- A. Intercom: A communications system within a building with a loud speaker and/or receiver for listening and a microphone for speaking at each of two or more points.
- B. Inmate Housing Unit Intercom System: A communications system installed in a housing unit, which allows staff members to contact an inmate without entering the housing unit.
- C. Two-way Radio: A hand held communication device that is capable of receiving and sending radio signals.

OP 1.2 Internal Communications

OP 1.2.1 Telephone

- A. Each workstation in the Outagamie County Jail should be equipped with a telephone.
- B. The primary purpose of the telephones is to conduct county business. Long distance telephone calls are permitted for official departmental business only.

OP 1.2.2 Facility Intercom

- A. The facility intercom system provides communication within the Outagamie County Jail.
- B. The facility intercom system is designed for communication between designated workstations, both inside and outside the secure perimeter of the Outagamie County Jail. It does not provide communication links to other telephone or radio systems. The jail administrator or a designee must approve programming changes.

OP 1.2.3 Call/Request Intercoms

- A. Call/request intercoms provide communication and security at secure entrances and exits, both inside and outside the secure perimeter of the Outagamie County Jail.
- B. Call/request intercoms are designed for communication between personnel requesting to enter or exit through secure doors and central control personnel. Central control officers will use the call/request intercoms system, along with surveillance cameras, to identify personnel before allowing access through secure doors.

OP 1.2.4 Inmate Housing Unit Intercoms

- A. Inmate housing unit intercoms provide communication between facility staff and inmates inside the housing unit.
- B. Each housing unit within the Outagamie County Jail will be equipped with a housing unit intercom system.

OP 1.2.5 Emergency Buttons

- A. Each housing unit within the Outagamie County Jail will be equipped with an Emergency Button for inmate use inside the unit in the event of an emergency.

OP 1.2.6 Two-Way Hand Held Radio

- A. Two-way hand held radios provide communication and security for Outagamie County Jail staff. The Outagamie County Jail radio system will allow for clear transmission within the facility. On-duty staff will be equipped with a two-way hand held radio. Volunteers conducting programs with groups of inmates may be equipped with a two-way hand held radio.
- B. Radios will be used only for official communications. Staff shall not use unprofessional language during the transmission of radio messages. All radio transmissions will comply with the procedures defined in Outagamie County Sheriff's Office policy and procedure. Staff using the radio will

identify themselves by badge number. Users will keep radio transmissions brief and will speak clearly and distinctively. All staff will be responsible for security of facility radios.

- C. Central control is the primary point of communications in the Outagamie County Jail. Central control shall be equipped with a base station radio. Central control will also store extra hand held radios.

OP 1.3 External Communications

- A. The Outagamie County Jail will have emergency power supply units that will assist in maintaining outside communications in an emergency. In the event the relay system for the hand held radio system goes down, staff should be able to communicate using the hand held radios using the radio to radio function.
- B. The Outagamie County E-9-1-1 Center will have access to the jail's radio frequency.

OP 1.3.1 Cellular Telephone / Other Electronic Device Use

- A. Outagamie County Corrections staff may possess/use/store personal cellular telephones in the secure area of the jail under the following guidelines:
 - 1. Use of the device shall not detract from the performance of duties and responsibilities.
 - 2. The device cannot be used in the visual presence of inmates.
 - 3. The device cannot be used to record any activities video/audio.
 - 4. Video streaming of any sorts is not allowed.
- B. With the exception of a cellular telephone Outagamie County Correction's staff may not bring other electronic devices such as lap tops, personal computers, tablets, video games, etc. into the secure area of the jail. Exceptions must be approved by the Jail Administrator.

OP 1.4 GENERAL NOTE

Any communications occurring within the confines of the jail may be subject to recording and to an open records request.

OUTAGAMIE COUNTY SHERIFF'S OFFICE POLICY

OP 2 - Logs, Records & Reports

Policy Section: Operations	Effective Date: 10/01/22	Revision Date:		Page: 1 of 8
		9/24/14	1/15/16	
		8/01/11	6/15/17	
		8/15/02		
WI State Statute	59.27(8), 19.3292), 19.33, 16.61, 19.35			
WI Administrative Code	350.10			
Related Policies	Chapter 2 Outagamie County Ordinances			
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will maintain a system of logs, records and reports that document important operational features of the Outagamie County Jail. All logs, records and reports are internal documents of the Outagamie County Jail and are considered confidential, but may be subject to open records requests.

OP 2.1 Security

- A. Information collected by the Outagamie County Jail or that documents Outagamie County Jail operations or security programs will be confidential.
- B. The Outagamie County Jail computer information system will regulate access to read, modify, delete and add information.
- C. All Outagamie County Jail personnel will be trained in the use of the Outagamie County Jail computer information system.
- D. Computer terminals shall not be left unattended and accessible to unauthorized use. Misuse under another person's credentials is prohibited.
- E. Printed/paper logs, records and reports will be directly supervised and controlled by Outagamie County Jail staff. Such information will be secured when not in use. Exceptions can be made on a case by case basis with supervisory approval.
- F. Medical records will be kept separate from inmate custody files.

OP 2.2 Logs

- A. Facility staff will maintain logs that reflect the activities of posts or other areas of the Outagamie County Jail on a shift-by-shift basis.
- B. A Roll Call report will also provide a means of communication between shifts.
- C. Staff will use logs to record shift activities such as security tours, meal serving, movement of inmates, visits, security inspections, clothing/linen exchange, emergency situations, unusual incidents, disciplinary action under policy IM 4, administrative confinement of an inmate under policy IM 8, daily inspections under policy SC 6, monthly inspections under policy SC 6 and other pertinent information regarding inmates and their activities. If a staff member is uncertain as to what information should be included in a log a correctional supervisor should be consulted.

OP 2.2.1 Computerized Logs

- A. Staff must identify themselves when making computer entries.

OP 2.2.2 Log Books

- A. Log books may be maintained for recording visits, signing out radios, keys or other equipment or for any other purpose established by procedures.
- B. Completed/filled jail logs shall be forwarded to a supervisor for retention.

OP 2.2.3 Log Reviews

- A. Computerized logs may be reviewed by supervisory and administrative staff at a remote workstation.

OP 2.3 Records

Records shall be maintained for inmate population, personnel on duty, shift activities, entry and exit of visitors, emergency situations and unusual incidents. Records are permanent and may be used as evidence in court; they shall be complete, clear and concise.

OP 2.3.1 Inmate Population

- A. Inmate Register:

Outagamie County Jail staff will use the computer system to record admissions and releases of inmates as the official jail register. The jail register will include the following identifying information on each inmate: full name, residence, age, sex, race, court order or offense, time and cause of placement and placing authority, and time of release and releasing authority. If an inmate escapes the

time and manner of escape shall be recorded in the register. Data necessary to complete the register will be collected and recorded in accordance to the policy on inmate management (IM 1 and IM 3). By inference, the computerized inmate management system is the inmate register and also includes records for commissary, inmate event/activity, property and other options.

B. Custody Records:

Outagamie County Jail staff will maintain accurate updated custody records on all inmates which include but are not limited to the following: booking, classification, cash and property, court appearances, reports of disciplinary actions, incidents, crimes committed while in custody and program participation.

C. Medical Records:

The Outagamie County Jail Health Services Unit will maintain accurate updated medical records for inmates in Outagamie County Jail custody.

D. Inmate Accountability:

Physical observations of each inmate in the Outagamie County Jail, will be made by correctional officers to ensure that inmates are in custody and are safe. Inmates who have been identified by Outagamie County Jail staff as having a special medical or mental health problem and housed in specific housing unit(s) shall be physically observed at more frequent intervals. Each observation shall be documented in accordance with procedures in effect at the time.

E. Inmate Census:

The official inmate census will be completed once daily at a scheduled time. All inmates will be formally counted in accordance with the Inmate Accountability Policy (SC 8). All inmate counts will be documented in accordance with procedures in effect at the time.

OP 2.3.2 Personnel On-Duty

- A. Computerized information regarding personnel on-duty will be available to staff with authorized access. A correctional supervisor will use the computer to schedule duty assignments. A duty assignment schedule shall be conveniently posted for review by facility staff; such schedule shall consist of a full calendar month. A correctional supervisor will generate a daily shift assignment schedule.

OP 2.3.3 Shift Activities

- A. The Jail Management System will be used to record routine shift activities.

OP 2.3.4 Entry and Exit of Visitors

- A. Visitors to the Outagamie County jail include family and friends of inmates, vendors, contractors, professionals and others who are not facility staff. All visitors shall be entered into a visitor log by a staff member assigned in central control before the visitor is allowed to conduct business in the Outagamie County Jail.

OP 2.3.5 Emergency Situations/Unusual Incidents

- A. Logs and reports will be used to document emergency situations and unusual incidents.

OP 2.4 Reports

Reports are permanent records of various activities in the Outagamie County Jail, which may be used as evidence in court. All reports will be clear and concise.

OP 2.4.1 Administrative Code 350.10 (3) Reporting Requirements

- A. The jail administrator, or designee, will notify the Division of Corrections Regional Detention Facilities Specialist within 48 hours after an inmate dies; or after an inmate attempts suicide and is admitted to a hospital (not including an emergency room admission or admission for detention or evaluation under Chapter 51); or is provided medical treatment for a life threatening injury incurred as a result of a suicide attempt; an inmate or staff is hospitalized due to an injury caused by assault or use of force or there is significant damage to the jail affecting the safety or security of the facility or an inmate escapes or attempts to escape from secure custody. The jail administrator or designee will promptly furnish any information requested by the Division of Corrections.

OP 2.4.2 Incident Reports

- A. Incident reports will be completed by staff to document certain activities and/or incidents that are related to the operations/mission of the Outagamie County Corrections Division. Several policies specifically indicate when a report is mandatory. In all other instances staff will complete reports in a manner consistent with their training, experience and departmental expectations.
- B. Jail reports will not be considered final until a jail lieutenant and a jail captain sign off on the report within the JMS incident report function.

OP 2.4.3 Use of Force Reporting

- A. Use of force must be reported whenever an intervention option is escalated beyond the escort hold level. For instance: whenever a compliance hold is used,

the subject is directed to the wall or floor, an unarmed strike is used, when a chemical agent is used or a baton-like instrument is used. Staff using force must report the use of force in a written incident report.

OP 2.4.4 Inmate Disciplinary Report

A. Discipline for a Minor Violation:

A minor ticket shall be completed by a correctional staff member to initiate discipline with a minor penalty or penalties for minor violation (s) of jail rules. A minor penalty is a verbal or written reprimand, restriction of privileges for 24 hours or less or placement in punitive segregation for 24 hours or less. The staff member shall notify an on-duty supervisor of any minor disciplinary action.

B. Discipline for a Major Violation:

An incident report shall be completed by a correctional staff member to initiate discipline with a major penalty or penalties for major violation(s) of the jail's rules. A major penalty is a verbal or written reprimand, restriction of privileges for 24 hours or longer or placement in punitive segregation for 24 hours or longer. The staff member shall submit the incident report to the correctional staff sergeant for review and subsequent action.

OP 2.4.5 Supplemental Report

A. Supplemental reports are used to provide additional information or documentation to original incident reports.

OP 2.4.6 Special Reports

A. Inmate Census:

An inmate census count will be conducted once daily at a designated time. The jail administrator may alter the designated time of the official jail census.

B. Security Inspections:

Staff assigned to conduct monthly security inspections in accordance with the security inspections policy SC 6 will complete a standardized printed report form.

C. Fire Inspection:

A standardized printed report shall be completed by staff assigned to perform fire inspections in accordance with the security inspections policy (SC 6.4).

D. Security Searches :

Staff assigned to perform security inspections shall complete a standardized printed form documenting the results of the security search.

OP 2.5 Retention

Outagamie County Jail logs, records and reports will be retained and safely kept for the period of time required by Wisconsin Statute and/or Outagamie County policy. Supervisory staff will be responsible for storage, maintenance and disposal of Outagamie County Jail logs, records and reports.

OP 2.6 Anonymous Parties

Jail staff will strive to protect the identity of reporting parties including inmates who wish to remain anonymous. This will include not noting or listing the anonymous parties by name/DOB in reports.

OP 2.7 Confidential Informants

In many instances, a successful internal investigation into the possible violation of major jail rules, or security threat group activity cannot be conducted without the use of a confidential informant. While the use of CIs is an effective tool in investigations, it can be undermined by the misconduct of either the CI or the officer utilizing the informant. Therefore, it shall be the policy of the jail to take necessary precautions by developing sound CI control procedures. This is especially true if a criminal investigation were to begin as a result of the information gathered by the CI.

OP 2.7.1 Definitions

- A. Confidential Informant (CI): A person who, in an arrangement with corrections staff, agrees to serve in a clandestine capacity to gather information for corrections staff on suspected activity that would be in violation of the jail's major rules or any security threat group activity in exchange for special consideration.
- B. Confidential Informant File: A file maintained in order to document all information that pertains to confidential informants.
- C. Corrections Staff: A corrections officer, sergeant, lieutenant, captain or person of higher authority in the chain of command.
- D. Handler: The corrections staff primarily responsible for supervision and management of a CI.

OP 2.7.2 Establishment of the CI file system

- A. A lieutenant shall oversee the CI file system and ensure it contains all the necessary information.
- B. CI development and procurement shall be limited to the members of the jail's security threat group team and classification officer, or those above the rank of sergeant.
- C. A file shall be maintained of each CI used by officers. The file shall be coded with a unique numbers. The file shall contain the following information:
 - 1. CI's name
 - 2. Handlers name
 - 3. CI's booking photo
 - 4. Copy of signed CI agreement form
 - 5. Copies of statement made by the CI
 - 6. Known security threat group affiliation
 - 7. Jail disciplinary records
 - 8. Records pertaining to all rewards or compensations for information.
- D. If a CI is deemed to be unreliable, then the CI file shall be listed as unreliable and a report specifying why the CI is unreliable shall be made and entered in the CI's file. Once deemed unreliable by the CI must wait 6 months before being re-evaluated by the overseeing lieutenant.
- E. If an outside law enforcement agency requests to use an inmate as an informant, a written agreement shall be made between the requesting agency and the Outagamie County Sheriff's Department. The agreement shall specify the conditions the informant may be used and the length of time the informant shall be used.
- F. Handlers of a CI shall not promise an informant protection from criminal prosecution, or protection from issuance of a major rule violation write up. The handler shall not ask or order the CI to actively break jail rules or commit a criminal offense.
- G. Rewards or compensation for information shall be limited to:
 - 1. Reduced segregation time
 - 2. Free office supplies (pens, pencils, paper)
 - 3. Mailing envelopes
 - 4. Inmate classification considerations
 - 5. Extra food in the form of a Huber bag or breakfast bag
 - 6. Free phone calls
- H. The relationship as a CI shall end when one of the following occurs:
 - 1. The CI is released from custody
 - 2. The CI ends the agreement in writing

3. The CI ends the agreement verbally, at which point, the handler shall document it.
 4. The Handler or their supervisor ends the agreement
 5. The CI has been deemed unreliable
- I. The CI shall be deemed unreliable when information provided to the Handler is consistently incorrect, or the CI breaks any part of the agreement form.

OP 2.7.3 Informant Agreement

Inmates being used as CI's per this policy will sign an informant agreement.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

OP 5 - Inmate Movement

Policy Section: Operations	Effective Date: 3/26/21	Revision Date:		Page: 1 of 2
		8/15/02		
		12/31/11		
Reference:				
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP’S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will enforce internal movement controls to ensure that inmates arrive at destinations quickly and safely, do not evade staff supervision, plan escapes or engage in other impermissible activities.

OP 5.1 Staff Responsibilities

- A. Jail staff will escort inmates to and from any area within the Outagamie County Jail. Inmates shall never be left unattended/unsupervised by staff in an unsecured place.
- B. All inmates are subject to varying degrees of search at any time.
- C. Whenever an inmate is relocated from one place to another the officer performing the movement shall identify each inmate.
- D. Whenever an inmate is removed, relocated or returned to a housing unit or work area the officer performing the movement must make the appropriate change on the inmate count board. The officer performing the movement shall make the appropriate entries in the jail computer records when appropriate.

OP 5.2 Internal Inmate Movement

- A. Individual officers will escort no more than eight inmates at one time with the exception of the inmate workers assigned to the kitchen. Correctional officers must consider the security classification of the inmate or group of inmates that are being moved.

- B. The escorting officer will ensure that inmates walk in single file line in front of the escorting officer. Inmates should not be allowed to speak during movement.
- C. Officers will move inmates from floor to floor (vertical on elevators four, five, and six). Inmate movement using elevator three requires the approval of a Correctional Staff Sergeant except for the unescorted movement of Huber Law/Work Release inmates.

OP 5.3 Movement of Violent and/or Segregation Inmates

- A. Violent or segregated inmates will be moved from place to place in restraints. Restraints may be any appropriate combination of approved hand, body, or leg restraints. When an inmate is in restraints an officer will hold the back of the escort belt or blanket escort the upper arm of the inmate using one hand.
- B. Inmates who are violent and/or a serious escape risk should be moved individually by more than one correctional officer based on threat assessment of the inmate.
- C. Any inmate who is in a segregation unit or segregation status will be in restraints whenever being moved from place to place. Any exceptions should be approved by the on-duty supervisor.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

OP 6 - Inmate Death

Policy Section: Operations	Effective Date: 3/26/21	Revision Date:		Page: 1 of 3
		8/15/02		
		12/31/11		
Reference:				
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

Outagamie County Jail staff will ensure that as soon as possible pre-identified family members and other authorities will be notified in the event of the death of an inmate.

OP 6.1 Responsibilities

OP 6.1.1 On Scene Staff

A staff member who discovers an inmate who is not breathing and has no pulse will:

- A. Announce on the jail radio frequency that a medical emergency has been discovered, giving the exact location and nature of the emergency.
- B. Evaluate and stabilize the scene before entering.
- C. Render appropriate aid.
- D. Write and submit appropriate reports to the correctional staff sergeant on duty per policy.
- E. Other responding staff members will follow B-D above.

OP 6.1.2 Central Control

Upon notification of an apparent inmate death central control will:

- A. Rebroadcast the emergency information as reported by the correctional officer.
- B. Confirm that the corrections supervisor is responding to the call.
- C. Confirm that the health services unit nurse is responding to the call.
- A. At the direction of the correctional supervisor contact the E-9-1-1 Center to request that an ambulance be dispatched to the jail. Provide the E-9-1-1 telecommunicator with all known information.
- E. Provide support, relay messages, and serve as a communications medium between the on site staff and ancillary services and personnel.

OP 6.1.3 Correctional Staff Sergeant

Upon notification of an apparent inmate death the correctional supervisor will:

- A. Immediately respond to the scene of the declared emergency.
- B. Assign available staff to protect the scene and preserve any evidence until investigation personnel arrive.
- C. Notify central control to acquire a patrol deputy to escort the inmate to the hospital.
- D. Assign available staff to identify witnesses and separate if necessary. If requested, assign available staff to assist investigation personnel.
- E. In a timely manner notify appropriate on-call / command staff.
- F. Ensure normal duties resume as soon as possible either during or post emergency.
- G. Assign available staff to perform ancillary duties as necessary such as contacting off duty personnel to respond to the jail for duty, to write and submit appropriate reports, tour logs, video, body camera video, etc.

OP 6.1.4 Health Services Unit

Upon notification of an apparent inmate death the health services unit nurse will:

- A. Respond directly to the incident scene to provide support and consultation services to jail staff.
- B. Acquire relative medical records of the stricken inmate.
- C. Follow providers established protocol.

OP 6.1.6 Security

Upon announcement of an apparent inmate death corrections staff will:

- A. Immediately secure inmates under their control in their individual cells.
- B. Secure those parts of the facility under their control to prevent foot movement between areas of the facility.
- C. Respond to the emergency in accordance with the post orders for the position assigned.

OP 6.1.7 Jail Administration

Upon notification of an apparent inmate death the jail administration will:

- A. Review and approve all written reports.
- B. Notify the Chief Deputy, Risk Management and County Executive's Office. Notify the Office of Corrections Regional Detention Facilities Specialist within 48 hours of the time death.
- C. Furnish any information the Office of Corrections may request.
- D. Notify the designated contact person, or agency if there is no designated contact person, if the stricken inmate is a contract inmate.
- B. Designate an appropriate person to notify the pre-identified family member(s) of the stricken inmate of the death. Notification shall be made in person if practical.
- C. Determine if follow up from an outside agency is appropriate.

OP 6.2 Pronouncement of Death

A qualified doctor or coroner must pronounce the death of an inmate.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

OP 7 - Sanitation

Policy Section: Operations	Effective Date: 10/1/22	Revision Date:		Page: 1 of 5
		8/15/02		
		12/31/11		
		9/25/14		
Reference:	Sanitation			
WI State Statute				
WI Administrative Code	350.12			
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will comply with the applicable sanitation guidelines as well as state and/or local regulations. This policy establishes cleanliness guidelines to promote healthful conditions in the Outagamie County Jail for inmates and facility staff. The jail shall be clean and in good repair.

OP 7.1 Cleaning Equipment

OP 7.1.1 Inmate Housing Unit Equipment

Equipment used for cleaning general population inmate-housing units and administrative work areas will consist of the following items listed below. Equipment used for cleaning segregation inmates housing units may be modified.

- A.** Brooms and dustpans
- B.** Mops and mop buckets
- C.** Cleaning rags
- D.** Window cleaner
- E.** Toilet disinfectant and brush
- F.** Shower disinfectant
- G.** Scrub brush
- H.** Trash container bags

OP 7.1.2 Storage of Cleaning Equipment

- A. When not in use, cleaning supplies and equipment will be stored in a locked area on the 4th and 5th floor. The area must remain locked when not in use.
- B. Cleaning supplies and equipment on the 3rd floor will be stored in a designated area.
- C. After use, equipment must be returned to the designated area

OP 7.1.3 Security

- A. A correctional officer will issue and initially retrieve all cleaning equipment used by inmates; inspecting equipment before and after inmate use for damage, replacement needs, and/or missing parts.
- B. Monthly inspections of the maintenance storage closets will be scheduled.

OP 7.2 Routine Housekeeping

- A. General population inmates will be provided with cleaning equipment and supplies to perform cleaning chores in their individual cells daily.
 - 1. Floors are satisfactorily swept and mopped.
 - 2. Sinks and toilets cleaned.
 - 3. Property neat and orderly.
- B. Inmate housing unit workers will be provided cleaning equipment and supplies to perform cleaning chores in the common inmate areas daily. The unit workers cleaning equipment will include disinfectant sprays to be used on tabletops.
- C. Inmate workers, under the direction and observation of a correctional officer, may be utilized for routine cleaning to include sweeping and mopping of floor in common corridors daily.
- D. Spills, overflows, or other situations which create unsanitary conditions or constitute a hazard are included in routine housekeeping duties.
- E. Segregation housing units will be cleaned on a scheduled basis.

OP 7.3 Major Housekeeping

- A. Each inmate housing unit will be thoroughly cleaned on an established schedule or whenever determined necessary by facility staff.

- B. Major housekeeping inside inmate housing units will include washing of walls and windows, thoroughly scrubbing washbasins, toilets, shower stalls, cleaning of stairs and doors as directed by a correctional officer.
- C. Each inmate assigned to the housing unit is required to participate in major housekeeping chores unless specifically excused by the supervising officer.
- D. Major house keeping chores in common corridors and administrative workspaces will be performed by inmate workers under the direction and observation of a correctional officer.

OP 7.3.1 Cleaning Guidelines For Inmate Housing Units

- A. Guidelines for maintaining clean and orderly living conditions in common areas.
 - 1. Tables used for common use and meals shall be kept sanitized.
 - 2. Showers will be cleaned daily.
 - 3. Trash will be removed from housing units daily.
 - 4. Telephones will be wiped daily with a disinfectant.
 - 5. Steps, floor and mezzanine deck will be swept and mopped daily.
 - 6. Any additional cleaning as directed by any correctional officer will be performed.
 - 7. Door traps used for passing meals or other items shall be kept sanitized.
- B. Each inmate is responsible for cleaning his or her cell. The following standards must be adhered too:
 - 1. Pictures, posters, papers, or objects of any sort may not be attached or displayed on walls, doors, windows, lights or fixtures.
 - 2. Doorways must be free from obstructions.
 - 3. Trash is not permitted inside the cell.
 - 4. Inmates may store items purchased through the commissary in a neat and orderly manner in their cell.
 - 5. Floor must be satisfactorily swept and mopped.
 - 6. Property must be arranged and stored in a neat and orderly manner.

7. Storage/hoarding of unpackaged, perishable foods in housing units is prohibited.

OP 7.4 Pest and Vermin Control

- A. The Outagamie County facilities maintenance department will provide for pest and vermin control within the Outagamie County Jail on a regular schedule.
- B. Containers of poisonous compounds used for exterminating rodents or insects shall be prominently and distinctly labeled for easy identification of contents.
- C. Poisonous compounds shall be stored independently and separately from food and kitchenware in a locked area not accessible to inmates.

OP 7.5 Sanitation Inspections and Documentation

OP 7.5.1 Daily Inspections

Correctional staff is responsible to conduct a visual inspection of inmate housing units during the first inside tour after morning clean up has been completed daily. All inmate-housing units must comply with cleanliness and neatness standards for daily privileges to be continued.

OP 7.5.2 Supervisor Inspections

Correctional supervisors should conduct inspections of all Outagamie County Jail areas as they tour the inmate housing units. Non-compliance to cleanliness and neatness standards shall be documented and corrective measures ordered.

OP 7.5.3 Monthly Inspection

Safety and sanitation inspections of the jail are completed and documented at a minimum of once monthly.

OP 7.6 Inmate Workers

- A. Inmate workers may be utilized to work independently inside inmate housing units on the fourth and fifth security floors.
- B. Inmate workers may be utilized while under the direction and observation of a correctional officer to perform cleaning duties in administrative areas, classroom and corridors.
- C. Inmates workers may be utilized to perform cleaning duties in corridor, classrooms, bathrooms and visiting spaces in the Huber Law Center. Inmate workers may be used to perform cleaning duties in administrative areas under the direction and observation of a correctional officer.

- D. Huber Law/work release inmates will be held to the standards and performance expectations established by this policy.

OP 7.7 Trash Removal

The accumulation of trash and food scraps contributes to unhealthy conditions and attracts vermin. Trash and waste products will be removed from inmate housing units and general workspaces at least once daily and disposed of in accordance with existing guidelines.

OP 7.7.1 Trash Receptacles

- A. A trash receptacle of appropriate size will be placed in each inmate-housing unit, all administrative workspaces in the Outagamie County Jail will be provided with waste paper containers.
- B. Each trash receptacle will be lined with a proper size plastic bag in which waste material shall be placed to facilitate ease of removal.

OP 7.7.2 Trash Removal

- A. Housing unit workers will collect all accumulated trash as part of the daily morning clean up. The unit worker will place the trash bag in a designated place.
- B. An inmate worker, supervised by a correctional officer, will remove all trash bags from the housing units and store them in a designated place.

OP 7.7.3 Disposal of Trash

- A. A designated correctional officer will supervise the collection and disposal of trash in accordance with existing guidelines.
- B. Huber Law inmate labor may be utilized for the removal and disposal of trash when appropriate.
- C. Kitchen trash and waste will be removed from the kitchen by food service inmate workers and sorted in accordance with existing guidelines and placed in a designated pick up area. Food service inmate workers may not be used to remove trash from the facility. Kitchen trash and waste products will be removed from the designated storage area by a correctional officer or by Huber Law inmate labor under the direct supervision of a correctional officer.

OP 7.8 Hazardous Waste

Hazardous waste shall be disposed of according to government regulations.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

OP 8 - Maintenance

Policy Section: Operations	Effective Date: 10/1/22	Revision Date:		Page: 1 of 3
		8/15/02		
		12/31/11		
Reference:	Maintenance			
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail physical plant will be maintained so as to provide a healthy, safe and secure environment for staff, inmates and visitors.

OP 8.1 Responsibility

- A. The Outagamie County Maintenance Department has primary responsibility for maintenance and repairs in the Outagamie County Jail.
- B. Outside resources may be contracted to perform special maintenance tasks.
- C. Qualified inmate workers may be used to complete minor maintenance/repairs.
- D. Staff members shall report the need for repair or maintenance to any part of the facility to a staff sergeant when the need is discovered.
- E. A correctional supervisor will determine the priority of a maintenance or repair need and notify the appropriate service by using the On-Line Work Order System or directly if the need is an emergency.

OP 8.2 Security

- A. Outagamie County Jail safety and security must be a priority at all times.
- B. Maintenance personnel will be escorted by a correctional officer for maintenance or repair work and inspections when work is performed in an inmate living area. All

repairs will be monitored. Trained maintenance personnel will be allowed alone in an inmate living area for short periods of time while correctional officers are assisting in other areas.

- C. Under normal circumstances lock up inmates will not be allowed personal contact with maintenance/repair personnel.

OP 8.3 Inspections

The Maintenance Department will establish inspection procedures for all critical equipment and systems in the Outagamie County Jail to ensure compliance with applicable jail standards and codes.

OP 8.4 Documentation

The Maintenance Department maintains various reports and statistics for inspections, repairs requested, completed or pending.

OP 8.5 Types of Maintenance/Repairs

OP 8.5.1 Non-Emergency Maintenance/Repairs

Maintenance/repairs that, if not made immediately would not jeopardize the security of the Outagamie County Jail or the well being of the staff, inmates or visitors. Examples of these are:

- A. A burned out light bulb.
- B. A sink not functioning properly in an area that is not being used.
- C. A non-security door problem.

OP 8.5.2 Emergency Maintenance/Repairs

Maintenance/repairs that must be made immediately for the safety and security of the Outagamie County Jail and its staff, inmates and visitors. Examples of these are:

- A. Electrical failure.
- B. Major plumbing problem.
- C. Security door locking system broken.
- D. Any malfunction or failure impacting life safety issues.

OP 8.7 Requesting Maintenance/Repair

- A. A correctional supervisor must request maintenance or repairs.
- B. Supervisors will utilize the On-Line Work Order System to request maintenance/repairs from the Maintenance Department.

OP 8.8 Staff Responsibilities

- A. All Outagamie County Jail Staff should be alert to and must promptly report maintenance/repairs needed in the Outagamie County Jail to a correctional supervisor. Officers should be especially alert for maintenance/repair needs during routine daily inspections of housing units, workstations and other parts of the facility.
- B. Staff are required to immediately report the need for emergency repairs to a supervisor upon discovering the need.
- C. Inmates must be secured in their individual cells when maintenance personnel are working within an inmate-housing unit. There may be no direct contact between maintenance/repair workers and inmates.

OP 8.9 Emergency Maintenance/Repair

- A. In the event emergency maintenance/repair is required during normal business hours Monday through Friday a supervisor should contact the Outagamie County Maintenance Department directly.
- B. In the event that emergency maintenance/repairs are required outside of normal business hours the correctional supervisor should direct a staff member to page the on-call maintenance person to respond or telephone the jail.

OUTAGAMIE COUNTY CORRECTIONS DIVISION

OP 9 – Suicidal Inmates

Policy Section: Operations	Effective Date: 10/1/22	Review/Revision Date:		Page: 1 of 9
		09/25/14	1/15/16	
		09/11/09	5/15/17	
		8/15/02		
Reference:	Suicidal Inmates			
WI State Statute				
WI Administrative Code	DOC 350.17			
Related Policies				
Related SOP's	Approved by: Outagamie County Sheriff			

Policy

Any member of the Outagamie County jail staff may be the first to recognize a potentially suicidal inmate. It is vital that all jail staff remain alert to identify potentially suicidal inmates. Suicidal thoughts or attempts can occur anytime during incarceration. All jail staff has a responsibility for observation, intervention, notification and documentation of suicidal inmates.

Definitions:

Qualified Mental Health Professional: : Include psychiatrists, psychologists, psychiatric social workers, psychiatric nurses and others who by virtue of their education, credentials and experience are permitted by law to evaluate and care for the mental health needs of patients.

OP 9.1 Identification of Potentially Suicidal Inmates at Admission

- A. As part of the process of admitting each inmate into custody, a medical screening will be performed. One element of such screening shall involve gathering basic information on each new inmate to determine if the inmate is, or may be, a suicide risk. Jail staff performing the medical screening shall:
1. Observe the inmate for any visual indicators associated with possible suicide risk. Examples of indicators to look for include obvious

indications of serious depression, high level of anxiety, intoxication, serious mental illness, and cuts on arms or neck.

2. Review triage form completed by the transporting officer.
 3. Ask and document the inmate's answers to the questions on the intake medical screening form including appropriate follow up questions.
 4. Listen for any verbal indicators or references to suicide, death, wishing to be dead, etc.
 5. Notify the Health Services Unit for intake health assessment.
 6. Review and sign the Health Transfer Summary (HTS) form for inmates who are accepted from other correctional facilities in Wisconsin.
 7. Absent any other concerns of self harm when a suicide attempt is noted on a HTS and/or medical screening within the last year (365 days) a "Must Have Cellmate" restriction will normally be added to the inmates JMS record and the inmate will be placed with a cellmate provided the inmate is not under the influence of alcohol and/or drugs.
- B. Staff will evaluate the information gathered when making housing/status decisions.

OP 9.2 Identification of Potentially Suicidal Inmates During Incarceration

- A. The following are events which may trigger suicidal ideation during an inmate's incarcerations: initial court appearance, in which inmate has been remanded to custody, just prior to trial, during a trial, between the end of his/her trial and his/her sentencing date, following a visit in which the inmate received bad news or in which considerable friction seemed apparent between inmate and visitor(s), if inmate receives news of the death or serious illness of a loved one which has occurred during the inmate's incarceration.
- B. Staff members may also become aware of an inmate's suicide risk by telephone notification from family or others, written notification from inmate or others, verbal statement by inmate or others, personal observations by staff members, suicide attempt, etc.
- C. Staff will evaluate the information gathered when making housing/status decisions.

OP 9.3 Follow-up Suicide Risk Screening

- A. When the intake medical screening indicates that an inmate may be a suicide risk or a staff member becomes aware of a suicide risk by other means, the staff member will notify the on-duty nurse or mental health worker and the on-duty supervisor that they have an inmate who is a possible suicide risk.
- B. Situations may dictate staff placing an inmate on suicide watch prior to the notification noted above. When this occurs the staff member placing the inmate on suicide watch should notify the on duty supervisor as soon as it's practical.

OP 9.4 Assessment of Suicide Risk

- A. Once the on-duty nurse, mental health worker, or on-duty supervisor becomes aware of a possible suicidal inmate, the facts of the situation will be reviewed and a decision will be made as to the inmate's status.
- B. An assessment by a qualified mental health professional shall be completed as soon as it's practical.

OP 9.5 Security Procedures with regard to Suicidal Inmates

- A. When an inmate has been placed on suicide watch the inmate will be placed in a monitored holding cell and jail staff will ensure:
 - 1. All clothing items are removed from the inmate including glasses.
 - 2. The inmate will be issued suicide precautionary garments.
 - 3. The inmate will receive food items from a rubber tray or a bag meal. Jail staff will ensure that all outer wrappings are removed from the food items prior to handing over to the inmate.

OP 9.6 Classification of Inmates who are Suicide Risks

- A. If an inmate is assessed to be an immediate suicide risk, they will be placed on suicide watch and housed in a monitored cell on the 3rd, 4th or 5th floor.
 - 1. If the inmate is assessed not to be an immediate suicide risk but some general concerns exist the inmate could be placed in general population with a cellmate or in a monitored holding cell with limited property.
- B. The on-duty supervisor is responsible to ensure the notification of the jail's mental health workers when on duty. In the absence of a mental health worker the on-duty supervisor will send an email to the jail's mental health workers and notify the on-duty nurse. The on-duty supervisor will also brief oncoming shifts

regarding the placement of any inmates on suicide watch, including any special or supervision instructions. Additionally, Roll Call reports and incident reports are available for officer review.

- C. Jail staff will communicate regularly with HSU staff regarding the status of an inmate who is on suicide watch.

OP 9.7 Authority for Removal of Inmates for Suicide Watch

- A. Once an inmate has been placed on suicide watch the inmate will not be removed from that status until evaluated. An evaluation may include the jail's mental health worker and/or Outagamie County Crisis Intervention. Once the evaluation is complete, the jail's mental health worker or the Outagamie County Crisis Intervention worker can remove an inmate from suicide watch after an on-site face-to-face assessment.
- B. When an inmate is on suicide watch and they are due for release they will be transported to a local hospital for assessment if an on-site face-to-face assessment cannot take place.
- C. Officers will follow suggestions for management or supervision of a suicidal inmate made by HSU and Crisis.
- D. If an inmate is to be removed from suicide watch, the date and time of the removal will be documented in the incident report and on the suicide watch form which will be signed by the clearing mental health professional.

OP 9.8 Placement and Monitoring of Inmates who are Suicide Risks

- A. Officers shall monitor inmates on suicide watch at staggered intervals, a minimum of four (4) times per hour, not to exceed 15 minutes apart. During each physical check of an inmate on suicide watch, staff should observe the inmate breathing. The exact time of each check, officer ID conducting the check, and the results of the check using the observation codes listed on the 15-Minute Suicide Watch form will be recorded. The physical check will also be recorded using a device that is time and date stamped. It is understood that at times due to the dynamic nature of the jail environment, a check could exceed 15 minutes. In these instances, it should be objectively reasonable that a similarly trained officer with similar experience would have had the same outcome and the responsible officer can articulate said reason.
- B. Close circuit television (CCTV) will be used as a supplement to personal checks and will not be considered a substitute for physical checks.

- C. The on-duty supervisor should check on inmates in observation status as workload allows. During this check the on-duty supervisor should review the documentation on the suicide watch form to ensure compliance with policy.
- D. The Corporal assigned as the primary booking officer is responsible to ensure that the suicide checks are completed on inmates who are housed in 4th floor holding cells who are under suicide watch.
- E. The 5-1 Officer is responsible to ensure that the suicide checks are completed on inmates who are housed in 5th floor holding cells who are under suicide watch.
- F. The 3-East Officer is responsible to ensure that the suicide checks are completed on inmates who are housed in 3rd floor holding cells who are under suicide watch.

OP 9.9 Referral and Documentation of Inmates

- A. Documentation of actions and decisions regarding inmates who are suicide risks, including all of the following:
 - 1. Date and time watch was initiated. (Completed by initiating staff member.)
 - 2. Reason watch was initiated. (Completed by initiating staff member.)
 - 3. Name of supervisor contacted. (Completed by initiating staff member.)
 - 4. Date and time supervisor contacted. (Completed by initiating staff member.)
 - 5. Name, date, and time of referral to mental health professional. (Completed or verified by on-duty supervisor.)
- B. The on-duty supervisor should make referrals of inmates who may be a suicide risk to designated HSU staff for evaluation and possible determination of appropriate actions. Document all such referrals made and the result of the referral (including the response of the person contacted).
- C. Officer noting inmate behavior, which could indicate possible mental or emotional distress or mental illness, will document his/her observations objectively, describing the inmate's behavior in an incident report. This will also be referenced in the incident report and include the inmate's name, location, and brief description of inmate's behavior.
- D. The on-duty supervisor will notify HSU regarding any inmate whom he/she feels ought to be seen by the HSU or the jail's mental health worker. This notification will be documented in the incident report and will include time and name of person spoke with.
- E. Jail staff will coordinate the care of inmates under the direction of HSU or Crisis.

- F. Medical/mental health files of assessment results should be kept in confidential medical files.

OP 9.10 Intervention of a Suicide/Suicide Attempt

Correctional staff should follow the First Responder Philosophy when responding to correctional emergencies, including intervention of suicides or suicide attempts. The First Responder Philosophy is part of the basic POSC® certification and what is written below is a guideline.

- A. Assess the situation. Determine the type of emergency. A suicide attempt is a security, as well as a medical emergency situation. It may be a disturbance emergency as well, depending on the action or reactions of other inmates in the area.
- B. Give alarm. Do not enter the cell to intervene by yourself. You should have sufficient help before entering the cell. Immediately radio for backup help from other staff. Make it clear what type of emergency you are asking others to respond to.
- C. Evaluate the situation. Determine if this is a suicide attempt or a ruse to get you to rush into a cell. Take the appropriate security measures before entering the cell, and even then only enter when there is sufficient assistance.
- D. Enter the emergency site. Enter the cell only when you have sufficient backup and you have determined that it is safe to do so. The best practice is to order inmates in the cellblock to enter their individual cells before you enter, and to lock them in. If it is a dorm type setting, either order inmates to move/remain on their bunks or into another designated area where they can be locked down or closely monitored. When entering a cell of a possible suicide, you need to have the necessary equipment and supplies with you. Responding officers should bring the emergency response bag, which are located throughout various workstations in the jail.
- E. Stabilize the inmate and the scene. Secure the inmate and the scene, before rendering first aid. This is done to make the scene safe.
 - 1. If the inmate is hanging, follow these general guidelines:
 - a. At least one officer should support the inmate's head and neck and lift the body to relieve pressure on the neck. It is better if two officers are available to do this—one to lift the body and one to support the head and neck. Try to keep the head and neck in midline as much as possible meaning do not let the head and neck flop over to one side or the other.

- b. Cut the noose so that the inmate can be lowered to the floor. Try to avoid cutting the knot itself (if there is a knot). Instead cut either above or below the knot.
 - c. Lower the inmate to the floor carefully, protecting and stabilizing the head and neck to the maximum possible extent. Place the inmate on the floor on his or her back—again protecting and stabilizing the head and neck.
 - d. Administer first aid as needed and as trained.
- F. When stabilizing the scene, be sure that other inmates are safe and accounted for and secure. Preserve any possible evidence at the scene, not moving objects around unnecessarily. The area should be treated as a crime scene.
- G. Provide initial medical assessment and treatment. After the inmate and scene have been stabilized, the next step is to conduct an initial medical assessment and treatment to your level of training. Your first two steps are to: determine the subject's level of consciousness, and check ABC's (Airway, Breathing, and Circulation).
 - 1. Follow these general guidelines for this step in regard to a hanging attempt:
 - a. Monitor inmate's airway. Maintain an open airway. Look, listen, and feel for breathing if he or she is unconscious. If you need to maintain the inmate's airway, do so carefully, being sure to protect the head and neck as much as possible. Give artificial respiration if necessary, while continuing maintenance of the airway.
 - b. Check for pulse. If there is no pulse, give cardio-pulmonary resuscitation (CPR). Use the appropriate medical equipment for CPR. Continue CPR until relieved by emergency medical personnel or until the inmate breathes on his/her own.
 - c. Continue to assume possible spinal cord injury, even if you see no direct evidence of such injury, and treat appropriately.
 - d. If the inmate is bleeding, follow basic first aid guidelines to control bleeding. This generally involves applying direct pressure to the wound with (preferably) a clean cloth or any barrier. Elevation of a limb is also a bleeding control method. **Gloves and other barrier devices should always be worn.**

2. Once you have performed your initial medical assessment and provided necessary treatment to your level of training, continue to monitor the inmate.
- H. The on duty medical staff or correctional supervisor should determine if transportation to the hospital is necessary. If so, the 911 center should be contacted and transportation arranged. When this occurs, the correctional supervisor shall contact Crisis at ext. 4646 and request that the inmate be assessed in person for emergency detention.
 - I. Provide long-term monitoring. Stay close to the subject of the suicide attempt and provide any necessary care or supervision to ensure safety and security.
 - J. Document. Following any attempt or suicide, staff members involved must prepare and submit an accurate, comprehensive written report. The report must detail all important aspects of the situation, including approach to the situation, intervention procedures, and follow through procedures. Debriefing is also important following any attempt or suicide by an inmate. Information regarding any attempted or completed suicide will be documented and become part of the permanent incident report.
 - K. Debriefing and reviewing of suicide attempts and suicides.
 1. The on-duty supervisor and Jail Administration will review all written reports on inmate suicide attempts and completed suicides to ensure compliance with policy and procedure.
 2. Critical incident debriefings may be conducted following all inmate suicides and all serious suicide attempts for both staff and inmates. The debriefings will be the responsibility of Jail Administration to arrange.
 3. Staff may request a critical incident debriefing.
 4. Resources are available to all staff through the Employee Assistance Program.

OP 9.11 Notification

- A. In the event of a suicide or an attempted suicide where the inmate is hospitalized, the on-duty supervisor will notify the on-call administrator. The Jail Administrator will notify the regional Jail Inspector within 48 hours if an inmate dies or an inmate attempt suicide and is admitted to a hospital. The Jail Administrator will forward a report to the regional Jail Inspector as soon as practical.
- B. Sheriff, Jail Administration, designee, or Coroner will notify the next of kin of the inmate in the event of a suicide.

OP 9.12 Training / Review

- A. Correctional officer and line supervisors shall receive 2 hours of annual documented staff training regarding suicide prevention and identification of risk factors.
- B. In the event of a suicide or significant suicide attempt an internal operational review will be conducted.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

OP 10 – Body Cameras

Policy Section: Operations	Effective Date: 5/25/21	Revision Date:		Page: 1 of 3
		3/15/12	1/15/16	
		4/15/13	7/15/18	
		9/25/14	See Below	
Reference:	Body Cameras			
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy: The Corrections Division will provide a body camera to select officers to be worn on their person.

OP 10.1 Training

- A. Prior to use, staff will be trained in the use of the equipment. The training will include techniques that will help ensure an incident is accurately documented and properly stored.

OP 10.2 Body Camera Inspection

- A. At the beginning of each shift, officers shall inspect the body camera to ensure that it is functioning properly.
- B. Any malfunctions that cannot be immediately corrected will be properly documented and forwarded to the on-duty supervisor.
- C. Malfunctions noticed during use on shift will be promptly repaired and/or documented and forwarded to the on-duty supervisor.

OP 10.3 Body Camera General Information

- A. Body camera equipment, as well as any recording audio/video obtained through its use, are the property of the Outagamie County Sheriff's Office and shall be for authorized use only.
- B. Officers assigned a body camera are responsible for keeping the unit in good working order, which includes activating when appropriate, charging and downloading and documenting of video files when appropriate.
- C. If a body camera is damaged or not properly functioning, it shall be taken out of service and the on-duty supervisor will be notified.

- D. When video is present on a body camera the body camera will be download once per week. For the purpose of this section, a week means Sunday-Saturday of a calendar week. It will be the responsibility of the officer to ensure that video from the camera shows on the server and will report any discrepancies immediately. Staff working C-shift will download at least twice per week at least two days apart.
- E. Body cameras should be worn at chest level when recording.

Op 10.4 Body Camera Use

- A. It is recommended that anytime a staff member has inmate contact their body camera is activated outside of statutory restrictions such as strip searches.
- B. All officers using a body camera shall activate both the audio and visual functions of their body camera whenever:
 - 1. they are inside an inmate housing unit. When officers are touring multiple housing units the tour should be recorded as one continually video.
 - 2. an officer is at an incident/situation where an incident report will be drafted the officer shall activate both the audio and visual functions of their body camera once it is tactically feasible.
 - 3. laundry/linen/clothing exchange is being completed officers conducting the exchange shall activate both the audio and visual functions of their body camera.
 - 4. a housing unit is inspected from the time the inmates are moved out of the unit to the time the inmates are returned to the unit staff participating in the inspection shall activate both the audio and visual functions of their body camera.
 - 5. canteen delivery is being conducted.
 - 6. meal delivery is being conducted.

OP 10.5 Video Filing

- A. Video files will be downloaded onto a storage server and applicable video should be saved and annotated by the recording officer.
- B. The retention period of downloaded video related to incident reports will be subject to the retention period of the documents the video accompanies.
- C. The retention period of video/photos not related to an incident report or other incident will be 120 days.
- D. Officers should not delete any video recordings.
- E. The retention period for a downloaded photo is subject to the retention period of the document the photo accompanies.

OP 10.6 Reports

- A. Officers shall document in their reports if an incident was recorded with a body camera.

- B. Prior to completing an incident report, officers are encouraged to review a recorded incident for accuracy of details.
- C. Although incidents may be recorded, incident reports must be complete and thorough. A report lacking detail and simply referring to the body camera recording is not acceptable.

Revision Dates:

7/1/19

4/15/20

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 1 - Building Security

Policy Section: Security and Control	Effective Date: 1/15/22	Revision Date:		Page: 1 of 4
		10/1/01	12/15/18	
		02/15/11		
		09/15/12		
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP’S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will be maintained within a secure perimeter, which is consistent with the security and control needs of the inmate population and prevents unauthorized access to the secure portions of the facility.

SC 1.1 Exterior Building Perimeter

SC 1.1.1 Camera Surveillance

- A. Cameras shall be employed to observe activities outside the facility. The camera system shall be monitored 24 hours a day by central control staff.
- B. The east entrance cameras will be located to provide a view of vehicle sally port doors, loading dock door, employee entrance door, and after business hours entrance door.
- C. When it's noted that a camera is not functioning properly the noting staff member must ensure that a corrections supervisor is notified. The corrections supervisor will take appropriate action, which normally will be to notify the maintenance department.
- D. It is understood that all cameras cannot be watched all the time. As of the date of this policy the Justice Center has in excess of 425 cameras.

SC 1.1.2 Suspicious Activity

- A. Staff shall notify the corrections supervisor when any suspicious activity is observed on a surveillance camera.

- B. The Corrections Supervisor shall coordinate the response to investigate suspicious activities and/or any documentation.

SC 1.1.3 Exterior Lighting

- A. The exterior approaches to the Outagamie County Jail shall have sufficient light at night to allow observation of persons and/or vehicles approaching and departing the building.

SC 1.2 Interior Building Perimeter

SC 1.2.1 Camera Surveillance

- A. Interior cameras shall be employed to observe activities and movement of people within corridors of the Outagamie County Jail and at each elevator landing where access to the jail can be gained.
- B. The camera system shall be monitored 24 hours a day in central control.
- C. When it's noted that a camera is not functioning properly the noting staff member must ensure that a corrections supervisor is notified. The corrections supervisor will take appropriate action, which normally will be to notify the maintenance department.
- D. It is understood that not all cameras can be monitored 24 hours per day. As of the date of this policy the Justice Center has in excess of 425 cameras.
- E. Video recordings of events will be retained for a minimum of 120 days. The on-duty supervisor will determine what is and is not an event with the exception of an inmate death occurring within the facility. If a video recording of an event does not exist it will be noted in the incident report documenting the incident.
- F. Video of non-events will be retained as long as the storage system allows.
- G. When a video recording becomes part of a record, the retention period will change to that of the record the recording is attached too.

SC 1.2.2 Elevators

- A. Each elevator shall be equipped with a camera to observe occupants of the elevator. The camera system shall be monitored 24 hours a day by central control.
- B. Central control staff shall ascertain the purpose of a persons business before allowing access to an elevator they have control over.

- C. Any person not affiliated with the facility that is allowed access to an elevator by central control staff shall be transported to the central control receiving area where the person will be properly identified and their presence recorded.
- D. If central control staff is unable to verify or uncertain of the legitimacy of the person's business they will notify the jail supervisor. The jail supervisor will then attempt to verify the legitimacy of the person's business. If the jail supervisor cannot verify the legitimacy of the person's business then the person(s) will not be granted access they are requesting.
- E. Persons who have not been preapproved that are requesting access not affiliated with jail business will be directed to the appropriate division / department, i.e. maintenance, emergency management, patrol division, communications center.
- F. Professional visitors who are known to central control staff can be sent directly to their requested floor and their presence recorded.
- G. Bond posters and individuals picking up property who will not access the secure portions of the jail can be sent directly to the appropriate floor.

SC 1.2.3 Non-Secure Area

- A. Non-secure areas are those areas where the general public has access.
- B. The non-secure area is equipped with electrically controlled doors and two-way intercom systems that are controlled and monitored 24 hours a day from central control. All doors that provide access from the non-secure area to the secure area shall remain locked at all times and only employees and other authorized personnel will be permitted passage.

SC 1.3 Secure Area

SC 1.3.1 Camera Surveillance

- A. Central control and designated floor officers will monitor cellblocks, dorms and cells with cameras inside of them ~~on a set schedule~~. When a camera inside a cellblock, dorm or cell is not working, the designated floor officer will ensure the affected cell is physically checked on the set schedule.
- B. When it's noted that a camera in a cellblock, dorm or cell is covered, the noting staff member will take immediate action to rectify the situation. If the situation cannot be immediately rectified the noting staff member must ensure that a supervisor is notified. The supervisor will take appropriate action, which normally will be the coordination of the removal of the covering. If the covering is not removed in a timely manner the supervisor will document the reason.

- C. According to shift assignments, some officers will be assigned to monitor assigned cameras and document checks within designated intervals. Officers assigned these duties are responsible to ensure cameras are viewed and documented properly. The officer who views the monitors and scans is responsible to carefully view the monitors and initiate a response if appropriate.

SC 1.3.2 Secure Area Access

- A. The secure areas of the jail are those areas where only staff and approved professionals/visitors are allowed access.
- B. Doors providing access to the secure area from the non-secure area shall be equipped with electrically controlled locks and two-way intercoms and will be monitored from central control 24 hours a day. Only correctional employees and certain authorized personnel may be permitted entrance into the secure area from the non-secure area. The central control officer shall positively identify a person requesting entrance into the secure area before opening the electrically controlled door.
- C. Classrooms doors will be locked while class is in progress, the instructor shall be equipped with a two-way radio and/or trained to use communication speaker system on the wall.

SC 1.3.3 Inmate Housing Unit Doors

- A. Traditional lock up housing units located on the fourth and fifth floors shall be equipped with a corridor door and a day room slider door. Housing unit corridor doors and slider doors shall be inter-locked so as to prevent both doors from being open at the same time.
- B. Traditional adult lock up housing unit doors should not be double breeched during normal operations unless staff is able to articulate an appropriate reason.
- C. From 2200 to 0640 hours daily staff will close the inner core doors with due regard. To minimize noise, staff should not allow the inner core doors to close on their own.

SC 1.4 Maintenance

Staff noting maintenance issues regarding cameras, lighting, and/or security should report issue to a Corrections Supervisor so appropriate action can be taken to rectify the issue.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 2 - Entrance/Exit Procedures

Policy Section: Security and Control	Effective Date: 1/15/22	Revision Date:		Page: 1 of 4
		10/1/01		
		2/15/11		
WI State Statute				
WI Administrative Code				
Related Policies	IP6, SC5			
Related SOP'S		Approved by: Outagamie County Sheriff		

The physical integrity of the Outagamie County Jail will be maintained through a perimeter security system that includes effective entrance and exit procedures that allow efficient passage of authorized items and people while ensuring that inmates do not escape and contraband is not introduced by use of the main entrances and exits.

SC 2.1 Security/Staffing of Entrances/Exits

- A. During normal business hours a security station will be staffed by Outagamie County deputies at the main entrance to the Outagamie County Government Building.
- B. With the exception of criminal justice authorities transporting prisoners, employees of the department, specific personnel that are issued a key card and certain vendors all persons needing access to the Outagamie County Jail must enter the Government Building through the security station during normal business hours.
- C. The main access to the Outagamie County Jail secure area can be gained only by use of elevators number three or number four. The elevators shall be controlled by central control staff and equipped with two-way audio intercoms and surveillance cameras.

SC 2.2 Identification

- A. All persons entering the Outagamie County Jail will be required to produce proper identification as defined in policy IP 6 - Visiting.

- B. No inmate will be permitted to leave the Outagamie County Jail unless they have been properly identified.
- C. Anyone not properly identified will not be allowed access to the secure portion of the Outagamie County Jail.

SC 2.3 Searches

- A. All persons and their property may be subject to search upon entering the Outagamie County Jail.
- ~~B.~~ All visitor to the Outagamie County Jail are subject to search by use of walk through and/or hand held detection devices. Visitors may not be subject to further search except as defined in the Search Policy (SC 5).
- C. Staff, properly identified law enforcement officers, and other identified professionals will not be routinely searched, however they may be searched when there is reason to believe they may be bringing contraband into or out of the Outagamie County Jail. A lieutenant or higher authority must authorize all searches of this nature unless there is a reasonable likelihood that contraband or evidence will be lost if the search is not conducted immediately, in which case a jail supervisor may authorize a search.
- D. All inmates entering or exiting the Outagamie County Jail are subject to search as defined in the Search Policy (SC 5).

SC 2.4 Walk Through Entrances

The Walnut Street entrance is the main entrance to the entire Outagamie County Government Building. It is open during normal work hours Monday - Friday. Outagamie County deputies will provide onsite security for the main entrance.

SC 2.4.1 Primary Entrance and Exit Points

- A. With the exception of department employees, certain vendors, and authorized criminal justice personnel transporting inmates/prisoners, the main entrance will be the only access point into the Outagamie County Justice Center.
- ~~B.~~ Huber Law inmates that are allowed to leave the jail facility must exit and enter the Outagamie County Justice Center through the main exit and entrance whenever it is staffed by Outagamie County deputies.

SC 2.4.2 Secondary Entrance and Exit Points

- A. The walk through loading dock door located at the east side of the building will serve as a secondary entrance and exit for Huber Law whenever the main entrance is not staffed.

- B. Approved vendors may utilize the loading dock walk through door to access and exit the facility after being properly identified.

SC 2.5 Vehicle Sally ports

Vehicle sally ports shall be equipped with electronically controlled doors and surveillance cameras which will be controlled and monitored by central control staff 24 hours a day.

SC 2.5.1 Vehicles and Parking

- A. Only law enforcement, corrections and emergency vehicles will be allowed into the vehicle sally ports.
- B. The vehicle sally ports will be used primarily for the delivery of inmates to the Outagamie County Jail and the release or transfer of inmates to other jurisdictions.
- C. Parking in the vehicle sally port will be limited to the duration of the prisoner receiving or transfer process.
- D. Vehicle parking in the vehicle sally port is restricted to official use vehicles while the driver is conducting official business at the Outagamie County Jail.
- E. No service delivers shad be made through the vehicle sally ports unless approved by a Corrections Supervisor.

SC 2.5.2 Inmate Movement

- A. Normally, all inmates will be escorted and will remain handcuffed while in the sally port.
- B. A wheelchair and restraint chair should be stored in or near the vehicle sally port and will be available for inmate movement when needed.

SC 2.6 Entry Methods

SC 2.6.1 Street Arrests/Prisoner Transfers

- A. The majority of street arrests and prisoner transfers will be brought into Outagamie County Jail through the vehicle sally port.
- B. Central control staff will use cameras and/or two-way intercom to identify vehicles and officers before allowing access into the vehicle sally port.
- C. Officers may drive into the vehicle sally port and park the vehicle after being permitted access by central control staff. Central control staff will then secure the overhead door.

- D. Officers will secure weapons in either their vehicle or in the vehicle sally port weapons locker.
- E. Officers will escort the handcuffed inmate/prisoner through the secure vestibule to elevator number four once all paperwork is completed.
- F. Central control staff will notify the appropriate personnel of an arriving inmate or prisoner and transport the prisoner and officers to the booking area.
- G. Combative inmates may be moved directly to booking and/or a holding cell.

SC 2.6.2 Walk-Ins/In-Building Arrests

- A. Deputized staff will arrest individuals who surrender themselves on active warrants or commitments.
- B. Walk-in arrests will be searched and escorted into the Outagamie County Jail through the secure vestibule to elevator number four. The prisoner will be transported to the booking area when appropriate.

SC 2.6.3 Service Delivery

- A. With the exception of approved vendors, all service deliveries must be brought through the main entrance of the Justice Center during normal business hours.
- B. Approved vendors may utilize the loading dock walk through door two-way auto intercom to alert central control officers of the presence of a delivery.
 - a. Approved vendors whose employees have access to secure portions of the jail are required to supply Outagamie County with a list of all delivery personnel upon request.
 - b. Delivery personnel or vendors requesting access to the secure perimeter of the jail shall first be identified at central control. Central control will verify the delivery personnel name from the approved list provided by the vendors when requested.
 - c. Central control staff will utilize surveillance cameras and the two-way intercom to identify the delivery person.
- C. After acquiring identification central control staff may allow the delivery person to enter the Justice Center and utilize the loading dock overhead door to make the delivery.
- D. Central control staff will alert the appropriate staff member to receive the delivery.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 3 - Central Control

Policy Section: Security and Control	Effective Date: 5/25/21	Revision Date:		Page: 1 of 2
		10/1/01		
		2/15/11		
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

Central control will serve as the communications, movement and security control center for the Outagamie County Jail.

SC 3.1 Central Control Staff Training and Selection

SC 3.1.1 Selection

Correctional employees assigned to central control will be selected and trained to work in central control. Criteria for selecting employees to work in central control will include experience, reliability, stability and demonstrated ability to perform multiple tasks while being detail oriented.

SC 3.2 Central Control Staffing

- A. Central control will be staffed 24 hours a day, 7 days a week.

SC 3.3 Central Control Room Access

- A. Access to central control will be limited to personnel assigned to central control, command staff and staff that are required to perform a specific work related function. Non-assigned staff is discouraged from congregating in central control.
- B. County maintenance workers or vendors will be allowed into central control by the staff member on duty as necessary.
- C. Other agency employees and family members and not allowed access to central control.

- D. Under no circumstances will inmates be allowed in Central Control.

SC 3.4 Central Control Resources and Equipment

- A. Central control will have access to the current daily schedule of all on-duty personnel and their assignments.
- B. Central control will be a storage area for the Outagamie County Jail master key inventory.
- C. Central control will have a sufficient number of charged radio batteries available at all times.
- D. Central control will maintain a portable radio which will be used as back up communications devices in the event of an equipment failure in the radio console.

SC 3.5 Central Control Responsibilities

- A. The duties and responsibilities of employees assigned to central control are outlined in the post orders for each position.
- B. Central control staff will monitor and respond to all radio, telephone, intercom, HVAC and alarm transmissions 24 hours a day, 7 days a week.
- C. Central control will control all doors permitting entrance into and exit from the secure perimeter of the Outagamie County Jail.
- D. When ordered by the correctional staff sergeant the central control staff member will release all cells and exits during an emergency.

SC 3.6 Emergency Situations

- A. Central control will remain in constant contact with the staff member at the scene of an Outagamie County Jail emergency by radio, phone or intercom until the situation is resolved.
- B. Central control will maintain, to the extent possible, continuous communications with an area of the facility experiencing a disturbance or emergency through the use of radio, intercom or telephone.
- C. In an emergency situation, when ordered by the correctional staff sergeant or higher authority, central control will dispatch the appropriate manpower and equipment for assistance with the emergency.
- D. Central control's primary contact for dispatching additional personnel and equipment to deal with an emergency will be the Outagamie County E911 Communications Center. Contact should be established with the communications center by dialing 9-9-1-1.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 4 - Contraband Control

Policy Section: Security and Control	Effective Date: 1/15/22	Revision Date:		Page: 1 of 2
		10/1/01		
		2/15/11		
WI State Statute	302.095			
WI Administrative Code				
Related Policies	IM7			
Related SOP’S SOP 9		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will maintain procedures that detect and deter the introduction, fabrication, possession and conveyance of contraband.

SC 4.1 Description of Contraband

SC 4.1.1

Illegal contraband is items that are unlawful to possess by federal or state law or county ordinance.

SC 4.1.2

Legal contraband are items that are lawful to possess, but are not allowed to be possessed by inmates in the Outagamie County Jail. Items that affect the safety and security of the facility may be considered legal contraband.

- A. Any item possessed or controlled by an inmate which is not issued by, purchased through, or allowed in the Outagamie County Jail, is in excess of pre-set limits, has been altered or is possessed by an inmate who is not the rightful owner is considered contraband.

SC 4.2 Disposition of Contraband

SC 4.2.1 Illegal Contraband

- A. Persons possessing illegal contraband in the Outagamie County Jail or delivering illegal contraband to the Outagamie County Jail are subject to criminal charges.

- B. Illegal contraband ~~will~~ may be seized, labeled as evidence and inventoried.
- C. A report will be completed upon the seizure of illegal contraband.
- D. Illegal contraband will be delivered to a jail supervisor to be secured.

SC 4.2.2 Legal Contraband

- A. Persons delivering legal contraband to inmate's in the Outagamie County Jail may be subject to criminal charges.
- B. Legal contraband may be seized, ~~and~~ labeled as evidence and inventoried.
- C. A report may be completed upon the seizure of legal contraband, depending on the nature of the contraband.
- D. Legal contraband may be delivered to a jail supervisor to be secured and/or disposed of.

SC 4.3 Contraband Fabrication

- A. Any item which is authorized for possession by an inmate but which is altered in any way may be considered contraband.
- B. The altered item may be seized by the discovering correctional officer and used as evidence in either disciplinary or criminal charges.

SC 4.4 Responsibilities

SC 4.4.1 Staff

All staff must remain alert for the introduction of legal and illegal contraband into the Outagamie County Jail. Security staff should be diligent at all times, especially when performing pat searches, strip searches, cell and area searches, inspecting mail, booking inmates into jail, returning inmates from contact visits, and when dealing with returning work release inmates. The highest priority must be given to the safety of staff and inmates.

SC 4.4.2 Contractual Staff and Volunteers

Volunteers and contractual staff members are required to notify a member of the corrections staff whenever they observe or suspect that contraband may be present in the area where they are conducting business or if an inmate is observed to be in possession of contraband.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 5 - Searches

Policy Section: Security and Control	Effective Date: 1/15/22	Revision Date:		Page: 1 of 7
		9/1/09	9/25/14	
		11/1/01	3/15/16	
		4/15/13	See End	
Reference:	Searches			
WI State Statute	51, 971, 975, 968.255, 968.256			
WI Administrative Code	DHS 157			
Related Policies	IP3, IP6, SC6, SC12, IM1, AM7			
Related SOP’S		Approved by: Outagamie County Sheriff		

The people who enter or exit the Outagamie County Jail and the things that are brought into the jail shall be searched to control contraband and to ensure the security and safety of visitors, inmates and staff.

Definition

General Population: General population includes any area of the facility where an inmate may have substantial contact with one or more inmates, including but not limited to receiving housing units, general population housing units, special needs housing units and segregation housing units.

SC 5.1 Purpose of Searches

The Outagamie County Jail and the people who enter it are searched to prevent weapons and contraband from entering the jail, to prevent escapes, to maintain sanitary conditions and prevent theft and waste.

SC 5.2 Types of Search

- A. Visual Search: Visually looking for weapons and other contraband.
- B. Frisk / Pat Down: A limited type of search, in a corrections or detention setting, in which the intent is to discover obvious weapons by patting down the subject in the area of the body where contraband could exist.

- C. Custodial Search: Complete search of the entire body after removal of all secondary outer clothing (not including underwear or the brassiere of a female) and personal property from the inmate's control. This includes removing shoes and socks.
- D. Body Contents Search: A search in which an inmate is required to provide a sample of urine, blood, X-ray, or breath for testing for the presence of intoxicating substances such as alcohol based liquids, marijuana, cocaine, etc.
- E. Strip Search: Per §968.255(1)(b) “ a search in which a detainee's genitals, pubic area, buttock or anus, or a female detainee's breast, is uncovered and either is exposed to view or is touched by a person conducting the search, except that if the detainee is a person defined in par. (a) 5., "strip search" means a search in which a detainee's genitals, pubic area, buttock or anus, or a female detainee's breast, is uncovered and exposed to view but is not touched by a person conducting the search unless the touching is necessary to gain the detainee's cooperation with the search or unless the touching is necessary to assist a disabled detainee's cooperation with the search..” *****Generally a forced clothing removal is not a strip search.*****
- G. Body Cavity Search: a strip search in which body cavities are inspected by the entry of an object or fingers into body cavities. Only qualified medical staff shall conduct a body cavity search. A body cavity is for purposes of this policy, a person's mouth, nostrils, ear canals, rectum and vagina.
- H. Full Body X-Ray Scanner: a search where a low dose x-ray screening system is used to scan a person to detect contraband.

SC 5.3 Application of Searches

SC 5.3.1 Visual, Pat, or Frisk Search

- A. Any person that enters the secure perimeter of the Outagamie County Jail is subject to a visual, pat and/or frisk search. Any person that is not in custody and elects not to submit to a pat search will be directed out of the facility. (Refer to Policy IP 6).
- B. Visual, pat, and frisk searches will be performed by correctional staff in accordance with training.
- C. Unless there are exigent circumstances same sex officers shall perform pat and frisk searches on inmates with the exception of transgender inmates who will be pat and frisked search by a female officer unless directed otherwise by a supervisor. This may be amended on a case by case basis after consulting with the inmate.

SC 5.3.2 Custodial Searches

- A. Any person in custody at the Outagamie County Jail is subject to a custodial search.
- B. Custodial searches will be performed by correctional staff in accordance with training.
- C. Unless there are exigent circumstances same sex officers shall perform custodial searches on inmates with the exception of transgender inmates who will be searched by a female officer unless directed otherwise by a supervisor. This may be amended on a case by case basis after consulting with the inmate.

SC 5.3.3 Body Contents Search

- A. Any person in custody at the Outagamie County Jail is subject to a body contents search.
- B. Correctional staff according to approved procedural guidelines will perform body contents searches.
- C. A correctional officer of the same sex as the inmate being searched shall collect urine samples. (When a transgender inmate is providing a urine sample the on duty supervisor will assign the staff member to conduct the search.) Any trained staff member may process urine and/or breath samples according to established procedures. (Refer to Policy SC 12 Inmate Drug Testing).

SC 5.3.4 Strip Search

- A. Sentenced inmates / Statutory Exclusions
 - 1. Any inmate in the Outagamie County Jail who is serving a sentence pursuant to a conviction, in a jail, state prison, house of corrections or is confined as a condition of probation under state statute 973.09(4) is subject to a strip search.
 - 2. Any inmate in the Outagamie County Jail who is committed, transferred or admitted under Ch. 51 (State Alcohol, Drug Abuse, Developmental Disabilities, and Mental Health Act) , 971 (Criminal Procedure – Proceedings Before and at Trial) or 975 (Sex Crimes Laws) is subject to a strip search.
 - 3. No inmate may be the subject of a strip search unless:
 - a. Correctional officers who are the same sex as the inmate being searched shall conduct the search. (When a transgender inmate is to be strip searched the on duty supervisor will assign the staff member to conduct the search.)

- b. The inmate shall not be exposed to the view of any person not conducting the search.
 - c. The search shall not be reproduced through a visual or audio recording. Video and audio recordings of strip searches at the Outagamie County Jail are explicitly prohibited.
- 4. Correctional staff shall strive to preserve the dignity of inmates during searches conducted under this section.
- 5. Strip searches of inmates included in 5.3.4.A will be documented in the JMS system outside of Huber/Work Release inmates leaving and/or returning to the facility and inmates being admitted to and/or released from the booking area.
- 6. When contraband is located a Corrections Division incident report must be completed.

B. Statutory Inclusions

- 1. Inmates in the Outagamie County Jail who are not defined in section 5.3.4.A 1 & 2 of this policy are not subject to a strip search unless:
 - A. The inmate is arrested for any felony.
 - B. Arrested for any misdemeanor under the following Wisconsin Statutes:
 - 1. 167.30 - use of firearms, etc., near a park, etc.
 - 2. 940.19 - battery; substantial battery; aggravated battery
 - 3. 941.20 (1) - endangering safety by use of dangerous weapon
 - 4. 941.23 - carrying a concealed weapon
 - 5. 941.23(7) - carrying handgun where alcohol beverages may be sold and consumed
 - 6. 941.24 - possession of switchblade knife
 - 7. 948.60 - possession of a dangerous weapon by person under 18.
 - 8. 948.65(2)(a) - possession of firearm in school zone.
 - 9. 948.61 - dangerous weapons other firearms on school premises.

- C. Taken into custody under ss. 938.19 (Taking A Juvenile Into Custody) and there are reasonable grounds to believe that the child has committed an act which if committed by an adult would be covered under A or B above.
 - D. Arrested for any misdemeanor not specified in two above and any violation of state law punishable by forfeiture or any local ordinance. If there is probable cause to believe that the inmate is concealing a weapon or thing, which may constitute evidence of the offense of which he or she is detained.
 - E. A person arrested or otherwise lawfully detained or taken into custody, if the person will be incarcerated, imprisoned, or otherwise detained in a jail in general population with one or more other persons. (This does not include a juvenile who is taken into custody under s. 938.19 and held in custody under s. 938.209.) A person housed in a holding cell awaiting bond and/or release to a responsible adult would not be subject to a strip search under this section (E).
2. No statutorily included inmate may be the subject of a strip search unless he/she is a detainee as defined in 968.255 and:
- a. A correctional officer who is the same sex as the inmate being searched shall conduct the search.
 - b. The inmate shall not be exposed to the view of any person not conducting the search.
 - c. The search shall not be reproduced through a visual or audio recording. Video and audio recordings of strip searches at the Outagamie County Jail are explicitly prohibited.
 - d. The officer(s) conducting the search has obtained prior written permission from the Sheriff's designees: who are jail Captains, Lieutenants and/or jail Cpl.s unless there is probable cause to believe that the detained inmate is concealing a weapon. An officer who is conducting the search cannot approve his or her own search.
 - e. The officer(s) conducting the search shall complete the Outagamie County Strip Search Authorization Form identifying the inmate being searched, all officers conducting the search, the date, time, and place of the search and the written authorization to perform the search and provide a copy of the authorization form and report to the detained person. When contraband is located a Corrections Division incident report must be completed.

3. Correctional staff shall strive to preserve the dignity of inmates during searches conducted under this section.

SC 5.3.5 Body Cavity Search

- A. Any inmate may also be subject to a body cavity search if:
 1. There is probable cause to believe that the inmate to be searched might be concealing a weapon, evidence of a crime or contraband in a body cavity or the body cavity search is court ordered or a search warrant has been issued. The decision to seek a search warrant shall recognize that a body cavity search is highly invasive of personal privacy and is reasonable only where the suspected offense is of a serious nature and/or poses a threat to the safety of staff or others and/or the security of jail operations.
 2. The body cavity search is conducted by a physician, physician's assistant or registered nurse licensed to practice in Wisconsin.
 3. The suspect shall be kept under constant visual surveillance until a body cavity search is conducted or an alternative course of action is taken.
 4. An incident report documenting the search process, the authority and reason for the body cavity search, the date, time and place of the search, identity of the person being searched, identity of the persons conducting the search and the results of the search shall be completed.

SC 5.3.6 Full Body X-Ray Scan

- A. People identified in IM1 are subject to a full body x-ray scan.
- B. Full body x-ray scans will be performed by correctional staff in accordance with training.

SC 5.4 Searching Inmates

- A. Inmates in the Outagamie County Jail are subject to random and unannounced searches. A search may be conducted by any one or all of the following methods: visual, metal detection, pat/frisk searches, custodial search, body contents, strip search and body cavity search.
- B. Inmates who refuse to submit to searches are subject to discipline.
- C. Staff may not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status.
- D. Generally individual searches of inmates should not be split between male and female officers.

SC 5.5 Searching Staff and Visitors

- A. All jail staff and other county employees, outside vendors, attorneys, professional visitors, inmate visitors, general public, and volunteers are subject to metal detection, pat searches and visual inspection of hand carried objects with or without reasonable belief that the person is carrying contraband in or out of the jail.

SC 5.6 Security Inspections

- A. Security inspections shall be conducted in all areas of the Outagamie County Jail to detect contraband, breeches in security, vandalism, needed repairs and to ensure that sanitation standards are met. (Refer to Policy SC 6 Security Inspections).
- B. Correctional Staff shall conduct security inspections in inmate housing units and individual cells in a dignified manner with respect to all property.

SC 5.7 Mail and Packages

- A. All inmate mail received at the Outagamie County Jail is subject to search and inspection in accordance with Policy IP 3.

SC 5.8 Inmate Property

- A. All property, regardless of description or location, in the possession of an inmate or intended to be delivered to an inmate is subject to search and inspection.

SC 5.9 Search of Physically Disabled Person

- A. A search of a physically disabled person shall be conducted in a careful manner. If a search of a physically disabled person requires the removal of an assistive device or involves a person lacking sensation in some portion of his or her body, a person who has had training in handling physically disabled persons shall conduct a search with extreme care.
- B. For the purpose of this policy, physically disabled person means a person who requires an assistive device for mobility such as a wheelchair, brace, crutch or artificial limb.

Revision Date Continued

6/15/17

2/21/18

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 6 - Inspections

Policy Section: Security and Control	Effective Date: 1/15/22	Revision Date:		Page: 1 of 3
		2/15/11		
		10/1/01		
		9/25/14		
WI State Statute				
WI Administrative Code	350.18			
Related Policies				
Related SOP'S SOP 9		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will maintain a system of inspections of the physical plant and occupants to ensure that inmates do not escape or otherwise compromise security. A safe environment will be maintained for staff, inmates and visitors.

SC 6.1 Glossary

A. Inspection

A physical and visual observation of the hardware and construction features of the jail and its occupants, to detect the presence of weapons, escape devices or plans, contraband or other breeches of security.

B. Security Breach

Any abnormality from the design or construction specifications of the facility which increases the likelihood of escape, introduction of contraband, or damage to the facility. A security breach may result from human actions or natural causes.

SC 6.2 Purpose of Security Inspections

A. Security inspections will be conducted to ensure that all security devices are working properly.

B. Security inspections will ensure that the security elements of the jail are not breached, compromised or tampered with.

- C. If a security breach is suspected or discovered, a thorough inspection shall be performed of the immediate and adjacent areas.

SC 6.3 Daily Inspections

- A. Jail staff shall conduct physical inspections of each inmate and all areas of the jail occupied by inmates at frequent and irregular intervals, during the day or night, to ensure that inmates are in custody and are safe.
- B. Inmates who have been identified by jail staff as having a special medical or mental health problem shall be physically observed at more frequent intervals when ordered by medical staff or a correctional supervisor.
- C. Jail staff shall conduct physical inspections of all areas of the jail not regularly occupied by inmates at frequent and irregular intervals.
- D. Each inspection shall be documented in a log.

SC 6.4 Monthly Inspections

- A. Jail staff shall conduct physical inspections of all inmate living areas, areas temporary occupied by inmates and locking mechanisms at least one time per month. Other inspections shall be done with cause and upon approval of a jail supervisor.
- B. A specific inspection shall be conducted monthly to determine if cell and fire escape locks and doors are in good working order. Any such lock or door found to be deficient shall be given the highest priority for repair.
- C. Monthly inspections shall be documented. Additionally, a security inspection report shall be completed by the assigned staff and submitted to a jail supervisor. The report will document the date and time of the security inspection, the area inspected, the names of the officers conducting the inspection, and the results of the inspection. The jail supervisor will take the appropriate action to correct any reported deficiencies.

SC 6.5 Fire Inspection

- A. At a minimum fire department personnel will conduct a fire inspection of the jail every twelve months. This inspection is coordinated through the Outagamie County Maintenance Department.
- B. Self-contained breathing apparatuses will be inspected monthly.

SC 6.6 Staff Responsibility

- A. Any jail staff that locates any discrepancies, compromises or breeches of security shall take appropriate steps to correct or secure the area. A jail supervisor shall be notified immediately.
- B. Volunteer staff, contract employees and other staff not employed as correctional personnel shall immediately notify a correctional staff member upon being aware of any breach of security.

OUTAGAMIE COUNTY CORRECTIONS DIVISION

SC – 7 USE OF FORCE / RESTRAINTS

Policy Section: SECURITY AND CONTROL	Effective Date: 05/25/21	Review / Revision Date:		Page: 1 OF 13
		04/15/13	9/25/14	
		05/15/08		
		02/15/06		
Reference:	Use of Force / Restraints			
WI State Statute	940.29			
WI Administrative Code	DOC 350.22, 350.23			
Related Policies	IM4			
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail recognizes that the corrections environment requires that staff maintain control of people to provide a safe and secure environment for staff, visitors, and inmates. Staff may achieve control through physical presence, issuing verbal commands or by the use of physical force. Only that level or amount of force, which is reasonable and necessary under the circumstances, may be employed to control a person. Physical force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the circumstances. Any staff member who has used force to control a person shall submit a written report to the staff member's immediate supervisor describing the incident. The report shall include all known relevant facts and be submitted by the end of the shift unless otherwise authorized by the sheriff or sheriff's designee. The use of force must: be lawful, be necessary, be objectively reasonable under the totality of the circumstances known by the officer at the time the force was used, and not be done in a malicious or sadistic manner.

SC 7.1 Definitions

- A. **Principles of Subject Control (POSC®)**-A system of verbalization skills coupled with physical alternatives. It is a specific system formulated, approved, and governed by the State of Wisconsin Department of Justice Law Enforcement Standards Board. It is the trained standard for use of force in a correctional setting.
- B. **Disturbance Resolution**- A document published by the State of Wisconsin Department of Justice Law Enforcement Standards Board. It is the basis for explaining and justifying an officer's decision to respond, take action, and attain control. It includes three main sections; Approach / Considerations / Intervention Options / Follow-through Considerations.

- C. **Intervention Options**-A list of force options modes and their purposes. These purposes are accomplished by the use of tactics and techniques that are trained in the POSC® system or as part of additional training provided and authorized by the Outagamie County Sheriff's Department.
- D. **Active resistance**- A behavior that physically counteracts an officer's attempt to control, and which creates risk of bodily harm to the officer, subject, or other person.
- E. **Conducted Energy Weapon**- A less lethal force weapon that causes Electro-Muscular Disruption (EMD).
- F. **Use of Force** - Force is the striking of a person by the use of a fist, hand, foot, baton, or other object (including directing a person to the wall, floor, or any other object); the application of any kind of compliance techniques("blanket" and "escort" are not compliance techniques); any action that tends to render a person unconscious, or prevents or impedes the normal flow of blood, or results in the breaking of skin, the swelling of the body or any of the limbs; application of oleoresin capsicum aerosol spray, application of a chemical agent, application of a conducted energy weapon, application of impact weapons, or any other means as defined by a supervisor.
- G. **Officer Override and Reporting:** Any officer present and observing another officer or member, regardless of agency, using force that is beyond what is objectively reasonable to the observing officer should intercede to prevent the use of unreasonable force when in a position to do so. Any officer who observes this should report these observations to a supervisor as soon as feasible. When observing or reporting force used by a correctional officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

SC 7.2 Authority

SC 7.2.1 Non-Deadly Force

- A. DOC 350.14 (1) Jail staff may use physical force against an inmate only if force is necessary to change the location of an inmate or to prevent death or bodily injury to the staff member, the inmate or someone else, unlawful damage to property or the escape of an inmate from the jail. Staff may use only the amount of force reasonably necessary to achieve the objective for which force is used. Corporal punishment of inmates is forbidden.

SC 7.2.2 Deadly Force

- A. Jail staff may not intentionally use force, which is intended or likely to cause death,

or great bodily harm unless the staff member reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself, herself, or another person. For the purpose of this section, imminent is defined as “about to happen or the result of the action the perpetrator is currently engaged in.”

SC 7.3 Principles of Subject Control (POSC®)

- A. The Outagamie County Sheriff’s Department Corrections Division hereby adopts the Principles of Subject Control System. This is a system designed for correctional officers for the primary purpose of maintaining subject control. The system includes a disturbance resolution outline, which provides a model for how officers should deal with situations in which they may be involved.
- B. An officer shall only use that amount of force, which is necessary and reasonable in the performance of his/her correctional duties.
- C. Except for the application of restraining devices, officers shall discontinue the use of force against an individual who has ceased to resist.
- D. Officers shall move and transport all people with as much regard to the individual’s safety and welfare as reasonable, practical, and possible.

SC 7.3.1 Disturbance Resolution

- A. When an officer decides to intervene in a situation, he/she has a range of options available. An officer may move from one option to another depending on the situation. An officer is not required to move from one option to another in a step-by-step approach. An officer may use a level of force higher than the level of resistance to maintain a position of advantage. At any time, if the level of force being used is not effective to gain control, an officer will assess the situation and disengage or escalate to a higher level of force.

DISTURBANCE RESOLUTION

1) Approach Considerations	
A. Decision-Making	Justification Desirability
B. Tactical Deployment	Control of Distance Positioning Team Tactics
C. Tactical Evaluation	Threat Assessment Opportunities Officer/Subject Factors Special Circumstances Level/Stage/Degree of Stabilization

2) Intervention Options

A. Presence	To present a visible display of authority
B. Dialogue	To verbally persuade
C. Control Alternatives	To overcome passive resistance, active resistance, or their threats
D. Protective Alternatives	To overcome continued resistance, assaultive behavior, or their threats
E. Deadly Force	To stop the threat

3) Follow-Through Considerations	
A. Stabilize	Application of Restraints, if Necessary
B. Monitor/Debrief	
C. Search	If Appropriate
D. Escort	If Necessary
E. Transport	If Necessary
F. Turn-over/Release.	Removal of Restraints, if Necessary

SC 7.3.2 Intervention Options

- A. **Presence** --The first level of force available to corrections personnel is the use of your presence to persuade the inmate(s) to comply with the order of the officer. If time and circumstances allow, based on how the officer involved in the incident senses (sees, hears, feels) the situation --is a show of force. The officer would request back-up assistance to "show" that the inmate(s) best decision and interests would be to succumb and comply with the order of the officer(s). The officer shall warn the inmate of the consequences of non-cooperation and possible disciplinary sanctions.
- B. **Dialogue** -- Officers must attempt to use dialogue to persuade when possible. The task of an officer is to communicate with the subject when attempting to control. The intent of the officer should be to attempt to control the subject with verbal skills. Verbal control can result from conversation, from orders, or from commands with sanctions. An officer's verbal tone and control tactics must be appropriate to the circumstances and not be the cause of escalating resistance.
- C. **Control Alternatives** – The purpose of control alternatives is to overcome passive resistance, active resistances or their threats. Active resistance is behavior that physically counteracts an officer's attempt to control, and which creates a risk of bodily harm to the officer, subject, or other person. Several tactics may fit either into Control Alternatives or Protective Alternatives, depending on the situation. Which mode any of these tactics fits into depends on the totality of the circumstances in a given use-of-force situation. A particular tactic may qualify as a Control

Alternative in one situation because of the purpose for which it is used. But that same tactic may, in a different use-of-force situation; more properly qualify as a Protective Alternative because of why it is being used in that situation.

- D. **Protective Alternatives** – The purpose of protective alternatives is to overcome continued resistance, assaultive behavior, or their threats. Several tactics may fit either into Control Alternatives or Protective Alternatives, depending on the situation. Which mode any of these tactics fits into depends on the totality of the circumstances in a given use-of-force situation. A particular tactic may qualify as a Control Alternative in one situation because of the purpose for which it is used. But that same tactic may, in a different use-of-force situation, more properly qualify as a Protective Alternative because of why it is being used in that situation.
- E. **Deadly Force** – Deadly force is the intentional use of a firearm or other instrument the use of which would result in a high probability of death or great bodily harm. The behavior which justifies deadly force is that which has caused or imminently threatens death or great bodily harm to you or another person(s).

SC 7.4 Use of Restraining Devices

- A. Officers should use restraining devices to prevent the possibility of violence, attempts to evade or danger to the person being restrained, or if the officer believes the person may harm himself or herself, the officer, or another person. Restraint devices are never used as punishment and are not applied longer than necessary.
- B. When restraining devices are used, they are to be applied as soon as possible, generally prior to searching. Handcuffs must be safety locked and checked for tightness as soon as tactically feasible. This procedure will be noted in all reports regarding use of force and/or non-routine purposes. The report must be completed by the end of the shift unless otherwise authorized by the sheriff or sheriff's designee. Documentation shall include the reason for use, duration of use, and corresponding wellness checks.
- C. Upon removal of or from a restraining device after a use of force incident, an officer shall observe the area of the person's body that was restrained to determine any signs of possible injuries. Additionally, the officer will ask the person if they have any injuries to report. If the officer notes any injuries he/she will notify the on-duty supervisor as soon as tactically feasible and complete a Corrections Division Incident Report. Restraining Devices may include, but are not limited to: handcuffs, disposable flexi-cuffs, escort belts, leg irons, hobble type restraints including RIPP restraints, leather institutional restraints, and the restraint chair. Any application of restraining devices requires monitoring throughout the transport of an individual.

SC 7.5 Use of Oleoresin Capsicum (O.C.)

- A. OC may be used by trained personnel when a subject is threatening to actively resist or is actively resisting an officer and the subject poses an articulable threat of harm to an officer or another person. It may also be used when the subject poses a threat of harm to himself or herself such as self-inflicted injury or a suicide attempt.
- B. If it is known that an inmate has a respiratory or cardiovascular disease, chronic dermatitis or psychosis, O.C. spray may be harmful and should be avoided in all but the most extreme situation.
- C. Whenever O.C. is used O.C. aftercare will be initiated as soon as it is tactically feasible.
- D. Use of O.C. requires that a Corrections Division Incident Report be completed. An Outagamie County Correction's Division Use of Force Report Form (Appendix A) will also be completed and attached to the accompanying incident report.

SC 7.6 Use of the Electronic Riot Shield

- A. The electronic riot shield may be used by trained personnel when a subject is threatening to actively resist or is actively resisting an officer and the subject poses an articulable threat of harm to an officer or another person. It may also be used when the subject poses a threat of harm to himself or herself such as self-inflicted injury or a suicide attempt.
- B. Personnel may display the device to the inmate prior to using it. If it is necessary to apply the device the electronic current shall be discharged only as long as is reasonable to bring the inmate(s) under control.
- C. Whenever inmate(s) are subjected to the electronic riot shield the inmate(s) shall be referred to medical staff for assessment and treatment as soon as tactically feasible.
- D. The use of the electronic riot shield shall be documented on a Corrections Division Incident Report. Photos may be taken showing the area where the electronic control shield contacted the inmate(s). In addition, an Outagamie County Correction's Division Use of Force Report Form will be completed and attached to the accompanying incident report.

SC 7.7 Use of the R.A.C.C. Belt

- A. The R.A.C.C. belt may only be utilized by properly trained and authorized personnel while moving any inmate who presents a potential for physical assaults and/or escape and when a subject is threatening to actively resist or is

actively resisting an officer and the subject poses an articulable threat of harm to an officer or another person.

- B. Any activation of the device requires that the shift supervisor is notified as soon as tactically feasible.
- C. Whenever inmate(s) are subjected to the R.A.C.C. belt the inmate(s) shall be referred to medical staff for assessment and treatment as soon as tactically feasible.
- D. The use of the R.A.C.C. belt shall be documented on a department incident report. Photos may be taken showing the area where the electronic control belt contacted the inmate. In addition, an Outagamie County Correction's Division Defensive Devices Report Form will be completed and attached to the accompanying incident report.

SC 7.8 Use of the Humane Restraint Blanket Wrap

- A. The Humane Restraint Blanket Wrap may be used by trained personnel to transport a person in a horizontal position by using the handles on the side of the wrap
- B. Whenever inmates are transported by the Humane Restraint Blanket Wrap the inmate shall be referred to medical staff for assessment and treatment, if necessary, as soon as tactically feasible.
- C. The use of the Humane Restraint Blanket Wrap shall be documented on a Corrections Division Incident Report. In addition, an Outagamie County Correction's Division Use of Force Report Form will be completed and attached to the incident report.

SC 7.9 Use of the Pepperball Launcher

- A. The Pepperball Launcher may be used by trained personnel when a subject is threatening to actively resist or is actively resisting an officer. It may also be used when the subject poses a threat of harm to himself or herself such as self-inflicted injury or a suicide attempt.
- B. Whenever an inmate(s) is struck by projectiles from the Pepperball Launcher the inmate shall be referred to medical staff for assessment and treatment, if necessary, as soon as tactically feasible.
- C. The use of a Pepperball Launcher shall be documented on a Corrections Division incident report. In addition an Outagamie County Correction's Division Use of Force Report Form shall be completed.
- E. Photos may be taken of the area where the Pepperball Launcher round contacted the inmate.

- F. Whenever possible the use of the Pepperball Launcher should be documented by video recording.

SC 7.10 Use of the Taser

- A. A Taser may be used by trained personnel when a subject is threatening to actively resist or is actively resisting an officer. It may also be used when the subject poses a threat of harm to himself or herself such as self-inflicted injury or a suicide attempt.
 - 1. Officers may also include in the decision to use this force option information known to the officer at the time of the incident, including conduct or statements of the subject or prior history of resistive or assaultive behavior.
 - 2. Passive resistance without posing an articulable threat of harm to officers or others does not permit the use of a Taser with the exception of the Taser being used without the cartridge for pain compliance comparable to that of a pressure point.
- B. An officer shall not brandish, display or threaten the use of a Taser unless he or she can reasonably conclude its use may become justified and is anticipated.
- C. Department personnel who use a Taser against a person shall ensure that person is monitored for injury as soon as practical after the person is under control.
- D. If an adverse reaction to the Taser occurs, or if requested by the subject, the subject shall receive medical attention.
- E. If the probes are imbedded in sensitive tissue areas, i.e., neck, face, groin, or the breast of a female, on-site medical staff may remove the probes or transportation arrangements to a medical facility may be made for removal. If the probes are imbedded in other non-sensitive tissues areas, a trained officer may remove them according to the trained procedures.
- F. After the probes have been removed they shall be handled according to the trained procedure.
- G. Whenever inmate(s) are subjected to a Taser the inmate(s) shall be referred to medical staff for assessment and treatment as soon as tactically feasible.
- H. When a Taser is used against a person the user shall notify the on-duty supervisor and shall complete a Corrections Division Incident Report detailing the circumstances of the incident. The officer completing the Use of Force Report shall list the number of the deployed conducted energy weapon

on the form so that the deployment information may be downloaded. In addition, an Outagamie County Correction's Division Use of Force Report Form will be completed and attached to the incident report.

SC 7.11 Use of a Baton

- A. A baton may be used by trained personnel. The purpose for using a baton is to impede a subject, preventing him or her from continuing resistive, assaultive, or otherwise dangerous behavior.
- B. A baton may be used by the officer only when the application of a lesser degree of force would be unreasonable or inadequate to control the situation. The target areas for the baton are the elbow and knee area and the lower abdomen. The intentional striking of an individual above the shoulders is prohibited except in deadly force situations. If, because of a person's own resistance, the accidental, unintentional striking of a person above the shoulders occurs, the officer must detail this in his/her report and will seek immediate medical attention for the injured person.
- C. Whenever inmate(s) are subjected to a baton the inmate(s) shall be referred to medical staff for assessment and treatment, if necessary, as soon as tactically feasible.
- D. The use of a baton shall be documented on a Corrections Division Incident Report. Photos may be taken showing the area where the baton contacted the inmate(s). In addition, an Outagamie County Correction's Division Use of Force Report Form will be completed and attached to the accompanying incident report.

SC 7.12 Use of Restraint Chair

- A. The use of a restraint chair can be used for violent, out of control, or actively resisting inmates. It is meant to be used as a humane restraint when it is suspected that an inmate may do harm to himself (herself) or others if placed in a conventional cell. An inmate who is restrained in a restraint chair shall be physically observed at not more than 15-minute intervals by a designated staff person to ensure the safety and well being of the inmate. At no time will the chair be used as an instrument of punishment. As a general practice inmates should not be kept in a restraint chair for more than two consecutive hours. After two consecutive hours staff should assist the inmate to his/her feet and escort the inmate under the inmate's own power for a short period of time before returning the inmate to the restraint chair. When feasible medical staff should recheck the restraints each time an inmate is placed in the chair. When staff is unable to gain compliance in assisting the inmate to his/her feet it should be documented in the report giving rise to the restraint chair placement and the on-duty supervisor shall be notified.
- B. Criteria for placement in the restraint chair:

1. Causing or threats of self-harm.
2. Causing or threats to harm others.
3. Causing or threats of destruction of property.

C. Personnel to be Notified

1. When tactically feasible an on-duty supervisor will give the initial approval to use the restraint chair. The supervisor will also monitor the entire process; check all restraints and straps for security, discomfort, circulation and will check the inmate for injuries that may have occurred during placement. When the supervisor is not present during a restraint chair placement they will check all restraints and straps for security, circulation and will check the inmate for or injuries that may have occurred during placement as soon as possible after the placement.
2. Medical staff will be directed to check restraints to make sure proper circulation is present, and will check the inmate for injuries that may have occurred during placement.
3. Mental Health staff will be notified if applicable.

D. Documentation

1. A Corrections Division Incident Report shall be completed describing reason for deploying the restraint chair.
2. An inmate's physical checks will be documented on an Observation / Restraint Chair Log form.
3. The on-duty supervisor will verbally notify the inmate of the reason for placement in the restraint chair and the criteria for being removed from the restraint chair. The on-duty supervisor will note this action in the report giving rise to the restraint chair placement.

E. Release from the Restraint Chair

1. An on duty supervisor will authorize the release of all inmates from a restraint chair. The on-duty supervisor will note this action in the report giving rise to the restraint chair placement. The inmate shall be released from the chair when the inmate is no longer displaying violent, out-of-control tendencies, or active resistance.

SC 7.13 Use of Spit Hoods

- A. A spit hood is a temporary protective hood device that fits over and completely covers the head of a person. It is intended to reduce the risk of the wearer potentially transmitting infectious disease by expelling body fluids from the facial area onto staff or other people.
- B. Only staff that has been trained in the proper identification and use of a spit hood may place the hood on an inmate.
- C. A spit hood shall not be placed on an inmate that is vomiting, having difficulty breathing, or is bleeding profusely from the mouth or nose area.
- D. The inmate must be under control and restrained before a spit hood is placed over the head.
- E. An inmate on whom a spit hood has been placed shall be under the constant visual observation and supervision of a designated staff person.
- F. An incident report shall be completed describing the reason for using the spit hood and documenting the constant visual observation and supervision of the inmate. Any other reports will be completed as needed.

SC 7.14 Responsibilities of an Officer after the Use of Force (Medical Treatment).

- A. After force has been used in controlling an individual, and if injuries were suffered, immediate medical attention shall be given to both staff and inmates and proper documentation provided, which may include the taking of photos. Medical treatment may include assessing the need for medical assistance, render first aid/CPR to the level of his/her training, continue to monitor and provide custodial care, remain with the subject until released to someone of equal or greater responsibility. Staff will document actions on a Corrections Division incident report detailing the incident and the circumstances surrounding the use of force.

SC 7.15 Team Tactics

- A. At times, a team of officers will be used to control situations that occur within the jail. This could include quelling single or group disturbances including barricaded inmates. Staff may don protective gear and use a Taser, chemical agents or other force options when the fact situation dictates their use. Whenever possible a supervisor should oversee any use of force situations and should confirm noncompliance prior to the team of officers using force.

SC 7.16 Reporting

- A. The on duty supervisor shall be notified anytime force is used to control a person. Any staff member who has used force to control a person shall submit a written report to the staff member's immediate supervisor describing the incident. The report shall include all known relevant facts, as per DOC 350.14(2), and be submitted by the end of the shift unless otherwise authorized by the sheriff or sheriff's designee.
- B. It is necessary for an officer to detail the totality of the use of force incident to show the force that was used and the legal and required nature of the officer's actions and the immediacy of the situations. The actual or perceived danger to all involved must be included in the report and documentation. The seriousness of the event and the amount of danger to all involved must be included. The Principles of Subject Control, Use of Force Documentation Checklist should be used as a guideline and structure for the report to document the officer's and the subject's actions.

SC 7.16 Evaluation by the Supervisor

- A. When a use of force incident has occurred the on-duty supervisor will ensure that the Use of Force Documentation Checklist is completed and that all jail staff who were actively involved in the use of force incident are identified and document their actions in the appropriate Correction's Division Incident Report.
- B. Once all applicable reports are completed the on-duty supervisor will conduct a review noting the date and time of such review and any comments.
- C. After the on on-duty supervisor review a P.O.S.C instructor will complete a review for thoroughness and policy compliance and direct corrections and/or additional training when needed.
- D. After the P.O.S.C. instructor review, the report will be forwarded to :
 - 1. Jail Lieutenants
 - 2. Jail Captain
 - 3. Chief Deputy
 - 4. Sheriff

SC 7.17 Training

- A. All jail personnel who have direct responsibility for supervising the inmate population shall receive training in the circumstances when force can be utilized and criteria for determining the amount of force that can be applied.

1. All use of force training will be documented per departmental training guidelines.
2. P.O.S.C. training will be provided as part of the state mandated Jail Officer Recruit Training.
3. Training will be provided periodically through departmental training and in-service.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC8 – Inmate Accountability

Policy Section: Security and Control	Effective Date: 6/01/20	Revision Date:		Page: 1 of 6
		10/01/01	9/25/14	
		2/15/11	1/15/16	
		3/15/12	See End	
WI State Statute	946.42(3)(A)			
WI Administrative Code	350.18			
Related Policies				
Related SOP’S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail shall have a system providing for well-being checks of inmates. Inmates will be personally observed by corrections security staff at staggered intervals not to exceed 60 minutes for all inmates and 15 minutes for inmates housed on suicide watch. Each shift shall have a formal count. The system shall include body counts, record keeping, positive identification and other internal supervision programs. A video monitoring system may be used to supplement but not replace personal observations. Each observation shall be documented.

Definitions:

Inside Tour - An inside tour involves officers touring the inside of a housing unit while another officer watches from the outside of the unit. Adjustments are allowed based on a unit's location/classification. While in the unit staff should check the welfare of all the inmates in the unit, the cell condition, the status of common doors, the atmosphere of the unit and for fire, safety and sanitation issues.

Welfare Check - A welfare check involves a staff member standing outside of a housing unit accounting for all the inmates in a housing unit by ensuring they are responsive. The staff member will also make note of the atmosphere of the unit and check for fire, safety and sanitation issues.

Meal Delivery – Staff deliver meals three times per day. During a meal delivery it is the responsibility of the staff member(s) delivering the meal to the unit(s) to ensure that all inmates are accounted for.

Formal Count A-Shift – Will be completed at a designated time during the shift. Once staff has accounted for all inmates, by having them stand by their cell doors, a designated staff member will communicate their results with the on-duty S/Sgt.. The on duty S/Sgt. will verify and

document that the count is accurate and take corrective action when necessary.

Formal Count B-Shift – Will be completed at a designated time during the shift. Once staff has accounted for all inmates, by having them stand by their cell doors, a designated staff member will communicate their results with the on-duty S/Sgt.. The on duty S/Sgt. will verify and document that the count is accurate and take corrective action when necessary.

-Booking Board Verification Count/Tour – Occurs during the first count on C-shift. Staff members tour each housing unit verifying the accuracy of the booking boards against the actual population of each housing unit.

Formal Count C-Shift (Inmate Census) – During the 2nd inside tour of the evening the touring officers on 3-East, 4th and 5th floor are responsible for counting the number of inmates in each unit. The number will be relayed to the Security Officer who will record them on the formal count sheet, which will also include the number of inmates out with authority and on alternatives. The Huber officer will account for all inmates who are physically present in the housing unit as well as verifying the correct number of inmates. This count will be relayed to the Security Officer who will record them on the formal count sheet.

Camera Check – Camera checks are conducted from a viewing station and do not replace a physical check. Action should be taken on any observation that does not appear to be in order.

SC 8.1 Inmate Identification Systems

- A. The official record keeping system for the Outagamie County Jail shall contain the complete name, date of birth, sex, race, and photograph and assigned housing unit information for each inmate in the Outagamie County Jail.
- B. Inmate's names will be recorded on boards outside of each unit and within each workstation. It is the responsibility of the officer who physically moves an inmate to record the inmate's name on these boards and any other pertinent information on the board, such as but not limited to: Must Have Cellmate Restrictions, extra mattresses, 2nd towel, etc..

SC 8.2 Inmate Accountability

- A. Inmates will be accounted for at various times throughout the day in an organized and accurate manner through a series of inside tours, welfare checks, formal counts and meal deliveries.
- B. Formal counts shall be completed and documented at least three times per day, with one count on each shift. The formal count on C-shift also known as the inmate census.
- C. When an inmate is secured in a cell where the view is restricted the officer securing the inmate must verify the inmate was secured in their assigned cell. This can be done using a second officer, a live camera review or an archived camera review done in close proximity to the event.

SC 8.3 Staff Responsibilities

SC 8.3.1 Correctional Officers

- A. Correctional officers are responsible to for the accuracy of each inmate count.
- B. If an inmate count and/or identification are not accurate officers will immediately report the discrepancy to the correctional staff sergeant and begin a recount.

SC 8.3.2 Correctional Staff Sergeant

- A. The correctional staff sergeant will confirm the inmate census, which occurs once per day on C-shift, total and route the results appropriately.
- B. The correctional staff sergeant will immediately take action to determine any discrepancies in the inmate count.
- C. Staff members must be cognizant of Must Have Cellmate restrictions and take appropriate action when discrepancies are noted. Action should be taken by the noting officer.
- D. 1. Staff Sergeant will verify Must Have Cellmate report was checked or assign staff to review the Must Have Cellmate restrictions and take appropriate action when discrepancies are noted. Action should be taken by the noting officer

SC 8.3.3 Inaccurate Inmate Count

- A. If an inmate count results in a discrepancy between the numbers of inmates present and/or accounted for and the actual number of inmates reported to be housed in the Outagamie County Jail, the correctional officers will immediately notify the correctional staff sergeant.
- B. The correctional officers will begin a recount to determine which inmate(s) is not present or accounted for.
- C. If after reviewing the inmate count report, the correctional staff sergeant determines that one or more inmates are unaccounted for the correctional staff sergeant will order a facility lock-down and notify the corrections Lieutenants and Captain.

SC 8.4 Uncooperative Inmate

If an inmate refuses to return to his/her cell, or is otherwise uncooperative during an inmate count the officer will include the inmate in the count and notify the correctional staff sergeant who will direct appropriate action. The officer will make reasonable attempts to gain voluntary compliance.

SC 8.5 Inmate Movement

When escorting any number of inmates from place to place within the Outagamie County Jail officers will perform inmate counts to insure that the correct numbers of inmates are present and/or accounted for.

SC 8.6 Emergency Inmate Count

- A. An emergency inmate count is an official count of all inmates that is conducted at anytime when ordered by a correctional staff sergeant or higher authority. When an emergency inmate count is ordered all inmates will be immediately returned to their assigned housing units.
- B. Situations after which an emergency inmate count might be ordered include, but are not limited to, fire drills, major inmate disturbances, breeches of security and whenever it is suspected that an inmate might be missing or otherwise unaccounted for. An emergency inmate count may be ordered at anytime to disrupt the inmate population's ability to predict when an inmate count might be conducted.

SC 8.7 Inside Tours

Inside tours are a procedure in which designated corrections staff conducts visual/physical inspections of each inmate housing unit occupied by inmates.

- A. Tours shall be conducted at irregular intervals during the day and night.
- B. The designated correctional officer shall ensure that inmates are in custody and are safe by observing some portion of each inmate's anatomy and determining that the inmate is not in physical distress. The officer will be cognizant of the housing unit board which should indicate who is or is not in the housing unit and take appropriate action when there is a discrepancy.
- C. The designated correctional officer shall physically and/or visually inspect all locks, doors or other security devices which would permit passage of an inmate from the area he/she occupies.
- D. Tours will be conducted per procedure.
- E. The designated correctional officer will ensure that each tour/count is recorded in the official Outagamie County Jail records system.
- F. All tours/counts will be completed within 60 minutes of the prior tour/count. When a tour/count isn't completed within 60 minutes from the prior tour/count, there should be an objectively reasonable explanation and the officers responsible for the tour/count will submit an explanation for the late tour/count.

- G. Three times each day: at the beginning of A-shift, at the beginning of B-shift as well as at 2215 lockdown, an all call announcement shall be made from central control. The announcement shall remind inmates that both male and female staff members may be entering their cellblocks at any time.

SC 8.7.1 Camera Checks

Camera checks are observations from a viewing station to the inside of a cell with a camera that are used to supplement, not replace physical checks.

- A. Within one hour of reporting to work each S/Sgt., supervising the shift, shall view all cells with cameras on the 3rd, 4th and 5th floor and take appropriate action on any covered cameras or observations that do not appear to be in order. The check will be recorded using the tour tracking device. In the event a camera is not functioning properly the S/Sgt. will direct a physical check of that cell(s). This check and follow up when applicable will be documented in a timely manner in relation to the check.
- B. Between each inside tour and/or standing count from 0700 hours and 2230 hours the following officers: 3-East, 4-2 and 5-2 will view all cells with cameras on the respective floor and take appropriate action on any covered cameras or observations that do not appear to be in order. The check will be recorded using the tour tracking device. In the event a camera is not functioning properly the officer will conduct a physical check of that cell(s) during this check time when occupied. This check and follow up when applicable will be documented in a timely manner in relation to the check. These checks need to occur between 10 minutes after the last physical check and 10 minutes prior to the next physical check.
- C. From 2230 hours to 0620 hours the following officers: 3-East, 4-1 and 5-2 will view all cells with cameras between the inside tours on the respective floor and take appropriate action on any covered cameras or observations that do not appear to be in order. The check will be recorded using the tour tracking device. In the event a camera is not functioning the officer will conduct a physical check of that cell(s) during this check time when occupied. This check and follow up when applicable will be documented in a timely manner in relation to the check. These checks need to occur between 10 minutes after the last physical check and 10 minutes prior to the next physical check.
- D. Once noted covered cameras of occupied cells will be addressed in a timely manner by the on-duty supervisor. On rare occurrences will the covering of cell cameras be acceptable. In these instances, a report will be drafted, and the current fact situation and the behavioral and mental health history of the inmate will be taken into account. When it is noted that a camera is or was covered in a cell with two inmates the incident will be documented including the follow up with the inmates involved.

SC 8.8 Escape

Any inmate who is lawfully in the custody of the Outagamie County Jail or is otherwise convicted of or sentenced for a crime who intentionally escapes from custody shall be referred to the District Attorney's Office for criminal charges.

Additional Revision Dates:

7/15/18

7/1/19

4/15/20

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 9 - Key Control

Policy Section: Security and Control	Effective Date: 11/1/22	Revision Date:		Page: 1 of 3
		10/1/01	9/25/14	
		2/15/11		
		8/1/11		
WI State Statute				
WI Administrative Code	350.18			
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will maintain a key control program that provides control over locks, keys, locking devices, restricts access to sensitive keys and enables prompt response to emergencies.

SC 9.1 Glossary

Sensitive Keys: Keys which are located in the security key cabinet in Central Control, the Security Office, the Key Watcher system and the key cabinet in booking. These are keys, which would include bond box keys, cash drawer key, and keys which control the inner core and outer perimeters of the jail.

SC 9.2 Key Control Officer

- A. A correctional supervisor will be designated as key control officer and will manage all keys and associated locking devices in the Outagamie County Jail. The key control officer will oversee key identification, issue, inventory, repair and replacement of all sensitive keys.

SC 9.3 Key Accountability

- A. The key control officer will maintain a computerized key inventory of all Outagamie County Jail keys. The inventory will document the following:
1. Assigned location of keys or sets of keys.
 2. Number of key rings.

3. Key rings identification.
 4. Number of keys on each key ring.
 5. Identification of individual keys on each key ring.
- B. A detailed key inventory will be completed quarterly, (January, April, July and October), on the primary set of jail keys by a staff member conducting a physical comparison of keys to an inventory review sheet.
 - C. All issued keys shall be inventoried and accounted for at shift change. Key rings will be secured with a locked hub or they will contain a chit stamped with the number of keys on the assigned ring. Discrepancies should be directed to the on duty supervisor as soon as they are noted.
 - D. At the beginning of each shift, Central Control will account for the sensitive keys that are stored in central control. Discrepancies shall be directed to the on duty supervisor as soon as they are noted. Central Control staff will note the issuance and return of the sensitive keys that are stored in central control
 - E. The on duty supervisor will take appropriate follow up action on any automated notifications from the key watcher system.
 - F. When keys are not in use they will be secured in the appropriate location.
 - G. All keys shall be stored in a secure area and accessible in the event of an emergency.

SC 9.3.1 Lost, Misplaced, Found, or Damaged Keys or Key Rings

- A. Any staff member who loses or misplaces a key or a key ring must immediately notify the correctional supervisor. A supervisor will complete an incident report and initiate an investigation into the cause.
- B. Any staff member, volunteer, or person who finds an unattended key of any kind shall immediately notify the correctional staff sergeant.
- C. Any staff member who determines that a key in his/her possession has been damaged or otherwise will not function must immediately notify the correctional supervisor.
- D. Sensitive keys that are damaged or no longer needed will be disposed of by making the key unusable. A copy of the documentation of the disposal shall be forwarded to the Sheriff and list disposed of keys.

SC 9.3.2 Prohibited Actions

Any staff member, who possesses, alters, marks, duplicates, manufactures, or makes impressions of keys without authorization will be subject to disciplinary action.

SC 9.3.3 Key and Lock Security

- A. Staff members will fasten keys securely to their belts with keepers or carried in the trouser pockets. Keys shall never be placed on counters or other work surfaces. Inmates shall never handle staff keys. Staff shall not reference key or lock identification information in the presence of inmates.
- B. Materials such as cardboard, plastic, etc. may never be placed over a door lock or otherwise situated that would prevent doors from locking.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 10 - Tool Control

Policy Section: Security and Control	Effective Date: 11/1/22	Revision Date:		Page: 1 of 3
		10/1/01		
		2/15/11		
		9/25/14		
WI State Statute				
WI Administrative Code	350.18			
Related Policies	IS2, OP4			
Related SOP’S SOP 9		Approved by: Outagamie County Sheriff		

All tools, knives, food services implements, needles, syringes, and hazardous materials necessary for the operation of the Outagamie County Jail shall be maintained in a safe manner and used only for their intended purpose.

SC 10.1 Tool Control

- A. Inmate workers may only use tools under the direct supervision of jail staff.
- B. All tools designated for use by an inmate worker will be stored in a locked cabinet or room.

SC 10.2 Tool Issue and Storage

- A. The maintenance tools that are stored in the locked cabinet adjacent to door 472 will be hung on an outlined label board (shadow box).
- B. Access to the locked cabinet will be restricted to necessary staff.
- C. All tools shall be returned to the proper storage area before the officer that received the tools ends his/her work shift.
- D. Tools shall not be left unsecured within the secure perimeter of the jail.

SC 10.3 Tool Inventory

- A. The officer assigned to inmate work detail will conduct a visual inventory of all tools. Any discrepancies will be noted in an incident report and the correctional supervisor will initiate an investigation.

- B. Inmate workers will be supervised at all times by a correctional officer when working with hand tools. The officer will ensure that all tools issued to the inmate worker are accounted for at all times.

SC 10.4 Lost Tools

- A. Any staff member who discovers a tool to be missing from its storage space or work area shall immediately notify a correctional supervisor. The supervisor will initiate an immediate search of the area and the inmate who last used the tool. If the tool cannot be found the supervisor will, depending on the circumstances, authorize additional searches or unit lock-downs. This information and the outcome will be documented in a jail incident report.
- B. Any staff member who finds an unsecured and/or unattended tool within the secure perimeter of the Outagamie County Jail shall immediately take control of the tools and notify the correctional supervisor.
- C. Any staff member that determines that a tool is broken or otherwise in need of repair shall deliver the tool to a correctional supervisor. The supervisor will direct the tool to the jail supply clerk for replacement or for repair and also ensure that the tool is accounted for in its storage space.

SC 10.5 Food Service Tools

- A. The control, storage and issue of the food service tools will be the responsibility of the food service staff.
- B. All kitchen tools deemed to be controlled shall be stored in a locked container, when not in use.
- C. Certain kitchen tools shall be inventoried at the beginning and end of each work shift. Inventory records shall document the date, time, and name of the staff member conducting the inventory and the description and the quantity of tools inventoried.

SC 10.6 Medical Tools

- A. The Health Service Unit Supervisor shall develop procedures for the use and storage of medical equipment within the secure perimeter of the Outagamie County Jail.
- B. Correctional staff shall be trained in the proper technique of safely handling medical tools and sharp instruments.

SC 10.7 Haircut Tools

- A. The control, storage and issue of the haircut tools will be the responsibility of the floor movement officers. All haircut tools will be stored in a locked area.
- B. An inventory of all haircut tools shall be taken before and after each use.
- C. Haircut tools that are removed from the storage container for repair shall be noted by the removing staff member.

SC 10.8 Outside Contractors

- A. The central control officer will report the presence of outside contractors and their tools to the correctional supervisor.
- B. Areas should be inspected prior to contractors entering and once again after they leave the area.
- C. The contractor shall be responsible for maintaining an accurate inventory of any tools or materials brought into the Outagamie County Jail. The contractor shall remove all tools and materials from each completed work area before moving to another area within the jail. In case of missing tools or material the contractor shall immediately report to jail officials. At the end of each workday the contractor shall remove all tools and materials that cannot be securely stored from the Outagamie County Jail.
- D. Worker personal safety: contractor employees are prohibited from having direct contact with any inmate while working in the Outagamie County Jail and not supervised by a correctional officer. Contractor employees may not exchange, give to, or receive any item from an inmate. A correctional officer will be assigned to accompany the contractor employees when working inside inmate housing units and as a liaison when working in officer areas. Contractor employees must immediately obey any lawful order issued to them by a correctional officer.

SC 10.9 Emergency Tools and Equipment

- A. Emergency tools and equipment may be deployed within the secure perimeter of the Outagamie County Jail by staff or other qualified or authorized personnel.
- B. Emergency tools and equipment must be accounted for after a situation has been controlled.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 11 - Weapon Control

Policy Section: Security and Control	Effective Date: 11/1/22	Revision Date:		Page: 1 of 1
		10/1/01		
		2/15/11		
		9/25/14		
WI State Statute				
WI Administrative Code	350.18			
Related Policies				
Related SOP'S		Approved by: Outagamie County Sheriff		

Firearms may not be brought into the Outagamie County Jail.

SC 11.1 Weapons Storage

- A. Visiting law enforcement officers with firearms must store their firearm in their vehicle or in a gun locker. Gun lockers are located in designated areas.
- B. Officers utilizing a gun locker for weapon storage are responsible for the safe keeping of the gun locker key.

SC 11.2 Emergency Equipment

- A. Emergency equipment, including batons, pads, shields, chemical agents, etc. will be stored in a locked room and need to be authorized to use by a supervisor absent an emergency situation.
- B. Correctional staff will conduct an inventory of emergency equipment monthly.

SC 11.3 Authorized Equipment

- A. Trained correctional staff will be allowed to carry and use issued equipment as authorized by the division, including chemical agents and electronic control devices.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SC 12 - Drug Testing

Policy Section: Security and Control	Effective Date: 11/1/22	Revision Date:		Page: 1 of 3
		10/1/01		
		12/1/10		
WI State Statute				
WI Administrative Code	350.24			
Related Policies	IM4			
Related SOP'S		Approved by: Outagamie County Sheriff		

The Outagamie County Jail will utilize approved and accurate methods of detecting the use of illicit or contraband drugs by inmates to help ensure the safety of inmates and staff. Inmates shall be randomly and periodically selected to participate in a urinalysis or breath test.

SC 12.1 Inmate Participation

- A. An inmate incarcerated in the Outagamie County Jail shall be called upon periodically and/or randomly to provide a urine specimen or a breath specimen to test for the presence of illicit or contraband drugs.
- B. An inmate who refuses to provide a specimen will await disciplinary action. Refusal to provide a urine or breath specimen is a major rules violation.
- C. An inmate who is unable to provide a specimen within three (3) hours may be subject to disciplinary action.

SC 12.2 Urinalysis Testing Process

- A. An inmate that is selected to participate in a urinalysis will be escorted to an area within the jail where the specimen collection will take place.
- B. The selected inmate will remain under observation of an officer from the time the inmate is selected until after the urine specimen has been collected.
- C. A correctional officer of the same sex as the inmate shall observe the passage of the urine specimen.

- D. Only officers who have been trained in the procedures of the test being performed will process urine specimens.
- E. Any specimen which tests positive, for the presence of a drug for which the test is designed to detect, will be confirmed by a second qualified officer according to the established procedures.
- F. If the results of the urinalysis test are negative, then the sample may be discarded in a toilet and the sample container may be discarded in the trash.
- G. If the results of the urinalysis test are positive, the sample will be marked and stored in a locked refrigerator designated for the storage of urine samples only and stored for 14 days. After 14 days, the sample will be discarded.
- H. During that 14 days period of time the inmate may request a confirmation test of his or her sample at their cost.
- I. An incident report will be completed for a positive urinalysis test.

SC 12.3 Breath Test

- A. An inmate selected to participate in a breath test will be administered a breath test using a device by an officer trained in its use.
- B. An incident report will be completed for any positive breath test.

SC 12.4 Discipline

- A. An inmate who tests positive for use of an illicit and/or contraband drug and/or alcohol shall be subject to discipline in accordance with the inmate disciplinary process.
 - 1. A zero tolerance for the presence of alcohol will be adhered to for inmates who are under the control of the Sheriff's Office including inmates reporting for a jail sentence.
 - 2. In-custody time limits for discipline as the result of a positive drugs tests are:

a.	THC	30 Days
b.	Cocaine	3 Days
c.	Amphetamines	3 Days
d.	Opiates	3 Days
e.	Methamphetamine MAMP	24 hours
f.	Non prescribed prescription drugs	0 Days

3. Inmates wishing to contest a positive urinalysis test will have the option to have the same urine sample that was tested sent to the approved vendor for a quantitative test at their cost.
 - a. Indigent inmates will be offered the same opportunity by having funds specifically deposited into their account to cover the costs of the test.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

EP – 1 Alarms and Fires

Policy Section: Emergency Procedures	Effective Date: 06/25/20	Revision Date:		Page: 1 of 4
		3/0107		
		9/25/14		
		3/15/16		
Reference:	Alarms and Fires			
WI State Statute				
WI Administrative Code	350.19			
Related Policies	EP 3, EP 4			
Related SOP’S		Approved By: Outagamie County Sheriff		

Policy

This policy provides a plan for an efficient and effective response to alarms and fires in the Outagamie County Government Center. This policy facilitates cooperation and communication with area police and fire departments in regard to the Outagamie County Government Center policy and procedure on fires and fire alarms and helps to prepare and train personnel and inmates for emergency situations. The facility will conform to applicable federal, state, and local fire safety codes.

EP 1.0 Definitions:

- A. Smoke alarm: Alarm designed to detect smoke. Sounds alarm in building and is acknowledged, silenced and reset in Central Control.
- B. Fire alarm: Alarm activated in case of fire. Alarm sounds throughout the building and registers in Central Control.
- C. Water sprinkler / water flow alarm: Alarm that shows in Central Control when a water sprinkler has been activated in the building.
- D. Fire: The burning of any substance that produces smoke, heat or flame.
- E. Secure area: For the purposes of EP1 secure areas are comprised of the entire Ground floor, 3rd, 4th, 5th and penthouse floors of the Government Center.
- F. Non-secure area: For the purposes of EP1 non-secure areas are comprised of the entire ground, 1st and 2nd floors of the Government Center.

G. Responding Officers: Officers who check on alarm or who initially observe and report fire.

EP 1.1 Responsibilities:

- A. Central Control: Staff assigned to Central Control have primary responsibility for monitoring and responding to the computerized alarm system. They also are responsible for contacting county emergency dispatch and relaying pertinent information.
- B. Correctional Staff: Correctional staff will fulfill the responsibilities related to their job assignment spelled out in each action plan for alarms or fires contained in this policy.
- C. Shift Supervisor: The jail shift supervisor will be responsible to take charge of any fire-related emergency, give direction to staff if needed and coordinate communication with the Appleton Fire Department.

EP 1.2 Action Plan for Alarms in Secure Areas:

- A. Fire alarms, Smoke alarms and Water sprinkler/flow alarms:
 - 1. Central Control: Determine the alarm location then acknowledge and silence the alarm. Notify appropriate floor officer of the location of the smoke alarm and direct them to check it. If the alarm is on the ground floor or in penthouse notify shift supervisor. If the officer responds that the area is clear, the Central Control Officer will reset the alarm. If the officer responds that there is smoke or fire in the area see Action Plan for Fire/Smoke in Secure Areas for Central Control action plan.
 - 2. Responding officers: When a correctional officer is directed by Central Control to check on a smoke alarm or water sprinkler/flow they will proceed to the area as soon as possible. They will then check the area thoroughly for the presence of fire and/or the activation of a water sprinkler. If the area is clear, they will notify Central Control that the area is clear. If there is fire in the area they will follow the Action Plan for Fire/Smoke in Secure Areas. If a sprinkler head has been activated, but there is not fire, the officers will notify Central Control to turn off the water flow to the affected quadrant. The officers will then proceed with clean up.
 - 3. Shift supervisor: If alarm is on the ground floor or in penthouse respond or direct officer(s) to respond and investigate the alarm. Whomever responds to check a fire or smoke alarm on the ground floor or penthouse must use stairs. No elevator. If a water sprinkler has been activated notify maintenance to replace the sprinkler head and oversee clean up.

EP 1.3 Action Plan for Alarms in Non-secure Areas:

- A. Fire alarms, smoke alarms and water sprinkler/flow alarms:
 - 1. Central Control: For audible alarms on the ground, 1st or 2nd floor, determine the alarm location then notify the 911 center to dispatch the Appleton Fire Department.

Do not acknowledge and silence the alarm. Then contact jail shift supervisor and maintenance.

EP 1.4 Action Plan for Fire in Secure Areas

- A. Responding officers: Upon observing any fire, the responding officer will immediately call a 10-33 via radio, and notify Central Control regarding the fire's location, source, and size. If conditions change, the responding officer will advise of such changes. If it can be done safely, the responding officer will attempt to extinguish the fire using the available fire extinguishers or other fire extinguishing techniques or prepare for the evacuation of inmates and await backup before initiating evacuation procedures. SCBAs should be used whenever possible. (see Area Evacuation Policy)
- B. Shift supervisor: Upon hearing 10-33, the supervisor will respond to area of the fire. The supervisor will then determine whether fire can be safely extinguished and/or if inmates need to be moved and supervise the action taken. If area or complete evacuation is needed, refer to area or complete evacuation policies. Direct specific staff member to meet Appleton Fire Department.
- C. Central Control: Upon hearing the 10-33, the central control officer will notify the shift supervisor, then notify County Emergency Dispatch by calling 9-911 and relay pertinent/required information.

EP 1.5 Action Plan for Fire in Non-Secure Areas

- A. Shift Supervisor: When shift supervisor observes or is notified of a fire in a non-secure area, they will notify Central Control and floor officers to implement Evacuation Readiness procedures. (See Evacuation policy) If the shift supervisor discovers the fire they will immediately instruct Central Control to notify County Emergency Dispatch by calling 9-911 (if they haven't already been called due to alarm) and relay pertinent/required information. If it can be done safely, the responding officer will attempt to extinguish the fire using the available fire extinguishers or other fire extinguishing techniques. Direct specific staff member to meet Appleton Fire Department.
- B. Central Control: Upon receiving information from Shift Supervisor (or anyone else) reporting a fire they will notify County Emergency Dispatch by calling 9-911 and relay pertinent/required information.

EP1.6 Administrative Code Compliance

- A. The jail shall have and shall properly maintain fire alarms, smoke and thermal detectors, fire extinguishers, and self-contained breathing apparatuses which operate for at least 30 minutes.
- B. Jail staff will be trained in equipment use and the evacuation of inmates.
- C. The jail will have a written evacuation plan (See Policy EP3).

- D. An evacuation route will be developed as part of the evacuation plan and will be posted in a conspicuous place for staff in the jail.
- E. Fire safety evacuation and other procedures shall be practiced or simulated by all jail staff at least once every 12 months. Each practice or simulation shall be documented.
- F. The facility shall be inspected by the local fire department at least once every 12 months and a record thereof shall be maintained.
- G. There shall be monthly inspections of the facility to ensure compliance with safety and fire prevention standards. Inspections shall be documented.
- H. Sprinkler heads accessible to inmates not under direct supervision must be tamper and suicide resistant.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

EP 2 - Infectious Illness

Policy Section: Emergency Procedures	Effective Date: 12/31/11	Revision Date:		Page: 1 of 2
		8/15/04		
WI State Statute	Infectious Illness			
WI Administrative Code	HFS 145			
Related Policies				
Related SOP'S		Approved by: Clint C. Kriewaldt		

The Outagamie County Jail shall establish policy and practice and enforce procedures intended to control an outbreak of infectious illness among the inmate population and/or among staff members. For the sake of this policy an infectious illness is defined as any disease or condition listed as Category 1 in appendix A of HFS 145 or any other illness as defined by our contract vendor.

EP 2.1 Recognition of an Infectious Illness Outbreak

- A. All staff shall, upon discovery or reasonable suspicion, report inmates suspected of suffering from an infectious illness to the Corrections Staff Sergeant and begin the intervention process by isolating the inmate(s) from other people.
- B. Recognition may occur through:
 - 1. Reports by inmates of multiple ill individuals.
 - 2. Reports by staff of multiple ill inmates.
 - 3. Reports by supervisors of multiple ill employees.
 - 4. Alerts issued by the Outagamie County Public Health Office.

EP 2.2 Intervention in an Infectious Illness Outbreak

- A. Inmates who are suspected of suffering from an infectious illness by a staff member shall be isolated and assessed by jail health care staff to determine the severity and likely cause of the illness. Only a qualified health care

provider may approve the return of such inmates to the general inmate population.

- B. Jail staff, including volunteers, contract employees, vendors of services, and county employees of other departments, or any other person entering the facility who are suspected of suffering from an infectious illness, shall not be permitted to have contact with inmates or other staff in the work environment. Jail health care staff shall make a recommendation to the jail administrator in cases involving a staff member.
- C. In the event of an alert issued by the Outagamie County Public Health Office, the jail health care staff shall monitor staff and inmates for signs of the illness and institute appropriate protective measures with the approval of the jail administrator.

EP 2.3 Illness Specific Guidelines

- A. The Outagamie County Public Health Office shall determine the illness specific guidelines for the treatment of infectious inmates and possible vaccination and preventative treatment of individuals who had contact with infected inmates
- B. Jail health care staff shall instruct staff and inmates on proper inmate isolation and care, sanitation for cellblocks and officer areas, inmate and officer hygiene and the safe handling of items from infected inmates.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

EP – 3 AREA AND COMPLETE EVACUATION

Policy Section: Emergency Procedures	Effective Date: 06/25/20	Review / Revision Date:		Page: 1 OF 5
		03/01/07	3/15/16	
		09/01/09		
		9/25/14		
Reference:	Area and Complete Evacuation			
WI State Statute				
WI Administrative Code	350.19			
Related Policies	EP 1, EP 4			
Related SOP’S		Approved by: Outagamie County Sheriff		

Policy

A formal plan for the evacuation of jail inmates, visitors and staff is necessary to provide for a safe, orderly and secure evacuation in the event of a fire or other condition that makes evacuation necessary.

EP 3.1 General Information

- A. General procedures for the safe and orderly and complete evacuation of inmates, staff, professionals, and members of the general public are contained in this policy. Dynamic circumstances such as the location of the emergency, type of emergency, etc. may determine alternate evacuation procedures. The incident commander will determine if alternative evacuation procedures are necessary.

EP 3.2 Definitions

- A. Area Evacuation – The removal of all inmates from a single area or multiple areas to a designated area(s) within the facility.
- B. Complete Evacuation – The removal of all people from the facility. This includes secure and orderly removal of all inmates, staff, professionals, and members of the general public and the temporary housing of inmates at a suitable outside site.
- C. Incident Commander – The sheriff or his designee will be the incident commander of the area or complete (facility) evacuation. In the Sheriff's absence, the chain of command will be followed.

EP 3.4 AREA AND COMPLETE EVACUATION PROCEDURES:

EP 3.4.1 Normal Conditions

- A. EMERGENCY ACTION PLANS are posted on the door of each cellblock and program room on each floor. These provide information regarding what action to take in each specific emergency situation.
- B. The secure area of the building is divided into two halves, north and south, separated by the fire doors. In the case of a fire, smoke or other air born contamination, inmates will normally be moved from an affected area in the north or south side to the unaffected area in the opposite south or north side of the building.

EP 3.4.3 Area Evacuation Procedures

- A. Shift supervisor should determine that an area evacuation is necessary.
- B. When sufficient staff is available at the scene, at the direction of the shift supervisor, inmates will be evacuated from affected area(s).
- C. Inmates should be moved to designated areas in accordance with the Emergency Action Plans located outside each unit. Inmates may be moved via inside unit walkways.
- D. When inmates are all at destination area(s), a headcount and wellness check of officers and inmates will be completed. If any officers or inmates are not accounted for the shift supervisor will be notified immediately and determine what action to take.

EP 3.4.4 Complete Evacuation Procedures

The incident commander or designee will advise Central Control of the initiation of the complete evacuation procedure.

When it is decided that a complete evacuation will be necessary the booking corporal should get the Fire key ring from the lock box in booking.

- A. The Incident Commander or designee will contact the Winnebago County Jail to act as our Intake/Booking facility.
 - a. WISO Captain (920) 236-7339
 - b. WISO Non-business hours (920) 236-7381

EP 3.5 CENTRAL CONTROL PROCEDURES:

- A. Call County Emergency Dispatch and advise them of the fire or emergency location and the need of assistance for evacuation.

- B. Request that Outagamie Sheriff's Department, Appleton Police Department, and other available squads to respond to the jail area to help with inmate control.
- C. If there is a gas leak, request the appropriate utility company be notified as well as the fire department.
- D. Update County Emergency Dispatch with additional information as it becomes available.

EP 3.6 SHIFT SUPERVISOR RESPONSIBILITIES:

- A. Direct, facilitate and supervise evacuation of inmates in a safe and orderly manner.
- B. Designate the staff and inmate staging areas and ensure staff are properly informed.
- C. Advise county emergency dispatch to contact appropriate Sheriff's Department Administrative personnel.
- D. Direct the Communications Center to begin call in off-duty jail personnel with instructions to report to a designated area.

EP 3.7 STAFF RESPONSIBILITIES:

- A. **All floors:** Direct non-security staff, visitors, professionals, etc. to exit via elevator (or stairwell in case of fire).
- B. Safety and security measures will be taken, if feasible, for any protective custody and/or disabled inmates.
- C. 3rd Floor Procedure:
 - 1. Instruct Huber inmates to walk into the hallway. Usher them out of the building by use of an exit stairwell. Primary exits for Huber inmates will be the **SW (306) or NW (308) stairwells**. If both these stairwells are affected by fire or other emergency, an alternate stairwell will need to be selected.
 - 2. Lock-up inmates held in third floor dorms and 3 East Section will be evacuated using evacuation restraints. After being placed in the evacuation restraints, they should be escorted down the SE (Door 304) stairwell to the staging area-Evacuation restraints will be kept on the 3rd floor in a secure location.
 - 3. When the 3rd floor evacuation is complete, 3rd floor officers should notify the incident commander.
 - 4. Central Control officer and Operational Assistant will stay in Central Control to assist with evacuation as long as safely possible, or until

directed by supervisor to vacate their workstation. A Fire key ring will be kept in Central Control that will allow the Central Control Officer and Operational Assistant to be able to exit the building via any stairwell.

D. 4th and 5th Floor Procedure:

1. Officers, working as a team in an organized effort, will secure the inmates using the evacuation restraints located on the 4th floor. Once inmates are secure they will be escorted out of the building down the designated stairwell. (Primary exits are 404 & 504)
2. Correctional Officers will make every attempt to safely evacuate all inmates and personnel using evacuation restraints. They will also ensure ~~and document~~ that each inmate has been evacuated and notify the incident commander immediately if they are unable to evacuate any inmate.
3. 5th floor Huber inmates should be released first and escorted similar to 3rd floor Huber inmates.
4. Evacuation restraints are located in a designated, secure area on each floor. These restraints will be used to secure the inmates prior to a complete evacuation.
5. The Correctional Officers will proceed to evacuate the inmates through the designated stairwell. Lock up inmates will be evacuated via the SE stairwell (between D-block and E-block on the 4th and 5th floors/ 404 & 504). If this stairwell is affected by fire or other emergency, another stairwell will need to be selected and county emergency dispatch will need to be advised.
6. Lock up inmates will be evacuated to the designated area.

E. Kitchen Procedure:

1. If evacuation is necessary while inmate workers are ~~working~~ in the kitchen the incident commander will ensure they are evacuated.
2. Kitchen staff will be directed out of the building.
3. If kitchen trustees cannot be brought up elevator 4 to be evacuated, they can be evacuated through Door 3 or Door 10. Huber floor officer should notify shift supervisor prior to evacuation if utilizing Door 3 or Door 10 is necessary. (Proper # of restraints are located at either end (Door 3 or 10)

EP 3.8 STAGING AREA RESPONSIBILITIES:

- A. While evacuation is still in progress, the Incident Commander or their designee will supervise the inmate staging area.
- B. When evacuation of the jail is complete, unless otherwise assigned, all officers

will report to the inmate staging area.

- C. The Incident Commander or their designee will supervise the security and orderly operations of the inmate staging area assigning duties and responsibilities to officers.
- D. A headcount and welfare check of inmates and staff should be conducted as soon as practical.
- E. If complete evacuation is necessary the Incident Commander should initiate the Emergency Relocation Plan (EP 4).

EP 3.9 Return to Normal Operations

- A. The order to return to normal operations will be given by Incident Commander.
- B. The shift supervisor, upon order from the Incident Commander, will direct the return and/or reassignment of inmates within the facility.
- C. Officers will escort the inmates back to their cellblocks in an orderly manner at the direction of the shift supervisor.
- D. Upon the inmates' return to the cellblocks they will be locked down and a complete inmate headcount will be completed.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

EP – 4 EMERGENCY RELOCATION PLAN

Policy Section: Emergency Procedures	Effective Date: 06/25/20	Review / Revision Date:		Page: 1 OF 3
		3/1/2007	3/15/16	
		9/1/09		
		9/25/14		
Reference:	Emergency Relocation Plan			
WI State Statute				
WI Administrative Code				
Related Policies	EP 1, EP 3			
Related SOP’S		Approved by: Outagamie County Sheriff		

Policy

In the event that a long-term complete evacuation of inmates from the Outagamie County Government Center is necessary, the goal of the Outagamie County Sheriff's Office will be to obtain safe and secure transportation and placement of our inmates at other county jails. ~~Priority will be given to Oshkosh Correctional Institution and jails closest to our area.~~

EP 4.1 Definitions

- A. Emergency Relocation - any evacuation requiring ~~that we obtain~~ the secure transportation and alternate housing of our inmates.

EP 4.2 Evacuation

- A. The procedures outlined in the Area and Complete Evacuation policy will be followed for the purpose of evacuating inmates from the Outagamie County Government Center.
- B. Once the inmates are evacuated from the Outagamie County Government Center, the incident commander should make the decision whether the evacuation will require the relocation of our inmates.
- C. If it is decided the relocation of our inmates will be necessary, the procedures outlined in this policy should be followed.

EP 4.3 Procedure

- A. Primary and Immediate Responsibilities:

1. Security must be maintained in the **temporary inmate holding areas**.
2. To ensure proper staffing for transportation and security at alternate facilities, additional off-duty staff will be notified.
3. In all instances where it can be done safely, Huber inmates should be directed to go home and await notification. Housing of the remaining Huber inmates will be arranged.
4. Arrangements will be made for transportation and housing of inmates.

**EP 4.5 ADDENDUM OUTAGAMIE COUNTY JAIL EVACUATION AND EMERGENCY RELOCATION
CONTACT NUMBERS**

OSCI - 1st call for relocation and transportaton		920.231.4010		
WISO - Notify immediately to act as our temporary booking/intake:		920.236.7427		
Outagamie County Shelter Care for juveniles:		832.5084		
Brewster Village - satellite office admin building is unavailable:		225.1980		
MIS on-call pager:	920.586.0559	Local Bus Companies:		
Maintenance pager:	616.9667	Kobussen		24 hour: 766.0606
iSecureTrac (GPS):	800.747.3801			1.800.447.0116
		Lamers		Owner: 832.8800ext2
DOC CMU contacts:				24 hour: 858.1107
Steve Houser	Office: 608.240.5184			Bob 858.0966
	Pager: 608.376.0612			
Mike McDermott	Office: 920.324.6316			
	Pager: 608.376.0607			
Jeff Wydeven	Office: 608.240.5180			
	Pager: 608.376.0635			
County jails for emergency temporary relocation of inmates:				
Barron County	715.637.6716			
Brown County	920.391.6818			
Dodge County	920.386.3219			
Douglas County	715.395.1508			
Eau Claire County	715.839.4702			
Jefferson County	920.674.8613			
Juneau County	608.847.9513			
Shawano County	715.526.7955			
Sheboygan County	920.459.3129			
Waupaca County	715.256.4556			
Winnebago County	920.236.7427			

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

EP 5 - Hostage Situations

Policy Section: Emergency Procedures	Effective Date: 8/01/11	Revision Date:		Page: 1 of 4
		8/15/04		
WI State Statute				
WI Administrative Code				
Related Policies				
Related SOP'S		Approved by: Clint C. Kriewaldt		

In the event of a hostage situation, the goal of any actions taken by the Outagamie County Sheriff's Office Corrections Division staff shall be to bring the incident to a conclusion without harm to the hostage(s) or hostage taker(s), while maintaining the security of the facility and providing for the safety of inmates, staff and visitors.

EP 5.1 Definitions

- A. Critical Incident - A facility event requiring emergency response procedures including fire, bomb threat, riot, inmate death, attempted suicide, inmate-inflicted staff injury or death, tornado, inmate injury resulting in critical care hospitalization.
- B. Hostage - A person(s) held against their will as security for fulfillment of certain conditions/terms.
- C. Incident Commander - Staff member that assumes command and control of a situation or incident.
- D. Inner Perimeter - The immediate areas of containment as designated by the incident commander.
- E. Outer Perimeter - The peripheral control area surrounding the inner perimeter providing a safe zone for access to the inner perimeter, as well as defining the limit of access by unauthorized personnel.
- F. Hostage-taker - A person(s) who holds another person(s) against their will.

- G. Staging Area - An area between the inner and outer perimeters, designated by the incident commander. This area will be utilized for staging resources that include, but are not limited to, EMS, Fire, ERT, CRT, and mutual aid agencies.

EP 5.2 Hostage Situation Rules

- A. Any person, regardless of rank, has NO authority while held as a hostage.
- B. Any/all terms negotiated with hostage takers shall be authorized by the Sheriff, Undersheriff, Jail Administrator, or Incident Commander before implementation.
- C. The Outagamie County Sheriff's Office will not allow the trading of another person to gain the release of a hostage.

EP 5.3 Responsibilities

- A. Any staff member who discovers, or is notified that a person(s) is being held hostage, shall immediately notify Central Control providing as many details about the situation as possible (i.e. specific location, who is being held, how many suspects, possible weapons, injuries, etc.).
- B. Central Control shall immediately notify the on duty Staff Sergeant.
- C. The Staff Sergeant shall coordinate the notification of the Jail Administrator and/or other command staff as directed by higher authority.
- D. The Staff Sergeant shall coordinate a facility-wide lock down.
- E. The Jail Administrator and/or other command staff shall determine further notifications (i.e. Sheriff, Undersheriff, ERT, mutual aid, EMS) and provide instructions to appropriate personnel.
 - 1. An emergency inmate count shall be conducted.
 - 2. All staff and visitors shall be accounted for.
 - 3. All non-essential personnel may be escorted from the facility under the direction of the Incident Commander, but only after any such person has been positively identified.
- F. The staff member who discovers a hostage situation shall:
 - 1. Attempt to contain the situation in the smallest possible area.
 - 2. Do nothing or say anything that might escalate the situation.
 - 3. Make a written record of any demands made by the hostage-taker(s) and/or any information provided.

4. Not make any promises or agree to any demand made by the hostage(s) or the hostage-taker(s).
5. Not offer or agree to trade places with the hostage.

G. Central Control Personnel

1. Central Control shall announce facility-wide lock down.
2. Central Control shall turn off all elevators and only activate elevators under the orders of the Incident Commander.
3. Central Control shall maintain a log of all personnel who are permitted to enter and leave the secure area of the jail.

H. The Staff Sergeant shall establish a Command Post in Central Control, or another appropriate area.

I. The Staff Sergeant (or designee) will coordinate the retrieval of the following information:

1. Name of the hostage taker(s).
2. Name of hostage(s).
3. Precise incident location.
4. Hostage taker's demands.
5. The number of hostages taken.
6. The number of people/inmates present that are not hostages at the time.
7. Obtain classification and custody files on the hostage taker(s) and hostage(s).
8. The ERT Commander will report to the command post and coordinate unit activity with the Incident Commander.
9. If ERT is deployed, a CRT team will stand by in the staging area to assist as directed by the Incident Commander.
10. If applicable, the use of negotiators will be utilized to resolve the incident through establishing contact with the hostage taker(s), identifying demands, and attempting to resolve the incident with the least amount of risk of harm to any individual(s). If negotiations with the hostage taker(s) do not resolve

the issue, the Incident Commander and ERT Commander shall initiate approved actions to resolve the incident as quickly and safely as possible.

EP 5.4 Post Incident

After the hostage situation has been resolved, the staff sergeant shall ensure that the following requirements are completed:

1. All injured persons shall receive immediate medical attention after the scene has been declared secure.
2. Hostage takers shall be searched and placed in administrative confinement.
3. All inmates who were present, or in the immediate area of the incident, shall be restrained and searched and removed from the crime scene.
4. The affected area shall be searched for articles of contraband after being released by the incident commander and before it is occupied by inmates.
5. An emergency inmate count shall be conducted after the situation is resolved and the area has been secured.
6. All media inquiries shall be forwarded to the department's public information officer.
7. The facility will slowly and deliberately be taken off of facility-wide lock down. Facility operations shall be restored systematically to lessen the likelihood of a reoccurring incident.
8. A Corrections Division Incident report shall be completed along with supplemental details from all involved Corrections Division Employees.
9. Staff involved in the incident will participate in a debriefing session as soon as possible following the incident.
10. A post critical incident debriefing should be made available to all personnel directly involved in the incident.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

HL – 1 Huber Law

Policy Section: Huber Law	Effective Date: 6/25/20	Revision Date:		Page: 1 of 9
		7/15/02		
		10/15/98		
		8/15/17		
WI State Statute	303.08, 303.09, 973.03(4)(a), 973.09(4)(a)			
WI Administrative Code	348			
Related Policies	IM4, IP1, IS2, SC12			
Related SOP'S		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail may grant the privilege of leaving the jail during necessary and reasonable hours for specific purposes to an inmate sentenced or otherwise ordered by the courts, to have Huber or work release privileges.

HL 1.1 Huber Law Eligibility

Reasons an inmate may leave the Huber Center are:

1. An inmate who is employed by a bona fide employer may be allowed to leave the jail during scheduled work hours.
2. An unemployed inmate may be allowed to leave the jail during scheduled times to seek employment.
3. An inmate may be allowed to leave the jail during scheduled times to conduct a self-employed occupation.
4. An inmate may be allowed to leave the jail during scheduled times to perform community service work.
5. An inmate may be allowed to leave the jail during scheduled hours to attend an educational institution.
6. Under normal circumstances, an inmate may be scheduled to be away from the jail for a maximum of 12 hours per day and 70 hours per week or as determined by staff to be necessary and reasonable.

7. An inmate may be allowed to leave the jail during scheduled hours to obtain medical treatment.
8. An inmate may be allowed to leave the jail for childcare or other family care needs provided they meet criteria.
9. An inmate may be allowed to leave the jail for drug or alcohol treatment.
10. An inmate may be allowed to leave the jail to meet with his/her probation agent or attend a scheduled court hearing.

HL 1.1.1 Judgment of Conviction

- A. Unless the court expressly grants the privilege of leaving the jail for a specific purpose, the inmate is sentenced to ordinary confinement.

HL 1.1.2 Transfer Inmates

- A. Inmates who wish to transfer in from or out to another jurisdiction must follow departmental procedure.
- B. Outagamie County may accept or deny transfer requests at its discretion.
- C. If an inmate is accepted as a transfer, Outagamie County may cancel the transfer at any time without reason.

HL 1.2 Employment

The Outagamie County Jail may grant the privilege of leaving the jail during necessary and reasonable hours for employment purposes to inmates sentenced under Huber Law. A bona fide employer normally is a person or firm that pays a wage or salary and provides for the withholding of FICA, State and Federal income taxes.

HL 1.2.1 Employer Requirement

- A. The employer may be required to provide proof of withholding statements.
- B. The employer must provide the name and telephone number of the inmate's supervisor or other person that can be contacted to verify employment information at anytime of the day. The employer will be placed on notice that frequent but random and unannounced inspections may be made to ensure that the inmate employee is present at the place of employment during scheduled work hours.

HL 1.2.2 Work Schedules and Work Hours

- A. Employers must submit a work schedule form at regular intervals that details the days, hours, and location of employment and other pertinent

information about the inmate's employment. Deviations from an approved work schedule may occur to accommodate the needs of the employer due to unforeseen circumstances. In such cases the employer must contact the Huber Law Center office for approval.

- B. An inmate may not be released from the jail if a work schedule has not been completely or properly filed in a timely manner.
- C. Under normal circumstances an inmate may be scheduled to be away from the jail for employment purposes for a maximum of 12 hours per day and 70 hours per week. The scheduled times include the time necessary to travel to the place of employment from the Outagamie County Jail and from the place of employment to the Outagamie County Jail. This is a guideline; the necessary and reasonable tests shall be applied to determine whether more or less hours are justified.

HL 1.2.3 Self Employment

- A. Self employed inmates must remain current on their Huber board. Self employed inmates who fall behind on their Huber board may have their self-employment privileges removed.
- B. The following information may be requested for self employed inmates: name of business, address, telephone number, business account status, number of years in business, sellers permit, business bank statement, estimated tax statement, self-employment federal form, copies of current, past, and future contracts and proof of insurance.
- C. Self-employment must be established prior to beginning an incarceration.

HL 1.2.4 Child/Family Care

- A. Inmates leaving the facility for child/family care must remain current on their Huber board. Inmates who fall behind on their Huber board may have their child/family care privileges removed.

HL 1.3 Wages and Money

- A. Inmates may request money from their account to pay for incidental expenses, up to \$50.00 per week.
- B. Inmates may possess a maximum of \$15 in cash while in the Huber dorms at any time. Any cash, or other negotiable, in excess of \$15 is contraband and will be removed and placed in the inmate's account.

HL 1.3.1 Inmate Account

- A. The wages, salary, or benefits received by an inmate may be collected and deposit in a trust account.
- B. When inmate wages, salary, or benefits are deposited in a trust account, a ledger showing the account status of the account of each inmate shall be maintained
- C. Huber board may be waived by a Lieutenant or above when it is deemed in the best interest of the county.

HL 1.3.2 Collection

- A. A letter may be mailed to each inmate employer detailing the employer's responsibility related to inmate wages.
- B. Payroll deductions on inmate employee wages or salary are limited to FICA, Federal and State taxes, union dues, and prior wage assignments for child support. An inmate's wages or salary are not subject to garnishment during the inmates term of incarceration.
- C. The employer may be required to mail the inmate's payroll check and wage statement to a designated staff member at the Outagamie County Jail.

HL 1.3.3 Wage Disbursement

- A. The wages, salary, ~~and~~ unemployment compensation and employment training benefits received by inmates shall be disbursed for the following purposes, in the order listed:
- B. Necessary travel expense to and from work.
- C. Court-ordered support of the prisoner's dependants.
- D. The board of the prisoner.
- E. Other incidental expenses of the prisoner.
- F. Payment of the prisoner's obligations acknowledged by the prisoner in writing or which have been reduced to judgment.
- G. The balance, if any, to the prisoner upon discharge from the jail.

HL 1.4 Programs

The Outagamie County Jail will provide inmates who are incarcerated under Huber Law with educational and religious programs to the extent that resources, staffing, and security consideration permit.

HL 1.4.1 Educational Programs

- A. The office of Criminal Justice Treatment Services will coordinate inmate educational programs at the Outagamie County Jail as outlined in policy IP1, Inmate Programs.
- B. Inmate program participation will be voluntary except for court ordered programs. Inmates with poor attendance due to un-excused absence may be subject to disciplinary action.
- C. Inmates with poor attendance may be removed or suspended from program participation.
- D. If an inmate refuses to participate in court ordered programs the court of jurisdiction will be notified.

HL 1.4.2 Religious Programs

- A. Religious programs and related services ~~will~~ may be coordinated by the non-denominational Outagamie County Jail Chaplain depending on availability and level of interest.

HL 1.5 Meals

The Outagamie County Jail will provide inmates with three meals that meet or exceed dietary allowances as contained in the recommended Dietary Allowances, National Academy of Sciences Daily. All meals will be prepared by food services staff in the jail kitchen under industry acceptable sanitary conditions and procedures.

HL 1.5.1 Meal Count Reporting

- A. Breakfast Count: kitchen staff will send up the same number of bag lunches as supper meals served during the prior evening.
- B. Lunch Count: the designated officer on A shift will provide food service staff with an inmate count no later than 9:00 a.m.
- B. Supper Count: the designated officer on B shift will provide food service staff with an inmate count no later than 4:00 p.m.

HL 1.5.2 Meal Times

Meal times will be approximately 6:30 a.m. for the morning meal(breakfast), 11:30 a.m. for the noon meal (lunch), and 5:30 p.m. for the evening meal (supper).

HL 1.5.3 Special Meals

- A. A bag lunch will be available to inmates that are scheduled to return to the Huber Law Center after dinner is served until 8:00 p.m. This is a reserved meal and the inmate must sign his/her name on the late dinner schedule.
- B. A bag lunch will be available to inmates that are scheduled to be absent from the facility at regular meal times. Inmates must sign their name on the bag lunch schedule.
- C. An early breakfast of cereal and breads will be available to inmates that are scheduled to leave the Center before breakfast is served. Inmates must sign the early breakfast schedule.
- D. Inmates with a special dietary need, doctor prescribed diet, allergies, etc., must bring the need to the attention of an officer.

HL 1.5.4 Food Service

Policy IS2, Inmate Services, contains the guidelines under which food service is administered at the Outagamie County Jail.

HL 1.6 Recreation

The Outagamie County Jail will provide recreational activities for all inmates incarcerated under Huber Law. The activities will be provided under conditions of security and supervision that maintain the safety of inmates, staff, and visitors.

HL 1.6.1 Exercise

Inmates may perform cardio-vascular fitness activities inside the day room of the housing unit.

HL 1.6.2 Leisure Time Recreation

Inmates will have the opportunity to engage in activities during leisure time.

- A. Board games and puzzles are available in each housing unit day room.
- B. A television set is located in each housing unit day room.
- C. Reading materials including local newspapers will be provided from the library.

HL 1.7 Drug / Alcohol Testing

Any inmate incarcerated in the Outagamie County Jail may be called upon periodically and/or randomly to provide a urine specimen or breathe specimen to test for the presence of illicit or contraband drugs in accordance with policy SC 12, Drug Testing.

HL 1.7.1 An Inmate Who Tests Positive for Use of an Illicit Drug May be Disciplined

- A. The court of jurisdiction shall at a minimum be petitioned to suspend Huber Law privileges for up to 30 days for the first offense.
- B. A second offense shall normally be cause for petition for revocation for the term of incarceration.

HL 1.7.2 An Inmate Who Tests Positive for Use of Alcohol May be Disciplined

- A. Discipline will be handled in a progressive and reasonable manner for first and second offenses based upon the totality of the circumstances.
- B. A third offense shall normally be cause to petition the court of jurisdiction to revoke Huber Law privileges for the whole period of incarceration.

HL 1.8 Discipline

The Outagamie County Jail will have in place a system of inmate discipline that protects the public, inmates, and staff and maintain order in the Huber Law/Work Release Center through impartial application of a fully developed well understood set of rules and regulations and a hearing procedure that is fair and just.

HL 1.8.1 Purpose of Discipline

- A. Protect inmates, staff and visitors.
- B. Hold inmates accountable for their behavior.
- C. Promote inmate self-control.
- D. Maintain order.
- E. Ensure inmate compliance to Outagamie County Jail rules.

HL 1.8.2 Prohibitions

Disciplinary action taken to regulate inmate behavior will not be arbitrary, retaliatory or discriminatory.

HL 1.8.3 Progressive Discipline

Disciplinary action for rules violations will be administered in a progressive manner.

- A. Minor rules violations will result in the issuance of a ticket in accordance with IM4, Rules/Discipline, to the offending inmate by an officer.
- B. Accumulation of three tickets for minor rules violations in a 60 day time period will be treated as a major rule violation and may result in a disciplinary hearing in which an appropriate discipline will be decided and administered to the inmate.

HL 1.8.4 Penalties

Disciplinary penalties may include:

- 1. Loss of privileges
- 2. Assigned unpaid work hours
- 3. Administrative confinement
- 4. Loss of good time
- 5. Adjustment or program segregation
- 6. Administrative suspension of Huber Law/Work Release privileges for one to five days.
- 7. Petition for revocation of Huber Law/Work Release privileges for more than five days.
- 8. Petition for revocation of Huber Law/Work Release privileges for up to the remaining period of incarceration.

HL 1.8.5 Subsequent Violations

The administration for progressive discipline for continued violations may begin with a discipline that is consistent with the original subsequent offenses.

HL 1.8.6 Due Process

Disciplinary hearings will be conducted in accordance with policy IM 4, Rules/Discipline.

HL 1.9 Rules

A listing of the major and minor rule violations will be posted in each Huber dorm.

HL 1.10 Handbook

An inmate handbook will be available online and may be given to each inmate who reports in to get a report date or whenever an inmate is moved from lock up to Huber. When people report in to be assigned a report date, they will sign a receipt stating that

they were made aware of how to access the online handbook or received a handbook. The handbook should be used as reference tool for both staff and inmates.

HL 1.11 Alternatives to incarceration

Programs that provide an alternative to the physical confinement of a person in the jail, may, at the discretion of the sheriff, be developed and implemented. Such programs shall be an extension of the Huber Law/Work Release Center. Placement in an alternative to incarceration program is a privilege that may be offered to offenders that meet the established selection criteria as outlined in Policy HL 2, Alternatives to Incarceration.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

HL 2 – Alternatives to Incarceration (ATIPS)

Policy Section: Huber Law	Effective Date: 6/25/20	Revision Date:		Page: 1 of 2
		8/1/11		
		8/15/17		
WI State Statute	303.08, 946.42			
WI Administrative Code				
Related Policies	HL 1, IM 4			
Related SOP’S		Approved by: Outagamie County Sheriff		

Policy

The Outagamie County Jail may develop a program at the discretion of the Sheriff that provides an alternative to the physical confinement of a person in jail.

HL 2.1 Alternatives to incarceration (ATIPS)

- A. An ATIPS programs can be an extension of the Huber Law/Work Release Center under the provisions of §308.08 or it may be an extension of inmates being held under ordinary confinement as approved by the Sheriff.
- B. ATIPS programs may also be used to supervise offenders who are found to have extraordinary needs that cannot be appropriately met in a jail setting.
- C. The Sheriff's Department will coordinate the management of inmates on electronic monitoring.

HL 2.2 Electronic Monitoring Program (EMP)

- A. The EMP Program requires that the offender wear system approved equipment. The movements of the offender will be tracked by satellites GPS technology and will be reported to jail staff through a computer system. This technology normally allows jail staff to track the location of an offender any time of the day. The EMP Program also requires that the offender attend scheduled visits to the jail and attend GED classes if applicable. Each offender will be subject to inspections of the offender and his/her surroundings at any time of the day by Outagamie County Deputies or other authorized personnel.

HL 2.3 Selection of Candidates

- A. Candidates will be selected using the criteria, which have been cooperatively established between the Sheriff's Office and the Coordinating Council.
- B. The Sheriff's Office reserves the right to override a placement onto an ATIP's program.

HL 2.4 Disciplinary Philosophy

- A. Disciplinary action to regulate inmate behavior will not be arbitrary, retaliatory or discriminatory.
- B. Policy IM 4, Rules/Discipline, contains the guidelines for disciplinary procedures.

HL 2.5 Application and Agreement

- A. Inmates will be required to complete an application for ATIPS that will be used by staff to determine eligibility.
- B. Inmates will be required to read and sign an agreement that contains rules concerning ATIPS prior to going on the program.
- C. Violations of these rules may result in loss of GPS and Huber privileges as well as all other disciplinary measures contained in the Huber policy.

HL 2.6 Alcohol Monitoring Units

Outagamie County reserves the right to place any ATIPs inmate on an alcohol monitoring unit. The inmate will be required to pay the additional fee for the unit and will be responsible to use the unit correctly when prompted. Inmates will be instructed on the set up and use of the alcohol monitoring unit.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP**

SOP 1 – Inmate Canteen Set Up and Delivery

Section: Inmate Canteen Set Up and Delivery	Effective Date: 04/15/20	Review / Revision Date:		Page: 1 of 4
		2/15/06	5/15/17	
		9/15/12		
		9/25/14		
Related Policies				
Related SOP'S				

Purpose:

The purpose of inmate canteen set up and delivery at the Outagamie County Justice Center is to:

1. Have a uniform procedure for setting up canteen.
2. Have a process in place for correcting discrepancies.
3. Ensure each inmate's canteen is accounted for prior to delivering to the inmate.
4. Ensure the correct inmate gets the correct canteen order.

Procedure:

Canteen Set Up

1. All 2nd shift floor Officers are responsible for setting up canteen on their respective floors.
2. The floor Officers will retrieve their floor's respective canteen items from the designated staging area.
3. The canteen orders will be sorted by unit and separated by upper and lower tier when appropriate. The canteen bags must be checked against the unit grease boards for accuracy.
4. If the inmate is not in the unit indicated on the canteen bag, the Officer will verify the inmate's housing assignment. The bag will be labeled accordingly and brought to the correct unit. If the inmate is no longer in custody, the canteen order will be placed on the supply clerk's desk. If an inmate is on a WRIT, the order will be placed in the inmate's property and a notation will be made in the inmate's activity file.
5. If 2nd shift Officers are unable to complete canteen set up, the on-duty supervisor will be notified prior to the end of their shift.

Canteen Delivery 2nd Shift

1. The following inmates will have their canteen delivered on 2nd shift.
 - A. Inmates housed in segregation housing units.
 - B. Inmates housed in maximum-security housing units, provided they are secured inside of their cells.
 - C. Huber inmates housed in dormitories.
 - D. Inmates housed in general population (discretionary) when time permits. Canteen can be delivered using one of two procedures.
 1. Officers can enter the housing unit with the canteen orders and deliver the canteen to each individual cell once the unit is locked down. The officer must verify the inmate's identity prior to handing the canteen through the cell's pass through door.
 2. Officers can deliver canteen through the hall pass-through door once the unit is locked down. The officer will not let out more than two cells at a time provided they can control the delivery process and must verify the inmate's identity prior to handing the canteen through the pass-through door.
 3. Lock up inmates housed in dormitories (discretionary) when time permits and staff can facilitate the process in a way that ensures canteen goes to the correct inmate. No more than four canteen orders can be placed into a unit at a time for delivery.
2. Inmates housed in a dormitory will have their canteen orders delivered through the hall pass-through door after the Officer has verified the inmate's identity.
3. Inmates housed in segregation and maximum security housing units will have their orders delivered through their cell's pass-through door after the Officer has verified the inmate's identity.
4. When delivering canteen, the Officer will instruct the inmate to inspect the items in the canteen bag to ensure all items are present. The Officer will observe the inmate during inspection. The Officer will sign the canteen receipt using his/her number. The signed canteen receipt will be forwarded to the on-duty supervisor.
5. If the inmate's order is correct he/she must sign the canteen receipt and return the plastic bag to the Officer. The signed canteen receipt will be forwarded to the on-duty supervisor.
6. If the inmate is missing any item(s), the Officer will note the missing item(s) on the canteen receipt and sign the canteen receipt along with the inmate to verify that the item(s) are missing. The signed canteen receipt will be sorted by those with errors and those without errors and forwarded to the on-duty supervisor who will forward the receipts to the appropriate vendor. Claims of missing items have to be made at the time of delivery.

7. If the inmate disputes any items they did or did not receive, the officer will advise the inmate to write a S/Sgt. who will coordinate follow up with the vendor explaining the dispute. The officer will note any disputes and report them to the on-duty supervisor.
8. An inmate cannot refuse their canteen order. If the inmate attempts to refuse their order, the Officer will explain to the inmate the order will be placed in their property and he/she will be billed for the order.
9. After all canteen orders have been delivered to the assigned housing units the officer will ensure all boxes, bags, and receipts have been collected.
10. If the inmate refuses to accept an indigent pack, it will be placed in their property and a notation will be made in the inmate's activity file. Canteen delivery does not take the place of a patrol tour.

Canteen Delivery 3rd Shift

1. 3rd shift floor Officers on 4th and 5th floor will deliver canteen to lock-up inmates in traditional dormitories and linear housing units that was not delivered by 2nd shift. The Security Officer will assist on the 5th floor, the 2nd Huber Officer will assist on the 4th floor and the Booking Officer will assist when available or as directed by the on-duty supervisor.
2. Canteen can be delivered using one of two procedures for lock up inmates in traditional linear housing units:
 - a. Officers can enter the housing unit with the canteen orders and deliver the canteen to each individual cell. The Officer must verify the inmate's identity prior to handing the canteen through the cell's pass-through door.
 - b. Officers can deliver canteen through the hall pass-through door. The Officer will only let out no more than two cells at a time provided they can control the delivery process and must verify the inmate's identity prior to handing the canteen through the pass-through door.
3. When delivering canteen, the Officer will instruct the inmate to inspect the items in the canteen bag to ensure all items are present. The Officer will observe the inmate during inspection. The Officer will sign the canteen receipt using his/her number. The signed canteen receipt will be sorted by those with errors and those without errors and forwarded to the on-duty supervisor.
4. If the inmate's order is correct he/she must sign the canteen receipt and return the plastic bag to the Officer. The signed canteen receipt will be forwarded to the on-duty supervisor.
5. If the inmate is missing any item(s), the Officer will note the missing item(s) on the canteen receipt and sign the canteen receipt along with the inmate to verify that the

item(s) are missing. The signed canteen receipt will be forwarded to the on-duty supervisor who will forward the receipts to the vendor. Claims of missing items have to be made at the time of delivery

6. If the inmate disputes any items they did or did not receive, the officer will advise the inmate to write to a S/Sgt. who will coordinate follow up with the vendor explaining the dispute. The officer will note any disputes and report them to the on-duty supervisor.
7. An inmate cannot refuse their canteen order. If the inmate attempts to refuse their order, the Officer will explain to the inmate the order will be placed in their property and he/she will be billed for the order.
8. After all canteen orders have been delivered, the officer will ensure all non-canteen items have been collected.
9. After all the units have received their canteen; the officer will coordinate the return of the canteen delivery boxes to the loading dock.
10. If the inmate refuses to accept an indigent pack, it will be placed in their property and a notation will be made in the inmate's activity file.
11. Canteen delivery does not take the place of a patrol tour.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP**

SOP 2 – Housing Unit Sanitation

Section: Housing Unit Sanitation	Effective Date: 09/25/14	Review / Revision Date:		Page: 1 of 2
		2/15/06		
		6/15/07		
Related Policies				
Related SOP’S				

Purpose:

The purpose of sanitizing inmate housing units at the Outagamie County Jail is to:

1. Ensure inmates clean their living areas and mattresses on a regular basis.
2. To reduce bacteria and germs.

Procedure:

Adult Housing Unit Sanitation

1. All adult housing units, on the 3rd, 4th, and 5th floor will be provided with cleaning supplies daily. Supplies to segregation inmates will be based on a set schedule and behavior.
2. Assigned A-shift staff will ensure that tables and unit pass doors in general population housing units are cleaned/sanitized prior to the lunch meal but after any type of laundry exchange.
3. Assigned A-shift staff will ensure that cell pass doors in segregation units will be cleaned once daily prior to the lunch meal but after any type of laundry exchange.
4. Assigned B-shift staff will ensure that tables and pass doors in general population housing units are cleaned / sanitized prior to the dinner meal.
5. Assigned C-shift staff will ensure that tables and pass doors in general population are cleaned and sanitized prior to the breakfast meal.
6. The standard for sanitation will be explained in the inmate handbook.
 - A. The posting will direct inmates to clean their shower(s), dayroom table(s), toilet(s), sink(s), bunk(s), mattress(s), walls, and locker(s) daily.
7. Correctional Staff will inspect each housing unit every time they tour a unit.

- A. Anytime a health or cleanliness concern is noted, the noting staff member will take the appropriate action to correct the concern.

Mattress Sanitation

1. Anytime an inmate is admitted they will be provided with sanitizing wipes to clean their mattress.
2. Anytime an inmate is moved to a new cell where they will be using a new mattress they will be provided with sanitizing wipes to clean their mattress.

Failure to Comply

1. Any inmate who fails to comply with the above listed cleaning and sanitizing procedure is subject to disciplinary action.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP**

SOP 3 – Receipt and Processing of Health Transfer Summaries

Section: Receipt and Processing of Health Transfer Summaries	Effective Date: 9/25/14	Review / Revision Date:		Page: 1 of 2
		2/15/06		
		3/15/12		
Related Policies				
Related SOP'S				

Procedure:

Receipt of Incoming Summary

1. All inmates received from other correctional facilities located in the state of Wisconsin are required to have a Health Transfer Summary (HTS) at the time of booking.
2. Upon receipt the officer receiving the inmate will review the HTS prior to accepting the inmate into custody. The reviewing officer will note the date, time, facility, and staff member's name under the applicable section.
3. The officer reviewing the HTS will advise the Health Staff Unit (HSU) if any conditions of concern exist after completing an intake health screening. If a HSU staff member is not on-duty, the on-duty supervisor will be contacted.
4. Absent any other concerns of self harm when a suicide attempt is noted on a HTS within the last month, i.e. April 28th to May 28th a Must Have Cellmate restriction will normally be added to the inmates JMS record.
- 5.
6. After the receiving officer reviews the HTS, the receiving officer will place the HTS in the HSU bin in the Jail Records Office.
7. HTS forms are filed in the medical record and become a part of the permanent medical file.

Processing the Outgoing Summary

1. Upon notification an inmate is being transferred to another correctional facility the releasing officer will check for a completed HTS in the WRIT book.

2. If a HTS has been completed the releasing officer will hand the HTS to the receiving officer prior to releasing the inmate.
3. If a HTS has not been completed prior to release, the releasing officer will contact HSU and request a HTS.
4. Upon receiving a completed HTS from HSU, the releasing officer will hand the HTS to the receiving officer.
5. If a HTS has not been completed and HSU staff is not on duty, the releasing officer will complete sections #1 and #2 of the HTS and print off a copy of the inmates most current medical screening. The releasing officer will then contact the on-duty supervisor.
 - a. The on-duty supervisor will review the HTS and complete section #6.
 - b. Upon completion of the HTS, the on-duty supervisor will give the copy of the completed HTS to the releasing officer who will hand the HTS to the receiving officer.
 - c. The on-duty supervisor will insure that a copy of the HTS is marked, made and placed in the nurse's bin for review.
6. Within 24 hours a health care provider will review and complete the appropriate section of the HTS form.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP-4**

SOP 4 Release Date Guidelines

Section: Release Date Guidelines	Effective Date: 09/01/10	Review / Revision Date:		Page: 1 of 22
		2/15/06		
		3/1/07		
		11/15/07		
Related Policies				
Related SOP'S		Related Statute's	302.43, 973.155, 973.02, 973.03(4)	

Purpose:

The purpose of having a guideline for calculation of an inmate's release date is to ensure a consistent procedure to determine, based on the information provided by the courts, the exact release date of any sentenced inmate in our custody.

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A. Basic Release Date Guidelines

1. For the purposes of sentence computations, sentences will be broken down into days, months and years. This will be determined by the sentencing description on the Judgment of Conviction (J.O.C.) or, in the absence of the J.O.C., the Interim Notice of Conviction.
2. When calculating release dates, use the Judgment of Conviction (JOC) when available. If not, use the Interim Notice of Conviction (half sheet). The JOC is the final say for all outdate calculations. If the Interim Notice of Conviction grants credit but the JOC does not, do not give credit.
3. Do not calculate sentences based on information provided on Fail to Report to Jail Bench Warrants. Retrieve the original JOC to calculate release dates for those sentences.
4. Do not calculate sentences of transfers from other county jails. Teletype the responsible agency for the outdate calculation.
5. When a sentence does not earn goodtime, you must enter the same number of days listed in the *Parole Time* field that is figured in the *Good Time* field. This purges the goodtime for that sentence.
6. Any questions regarding release date calculations should be directed to the on-duty supervisor.

B. Good Time

1. Inmates serving sentences as a condition of probation do not receive Good Time unless the court grants Good Time on the order. Sentences as a condition of probation for OWI 4th and above shall receive good time
2. All fractions will be rounded down when calculating the amount of Good Time.
3. There is no Good Time awarded for a sentence of less than 4 days unless granted by the court.
4. Criminal contempt sentences receive Good Time. (Not common)
5. Civil contempt sentences do not receive Good Time. (More common, Paternity)
6. Inmates sitting a lifted stayed/conditional sentence as a condition of probation do not get Good Time. (i.e.: Inmate sitting 20 days for a 2nd probation violation)
7. When calculating a release date based on the Interim Notice of Conviction (half sheet), look at the Huber/Work Release section of the order. If Huber is circled, Good Time is granted, if it is Work Release, no Good Time is granted, unless granted by the court.

C. Consecutive vs. Concurrent Sentences

1. Sentences are concurrent unless specified otherwise.
2. Sentences stating consecutive are only consecutive to other existing sentences.
(Example: Inmate is sentenced to 20 days consecutive for DC on 10/12/04. 10 days later, 10/22/04, inmate is sentenced to 20 days concurrent for Battery. These sentences run concurrent.
3. When inmates are ordered to serve consecutive sentences for multiple counts under one case, calculate the release date by adding all time on all counts and enter that total in the Days Sent field. Calculate the total number of days credit and enter total in the CTS (Credit Time Served) field.

4. When inmates are ordered to serve consecutive sentences under separate cases, calculate each sentence separately using the Consec Sent calculator.

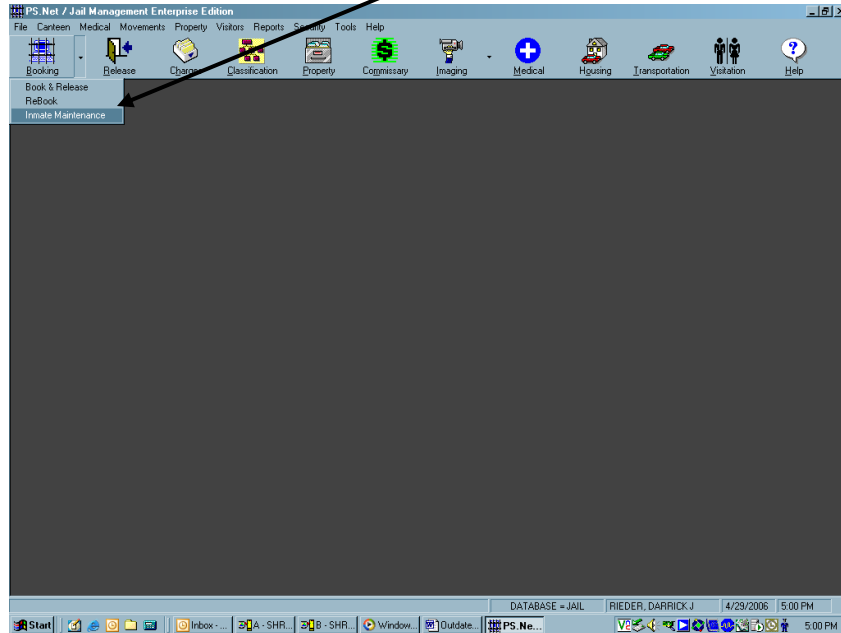
D. Release Date Review Procedures

1. Only corporals and officers formally trained in release date calculations shall calculate release dates.
2. Handwrite the start and release dates, officer initials, and officer number on the Judgment/Interim. If you have copies of both, handwrite the release date on the Judgment of Conviction.
 - i. Example: S: 05/20/2006
 O: 07/20/2006
 D. Rieder #218
3. The booking clerk must give all new Interim Notices of Conviction and Judgments of Conviction from court to the on-duty corporal for release date calculations. After those calculations are complete, the corporal must photocopy the Judgment/Interim with the handwritten release date and place that copy in the release date bin in booking for review. The original Judgment/Interim with the handwritten release date must be returned to Records for filing.
4. Staff Sergeants will review each calculated release date and initial the copied Judgment/Interim upon approval of the calculation. The reviewed copy of the Judgment/Interim will then be placed into the appropriate inmate's working file.
5. When an inmate reports for a sentence (Huber / lock-up), the corporal shall calculate the release date and photocopy the Judgment/Interim with the handwritten release date and place that copy in the release date bin in booking for review. The original Judgment/Interim with the handwritten release date shall remain in the inmate's working file.
6. Any questions regarding release date calculations should be directed to the on-duty supervisor.

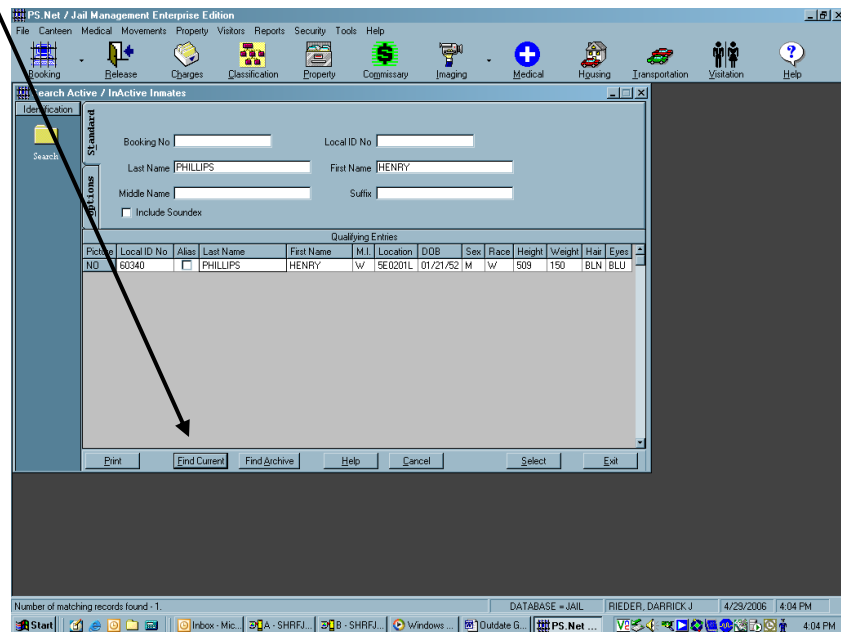
E. Examples

Example #1 Huber sentences.

1. Select the *Inmate Maintenance* tab under the *Booking* button. If you are in the process of booking in the inmate, skip to step 4.



2. Type in the date of birth of the person you are searching for and press Enter or click the *Find Current* button at the bottom of the window.



3. Choose the inmate from the drop-down screen by either double-clicking on the name bar or single clicking the name bar and clicking the *Select* button. This will bring you to the Standard Booking window.

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File Canteen Medical Movements Property Visitors Reports Security Tools Help

Booking Release Charges Classification Property Commissary Imaging Medical Housing Transportation Visitation Help

Search Active / InActive Inmates

Identification

Standard

Search

Options

Booking No: Local ID No:

Last Name: PHILLIPS First Name: HENRY

Middle Name: Suffix:

☐ Include Soundex

Qualifying Entries

Picture	Local ID No	Alias	Last Name	First Name	M.I.	Location	DOB	Sex	Race	Height	Weight	Hair	Eyes
NO	60340	☐	PHILLIPS	HENRY	W	5E0201L	01/21/52	M	W	609	150	BLN	BLU

Print Find Current Find Archive Help Cancel Select Exit

Number of matching records found - 1.

DATABASE = JAIL RIEDER, DARRICK J 4/29/2006 4:04 PM

Start [Icons] PS.Net ... 4:04 PM

4. Below is the Standard Booking window.
Click on the *Charges* drawer on the left side of this window. Then open the *Offenses* folder.

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File Canteen Medical Movements Property Visitors Reports Security Tools Help

Booking Release Charges Classification Property Commissary Imaging Medical Housing Transportation Visitation Help

Offenses Charges

Booking ID Number 60340 **Assaultive History-Deaf-Diabetic-Sex Offender-Special Needs-Withdrawal** NO PIC

Charges Booking No 0600000252 Name PHILLIPS, HENRY WILLIAM Classification REC

DOB 01/21/1952 Age 54 Sex M Race W Height 509 Weight 150 Bld. A Location 5E0201L

Charges Bonds Purges Judicial Disp. Sentence Trusty Status Billing Charge Hist.

Charges Not Yet Sentenced

Charge #	S. O. Case No	Court Case No	Statute Description	Judge	Disposition
1		06CM123	DISORDERLY	FIGY	06CM123 SENTENCED TO 30 DAYS HL
2		06CM245	BATTERY	FIGY	06CM245 SENTENCED TO 30 DAYS HL

Level Court Case Number Start Date / Time Days Sent Hours CTS End Date / Time Consec Sent

Disciplinary T 06CM123 06CM245

Sentence Time Suspended Time Trusty Time Misc Credit Judicial Info (Not Calculated) Years Months Days

Conviction Date Sentence Date Disposition Date Fine Amount Fine Rate Fine Paid Sentence Fee Release Date / Time

Comments View Sentence Record History

Entered By Sentenced Serving Years: Months: Days:

Sentence Records

Print Post Charges Help Cancel Save Exit

Finished loading data. DATABASE = JAIL RIEDER, DARRICK J 4/29/2006 4:06 PM

Start Inbox - Mic... A - SHRFJ... B - SHRFJ... Windows ... Outdate G... PS.Net ... 4:06 PM

- Next, select the Sentence tab from the list on the *Offenses / Charges* window. (Circled below)
- Select the appropriate case number from the drop down menu list field titled *Court Case Number*.

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File Canteen Medical Movements Property Visitors Reports Security Tools Help

Booking Release Charges Classification Property Commissary Imaging Medical Housing Transportation Visitation Help

Offenses / Charges

ID Number 60040 **Assaultive History-Deaf-Diabetic-Sex Offender-Special Needs-Withdrawal** Classification REC NO PIC

Booking No 0600000252 Name PHILLIPS, HENRY WILLIAM DOB 01/21/1952 Age 54 Sex M Race W Height 509 Weight 150 lbs A Location 5E0201L

Charges Bonds Purges Judicial Dis **Sentence** Trusty Status Billing Charge Hist

Charges Not Yet Sentenced

Charge #	S. J. Case No	Court Case No	Statute Description	Judge	Disposition
☒ 1		06CM123	DISORDERLY	FIGY	06CM123 SENTENCED TO 30 DAYS HL
☐ 2		06CM245	BATTERY	FIGY	06CM245 SENTENCED TO 30 DAYS HL

Level Court Case Number Start Date / Time Days Sent Hours CTS End Date / Time Consec Sent

Disciplinary 1 06CM123 06CM245

Conviction Date Sentence Date Disposition Date Fine Amount Fine Rate Fine Paid Sentence Fee Release Date / Time

Comments

Entered By

☐ Sentenced ☐ Serving Years: Months: Days:

Sentence Records

Print Past Charges Help Cancel Save Exit

Finished loading data. DATABASE = JAIL RIEDER, DARRICK J 4/29/2006 4:06 PM

Start Inbox - Mic... A - SHRFJ... B - SHRFJ... Windows ... Outdate G... PS.Net ... 4:06 PM

7. Review the Interim Notice of Conviction or Judgment of Conviction.
8. Enter sentence start date in the *Start Date / Time* field. This is the day the inmate reported to jail for his or her sentence. If the sentence start date is the current date, you can enter the date by simply pressing the F11 key.
9. Always enter 00:01 for the time. If you do not, the computer will not allow you to release the inmate from the computer until the release time you enter.
10. Next, tab to the *Days Sent* field and press F1 to enter the sentence (circled below). The computer automatically calculates the sentence into the appropriate number of days (total days). Click the *Accept* button to enter the data.

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File Canteen Medical Movements Property Visitors Reports Security Tools Help

Booking Release Charges Classification Property Commissary Imaging Medical Housing Transportation Visitation Help

Offenses / Charges

Booking ID Number **60340** Classification **REC** **NO PIC**

Charges Booking No **0600000275** Name **PHILLIPS, HENRY WILLIAM**

DOB **01/21/1952** Age **54** Sex **M** Race **W** Height **509** Weight **150** Bld **A** Location **4HLD0107**

Charges Bonds Purges Judicial Disp. **Sentence** Trusty Status Billing Charge Hist.

Charges Not Yet Sentenced

Charge #	S. O. Case No	Court Case No	Statute Description	Judge	Disposition
☒ 1		06CM122	DISORDERLY	FIGY	

Level Court Case Number Start Date / Time Days Sent

06CM122 05/05/2006 00:01 0

Disciplinary Time Good Time Parole Time Suspended Time Trusty Time

0 0 0 0 0

Conviction Date Sentence Date Disposition Date Fine Amount Fine Rate

/ / / / / / 0.00 0.00

Comments

Entered By ☐ Sentenced ☒ Sentence Years: 0 Months: 0 Days: 0

Sentence Records

Print Post Charges Help Cancel Save Exit

View Sentence Record History

Release Date / Time 5/05/2006 00:01

Finished loading data. DATABASE = JAIL RIEDER, DARRICK J 5/5/2006 4:29 AM

-
- PS.Net / Jail Management Enterprise Edition
- File Canteen Medical Movements Property Visitors Reports Security Tools Help
- Booking Release Charges Classification Property Commissary Imaging Medical Housing Transportation Visitation Help
- Offenses / Charges**
- Booking ID Number **60340**
- Charges ID Number **0600000275** Name **PHILLIPS, HENRY WILLIAM** Classification **REC** **NO PIC**
- DOB **01/21/1952** Age **54** Sex **M** Race **W** Height **509** Weight **150** Bld. **A** Location **4HLD0107**
- Charges Bonds Purges Judicial Disp. **Sentence** Trusty Status Billing Charge Hist.
- Charges Not Yet Sentenced
- | Charge # | S. O. | Case No | Court Case No | Statute Description | Judge | Disposition |
|---------------------------------------|-------|---------|---------------|---------------------|-------|-------------|
| ☒ 2 | | | 06CM556 | BATTERY | FIGY | |
- Level Court Case Number Start Date / Time Days Sent Hours CTS End Date / Time Convict Sent
- 06CM556 05/05/2006 00:01 365 0 0 05/05/2007 00:01 191
- Disciplinary Time Good Time Parole Time Suspended Time Trusty Time Misc Credit Judicial Info (Not Calculated) Years M Sentence Case Number Start Date Days Sent
- 0 91 91 0 0 0 0 191 06CM122 5/5/2006 92
- Conviction Date Sentence Date Disposition Date Fine Amount Fine Rate Fine Paid Sentence Fee Release Date / Time
- / / / / / / / / 0.00 0.00 0.00 0.00 05/05/2007 10:01
- Comments View Sentence Record History
- Entered By Sentenced Serving Years: 1 Months: 0 Days: 0
- Sentence Records
- Print Fast Charges Help Cancel Save Exit
- PROPERTY
- COMMISSARY
- IMAGING
- RELEASE
- CLASSIFICATION
- MEDICAL
- HOUSING
- DATABASE = JAIL RIEDER, DARRICK J 5/5/2006 4:38 AM
- Start PS.Net / Jail Management Enterprise Edition

- If the sentence does not allow Good Time (example: condition of probation sentence), you must enter the same number of days displayed in Good Time into the Parole Time field (circled below).*

11

15. Tab down to the *Comments* field (circled below) and enter all appropriate comments. Include the following information under comments
 - Case number
 - Sentence days
 - Sentence type
 - Other comments
16. Click the *Save* button on the bottom of the window to save your work.
17. Handwrite the start and release dates, officer initials, and officer number on the Judgment/Interim. If you have copies of both, handwrite the release date on the Judgment of Conviction.

Example: S: 05/20/2006
 O: 07/20/2006
 D. Rieder #218
18. After writing the release date on the Judgment/Interim, make a copy and place the copy in the outdate bin for review.
19. The reviewing S/Sgt. will review each calculated release date and initial the copied Judgment/Interim. The reviewed copy of the Judgment/Interim will then be placed into the appropriate inmate's working file.
20. The booking clerk must give all new Interims/Judgments from court to the on-duty corporal for release date calculations. After those calculations are complete, the corporal must photocopy the Judgment/Interim with the handwritten release date and place that copy in the release date bin in booking for review. The original Judgment/Interim with the handwritten release date must be returned to Records for filing.
21. When an inmate reports for a sentence (Huber / lock-up), the corporal shall calculate the release date and photocopy the Judgment/Interim with the handwritten release date and place that copy in the release date bin in booking for review. The original Judgment/Interim with the handwritten release date shall remain in the inmate's working file.
22. Any questions regarding release date calculations should be directed to the on-duty supervisor.

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File Canteen Medical Movements Property Visitors Reports Security Tools Help

Booking Release Charges Classification Property Cognisary Imaging Medical Housing Transportation Violation Help

Offenses / Charges

ID Number: 60340
 Booking No: 0600000252
 Name: PHILLIPS, HENRY WILLIAM
 DOB: 01/21/1952 Age: 54 Sex: M Race: W Height: 509 Weight: 150 Bld: A Location: SE0201L

Assaultive History-Deaf-Diabetic-Sex Offender-Special Needs-Withdrawal
 Classification: REC

Charges: Bonds: Purses: Judicial Disp.: Sentence: Trusty Status: Billing: Charge Hist.

Charge #	S. O.	Case No.	Court Case No.	Statute Description	Judge	Disposition
1			06CM245	BATTERY	FIGY	06CM245 SENTENCED TO 30 DAYS HI

Level: Court Case Number: 06CM245 Start Date / Time: 05/20/2006 00:01 Days Sent: 90 Hours: 0 CTS: 0 End Date / Time: 08/18/2006 00:01 Conseq Sent: 184

Disciplinary Time: 0 Good Time: 22 Parole Time: 0 Suspended Time: 0 Trusty Time: 0 Misc Credit: 0 Judicial Info (Not Calculated): 0 Years: 0 Months: 0 Days: 0

Conviction Date: / / Sentence Date: / / Disposition Date: / / Fine Amount: 0.00 Fine Rate: 0.00 Fine Paid: 0.00 Sentence Fee: 0.00 Release Date / Time: 08/18/2006 00:01

Comments: 06CM245 / 90 DAYS AS A CONDITION OF PROBATION / CONSECUTIVE TO 06CM123

Entered By: 218 RIEDER, DARRICK J

Print: Save Charges: Help: Cancel: Save: Exit

DATABASE: JAIL RIEDER, DARRICK J 4/23/2006 4:50 PM

Fail to Pay / Arrest and Commitment

1. Bring up the *Offenses / Charges* screen (see below) to calculate outdate.
2. Choose the appropriate case number from the drop down menu list field titled *Court Case Number*. (Circled below)
3. Enter sentence start date in the *Start Date / Time* field. This is the date the inmate was either brought to jail on the FTP warrant or the date the warrant was faxed to the jail. If the sentence start date is the current date, you can enter the date and simply by pressing the F11 key.
4. Always enter 00:01 for the time. If you do not, the computer will not allow you to release the inmate from the computer until the time entered.

PS.Net / Jail Management Enterprise Edition

File Canteen Medical Movements Property Visitors Reports Security Tools Help

Booking Release Charges Classification Property Commissary Imaging Medical Housing Transportation Visitation Help

Offenses / Charges

ID Number **60340** **Assaultive History-Deaf-Diabetic-Sex Offender-Special Needs-Withdrawal**
 Booking No **0600000252** Name **PHILLIPS, HENRY WILLIAM** Classification **REC**
 DOB **01/21/1952** Age **54** Sex **M** Race **W** Height **509** Weight **150** Bld **A** Location **5E0201L** **NO PIC**

Charges Bonds Purges Judicial Disp. **Sentence** Trusty Status Billing Charge Hist.

Charges Not Yet Sentenced						
Charge #	S. O.	Case No	Court Case No	Statute Description	Judge	Disposition
☒ 1			06CM123	DISORDERLY	FIGY	06CM123 SENTENCED TO 30 DAYS HL
☐ 2			06CM245	BATTERY	FIGY	06CM245 SENTENCED TO 30 DAYS HL

Level [dropdown] Court Case Number [dropdown] Start Date / Time [date/time] Days Sent [text] Hours [text] CTS [text] End Date / Time [date/time] Consec Sent [text]

Disciplinary T [dropdown] Sentence Date [date] Suspended Time [text] Trusty Time [text] Misc Credit [text] Years [text] Months [text] Days [text]
 Judicial Info (Not Calculated) [text] [text] [text]

Conviction Date [date] Sentence Date [date] Disposition Date [date] Fine Amount [text] Fine Rate [text] Fine Paid [text] Sentence Fee [text] Release Date / Time [date/time]

Comments [text area] View Sentence Record History

Entered By [text] ☒ Sentenced ☐ Serving Years: [text] Months: [text] Days: [text]

Sentence Records [table]

[Print] [Past Charges] [Help] [Cancel] [Save] [Exit]

Finished loading data. DATABASE = JAIL RIEDER, DARRICK J 4/29/2006 4:06 PM

- Next, tab to the *Days Sent* field and press F1 to enter the sentence. The computer automatically calculates the sentence into the appropriate number of days (total days).
- Tab down to *Comments* at the bottom of the screen. In this field, type the citation number, municipality (Example KKPD) and sentence. (It is important to type the citation number and not the case number as there may be multiple commitment orders sharing the same case number).
- Next, determine if Good Time is allowed on the sentence. If the FTP Commitment does not specify if Good Time is allowed, assume Good Time is granted. If Good Time is allowed, the outdate calculation is completed. The computer automatically figures Good Time. If the sentence does not allow Good Time (ex. condition of probation sentence), remember to enter the same number of days displayed in the *Good Time* field into the *Parole Time* field.

Always handwrite the release date on the Interim or Judgment of Conviction. This will cover you if the outdate is changed after you entered it.

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File Canteen Medical Movements Property Visitors Reports Security Tools Help

Booking Release Charges Classification Property Commissary Imaging Medical Housing Transportation Visitation Help

Offenses / Charges

Booking ID Number 60340 Assaultive History-Deaf-Diabetic-Sex Offender-Special Needs-Withdrawal NO PIC

Charges Booking No 0600000252 Name PHILLIPS, HENRY WILLIAM Classification REC

DOB 01/21/1952 Age 54 Sex M Race W Height 509 Weight 150 Bld. A Location 5E0201L

Charges Bonds Purges Judicial Disp. **Sentence** Trusty Status Billing Charge Hist.

Charges Not Yet Sentenced

Charge #	S. O. Case No	Court Case No	Statute Description	Judge	Disposition
1		06CM123	DISORDERLY	FIGY	06CM123 SENTENCED TO 30 DAYS HL
2		06CM245	BATTERY	FIGY	06CM245 SENTENCED TO 30 DAYS HL

Level Court Case Number Start Date / Time Days Sent Hours CTS End Date / Time Consec Sent

0 06CM123 04/29/2006 00:01 30 0 3 05/19/2006 00:01 0

Disciplinary Time Good Time Parole Time Suspended Time Trusty Time Misc Credit

0 7 0 0 0 0

Conviction Date Sentence Date Disposition Date Fine Amount Fine Rate Fine Paid Sentence Fee Release Date / Time

/ / / / / / 0.00 0.00 0.00 0.00 / / /

Comments View Sentence Record History

Entered By 218 RIEDER, DARRICK J Sentenced Serving Years: 0 Months: 1 Days: 0

Sentence Records

Print Post Charge Help Cancel Save Exit

Finished loading data. DATABASE = JAIL RIEDER, DARRICK J 4/29/2006 4:07 PM

Start Inbox - Mic... A - SHRFJ... B - SHRFJ... Windows ... Outdate G... PS.Net ... 4:07 PM

Example #3
Sentence after Revocation (S.A.R.) Return to Court

There are two types of Revocation Orders. The first is a revocation where the inmate must return to court for sentencing and the second type does not. To determine whether or not the inmate must return to court, look at the “Return to Court” box on the revocation order.

If the box is marked Yes, the inmate must return to court. You do not need any further information on the order. The inmate will be sentenced and an Interim Notice of Conviction or Judgment of Conviction will be sent up to the jail to determine the outdate.

Do not use the Jail Credit Due on this type of revocation. The court will determine all credit due at sentencing. After sentencing, the court will send an Interim Notice and Judgment of Conviction to determine the release date.

The next example explains a Revocation Order where the inmate does not return to court for sentencing.

Example #4
Sentence after Revocation (S.A.R.) No Return to Court

This sentence is a revocation where the inmate does not return to court. You must refer to the original Judgment of Conviction to determine the release date.

First, determine the stayed sentence. In this case, the stayed sentences are: Ct. 1 = 5 months & Ct. 2 = 7 months. These counts do not specify consecutive or concurrent so we assume they are concurrent. The total time would be 7 months.

Next determine the sentence start date and enter that date into the *Start Date / Time* field. Enter the date on the bottom left hand corner of the revocation order. On this particular revocation, the order starts the revocation on 3/05/2006 *-until received at the institution*. This inmate did not get booked into Outagamie Jail until 05/05/2006. The computer will allow you to enter a date prior to the date of incarceration.

You must also total the days listed under Jail Credit Due on the revocation order. Jail Credit Due can be found on the lower left hand corner of the revocation order. Add the days credited towards that case. If the revocation gives credit to “All Cases”, the credit applies. If there is no case specified for the credit to be applied to, the credit applies to all cases. These include time served as a condition of probation (cond.) and probation holds (P/P hold). Add these totals to determine the total credit for time served. Enter that number in the *CTS* (Credit for Time Served) field.

If the revocation is a full revocation, good time is granted.

**** CREDIT FOR CONCURRENT COUNTS... If credit for time served is awarded on a revocation case, the credit counts towards every concurrent count (charge) in that case. ****

The release date calculation is on the following page.

PS.Net / Jail Management Enterprise Edition

File Canteen Medical Movements Property Visitors Reports Security Tools Help

Booking Release Charges Classification Property Commissary Imaging Medical Housing Transportation Visitation Help

Offenses / Charges

Booking ID Number **60340** Booking No **0600000275** Name **PHILLIPS, HENRY WILLIAM** Classification **REC** **NO PIC**
DOB **01/21/1952** Age **54** Sex **M** Race **W** Height **509** Weight **150** Bld **A** Location **5HLD01L**

Charges Bonds Purges Judicial Disp. **Sentence** Trusty Status Billing Charge Hist.

Charges Not Yet Sentenced					
Charge #	S. O. Case No	Court Case No	Statute Description	Judge	Disposition
☒ 3		05CF111	UNSAFE BURNING OF	DESJARDINS	05CF111/SAR/7 MONTHS HUBER

Level Court Case Number Start Date / Time Days Sent Hours CTS End Date / Time Consec Sent
05CF111 03/05/2006 00:01 214 0 9 08/04/2006 00:01 0

Disciplinary Time Good Time Parole Time Suspended Time Trusty Time Misc Credit
0 53 0 0 0 0

Judicial Info (Not Calculated) Years Months Days
0 0 0

Conviction Date Sentence Date Disposition Date Fine Amount Fine Rate Fine Paid Sentence Fee Release Date / Time
/ / / / / / 0.00 0.00 0.00 0.00 08/04/2006 00:01

Comments

Entered By 218 RIEDER, DARRICK J ☒ Sentenced ☐ Serving Years: 0 Months: 7 Days: 0

Sentence Records

Print Post Charges Help Cancel Save Exit

Finished loading data. DATABASE = JAIL RIEDER, DARRICK J 5/5/2006 11:02 PM

Start | Inbox - Micros... | A - SHRFJ29... | B - SHRFJ29... | 1475 SOP 04 R... | PS.Net / Ja... | 11:02 PM

Example #5
Contempt / Paternity

Lifted stayed sentences for Paternity / Child Support (Civil Contempt) do not earn Good Time.

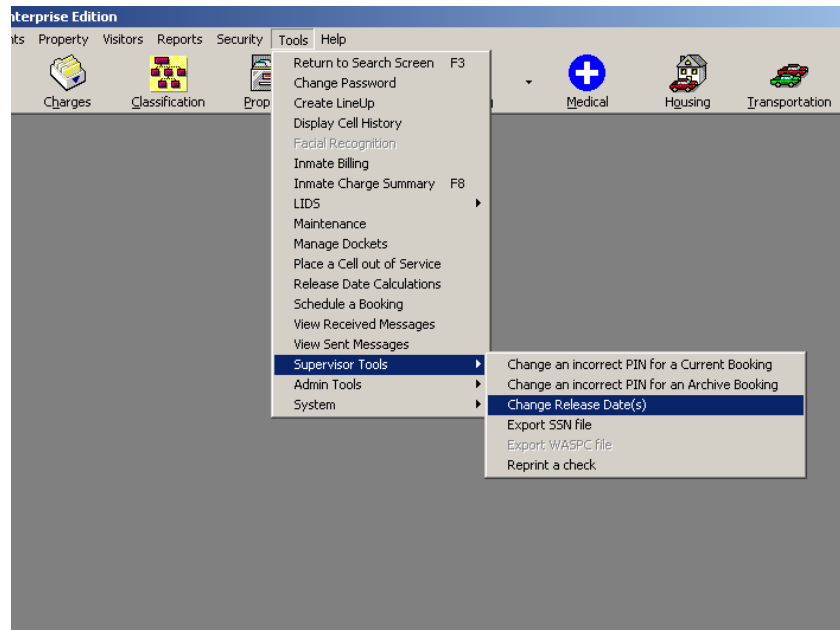
Sometimes the court will send an Interim Notice of Conviction along with the Lift of Stay Order. Other times you will need to find the sentence in the Order to Lift Stayed Sentence.

Even though the Interim Notice of Conviction or Order to Lift Stayed Sentence may state Huber, no Good Time is earned unless specified in that Interim.

Example #6

Release of AWOL Huber

When releasing an inmate who is AWOL, the release date must be overridden in order to be able to release the inmate in the computer. To override the release date, click the tools button, Supervisor Tools, Change Release Date(s). This will adjust the release date so you are able to release the AWOL inmate. Ask the on-duty S/Sgt. to override a release date.



Enter the current date and time, reason for override comments, and officer number and click the save button. This overrides the release date enabling you to release the inmate from the system.

The screenshot shows the 'Override Release/EOS dates' dialog box. It contains the following fields and information:

- Name: GELLER, DOUGLAS EDWARD
- Booking No: 174571
- PIN: 091150
- Release Date: 02/20/2000 21:14:35
- Override Date: 06/23/2006 01:27:20
- Charge: 940.19(6)
- Description: AGGRAVATED BATTERY
- EOS Date: (empty)
- Override Date: (empty)
- Reason for Override: AWOL FROM HUBER.
- Authorized By: 218
- Officer: RIEDER, DARRICK J
- Buttons: Save, Cancel, Help

Return of AWOL Huber

Use the Rebook feature to book AWOL inmates back into the system. After an AWOL inmate has returned and has been rebooked into the computer, you must update the release date.

Determine the total number of days the inmate was AWOL and enter that number in the *Suspended Time* field (circled below). Enter the appropriate comments (3 days suspended time for days AWOL) and your ID number and save those changes.

PS.Net / Jail Management Enterprise Edition

File Canteen Medical Movements Property Visitors Reports Security Tools Help

Booking Release Charges Classification Property Commissary Imaging Medical Housing Transportation Visitation Help

Offenses / Charges

ID Number **60340** **Deaf-Diabetic-Withdrawal**
Booking No **0600000286** Name **PHILLIPS, HENRY WILLIAM** Classification **REC**
DOB **01/21/1952** Age **54** Sex **M** Race **W** Height Weight Bld **A** Location **5HLD04L**

Charges Bonds Purges Judicial Disp. **Sentence** Trusty Status Billing Charge Hist.

Charges Not Yet Sentenced

Charge #	S. O.	Case No	Court Case No	Statute Description	Judge	Disposition

Level	Court Case Number	Start Date / Time	Days Sent	Hours	CTS	End Date / Time	Consec Sent
	06CF001	05/06/2006	00:01	90	0	07/16/2006	00:01

Disciplinary Time	Good Time	Parole Time	Suspended Time	Trusty Time	Misc Credit	Judicial Info (Not Calculated)	Years	Months	Days
0	22	0	3	0	0		0	0	0

Conviction Date	Sentence Date	Disposition Date	Fine Amount	Fine Rate	Fine Paid	Sentence Fee	Release Date / Time
/ /	/ /	/ /	0.00	0.00	0.00	0.00	07/16/2006 00:01

Comments

Entered By **218** **RIEDER, DARRICK J** ☒ Sentenced ☐ Serving Years: 0 Months: 2 Days: 28

Sentence Records

Print Past Charges Help Cancel Save Exit

Finished loading data. DATABASE = JAIL RIEDER, DARRICK J 5/6/2006 1:02 AM

F. Applicable State Statutes

- A.** **302.43** Every inmate of a county jail is eligible to earn good time in the amount of one-fourth of his or her term for good behavior if sentenced to at least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit for time served prior to sentencing under [s. 973.155](#), including good time under [s. 973.155 \(4\)](#). An inmate who violates any law or any regulation of the jail, or neglects or refuses to perform any duty lawfully required of him or her, may be deprived by the sheriff of good time under this section, except that the sheriff shall not deprive the inmate of more than 2 days good time for any one offense without the approval of the court. An inmate who files an action or special proceeding, including a petition for a common law writ of certiorari, to which [s. 807.15](#) applies shall be deprived of the number of days of good time specified in the court order prepared under [s. 807.15 \(3\)](#). This section does not apply to a person who is confined in the county jail in connection with his or her participation in a substance abuse treatment program that meets the requirements of [s. 16.964 \(12\) \(c\)](#), as determined by the office of justice assistance under [s. 16.964 \(12\) \(j\)](#).

302.43 - ANNOT. *A person confined in jail as a condition of probation is not entitled to earn good time. State v. Fearing, 2000 WI App 229, 239 Wis. 2d 105, 619 N.W.2d 115, [99-2849](#).*

302.43 - ANNOT. *One confined for civil (remedial) contempt is not eligible to earn good time, but one confined for criminal (punitive) contempt is eligible. 74 Atty. Gen. [96](#).*

- B.** 303.08(10)The sheriff may refuse to permit the prisoner to exercise the prisoner's privilege to leave the jail as provided in [sub. \(1\)](#) for not to exceed 5 days for any breach of discipline or other violation of jail regulations.
- C.** 973.155(1)(a) A convicted offender shall be given credit toward the service of his or her sentence for all days spent in custody in connection with the course of conduct for which sentence was imposed. As used in this subsection, "actual days spent in custody" includes, without limitation by enumeration, confinement related to an offense for which the offender is ultimately sentenced, or for any other sentence arising out of the same course of conduct, which occurs:
- D.** 973.03(3)(a)(a) If a court sentences a defendant to imprisonment in the county jail, the court may provide that the defendant perform community service work under [pars. \(b\)](#) and [\(c\)](#). The defendant earns good time at a rate of one day for each 3 days of work performed. A day of work equals 8 hours of work performed. This good time is in addition to good time authorized under [s. 302.43](#).

- E.** 973.03(4)(b) A person sentenced to detention under [par. \(a\)](#) is eligible to earn good time in the amount of one-fourth of his or her term for good behavior if sentenced to at least 4 days, but fractions of a day shall be ignored. The person shall be given credit for time served prior to sentencing under [s. 973.155](#), including good time under [s. 973.155 \(4\)](#). If the defendant fails to comply with the terms of the sentence of detention, the court may order the defendant brought before the court and the court may order the defendant deprived of good time.
- F.** 973.03(2) A defendant sentenced to the Wisconsin state prisons and to a county jail or house of correction for separate crimes shall serve all sentences whether concurrent or consecutive in the state prisons.

*****If at any time you are unsure of a release date or if you have a general question regarding the calculation of a release date contact the on-duty supervisor immediately.*****

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP-5**

SOP 5 – Collection and Routing of Bonds

Section: Collection and Routing of Bonds	Effective Date: 05/01/17	Review / Revision Date:		Page: 1 of 8
		2/15/06	1/15/16	
		9/1/10		
		9/25/15		
Related Policies	IM1, IM3			
Related SOP'S				

Purpose:

The Purpose of the bond collection distribution guidelines is to:

1. Have a uniform procedure for collection and distribution of bonds.

Procedure:

A. COLLECTION OF BONDS

1. Upon the arrival of a bond poster, central control will verify the bond amount with records. They will inform the booking clerk, corporal, and supervisor of the bond poster after verification of the bond. (The individual named on a warrant does not have to be physically present to accept a bond if further processing isn't needed.)
2. The booking clerk/corporal will collect all necessary documents needed to accept the bond.
3. The booking clerk/corporal will accept the bond from the bond poster and complete the documentation having all monies verified by a 2nd staff member. Both the staff member accepting the monies and the staff member verifying the monies need to account for the monies separately. Verifying means, a physical count of each bill needs to be completed and a total amount collected needs to be tallied. A bill and/or money counter can be used to supplement the process but it does not take the place of a physical count.
4. The booking clerk/corporal will seal the bond and necessary paperwork in a bond envelope. If necessary, paperwork can be sealed in a separate envelope to expedite the securing on the monies.
5. Once the bond is collected the booking clerk/corporal will secure the bond in the bond safe. It is the responsibility of the booking clerk/corporal accepting the bond to ensure that the monies are correct and properly secured. Both the staff member accepting the monies and the staff member verifying the monies will remain with

the monies until it is secured in the safe.

6. All bonds that are not received in cash (Money Orders, Cashier's Check Notes, and Credit Cards) are subject to verification before an inmate will be processed for release.
 - a. Money orders and cashier's check will be accepted during non-business hours but a release pursuant to the acceptance will not be processed until verification is completed. (Exceptions can be made on a case by case basis by on-duty supervisor.)

B. TYPES OF BOND DOCUMENTATION

1. Bond form (**Outagamie Court charges only**)
2. Receipt book (**All forms of bond transactions except credit card**)
3. Notice to bond defendant/bond poster (**Outagamie Court charges only**)
4. Bond money checklist (**All cash bond transactions**)
5. Bond envelope (**All cash bond transactions**)
6. IRS form 8300 (**All U.S. currency, transactions over \$10,000.00**)
7. Credit card payment fact sheet (**All credit card transactions**)
8. Credit card transaction document (**All credit card transactions**)
9. Order for financial disclosure and statement form (**Outagamie/Other agency warrants when specified on warrant**)
10. Copy of cover sheet of warrants for other agencies (**Municipal and other county warrants / TTY confirmation with court date**)
11. Bond log forms
 - a. All bond transactions must be entered on the appropriate bond log page, a description of which follows:
 1. Outagamie Court filed arrest bonds (CASH ONLY)
 2. Outagamie Court filed arrest bonds (CREDIT CARD ONLY)
 3. Other Agency bonds (CASH ONLY)
 4. Other Agency bonds (CREDIT CARD ONLY)

C. ACCEPTABLE PAYMENTS

1. Outagamie County Corrections Division recognizes the following acceptable methods of payment:
 - a. Cash
 1. Cash will be accepted, we reserve the right to refuse payment in the form of coin unless the amount is under \$1.00.
 - b. Money Orders
 1. Money orders should be made out to, "Outagamie County Clerk of Courts or Outagamie County" for all Outagamie County filed

charges. Money orders made out to the wrong entity will not be accepted.

2. Money orders should be made out to Outagamie County Sheriff's Office or Outagamie County when posting for Municipality or other agencies bonds. Money orders made out to the wrong entity will not be accepted.

c. Cashier's Checks

1. Cashier's checks will be accepted under the same guideline as money order bonds.

d. Credit Card Bonds

1. Bond poster must have a photo I.D. and must be the owner of the credit card.
2. Credit card bonds can either be transacted via telephone or card reader.
3. If posting over the telephone the booking clerk/corporal will complete the top portion of the Credit/Debit information sheet provided by the vendor.
 - a. Give the form to the bond poster and direct him/her to make the phone call to the toll free number listed on the information sheet.
 - ☐ Prisoners will use the phone in booking.
 - ☐ All others will use the pay phone next to door number 472 on the 4th floor.
 - ☐ Retrieve the original form and place it in the inmates file.
 - b. Within a few minutes, a confirmation form entitled **(Jail Cash Bond Transaction form)** will be faxed back to the records office. It will contain all the bond and credit card information.
 - c. The booking clerk/corporal will review the document to insure all information is correct. The booking clerk/corporal will view the credit card and verify the last four (4) numbers of the credit card and expiration date. The booking clerk/corporal will sign and date the form as final authorization of the bond being accepted.
 - d. Direct the bond poster to sign and date the form.

- e. Fax the document back to credit card vendor at the number provided on the transaction form.
 - f. Make one (1) photocopy of the white bond form, warrant or teletype and transaction detail form for the Outagamie County Sheriff's Office Accountant.
 - g. Attach the original Jail Cash Bond Transaction, green notice to bond poster and defendant forms to the White copy of the Outagamie County Bond Form. This will be taken to the Clerk of Courts.
 - h. Bonds can be posted with credit card anywhere in the USA by using the current vendor. The bond poster will be provided with the telephone number to call and be advised that they will need to fax a copy of their photo identification and credit card to the vendor. The vendor will verify the information and send the jail cash bond transaction form to our agency. The booking clerk/corporal will need to insure that any applicable bond paperwork is completed with the person posting bond before the bond is considered accepted.
 - i. 24- hour assistance is available by using the telephone number provided by the vendor. Also, you may reorder forms by calling that number.
4. If posting via card reader the booking clerk/corporal will take the credit card and enter the appropriate information into the web application and follow the routing/documentation procedure noted above.
5. OUSO/APPD warrants and new charges will be noted as included on the Outagamie County form.
- a. Within a few seconds of the transaction being completed staff should receive an approval or rejection.
 - b. If rejected, the process ends.
 - c. If approved the corporal/clerk will print out a copy of the approval and view the credit card and verify the last four (4) numbers of the credit card and expiration date.
 - d. Direct the bond poster to sign and date the form.

- e. Make three (3) copies of the approval form, original for the inmate's file, one (1) for Clerk of Courts, one (1) for the Outagamie Co. Sheriff's Office and one (1) for the bond poster.
- f. Make one (1) photocopy of the white bond form, warrant or teletype and transaction detail form for the Outagamie County Sheriff's Office Accountant.
- g. Attach the original Jail Cash Bond Transaction, green notice to bond poster and defendant forms to the White copy of the Outagamie County Bond Form. This will be taken to the Clerk of Courts.
- h. Bonds can be posted with credit card anywhere in the USA by using the current vendor when the vendor is accepting bonds and the person posting has a fax machine accessible to them. The bond poster will be provided with the telephone number to call and be advised that they will need to fax a copy of their photo identification and credit card to the vendor. The vendor will verify the information and send the jail cash bond transaction form to our agency. The booking clerk/corporal will need to insure that any applicable bond paperwork is completed with the person posting bond before the bond is considered accepted.
- i. 24- hour assistance is available by using the telephone number provided by the vendor. Also, you may reorder forms by calling that number.

D. FUNDS COLLECTED AT OTHER FACILITIES

- 1. The listed acceptable forms of payment will be accepted from all law enforcement agencies in the state of Wisconsin. This is contingent upon verification from the other agency that the bond has been collected and will be forwarded to the Sheriff's Office accountant.

E. DOCUMENT DISTRIBUTION

- 1. The distribution of the documentation of the bond transaction is a very significant part of the completion of the bond process. The following is a break down of distribution.
- 2. Bond documentation distribution for Outagamie County Filed arrests is as follows:
 - a. Attach the white original and the notice to defendant together when a **cash**

bond is posted.

- b. Attach the white original, the notice to the defendant and the transaction document for credit card bond original together when a **credit card bond** is posted.
 - c. The yellow copy will go to the person posting the bond if not the defendant and make a copy for the booking file. The booking officer should place the yellow copy in the booking file if the person is posting bond for him or her self.
 - d. The pink copy should be provided to the defendant.
 - e. The goldenrod copy will be given to the Court Commissioner.
 - f. Attach a copy of the bond form and credit card transaction together to be provided to the Sheriff's Office Accountant when credit card bond is posted.
 - g. If a bond is posted at another agency for charges filed with Outagamie, a completed copy of the bond form including court date will be faxed to the agency where bond is being collected. The defendant will sign the form and it will be faxed back to our agency whereby E.2.a of this section will be followed.
 - h. Place the original receipt, money verification form and money in a properly labeled bond envelope. Secure the envelope in the manner indicated on page 1 section A.
3. Bond documentation distribution for Other Agencies.
- a. A copy of the warrant/TTY MUST accompany the bond when the transaction is **cash bond**. The agency that is to receive the bond should be listed on the bond envelope. Example; if the bond is for Fox Valley Metro you must identify which agency within Fox Valley Metro such as Little Chute, Kimberly Etc.
 - b. A copy of the warrant/TTY MUST accompany the original defendant transaction document when a **credit card bond** is posted.

F. FTP WARRANT INFORMATION

- 1. Bond will be accepted from any individual not named on a FTP warrant if further processing i.e. fingerprints, photos, signature, etc. is not needed. Out of county warrants that fit this criteria are contingent on the other county's approval.

G. OUT OF STATE BONDS

1. Bonds collected at out of state law enforcement agencies will be accepted for inmates in our facility. This will be contingent on the cooperation of the out of state agency. All applicable paperwork will need to be completed.
2. Bonds will be accepted for inmates held out of state at other law enforcement agencies. This will be contingent on the cooperation of the out of state agency. All applicable paperwork will need to be completed.

H. CASH BAIL/BOND SCREENING

1. Upon written request of a law enforcement or other governmental agency the Corrections Division will attempt to notify the agency when a person attempts to post bond in cash for the purpose of screening the cash for legality of origin and/or the presence of illegal drugs.
2. The Corrections Division will not normally accept the cash until the requesting agency responds.
 - A. When the requesting agency cannot respond in a timely manner, the cash should be accepted and any incarcerated persons should be processed accordingly.
3. The requesting agency can screen the cash at a later time but any seizures of the cash would need to be approved by the court of jurisdiction.
4. The Corrections Division will not detain the person posting bail/bond if they wish to leave with the cash.
5. If the cash is seized upon initial response of the requesting agency a Corrections Division Incident Report will be completed detailing the seizure and will be forwarded to the court of jurisdiction.

I. CURRENCY DISCRIMINATOR (BILL COUNTER)

1. A bill counter will be used in Jail Records to count all cash bonds that are received no matter the # of bills. The bill counter may also be used to count mail deposits and intake deposits when deemed appropriate.
2. The bill counter will be used with bond collection at the time cash is collected for a bond. Use of the bill counter does not eliminate the need for a staff member to physically count the cash in person and in the case of a bond it does not eliminate the need for a second staff member to verify the entire bond by physically counting the cash in person.
3. When an entire bond, cash collected, is accounted for using the bill counter a receipt can be printed from the bill counter and the collecting and verifying staff members can sign/initial the receipt and route the receipt with the bond in lieu of completing the 8 ½" x 11" bond verification sheet. When an entire bond is not

accounted for using the bill counter the 8 ½" x 11" bond verification sheet must be completed in addition to the bill counter receipt. (This would normally occur when change is collected, less than \$1.00, or a bill will not pass through the bill counter.)

4. A copy of the bill counter receipt should be placed in the inmates file and be scanned into Laserfiche with the other contents of the file.
5. When the bill counter flags a bill as possibly being counterfeit the on-duty supervisor should be notified immediately and the on-duty supervisor will direct further action.
6. When the bill counter does not accept a bill without a counterfeit message this normally means the bill is torn, crinkled, wrinkled, etc. it does not mean the bill is potentially counterfeit. The on-duty supervisor should be notified immediately and the on-duty supervisor will direct further action.
7. A hand written numbered receipt will be completed and furnished to all people posting a cash bond.
8. When the bill counter is out of service the on-duty supervisor should be notified immediately and normal hand counting will occur for the counting of any money.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP**

SOP 6 – Segregation Restrictions

Section: Segregation Restrictions	Effective Date: 9/30/19	Review / Revision Date:		Page: 1 of 6
		9/1/09		
		7/15/07		
		2/15/11		
Related Policies	IM 4, IM8			
Related SOP'S				

Purpose:

The purpose of having a uniform set of segregation restrictions is to ensure that inmates who display behavior that is inconsistent with the expectation of the Outagamie County Jail Inmate Handbook are treated in a fair and equitable manner in hopes to encourage appropriate inmate behavior.

Procedure:

Segregation Restrictions

1. The following are recognized restrictions that can be placed on segregation inmates due to their behavior.
 - A. Food
 - B. Water
 - C. Return to cell
 - D. Escort to shower
 - E. Two-Officer escort
 - F. Full restraint
 - G. Loss of daily out time
 - H. Property
 - I. Back of Cell
 - J. Other
2. The specific restriction guidelines are listed below.

Food restrictions

1. Food restrictions will only be placed on an inmate when he/she abuses the normal food delivery process. All food restrictions that are placed on an inmate will meet the criteria set in 350.11. The following are the recognized food restrictions that can be placed on an inmate.

A. Styrofoam/flexible plate / bag meal

1. An inmate can be placed on a Styrofoam/flexible plate or bag meal restriction when he/she abuses the normal food delivery, consumption and retrieval process. When an inmate receives a Styrofoam/flexible plate, he/she will receive the same meal delivered to the general population. The normal bag meal will meet nutritional standards set by the kitchen vendor. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. The following increments will be used for violations:
 - a. 1st offense-9 meals, 3 days
 - b. 2nd offense-18 meals, 6 days
 - c. 3rd offense-36 meals, 12 days
 - d. 4th and subsequent offenses-54 meals, 18 days

B. Liquid restriction (Meal)

1. An inmate can be placed on a liquid restriction when he/she actively throws or threatens to throw a liquid, i.e., milk, water, juice, urine, etc. at or in the general direction of a staff member. When an inmate is placed on a liquid restriction, they will receive the same liquid being delivered to the general population. The only change is that the inmate will be directed to drink the liquid immediately at the start of the meal and return the container to the staff member prior to receiving his/her meal. If the inmate does not comply with the restriction, it will be considered a refusal and he/she will not be given the liquid. When the inmate refuses to comply with the liquid restrictions he/she will still be afforded the opportunity to receive his/her meal. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. The following time increments will be used for violations:
 - a. 1st offense-9 meals, 3 days
 - b. 2nd offense-18 meals, 6 days
 - c. 3rd offense-36 meals, 12 days
 - d. 4th and subsequent offenses-54 meals, 18 days

C. Seg Loaf restriction (Meal)

1. An inmate can be placed on a seg. loaf meal restriction when he/she abuses the normal food delivery, consumption and retrieval process. To be placed on seg loaf the inmate must have been on a styrofoam/flexible plate or bag lunch restriction within the past 30 days and it must be approved by the Jail Administrator. After being placed on a seg loaf restriction an inmate must be off of the restriction for 24 hours before being placed on another seg loaf restriction if warranted. This restriction cannot be placed on inmates who have any type of approved special diet order. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. The following increments will be used for violations:
 - a. 1st offense- 1 day
 - b. 2nd and subsequent offenses-3 days
2. All non-food materials that are delivered during meal delivery must be retrieved at the end of the meal. Inmates are not allowed to store food items. Failure to comply with this will be treated as a major or minor rule violation.
3. If the inmate does not comply with the staff member's directions, it will be considered a refusal. This should be reported to the on-duty supervisory and noted in the inmate's JMS file.

Water restrictions

1. An inmate can be placed on a water restriction when he/she intentionally overflows his/her sink or toilet or they threaten said behavior. The restriction should be related to the behavior, i.e. overflowing a toilet will result in a water restriction regarding a toilet. Overflowing a sink will result in a water restriction regarding a sink. Overflowing a toilet and a sink will result in a water restriction regarding a toilet and sink. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify medical staff and will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. A copy of this form will be posted outside of the housing unit and inside the Security Office in plain view. The following increments will be used for violations:
 - A. 1st offense-3 days
 - B. 2nd and subsequent offense-6 days

2. When an inmate is on a water restriction, each time staff tour inside the housing unit during a security round, they will allow the inmate to flush his/her toilet and/or drink some water when applicable, with the exception of hours of sleep when the inmate appears to be sleeping. When an inmate's water is turned on/off it should be noted on a Toilet / Water Log. Completed logs will be stored with the incident report giving rise to the restriction.

Return to Cell

1. An inmate can be placed on a Return to Cell restriction when he/she displays behavior that threatens the safety and/or wellbeing of staff and/or other inmates. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. Once this restriction is placed on an inmate, it will be reviewed approximately every eight days during the inmate's segregation review.

Escort to Shower

1. An inmate can be placed on an Escort to Shower restriction when he/she displays behavior that threatens the safety and/or wellbeing of staff and/or other inmates. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. Once this restriction is placed on an inmate, it will be reviewed approximately every eight days during the inmate segregation reviews.

Two-Officer Escort

1. An inmate can be placed on a Two-Officer Escort when he/she displays behavior that threatens the safety and/or wellbeing of staff and/or other inmates. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The inmate will be notified of the restriction via the Outagamie County Segregation Restriction Notification form. Once this restriction is placed on an inmate, it will be reviewed approximately every eight days during the inmate segregation reviews.

Full Restraint

1. An inmate can be placed on a Full Restraint restriction when he/she displays behavior that threatens the safety and/or wellbeing of staff and/or other inmates. A full restraint restrictions means an inmate will be restrained with a escort belt and leg restraint. The placing of this restriction is an administrative function and

it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. Once this restriction is placed on an inmate, it will be reviewed approximately every eight days during the inmate segregation reviews.

Loss of daily out time

1. Normally, an inmate will be allowed out of his/her cells between 15 minutes and two hours per day. Under normal conditions, every segregation inmate will be allowed dayroom privileges daily. An inmate's dayroom privileges can be taken for a single day as a result of a major or minor violation. An inmate's out time cannot be taken on two consecutive days as the result of minor rule violations. When an inmate's daily out time is taken for a single day, it must be done in accordance with IM4 Rules and Discipline. An Escort to Shower restriction would supersede loss of daily out time.

Property restrictions

1. An inmate can have his/her property restricted when they abuse the property they are allowed to maintain. Examples of incidents which may give rise to the restriction are: the covering of a cell window, covering of a camera, or the spreading of materials in the dayroom. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. Limited short term removal of property does not fall into this SOP.
2. If the inmate abuses any of the property they are allowed to maintain, it will be noted as a supplemental in the report giving rise to the restriction and the further limiting of property may be initiated.

Back of Cell

- 1 An inmate can be placed on a Back of Cell restriction when he/she displays behavior that threatens the safety and/or wellbeing of staff and/or other inmates. A back of cell restrictions means an inmate has to stand at the back of their cell anytime the food pass is opened. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. Once this restriction is placed on an inmate, it will be reviewed approximately every eight days during the inmate segregation reviews.

Other

1. Supervisory staff can place other restrictions on an inmate if the restriction is directly linked to a disruptive behavior. The placing of this restriction is an administrative function and it must be noted in the incident report giving rise to the restriction. The incident report will document the date and time the restriction is placed on the inmate. The supervisor placing the restriction will notify the inmate of the restriction via the Outagamie County Segregation Restriction Notification form. Once this restriction is placed on an inmate, it will be reviewed approximately every eight days during the inmate segregation reviews.

Documentation

1. The following documentation will accompany all segregation restrictions when they are placed on an inmate.
 - A. Incident Report
 - B. Segregation Restriction Notification Form

(Example)

Outagamie County Segregation Restriction Notification Form

Inmate Name: Test, Test
Cell Location: 4G 1L
Report # 070001013

You have been placed on the following restriction(s):

Return to cell	☐	Full Restraint	☐	Property	☐
Two officer escort	☐	Back of cell	☐	Food	☐
Escort to shower	☐	Water	☒	Other	☐

Other explain:

Instructions regarding restrictions:

Effective April 11, 2007@ 3pm your water in your cell will be restricted for 3 days / 72 hours. During this time you will be afforded the opportunity to have the water turned on in your cell when staff conducts a security round through your housing unit.

AUTHORIZING SUPERVISOR/DATE: #213 / 4/12/07
COPY TO INMATE ☒

Use of Force

1. Any use of force resulting from the enforcement of this SOP must be done so in accordance with policy SC7 Use of Force and Restraints.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP**

SOP 7 – Records Window Bonds

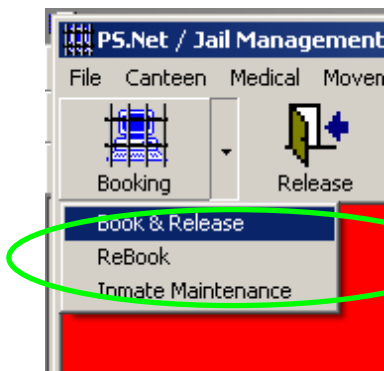
Section: Records Window Bonds	Effective Date: 11/15/07	Review / Revision Date:		Page: 1 of 5
		6/15/07		
Related Policies	IM1, IM 3			
Related SOP'S	SOP5			

Purpose:

The purpose of collecting bonds at the 4th floor records window is to minimize in an effective and efficient manner the congestion in the booking area while maintaining a record of the contact.

Procedure:

1. The following arrests may be satisfied at the 4th floor records office window, without taking an arrestee into the secure jail:
 - A. In-county failure to pay warrants
 - B. In-county small claims warrants
 - C. In-county criminal traffic warrants
 - D. Out-of-county bondable holds
2. For an arrestee to be eligible to satisfy his/her bond at the 4th floor records office window, the arrestee must be cooperative and have the means to post his/her bond on their person.
3. A Booking Information Sheet and Triage form must be completed by the transporting officer and turned over to the correctional staff member at the 4th floor records window. Arrestees processed at the 4th floor records office window will be entered into the Jail Management System (JMS) using the Book and Release function.
4. To begin the Book and Release process, select Book & Release.



New PIN Number

Please enter your ID to acknowledge that you have performed the search to identify the inmate and are issuing the inmate a New PIN number.

Okay Cancel

Inmate Identification

Identification

Last Name First Name

Middle Name Suffix

DOB 07/09/1969

PIN No

SMT

☐ Include Soundex

Picture	Alias	Last Name
NO	☐	DEBROKA
YES	☐	DORGAN
YES	☐	NINHAM
YES	☐	SHANK

Entry Officer 213

Race	Height	Weight	Hair	Eyes
W	508	150	BRO	HAZ
W	508	145	BRO	BRO
W	511	200	BRO	BLU
W	508	150	BLN	BLU

9. When using the Book and Release function, you must remain on one of the 5 tabs located in the function. If you go to any other tab, you are no longer able to use the Book and Release function. The Supplemental and Bonds tab will not be used during Book and Release.

Release

ID Number 098080 **Lower Bunk Restrict-Lower Tie**

Booking No 0700182038 Name DORGAN, GLEN ARNOLD Classification

DOB 07/09/1969 Age 37 Sex M Race W Height 508 Weight 145 Bld. A Location 3F02U

Identification Supplement Charges Bonds Release

Booking No 0700182038 ID Number 098080 Booking Date/Time 03/12/2007 16:24

NO PIC

10. Add or update: name, address, phone number, sex, and transporting agency under the Identification tab. After the information is entered, click save.

Book and Release

Booking

ID Number 115884

Booking No 0700182037 Name Classification

DOB // Age 37 Sex M Race W Height 508 Weight 145 Bld. A Location 3F02U

Identification Supplement Charges Bonds Release

Booking No 0700182037 ID Number 115884 Booking Date/Time 03/12/2007 16:00

Last Name First Middle Suffix

Current Address

City State Zipcode Phone

Home Address

City State Zipcode Phone

Res Code Years SSN Drivers License No State Other ID No Type

DOB 07/09/1969 Age 37 Sex M Race W Ethnicity Eyes Glasses Hair Hair Style Hair Length Height Weight Body Build

Skin Facial Hair Teeth FBI No State ID No Gang Language Spoken

Religion Marital Status Yrs Education Juv Disp Place of Birth Citizenship Inmate Status Booking Type

Print Past Charges Help Cancel Save Photo Exit

The Transporting Agency for bonds taken at the Records window is, "Records".

11. Enter charge information: Arrest Date/Time, Arresting Agency ORI, Location of Arrest, Officer ID, Officer Name, State Statute, Arrest Type, Responsible Agency, Bond Amount, and Comments under the Charges tab. After all information is entered, click on Save.

Book and Release

ID Number **098080** **Lower Bunk Restrict-Lower Tier**
 Booking No **0700182039** Name **DORGAN, GLEN ARNOLD** Classification
 DOB **07/09/1969** Age **37** Sex **M** Race **W** Height **508** Weight **145** Bld. **A** Location **3F02U** **NO PIC**

Charges

S.O. Case No. Arrest Date/Time Offense Date OBTS No. Arresting Agency ORI Arrest Agency Case #
 03/13/2007 08:52 / / / W10450200

Location of Arrest Officer ID Officer Name First Appearance
 123 GREEN ST. 123 SMITH / / /

State Statute State Statute Description Counts Level Degree Type NCIC GDC Domestic
 973.07 FAILURE TO PAY 1 NC

Warrant Type Warrant Level Warrant Number Citation No 36hr Hold
 FTP (MUN) KKPD 01-123 36hr Hold Yes No

Other Chargeable Statute Other Chargeable Statute Description Court Venue 48hr Hold
 48hr Hold Yes No

Bond Type Bond Amount Cash Amount Bond Date Bond Company / Payee Bond Number Bond Signature
 \$733.00 0.00 / / /

Court Case Number Court Date Judge Plea Adjudication Sentence Date Bond Source
 / / /

Disposition Comments
 KKPD FTP WARRANT, \$733 OR 17 DAYS, 001-123

Existing Charges

Print Past Charges Help Cancel Save Photo Exit

12. Collect and process the bond in accordance with SOP 5.
13. Release the arrestee from the JMS.

Book and Release

ID Number **098080** **Lower Bunk Restrict-Lower Tier**
 Booking No **0700182039** Name **DORGAN, GLEN ARNOLD** Classification
 DOB **07/09/1969** Age **37** Sex **M** Race **W** Height **508** Weight **145** Bld. **A** Location **3F02U** **NO PIC**

Release

Existing Charges

#	S.O. Case No	Bond	Court Case No	Charge Description	Cleared Type	Comments	EOS	
1		1		FAILURE TO PAY	BOND			

Released To: SELF
 Comments: BOND POSTED \$733

Released By: 213 VERHEYEN, DOUGLAS L Authorized By: 213 VERHEYEN, DOUGLAS L

Print Past Charges Help Cancel Save Livescan Exit

14. Prior to the arrestee leaving the facility, the S/Sgt. will review the file and authorize the release by signing the back of the Booking Information Sheet.
15. After release, a master file will be prepared for arrestees who have not been in custody before or the paperwork will be merged with already created master files for arrestees who have been in custody before.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP**

SOP 8 – Operational Assessment

Section: Records Window Bonds	Effective Date: 06/15/17	Review / Revision Date:		Page: 1 of 4
		04/15/13	6/15/07	
		08/01/11		
		03/01/09		
Related Policies	IM1, IM3, IM7, OP9, SC6, SC8			
Related SOP’S				

Purpose:

The purpose of assessing operations is to ensure that specific critical jail operations are operating effectively and reviewed on a scheduled basis.

Procedure:

Overview

1. The following areas will be formally reviewed monthly by the S/Sgt.'s assigned to the Correction's Division.
 - A. Inmate Files
 - B. Observation Placement Reports
 - C. Commissary Delivery
 - D. Strip Searches
 - E. UA Tests
 - F. Lockdowns Tours
 - G. Meal Deliveries
 - H. Pat Searches
 - I. Floor Tours
 - J. Changeovers
 - K. Welfare Checks
 - L. Laundry Exchange
 - M. Security Inspections
2. S/Sgt.'s will be assigned specific areas.
3. The assessments are due on the last day of each month.
4. When the reviewing staff notes any discrepancies, suggested corrective action should be noted in the assessment.
5. A jail Lt. will review and forwarded the completed assessment to the Jail Administrator by the 5th day of the following month. One jail lieutenant will review January – June and the other will review July-December.

6. In the event an assigned staff member is off for an entire month, they will be excused from that month's check.

Inmate Files (Reviewed file must be booked within the last 15 days.)

1. A review of files will be conducted by assigned staff.
2. The review will include but it is not limited to:
 - A. Date booked in
 - B. Booking officer
 - C. Date released if applicable
 - D. Releasing officer
 - E. Photo review
 - F. Bonds form review if applicable
 - G. Tracking sheets review
 - H. D.O.B.
 - I. Full middle name

Observation Placement Reports

1. A review of inmate observation placement reports will be conducted by assigned staff.
2. The review will include but is not limited to:
 - A. Date status began
 - B. Date status ended
 - C. # of days on status
 - D. Report #
 - E. Documented removal
 - F. # of checks completed
 - G. # of late checks

Strip Searches

1. The assigned reviewer will physically be present during a strip search. The assigned reviewer will take a position that does not allow a view of the person being strip searched unless the assigned staff member is taking part in the search.

UA Tests

1. The assigned reviewer will physically be present during the collection of a UA test and the completion of paperwork.

2215 Lockdown Tours

1. The assigned reviewer will be physically present on a floor and observe a 2215 lockdown tour. Taking note of staff's touring practices.

Meal Delivers

1. The assigned reviewer will be physically present on a floor and observe a meal delivery. Taking note of staff's delivery practices to include accounting for each inmate in each unit.

Pat Searches

1. The assigned reviewer will physically observe a staff member conducting a pat search.

Inside Tours

1. The assigned reviewer will be physically present on a floor and observe an inside tour. Taking note of staff's touring practices.

Clothing Exchanges

1. The assigned reviewer will physically observe a clothing exchange conducted in the booking area.

Welfare Checks

1. The assigned reviewer will be physically present on a floor and observe a welfare check. Taking note of staff check practices, including the accounting of all inmates in each unit.

Laundry Exchanges

1. The assigned reviewer will be physically present on a floor and observe laundry exchange at a minimum of two units.

Security Inspections

1. The assigned reviewer will be physically present on a floor and observe/assist with a security inspection.

Duties are assigned as follows:

Senior A-Shift S/Sgt.
2 Booking Files
2 Strip Searches
2 Lock Up Pat Searches
1 Laundry Exchange on 4th Floor
1 Welfare Check on 3 East
1 Welfare Check on 5th Floor
1 Security Inspection
1 Meal Delivery 5th Floor
1 Observation Placement

Junior A-Shift S/Sgt.
2 Booking Files
2 Strip Searches
2 Huber Pat Searches
1 Laundry Exchange on 5th Floor
1 Welfare Check on 4th Floor
1 Security Inspection
1 Meal Delivery on 3 East
1 Meal Delivery on 4th Floor
1 Observation Placement

Senior B-Shift S/Sgt.
2 Strip Searches
2 UA Tests
2 Huber Pat Searches
1 Meal Delivers on Huber
1 Meal Delivers on 4th Floor
1 Security Inspection
1 Huber Floor Tour
1 Welfare Check 5th Floor
1 Observation Placement

Junior B-Shift S/Sgt.
2 Strip Searches
2 UA Tests
2 Lock Up Pat Searches
1 Meal Delivery on 5th Floor
1 Meal Delivery on 4th Floor
1 Security Inspection
1 Welfare Check 3 East
1 Welfare Check 4th Floor
1 Commissary Delivery

Senior C-Shift S/Sgt.
3 Strip Searches
3 Huber Pat Downs
2 Inside Tours
1 2215 Lockdown Tour on 4th Floor
1 2215 Lockdown Tour on 5th Floor
1 Commissary Delivery

Junior C-Shift S/Sgt.
3 Strip Searches
3 Intake Pat Downs
2 Inside Tours
1 2215 Lockdown Tour on 4th Floor
1 2215 Lockdown Tour on 3-East
1 Commissary Delivery

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP**

SOP 9 – Weapon Procedure

Section: Weapon Procedure	Effective Date: 08/01/11	Review / Revision Date:		Page: 1 of 3
		11/15/07		
Related Policies	SC5			
Related SOP'S				

Purpose:

The purpose of this SOP is to develop a standardized process for staff to follow when a reasonable suspicion exists of a possible weapon in a secure area of the Justice Center.

Procedure:

Discovery / Lockdown

1. When a staff member becomes aware that a possible weapon may be located in a secure area of the Justice Center, the discovering staff member will immediately:
 - a. Notify the on-duty supervisor.
 - b. Lock down the affected housing unit(s) when applicable.
 - c. Leave the affected housing unit(s) TV on; volume should be set at a moderate level.(Discretionary)
 - d. Turn the water off in all cells.(Discretionary)
 - e. Ensure all cell and dayroom lights are left on.

Searching / Follow up

1. Conducting a thorough search of the affected area is a priority. Due to staffing levels, the on-duty supervisor will need to assess the practicality of conducting an inspection immediately vs. waiting for the availability of additional staff, provided the information covered in **Discovery / Lockdown 1a-1e** are completed.
2. When searching a housing unit for a possible weapon staff will:
 - a. Meet with the on-duty supervisor prior to conducting a search to develop a plan of action.
 - b. Designate one cell as a clean cell. (Temporarily removing the assigned inmates and all property)
 - c. Search one cell at a time.
 - d. Search target cell/area first when applicable.
 - e. Place handcuffs on all inmates prior to having the inmates exit their cell. Each inmate will be pat-searched prior to being escorted to the shower stall where

- his or her handcuffs will be removed and a clothing exchange will be conducted. (When applicable a strip-search should be conducted in accordance with SC5)
- f. A three officer to one inmate ratio should be maintained during the search/clothing exchange. (A unit inspection can be conducted with a minimum of four officers, provided movement is controlled and a clean cell is utilized.)
 - g. Depending on staff's assessment of the situation, the inmates can be searched and clothing can be exchange with the unit or the inmates can be escorted to a secure shower cage for the search and clothing exchange.
 - h. Depending on staff's assessment of the situation, the inmates can be escorted to a holding area to complete a search of the dayroom after all inmates have been searched and their clothing exchange or the inmates can remain in place. When the inmates remain in place, staff will cover the cell windows during the search of the dayroom. As soon as the search is completed, the window coverings should be removed.
 - i. Extraneous materials should be removed from the unit and all bedding should be replaced.
2. Any personal property that is removed during the inspection will have the disposition noted on either the incident report giving rise to the incident or the housing unit inspection's sheet, depending on the status of the property.

Movement

1. The only movement that will be allowed out of a housing unit(s) that is locked down due to suspicion of a weapon prior to an inspection are:
 - a. Attorney visits (Supervisor Approved)
 - b. Court Appearances
 - c. Releases
2. Inmates who are escorted outside of a unit prior to an inspection being completed will be searched, their clothing will be exchanged and they will restrained by an escort belt.
3. Inmates who are escorted outside of a unit after the inspection but prior to resolution of the incident will be restrained with an escort belt.

Documentation / Disposition

1. The discovering staff member will complete an incident report.
2. After completion of the inspection a staff member will be assigned to follow up on the incident. All inmates who are housed in the affected area will be interviewed. The results of the follow up interviews will be noted in the incident report.

Miscellaneous Information

1. Due to shift dynamics, it is recognized that at times an entire floor/facility may need to be locked down or the operations of the facility may need to be scaled back to ensure orderly operations.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP**

SOP 10 – Food – Laundry Cart Operations

Section: Food – Laundry Cart Operations	Effective Date: 12/31/11	Review / Revision Date:		Page: 1 of 4
		8/01/11		
Related Policies				
Related SOP’S				

Purpose:

The purpose of this SOP is to develop a standardized procedure for staff to follow when working with the food and laundry carts utilized in the Outagamie County Jail.

Procedure:

Laundry Cart Operations

1. Jail staff will push laundry carts (cart holding uniforms, cart holding undergarments, cart used for delivery of bed rolls and cart used for collection of soiled laundry) from behind with their body squared to the cart.



2. A second person should be used to help direct carts through unopened doorways.
3. A second person should be used to direct carts through opened doorways if it cannot be done by pushing the cart from behind with the body squared to the cart.
4. A second person should be used to direct a cart around a corner if it cannot be done by

pushing the cart from behind with the body squared to the cart.

- Individuals at the front of a cart may assist with guiding the cart from a squared position but should not pull the cart.



5. Staff should refrain from placing laundry items on the floor. When laundry items need to be placed on the floor staff should pick the items up individually using good body mechanics, i.e., knees bent, back straight, body square, no twisting.



6. Staff should not move more than one cart at a time.
7. Laundry cart maintenance issues should be reported to the on-duty S/Sgt.

8. Horseplay is not permitted during laundry delivery/collection.
9. When a laundry cart is stored against a wall the does not allow access to the back of the cart to be pushed, two individuals should be used to move the cart away from the wall using good body positioning by having their body squared to the cart.

Food Cart Operations

1. Jail staff should push food carts from behind with their body squared to the cart.



2. Staff members should not hold a door open with their arm/hand and attempt to push a food cart through a doorway. (The door can be held open using a person's foot planted firmly/flat on the floor.)
3. When a food cart must be pulled through a doorway because of the door swing the staff member(s) should not hold the door open with their arm/hand. The cart should be pulled in a slow deliberate manner while maintaining a squared body to the food cart.
4. A second person should be used to direct a cart around a corner if it cannot be done by pushing the cart from behind with the body squared to the cart.
5. Staff should refrain from placing items associated with food delivery on the floor. When food delivery items needs to be placed on the floor staff should pick the items up individually using good body mechanics, i.e., knees bent, back straight, body square, no twisting. (See Safe Lifting Information on Next Page)



6. Staff should not move more than one cart at a time.
7. Food cart maintenance issues should be reported to the on-duty S/Sgt.
8. Horseplay is not permitted during laundry delivery/collection.

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP**

SOP 11 – Elevator Usage during Emergencies

Section: Elevator Usage During Emergencies	Effective Date: 9/15/12	Review / Revision Date:		Page: 1 of 2
Related Policies				
Related SOP'S				

Procedure:

Emergency Response / Elevator Usage to the Jail's Kitchen/Laundry area.

1. Central Control

- a. Once an emergency is called in the kitchen/laundry area, Central Control will review the cameras in the affected area and provide staff with updates to the incident as jail staff responds. (A group of kitchen cameras should be set on a DVR viewing stations in Central Control for staff reference.)
- b. Central Control staff can open door #10, once the responding supervisor has approved and Central Control has verified that the outer door to the jail's kitchen is secure.

2. 3rd Floor Staff

3rd floor staff will respond via elevator #4.

3. 4th Floor Staff

4th floor staff will respond via elevator #4

4. 5th Floor Staff

5th floor staff will respond via elevator #3 and access the area outside the kitchen door through door #10. Prior to requesting door #10 to be opened, responding staff will secure the gate on the Communication Center side of the door #10.

5. On-Duty Supervisor and/or Jail Lt.'s

The on-duty supervisor and/or one of the jail's Lt.'s will coordinate the response to the kitchen, including the authorizing of the opening of door #10 based on the

information on hand, including the observations from Central Control.

6. Staff Entry

Staff should only enter after the situation has been evaluated and the responding staff members believe it is appropriate to enter balancing safety and efficiency.

Elevator Usage for Emergency Response 3rd / 4th / 5th Floor

1. When responding to emergencies on floors that you are not physically on, staff should use the following as a guide to reduce the number of conflicts regarding elevator use.
 - a. When responding to 4th and 5th floor from 3rd floor staff should use elevator #5 (4th floor only) or #6 (4th and 5th floor).
 - b. When responding to 3rd and 5th floor from 4th floor staff should use elevator #4.
 - c. When responding to 3rd and 4th floor from 5th floor staff should use elevator #3.

**OUTAGAMIE COUNTY SHERIFF'S OFFICE
POLICY**

SOP 12 – Ozone Generator

Section: Ozone Generator	Effective Date: 5/25/21	Revision Date:		Page: / md 0
Related Policies:	OP 7, DOC Sanitation			
WI Administrative Code				
Related SOP's				

The purpose of having a guideline for use of the Ozone Generator is to help ensure that device is used per guidelines.

OP 7.9 Maxblaster Ozone Generator/Odor Eliminator

Should be used to eliminate odor(s) in an unoccupied space.

Inspect machine prior to use.

Turn the machine on and make sure it is functioning properly.

Airflow: There should be a flow of air entering the machine (filter end) and ozone exiting from the machine (open end)

Sound: There should be a subtle buzzing sound coming from the outlet end of the machine (side without filter)

Scent: You should detect the scent of ozone exiting the machine (open end) The scent is unique.

Cleanliness: Prior to use, check the open end near the plates. The machine should not be filled with heavy grime or residue; if it is, report it to the shift supervisor.

Storage: Will be stored in an appropriate place.

Steps

Prepare the empty cell or other empty space

- The source of the smell should be cleaned and removed prior to the machine being used.
- Areas that are wet need to be dried first.

Place machine in position

- If possible, try to set the machine in a manner that allows it to pull in cleaner air instead of dirty air
- Place in center of the space, if possible
- Do not place it on the floor. If possible, utilize a cart to place the machine at a counter top level.
- Turn Switch on
- Shut the door
- Plug the machine in
- Fans can be used to aid in distribution.

Timing

- Follow the allotted run times.
- 45 minutes to 3 hours.
- **Do not use** for longer periods of time.
- When done, unplug and let the space air out for an hour for every hour the machine ran.
- Open the door and remove the machine from the cell
- Return to machine to the roll call room

**OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP -13**

SOP 13 – Floor Trustee Movement

Section: Floor Trustee	Effective Date: 1/15/22	Review / Revision Date:		Page: 1 of 2
Related Policies	OP7			
Related SOP'S				

Purpose: to provide a safe and consistent procedure for utilizing inmate trustees for nightly cleaning and other tasks on C shift (2300-0700 hours).

Definitions:

Trustee: An inmate worker assigned responsibility to complete simple tasks under the supervision of designated staff.

Procedure:

1. Officers are to conduct a visual inspection of the hallway, classrooms, visiting booths, attorney booths and trustee closet prior to letting the trustee(s) out.
2. Areas where inmates are not allowed shall be secured. This includes, but is not limited to corridors, side or back offices (when an officer is not physically in the room) and electrical closets.
3. The officer shall remove the trash can, clothing or other debris from the housing unit sally port. The housing unit sally port shall have both doors secured prior to the trustee(s) being let out.
4. Once these tasks have been completed the Officer may let the trustee(s) out.
5. When the trustee(s) are out cleaning the officer supervising them shall spend minimal time in the office. If the officer is in the office, they are to be utilizing the jail's camera system to assist in supervising the trustees. Administrative tasks such as answering requests and updating logs should be avoided while the trustee(s) are out. The officer supervising the trustee(s) shall know where the trustee(s) are at all times.
6. Sally ports are not to be left unsecure for the trustee(s) to clean. The officer shall escort the trustee(s) from unit to unit, opening the outer door to facilitate cleaning, and securing it before moving on to the next unit.
7. The officer supervising trustee(s) in 3 East shall ensure the door between 3A and 3J,

doors leading to HSU, mental health, roll-call and other offices are secured prior to letting the trustee out.

8. Due to the dynamics of the booking area (4H, booking, booking deck, records, classification and medical exam room) the officer supervising the trustee in these areas shall have direct visual contact with the trustees at all times.
9. The officer(s) supervising the trustee(s) on 5th floor shall be in direct visual contact when the elevator lobbies and elevators are being cleaned. The officer should also ensure the trustees are not communicating with, or passing items to any person, including holding cell and other units.
10. The officer supervising the trustee(s) shall inspect their work as they are doing it and immediately after the trustee(s) indicate they are done. Any area not adequately cleaned or stocked should be remedied.
11. The officers should inspect all mop buckets, making sure they are stocked and without contraband, prior to placing them into their respective units.
12. If a trustee is cleaning in an officer work station the following steps shall be taken:
 - a. The lights will be turned on.
 - b. All personal bags shall be closed with their closing devise (zipper, clasp, buckle, etc).
 - c. Cell phones shall be stowed in the officer's bag.
 - d. Images of inmates in stages of undress shall be covered (holding cell cameras).
 - e. The officer supervising the trustee(s) cleaning shall have visual contact on the inmate at all times.
13. The officer supervising the trustee(s) who are cleaning the public side of 4th or 5th floor shall make a radio announcement indicating such.
14. Officers who need to temporarily discontinue supervising the trustee(s) should secure them in a locked room.
15. Trustee(s) are NEVER allowed in central control.
16. Trustees shall be pat searched prior to being put back in their cells for the night.
17. The officer supervising the trustee(s) should ensure the trustees pay sheet is stamped after work is completed.
18. At the end of each month, staff should route pay sheets to the jail accountant.

OUTAGAMIE COUNTY CORRECTIONS DIVISION
SOP

SOP 14 – Inmate Mail Delivery/Scanning

Section: Inmate Mail Delivery/Scanning	Effective Date: 11/1/22	Review / Revision Date:		Page: 1 of 2
		1/15/22		
Related Policies	425 IP 3-Mail IP3.7			
Related SOP'S				

Purpose:

The purpose of Inmate Mail Deliver/Scanning at the Outagamie County Justice Center is to:

1. Have an uniformed procedure for delivering/scanning Inmate Mail.
2. Instruct staff who is responsible for scanning/delivering incoming mail.
3. Instruct staff how to use the mail scanner.
4. Instruct staff how to load the mail into a mail delivery system, (MDS).
5. Instruct staff how to handle open records requests for scanned mail.

Procedure:

Mail Scanner usage

1. Mail Scanner will be located in a designated area.
2. Staff will need to make sure the scanner is turned on prior to use.
3. Scan all mail from each inmate separately.
4. Each scan will be saved as a PDF file and uploaded to the MDS.

Uploading Inmate Mail to the MDS

1. Staff log into the MDS.
2. Staff will navigate to Activities/ Facility messages.
3. Staff will click on the hyperlink "Send Facility Message", upper right corner.
4. In the "to" field staff will enter the inmates name.
5. In the "subject" field enter the date. IE "Inmate Mail 06/21/2021"
6. In the "Message" field staff enter any information needed about the mail.
7. Staff will click choose file and navigate to the location where the pdf is saved.
8. Staff will attached the pdf to the facility message and click send.
9. Photos on Photo Paper will be placed in the inmate's property bag.
10. Greeting Cards will be placed in the inmate's property bag.

Open Records Request for Scanned Mail:

This section of the SOP is to explain how to handle open records request for inmate mail.

1. Inmates Open Record requests will be sent through the MDS using the open requests request.
2. The Open Record officer will review the request and verify the mail requested.
3. The Open Record officer will verify the inmate has the funds for the request in their jail account.
4. If the inmate has the funds for the Open Record. The Open Record Officer will place a copy of the inmate scanned mail in the Inmates Property Bag.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Handling of Juveniles	Series: 501
Effective Date: May 1, 2013	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: April 1, 2013/February 2022

- 501.01 ROLE OF THE LAW ENFORCEMENT AGENCY
- 501.02 JURISDICTION
- 501.03 INVESTIGATIONS
- 501.04 NON-CUSTODIAL HANDLING
- 501.05 TAKING INTO CUSTODY
- 501.06 CUSTODIAL HANDLING
- 501.07 RELEASE OR DELIVERY FROM CUSTODY
- 501.08 HOLDING IN CUSTODY
- 501.09 TRAFFIC CITATIONS
- 501.10 CIVIL LAW AND ORDINANCE VIOLATIONS
- 501.11 INTOXICATING BEVERAGE VIOLATIONS
- 501.12 POLICY SCHOOL GUIDELINES
- 501.13 PROTECTIVE CUSTODY FOR JUVENILES INCAPACITATED
BY ALCOHOL
- 501.14 TRANSPORTATION OF JUVENILES
- 501.15 DISPOSITION
- 501.16 LAW ENFORCEMENT RECORDS

501.01 ROLE OF THE LAW ENFORCEMENT AGENCY

The role of the law enforcement agency is to preserve the peace, protect life and property, enforce the laws and prevent delinquency and crime. This applies to law enforcement work with juveniles, as well as with adults. The victim of an assault or a theft is no less adversely affected because the perpetrator turns out to be a juvenile rather than an adult. The Wisconsin Legislature specifically spells out the purposes of dealing with juveniles in Chapter 48 and 938, Wisconsin Statutes, the Juvenile Justice Code:

- A. *To protect citizens from juvenile crime.***
- B. *To hold each juvenile offender directly accountable for his or her acts.***
- C. *To provide an individualized assessment of each alleged and adjudicated delinquent juvenile, in order to prevent further delinquent behavior through the development of competency in the juvenile offender, so that he or she is more capable of living productively and responsibly in the community.***
- D. *To provide due process through which each juvenile offender and all other interested parties are assured fair hearings, during which constitutional and other legal rights are recognized and enforced.***
- E. *To divert juveniles from the juvenile justice system through early intervention as warranted, when consistent with the protection of the public.***
- F. *To respond to a juvenile offenders needs for care and treatment, consistent with the prevention of delinquency, each juvenile's best interest and protection of the public, by allowing the court to utilize the most effective dispositional option.***
- G. *To ensure that victims and witnesses of acts committed by juveniles that result in proceedings under this chapter are, consistent with the chapter and the Wisconsin constitution, afforded the same rights as victims and witnesses of crimes committed by adults, and are treated with dignity, respect, courtesy, and sensitivity throughout those proceedings.***

501.02 JURISDICTION

The Wisconsin Juvenile Justice Code Chapter 938, as revised by Legislature in 1978, 1980 and 1995 restructures the jurisdiction of courts. Jurisdiction can be broken down into several categories:

- 1. Juveniles alleged to be delinquent*
- 2. Jurisdiction over traffic, boating, snowmobile, and all-terrain vehicle violations and other civil law and ordinance violations.*
- 3. Juveniles alleged to have violated civil laws and ordinances*
- 4. Juveniles alleged to be in need of protection or services*
- 5. Referral of juveniles to proceedings under Ch. 51 or 55.*
- 6. Jurisdiction over interstate compact proceedings*
- 7. Jurisdiction of other courts to determine legal custody*
- 8. Jurisdiction for criminal proceedings for juveniles 14 or older; waiver hearing.*
- 9. Original adult court jurisdiction for criminal proceedings.*
- 10. Miscellaneous.*

501.03 INVESTIGATIONS

A. Preliminary Investigation

It should be noted that the age of the individual offender does not affect the requirement that a complete preliminary investigation be made at the scene of any crime in accordance with regular crime scene procedures.

The deputy's first to arrive at the scene shall conduct a preliminary investigation. If the investigation shows a possible state statute or local ordinance violation, the deputy shall complete a written narrative report.

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B. Follow-up Investigation

In most circumstances when preliminary investigations indicate that the offender is a juvenile, the investigation will continue in accordance with normal Department procedures with the investigating deputy completing as much of the investigation as possible. Individual decisions as to what personnel can best follow up on investigations involving juveniles will be made by the Investigative Supervisor. The Investigative Supervisor will assign personnel to follow up investigations when necessary.

501.04 NON-CUSTODIAL HANDLING

In cases of minor offenses where the facts indicate the juvenile offender need not be taken into custody (a term equivalent to arrest for an adult) or issued a traffic or county ordinance citation, the deputy may make a preliminary disposition of the matter by any of the following methods:

- A. Issue an oral reprimand concerning the situation; or
- B. Warn the juvenile of potential consequences; or
- C. Transport the juvenile home and inform the parent(s) of the situation and that the matter will be reviewed. The Investigative Supervisor will make a determination of further action if required.

501.05 TAKING INTO CUSTODY

A term equivalent to arrest for an adult.

- A. A deputy may take a juvenile into custody when:
 - 1. The deputy has a warrant for the juvenile.
 - 2. The deputy has a capias issued by a judge for the juvenile.
 - 3. The deputy has an order of a judge demanding the juvenile be immediately removed from his/her parent's custody or

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4. Circumstances in which a deputy reasonably believes that:
 - a. A capias or warrant for the juvenile has been issued in this state or in another state, or the juvenile is a fugitive from justice.
 - b. The juvenile has run away from his/her parents, guardian or legal or physical custodian.
 - c. The juvenile is committing or has committed an act which is a violation of a state or federal criminal law.
 - d. The juvenile is suffering from illness or injury or is in immediate danger from his/her surroundings and removal from the surroundings is necessary.
 - e. The juvenile has violated the terms of court-ordered supervision or After Care by the Wisconsin Department of Health and Social Services, or a county human services or of corrective sanctions supervision administered by the department.
 - f. The juvenile has violated a civil law or local ordinance punishable by forfeiture.
 - g. The juvenile has violated the conditions of an order under 938.21(4), electronic monitoring or the conditions of an order for temporary physical custody by an intake worker.
 - h. The juvenile is absent from school without an acceptable excuse.

501.06 CUSTODIAL HANDLING

The following procedures relate to the handling of juveniles taken into custody. All juveniles taken into custody may be handled at the scene, at

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the discretion of the deputy, without the need for the juvenile to be brought to the station.

A. Notify Parents

Attempt to immediately notify parent, guardian and legal custodian of the juvenile by the most practical means. The person taking the juvenile into custody shall continue such attempts until the parent, guardian, or legal custodian of the juvenile are notified or the juvenile is delivered to an intake worker, or whichever occurs first.

If contact is made the following information will be given:

1. Why the juvenile was taken into custody.
2. The present whereabouts of the juvenile.

B. Questioning

If the juvenile to be questioned is suspected of committing a delinquent act or crime, and in custody give the juvenile the Miranda warning and waiver of rights. Miranda rules are the same for juveniles as for adults. ***Note: Electronic recording is mandatory for any custodial questioning of any juvenile that is a misdemeanor and/or felony investigation. It is recommended to record all interactions that have the potential to result in ANY enforcement action).***

C. Search of Juveniles

Procedures relating to the search of juveniles are the same as those applied to adults. Juveniles, at the time they are taken into custody, may be given a pat-down search. All juveniles taken into custody shall be searched prior to transporting for the protection of the juvenile and the deputy.

- D. Handcuffing
See Use of Force 801.07.

501.07 RELEASE OR DELIVERY FROM CUSTODY

- A. Every effort shall be taken to release the juvenile from custody as soon as possible.
- B. A juvenile may be released to:
 - 1. Parent, guardian or legal custodian.
 - 2. If they are unavailable, unwilling or unable to provide supervision, the juvenile may be released to a responsible adult after counseling or warning the juvenile.
 - 3. If the juvenile is 15 years of age or older and lives in Outagamie County, the juvenile may be released without immediate adult supervision after counseling or warning the juvenile and if the deputy believes:
 - a. The juvenile is responsible.
 - b. The juvenile will go directly home.
 - c. The juvenile's identification has been confirmed.
 - 4. If under 15 years of age, the juvenile shall not be released without supervision. Release must be to a parent or other responsible relative.
- C. A juvenile taken into custody because of a violation of a local ordinance must be released as above and cannot be held further.
- D. If the juvenile is believed to be suffering from a serious physical condition which required either prompt diagnosis or prompt treatment, the deputy shall deliver the juvenile to a hospital or physician's office. Further

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procedures for holding a child in custody who is either abused or neglected are discussed in Chapter 48.981.

- E. If the deputy has probable cause to believe the juvenile to be mentally ill, drug dependent or developmentally disabled and exhibits conduct which constitutes a substantial risk of physical harm to the juvenile or to others, the deputy shall proceed under Chapter 51.15 as would be done for an adult.
- F. If the juvenile is believed to be an intoxicated person and has threatened, attempted or inflicted physical harm on self or on others and is likely to inflict such physical harm unless committed -OR- is otherwise incapacitated by alcohol, the deputy shall proceed under 51.45(11).
- G. If the juvenile violated the terms of After Care supervision the deputy may release the juvenile to the Wisconsin Department of Corrections or county department whichever has After Care supervision over the juvenile.
- H. If the juvenile is a runaway the deputy may release the juvenile to a home authorized under Wis. Stat. 48.227 (runaway home).
- I. If the juvenile is a truant they may be returned to school, home, or shelter care, etc.

501.08 HOLDING IN CUSTODY

- A. The revised Juvenile Justice - Chapter 938 - requires decisions on detaining a juvenile in secure or non-secure custody be made by a Juvenile Court Judge, Juvenile Court Commissioner or Intake Worker. If the juvenile has not been released and the deputy believes the juvenile should be held further in custody, the deputy shall contact a Juvenile Court Intake Worker.

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- B. Provide the Intake Worker with all pertinent information regarding the juvenile in custody:
 - 1. Circumstances for being taken into custody.
 - 2. Name, age, address (including county of residence).
 - 3. Parent's attitude toward the situation.
 - 4. Juvenile's attitude toward the situation.
 - 5. Reasons why Shelter Care or Juvenile Detention is being recommended.
 - 6. Complete the Temporary Physical Custody Request Form.
- C. Secure Custody (Jail or Detention Facility)

A child may be held in a secure ***or non-secure*** custody ***upon approval of Juvenile Intake***
- D. The child is believed to be suffering from a serious physical condition which requires either prompt diagnosis or prompt treatment, the deputy shall ***obtain the appropriate medical attention.***
- E. To Contact an Intake Worker
 - 1. If the deputy believes it will be necessary to hold the juvenile in secure detention, the deputy may have the Communication Center contact an Intake Worker ***for consultation***, or may contact an intake worker directly at the number provided on the capias or warrant.
 - 2. In other situations the deputy, upon arrival at the Youth and Family Services facility, shall telephone the Intake Worker.

501.09 TRAFFIC CITATIONS

- A. Juveniles 16 and 17 years of age will be handled with the same procedure as an adult and will be referred to adult court with a Wisconsin Uniform

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Traffic Citation. (Except for juveniles charged under Wisconsin Statute 342.06 - False statements in applying for certificates of title; 344.48 - Forging of proof of financial responsibility; or 346.67 - Failure of driver to perform duties after striking a person or vehicle when death or injury occurs.)

- B. Juveniles 10 years of age or older may be issued a County Ordinance Citation. When completing the County Ordinance Citation, the following procedure will be used:

- The Court shall be indicated as Court Commissioner of Outagamie County.
- The court date will be as promulgated by the Court.
- A juvenile referral and parental / guardian notification shall be completed.

Any juvenile arrested under Wisconsin Motor Vehicle Statutes, Section 340-349, shall be advised his/her parent(s) or guardian shall be notified. A letter may be sent to the juvenile's parent(s) or guardian, indicating their son/daughter has been issued a traffic citation and the date for initial court appearance.

- C. If a child 10 years of age or older is in violation of traffic violations that are not traffic crimes, they shall be issued a county ordinance violation. If the matter is indeed a traffic violation, the citation will stand. If the child, age 10 or older, is in violation of a known traffic crime, the deputy shall refer all of the necessary information needed for a juvenile referral to Juvenile Intake.
- D. Juveniles under 10 years of age, may be referred to Juvenile Intake with a juvenile referral at the deputy's discretion.

- E. A child charged with a traffic or boating offense in a court of criminal jurisdiction shall be treated as an adult, etc.

501.10 CIVIL LAW AND ORDINANCE VIOLATIONS

A. AGES 10 THROUGH 16

Wisconsin Statute 48.17(2) gives civil courts and juvenile courts concurrent jurisdiction for juveniles ages 10 through 16 for violation of county ordinances. A deputy may issue a juvenile a citation on the County Citation form. The Department must also notify the child's parent(s) or guardian within seven (7) days, indicating a traffic citation has been issued and the date for initial court appearance.

B. AGES 9 AND UNDER

Children 9 years of age and under may also be referred to Juvenile Court Intake under a CHIPS Juvenile Court Referral for committing delinquent acts.

501.11 INTOXICATING BEVERAGE VIOLATION

Minors who are found in possession of intoxicants and/or in an intoxicated condition shall be handled in the following manner.

- A. Juvenile found in possession of intoxicating beverages in violation of state law may be taken into custody for that violation. The deputy taking the child into custody may release to parent(s) at most convenient location (i.e. child's home, local police department or Sheriff's Office). If it is impossible to release to a parent or responsible adult, Juvenile Intake shall be contacted.

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1. Juveniles ages 10 or older may be issued a County Ordinance citation for violation of juvenile possessing intoxicants.
 2. Juveniles under age 10 may be referred to the Juvenile Court Intake or handled informally by the deputy.
- B. Any Juvenile found to be in an intoxicated condition and the deputy feels the youth is in need of help, may assist the youth to his/her home, an approved treatment facility (i.e. St. Elizabeth Hospital) or other health facility.
- C. A Juvenile who appears to be incapacitated by alcohol shall be placed in protective custody and transported to an approved treatment facility for emergency treatment. If in the opinion of the physician the child may be released, the person taking the child into custody shall return the child to his/her parent's home. If the parent or guardian refuses to receive the child, or if the child refuses to return home, the person taking the child into custody shall deliver the child to an intake worker.
- D. In addition, any juvenile found at a party at which intoxicating beverages are served off premises, the deputy will obtain the following information: Name, D.O.B., address, phone number and parent's name. The deputy shall have the discretion of either releasing the child on his/her own, releasing to a parent or taking the child into protective custody. Such intangibles as state of intoxication and probability of injury to self or others shall be considered.
- E. Deputies responding to a complaint of an alcohol party in a private home shall contact a responsible adult in the residence and advise them of their legal responsibilities if a child is injured or another is injured by actions of a person in attendance at the party.
- F. All juvenile alcohol and drug related offenses will require a police report.

501.12 POLICE-SCHOOL GUIDELINES

- A. In all Police-School contacts, deputies should make every attempt to contact and work with the police-school liaison deputy.
- B. In-School Questioning
 - 1. When the police intend to question a student in school, the deputy shall make every attempt to follow the school's policy regarding questioning. However, there may be specific instances where the deputy believes it's necessary for a successful investigation to forego school policy and conduct an interview of the student(s), as state statute allows deputies to question a student regardless of school policy. If a controversy ensues, the deputy should contact their supervisor to interact in the situation.
 - 2. Child Abuse and Neglect

In cases of suspected child abuse or neglect, it is recommended that the deputy question the child without parental notification prior to the questioning.

 - a. ***If abuse is substantiated, a Deputy shall contact Child Protection and their supervisor.***
- C. In-School Apprehensions
 - 1. Deputies should make in-school apprehensions only:
 - a. When the student is alleged to have committed a violation and it is impractical and otherwise disadvantageous to make the apprehension at another time or place.
 - b. When ordered to do so by the Juvenile Court Judge.

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2. If an apprehension is made at school, the proper arrangements should be made with the school principal or his/her designated representative.
3. If an apprehension is made in school, the law enforcement agency is responsible for the rights of the child and his/her family and for the notification of his/her parent(s).
4. Law enforcement agencies can take children into custody as provided in 938.19, Wisconsin Statutes.

D. Intra-School Problems

1. Intra-school problems are any violations which occur while the student is under the supervision of the school or violations which directly affect the school.
2. When a student violates a school rule which would not be a violation of the law, the deputy should not be involved in any type of investigation. Although there maybe instances where a Deputy has started an investigation, either on their own information and belief or at the request of a school official, which was later determined to only be a school rule violation.

501.13 PROTECTIVE CUSTODY FOR JUVENILES INCAPACITATED BY ALCOHOL

Chapter 51 of the Wisconsin Statutes differentiates between individuals intoxicated by alcohol and individuals incapacitated by alcohol. Chapter 51 requires that a juvenile incapacitated by alcohol must be placed under protective custody by a law enforcement deputy. The deputy must then either take or arrange for the juvenile to be taken to a treatment facility. It is often difficult for a deputy

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to differentiate between a juvenile who is "incapacitated" by alcohol and a juvenile who is "intoxicated" by alcohol. The following definitions are meant to assist in making that determination:

Incapacitated by Alcohol: A person, as a result of the use of or withdrawal from alcohol, is unconscious or has his/her judgment otherwise so impaired that he/she is incapable of making a rational decision, as evidenced objectively by such indicators as extreme physical weakness, physical harm or threats of harm to him/herself or to any other person or to property.

Intoxicated Person: A person whose mental or physical functioning is substantially impaired as a result of alcohol but who does not appear to need medical attention and who has not threatened or committed physical harm.

A. Handling a Juvenile Incapacitated by Alcohol

When a deputy has contact with a juvenile who is determined to be "incapacitated" by alcohol, the deputy shall place the juvenile under protective custody and transport to St. Elizabeth Hospital Emergency Room. The deputy will request the Communication Center contact Crisis. The juvenile who is incapacitated by alcohol must be taken into protective custody and transported to a treatment facility.

B. Procedures

1. As soon as a deputy decides to take a person into protective custody, the deputy shall inform the Communication Center of the intent to transport. If additional assistance is required, request a back-up unit and/or ambulance/Rescue Squad.
2. The deputy shall conduct a pat-down search, if possible, and at his/her discretion may handcuff.

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3. The deputy shall complete an Emergency Detention form, leaving a copy at the treatment facility and attaching the original to the Complaint.

501.14 TRANSPORTATION OF JUVENILES

- A. The Outagamie County Sheriff's Office shall provide transportation of juveniles detained in other Wisconsin Counties upon Court order during normal Courthouse hours and shall provide transportation on weekends, holidays and at other times the Court is not in session when authorized by Juvenile Court Intake Workers or Shelter Care Intake Workers. Such Intake Workers are authorized to order transportation when:
 1. Probable cause exists to believe the juvenile is under Court jurisdiction under WI STATS. 938.12 - 938.13 inclusive; and
 2. That it is a weekend, holiday or other time the Court is not in session; and
 3. That it is determined that the parent(s) or Outagamie County Department of Social Services, if the detained juvenile is under their legal custody, are unable or it is impractical for them to provide such transportation.
- B. During weekdays all requests for transfers shall go to the Criminal Justice Unit, who will arrange for transportation of the juvenile held outside Outagamie County back to the County upon receipt of transport order. On weekends the order shall go to the communications center, who will contact the on duty supervisor and advise of the order. The on duty supervisor will make arrangements for transport.
- C. No deputy of this Department will transport juveniles outside Outagamie County without the transportation order or authority their supervisor.

501.15 DISPOSITION

The Department has a wide range of choices in determining the appropriate disposition. Deputies may make disposition 1) Warning, 2) Release with conditions, 3) Civil Court Citations. In making dispositions the facts of the particular offense, the juvenile's past record and past dispositions, the attitude of the juvenile, parent(s) and the complainant in the offense shall be considered. After weighing these factors, one of the following dispositions may be made:

A. Warning and Release

In a minor offense, specifically with younger juveniles, where it appears there is no need for additional corrective measures, the deputy may dispose of the complaint by warning and releasing the juvenile.

B. Release with Conditions

Juveniles committing minor offenses may be released by the deputy.

C. Civil Court

Juveniles, 10 years of age or older, who violate civil law or ordinances may be issued a citation and ordered into civil court.

D. Referral to Juvenile Court

Referral to Juvenile Court should normally be reserved for offenses involving serious felonies, misdemeanor offenses committed by repeat offenders and for status offenses involving a request by a parent or child for help of the Court. In situations where it is believed waiver into adult court would be appropriate, the referral will be made to Juvenile Court with a recommendation for waiver.

1. Referral to court must be made within the following time period:

- a. If the juvenile has been and will continue to be held in custody, the referral must be made immediately. It is**

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required the petition be drafted by the district attorney and filed within 24 hours, excluding Saturdays, Sundays and legal holidays.

- b. For juveniles who are not being held in custody, the referral must be made within fourteen (14) days of the completion of the investigation.

E. Referral to Protective Services Unit-County Department of Social Services:

In all complaints concerning abuse, neglect or dependency, referrals shall be made to the County Department of Human Services - Protective Services Unit within 12 hours, excluding Saturdays, Sundays and legal holidays. Even after such referrals are made, the Department is encouraged to assist the Human Services Department with investigative assistance when criminal prosecution may be a possibility.

F. Referral to Other Law Enforcement Agencies

Offenses involving juveniles ***residing in counties other than Outagamie***, will be referred to the law enforcement agency where the juvenile resides.

501.16 LAW ENFORCEMENT RECORDS

Section 938.396(1) of the Wisconsin Statutes states:

"Law Enforcement Officers" records of juveniles shall be kept separate from records of adults and shall not be open to inspection of their contents, except by order of the court or according to s. 938.293." (Also see Release of Information Policy 301).

- A. Section 938.293 indicates: "Copies of all Law Enforcement Officer's reports including, but not limited to, the officers' memorandums and witness' statements, shall be made available upon request to counsel or

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guardian ad litem prior to a plea hearing." Normally such reports shall be processed through the district attorney or corporation counsel. This section does not prevent keeping the identity of confidential informants secret in accordance with state statutes.

- B. Law enforcement records are open to the representatives of newspapers and other reporters of news who wish to obtain information for the purpose of reporting the news without revealing the identity of the juvenile involved.
- C. Section 938.396(1) does allow for the confidential exchange of information between the police and officials of the school attended by the juvenile or other law enforcement agencies or social welfare agencies.
- D. Section 938.396 restricting access to law enforcement records does not apply to juveniles 14 or older who are transferred to criminal court.
- E. Section 938.396 restricting access to law enforcement records also does not apply to proceedings for violations of Chapters 340-349 or any county ordinance enacted under Chapter 349, except that information is restricted if the violation is of s. 342.06 - False statements in applying for certificates of titles; s. 344.48(1) - Forging of proof of financial responsibility or s. 346.67 - Failure of driver to perform duties after striking a person or vehicle when death or injury occurs.
- F. The juvenile court may also order release of law enforcement records. Any person desiring information on a matter recorded in reports shall be referred to either the head of the Investigative Division. All individuals with court orders will provide a copy of this to the Department to include with files or reports they desire to view. This order then will become part of the original report. Military personnel requesting background checks on juveniles shall be advised only that Wisconsin State Law prohibits any

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response to questions regarding juvenile police records without a court order.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Child Abuse and Neglect (Wis. Statutes 48.981)	Series: 502
Effective Date: February 4, 2005	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: January 4, 2005 (Reviewed April 2013 & February 2023 with no changes)

502.01	RECEIVING COMPLAINTS
502.02	VALIDATING THE COMPLAINTS
502.03	NOTIFYING CONCERNED AGENCIES
502.04	CONTENT OF LAW ENFORCEMENT'S REPORT TO OTHER AGENCIES
502.05	EMERGENCY TREATMENT

502.01 RECEIVING COMPLAINTS

Complaints may be received from numerous sources, including relatives, doctors, nurses, teachers or neighbors, or may be initiated by the law enforcement officer. Such complaints should be recorded with all information available from the complainant. Any law enforcement officer who observes evidence of child abuse or neglect is required by law to report this to the Sheriff's Office and to the County Department of Human Services.

502.02 VALIDATING THE COMPLAINTS

- A. Wisconsin State Statute 48.981(3)(b) states that "Any person reporting child abuse or neglect may request an immediate investigation by the Sheriff or police department if the person has reason to suspect that the juvenile's health or safety is in immediate danger. Upon receiving such a request, the Sheriff or police department shall immediately investigate to determine if there is reason to believe that the juvenile's health or safety is in immediate danger and take any necessary action to protect the child."
- B. Because of their familiarity and experience in child abuse situations, it is recommended that a social worker from the county Department of Human Services accompany the officer whenever possible in investigations of this nature.
- C. If physical abuse is apparent, color pictures of the juvenile should be taken, preferably with a competent witness present. The evidence should be identified as in any criminal investigation.
- D. The same procedure should be used in taking statements from witnesses, offenders and victims as in any criminal investigation.
- E. Police investigations of abuse cases may center around who did not cause the abuse rather than who did cause the abuse. An example would be

proving that it was not possible for other persons such as the baby-sitter, boyfriends, grandparents, etc. to have caused the alleged abuse.

- F. Any material obtained during the course of the investigation, including pictures, statements and police developed information, should be prepared in sufficient copies to share with the county Department of Human Services and the district attorney when required.
- G. The investigation must be conducted in an objective, impartial and detailed manner to aid the county Department of Human Services in planning for the juvenile and as in any alleged crime to substantiate prosecution of the alleged offender, if warranted.

502.03 NOTIFYING CONCERNED AGENCIES

Section 48.981(3), Wisconsin Statutes states that the county Department of Human Services must be notified within 12 hours, exclusive of Saturdays, Sundays and Legal Holidays, of all alleged cases of child abuse. It is recommended that the law enforcement agency notify the county department of social services immediately, regardless of the hours if the juvenile is seriously abused. The Statutes state: "If the police or other law enforcement official determines that criminal action is necessary, they shall refer the case to the district attorney for criminal prosecution." Copies of the report will be referred to the county Department of Human Services and the district attorney, if necessary. It should be noted the county Department of Human Services is empowered to investigate all abuse and neglect cases and take whatever action they deem necessary for the protection of the juvenile.

**502.04 CONTENT OF LAW ENFORCEMENT'S REPORT TO OTHER
AGENCIES**

1. Date and time of the complaint.
 2. Name and address of complainant.
 3. Name, age and sex of victim.
 4. Address where the reported offense occurred.
 5. Full name of parent(s), guardian, legal custodian, etc., including maiden name of mother and all previous married names.
 6. Appearance of victim:
 - a. Bruises, welts, burns, fractures and suspected malnutrition.
 - b. General appearance, i.e., clothing and body.
 7. Home conditions. (Be specific. e.g. cleanliness, unkept, temperature too cold, etc.) Conditions of room, bed, floor, closets. If deemed necessary by the officer, take photographs of the condition of home to have a permanent record as to the appearance of such home.
 8. Parent(s):
 - a. Attitude, attitude toward victim, etc.
 - b. Previous police records, if any.
 - c. Other agency contacts.
 9. Interview witnesses, neighbors, relatives, etc.
 10. Describe evidence and where kept.
 11. Medical information available.
- Allegations should be as specific as possible in describing the above conditions.

502.05 EMERGENCY TREATMENT

If the child needs medical treatment, he/she should be taken to a hospital or doctor and the intake worker and department of social services shall be notified immediately, regardless of the hour, in order to provide protective services for the child. Another law enforcement officer may need to be summoned to preserve evidence if the investigating officer must leave the premises.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Emergency Detention for Mentally Ill, Drug Dependent, or Developmentally Disabled Juveniles)	Series: 503
Effective Date: October 29, 2001	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: September 24, 2001 (Reviewed January 2005 with no changes) (Reviewed April 2013 with no changes) (Updated February 2022), Updated July 2022

503.01	CIRCUMSTANCES FOR DETENTION
503.02	CRISIS INTERVENTION WORKER
503.03	TRANSPORTING THE INDIVIDUAL
503.04	AFFIDAVIT FOR EMERGENCY DETENTION

503.01 CIRCUMSTANCES FOR DETENTION

Wisconsin Statutes allow a juvenile to be taken into custody for emergency detention at certain times when the juvenile is mentally ill, drug dependent or developmentally disabled. In dealing with such juveniles, it is recommended, whenever possible, the Sheriff's Office utilize alternatives to emergency detention, such as referral to an appropriate agency or voluntary admission to a treatment center. A voluntary admission for a minor under age 14 shall be executed by a parent or guardian. If the juvenile is age 14 or older, the admission shall be executed by the minor and the parent per Chapter 51.13(1)(b). However, if the juvenile is refusing admission, the officer shall consult with a Crisis Intervention worker to discuss if it will be necessary to take the juvenile into custody through an emergency detention. Wisconsin Law in Chapter 51.15(1) allows an officer to take an individual into custody if the officer has cause to believe that such individual is mentally ill and that the individual shows evidence of any of the following:

- A. A substantial probability of physical harm to self as manifested by evidence of recent threats of or attempts at suicide or serious bodily harm.
- B. A substantial probability of physical harm to other persons as manifested by evidence of recent homicidal or other violent behavior on his/her part, or by evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them, as evidenced by a recent overt act, attempt or threat to do serious physical harm on his/her part;
- C. A substantial probability of physical impairment or injury to him/herself due to impaired judgment as manifested by evidence of recent act or omission. The probability of physical impairment or injury is not substantial under this subdivision if reasonable provisions for the individual's protection are available in the community.

Emergency Detention for Juveniles

- D. Behavior manifested by a recent act or omission that he/she is unable to satisfy basic needs for nourishment, medical care, shelter or safety without prompt and adequate treatment so a substantial probability exists that death, serious physical disease will imminently ensue unless the individual receives prompt and adequate treatment for this mental illness or drug dependency. The officer's belief shall be based on a specific recent overt act, attempt or threat to act or omission made by the individual and observed by or reliably reported to the officer. The officer shall record the names of individuals witnessing the behavior.

503.02 CRISIS INTERVENTION WORKER

Whenever possible, before taking an individual into custody, an officer should attempt to brief a Crisis Intervention worker of the specific facts and circumstances. If the worker does not believe the individual needs to be taken into custody, the officer may leave the scene and allow the worker to resolve the situation. Should the officer have continued concerns for the safety of the individual or other members of the community, the officer shall contact their immediate supervisor to provide their concerns and discuss the reason(s) for those concerns.

503.03 TRANSPORTING THE INDIVIDUAL

- A. Whenever the situation does not allow for Crisis Intervention to be contacted and the officer believes the individual has to be immediately taken into custody and transported to a mental health facility, the individual shall be transported to the St. Elizabeth Hospital Emergency Room, when possible. There may be situations where the subject is not able to be transported to St. Elizabeth Hospital Emergency Room.

Emergency Detention for Juveniles

- B. In situations where Crisis Intervention is at the scene, their assistance should be sought in determining where to transport the juvenile. In no situation should a juvenile be transported outside the county without the knowledge of the Shift Supervisor.
- C. Prior to transporting, contact the Communication Center and inform them of the intent to transport and give significant details. Request an NCIC check to be run by the Communication Center.
- D. Such juveniles may be transported in the patrol car, if the officer believes it can be accomplished safely. This may require additional officers being present in the car. Sufficient restraint should be used to ensure the officer(s)' and juvenile's safety. To include insuring that any child safety locks are active, or other measures are taken to insure that the subject is not able to open the windows or doors without officer assistance.
- E. If the juvenile cannot be safely transported in the patrol car, the officer should request the Rescue Squad/ambulance to transport the juvenile. If necessary, the officer(s) will accompany the juvenile in the Rescue Squad/ambulance.

503.04 AFFIDAVIT FOR EMERGENCY DETENTION

When the officer delivers the juvenile to a mental health facility, the officer shall complete an Affidavit for Emergency Detention, leave a copy with the facility and attach the original to the written report. The Affidavit shall indicate the individual's name and address, the conduct or behavior requiring the detention and the name(s) of those individuals who observe such conduct. The behavior may either be observed by the officer or reliably reported to the officer. The original Affidavit of Emergency Detention shall be delivered to the Corporation Counsel

Emergency Detention for Juveniles

immediately or when the Corporation Counsel's Office opens the next working day.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Runaways	Series: 504
Effective Date: October 29, 2001	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: September 24, 2001 (Reviewed January 2005 with no changes) (Reviewed April 2013 with no changes) (Updated February 2022)

504.01	COMPLAINTS
504.02	INVESTIGATION
504.03	DISPOSITION OF RUNAWAYS
504.04	JUVENILES FROM OUTAGAMIE COUNTY APPREHENDED IN ANOTHER STATE
504.05	JUVENILES APPREHENDED IN OUTAGAMIE COUNTY FROM ANOTHER STATE

504.01 COMPLAINTS

The Outagamie County Sheriff's Office shall accept all complaints from parents concerning runaway juveniles. The official receiving the complaint will obtain as much information as possible on the description and clothing of the juvenile. Parents should be advised to contact most likely places the juvenile may be (i.e. relatives, friends, schools, etc.). Information obtained will be relayed to officers of the Department. A complaint will be completed on each runaway.

504.02 INVESTIGATION

- A. Officer shall prepare a missing person report and have the affidavit signed by the parent or legal guardian, who is filing the report.
- B. Notify agencies in Outagamie County, or other agencies/jurisdictions that are believed to be possible destinations or routes of travel for the juvenile.
- C. Specific leads will be checked out by officers of the Department and follow-up completed as appropriate.

504.03 DISPOSITION OF RUNAWAYS

- A. Return to parent: Normally a runaway juvenile will be brought to the Department, the parent notified and asked to pick up the juvenile. Officers releasing the juvenile should attempt to determine possible causes why the runaway occurred. This information should be included in the complaint disposition. If the officer takes the juvenile into custody in an area where it would be closer to take that juvenile home instead of the Department, he shall take the juvenile home, and release that juvenile to a responsible adult.
- B. Juveniles are not released to a parent if the juvenile is unwilling to return home, or the parent/guardian is unwilling to have the juvenile returned

home. Juvenile Court Intake shall be contacted and a request for Temporary Physical Custody completed.

- C. Juveniles apprehended outside Outagamie County:
 - 1. If a juvenile is apprehended outside Outagamie County, the parent or guardian of the juvenile is responsible for his/her return.
 - 2. If the parent/guardian is unwilling or unable to return the juvenile, arrangements for return should be made.
- D. Juveniles from other jurisdictions within Wisconsin apprehended in Outagamie County:
 - 1. Juveniles will be brought to the Department of Youth and Family Services facility.
 - 2. The officer shall contact Juvenile Intake.
 - 3. Officers will have the Communications Center notify the jurisdiction the juvenile is from, advising the juvenile's location and determine when the agency will pick up or arrange for pick up of the juvenile.
- E. Juveniles apprehended outside of their home state: Procedures to be followed by the Department in regard to juveniles from Outagamie County apprehended in jurisdictions of other states and also for juveniles apprehended in Outagamie County from other states will comply with WI STATS. 48.99. The Statute is in regard to the Interstate Compact on Juveniles.

504.04 JUVENILES FROM OUTAGAMIE COUNTY APPREHENDED IN ANOTHER STATE

- A. Voluntary return: A delinquent juvenile or runaway juvenile taken into custody may consent to his/her immediate release and return to the state

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which he/she escaped or ran away from. Prior to the release from the appropriate court holding the juvenile, the juvenile shall be advised of his/her rights under the Interstate Compact. After being advised of rights, a consent shall be executed in the court order, the juvenile released to a duly appointed officer of the state demanding the juvenile's return. The court may, in addition, order the juvenile to return unaccompanied by means arranged with the jurisdiction asking the juvenile's return.

- B. The Involuntary Return. (See WI STATS. 48.99(4), Article IV, Return of Runaways). A juvenile taken into custody in another state can be held for ninety (90) days to enable his/her return to this state pursuant to a requisition for his/her return. Once our county is notified that a juvenile is being held in another jurisdiction in another state as a runaway or delinquent, the parent or guardian of the juvenile in Outagamie County may petition the Juvenile Court for issuance of a requisition for return of said juvenile. The petition shall state the following: name and age of the juvenile, name of petitioner and basis for custody, circumstances of running away, the juvenile's location, the fact that the juvenile is not emancipated. The Juvenile Court hearing the petition will present to the court where the juvenile is held, a written requisition for the return of the juvenile at which time that Court may order the juvenile released to law enforcement officials of this county.

504.05 JUVENILES APPREHENDED IN OUTAGAMIE COUNTY FROM ANOTHER STATE

- A. The following procedure will be followed and will be in compliance with WI STATS. 48.99: Juveniles apprehended by Outagamie County officers whose jurisdiction is outside the State of Wisconsin shall be transported to

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the Department of Youth and Family Services facility. The Juvenile Court Intake Worker will be contacted and the request for temporary detention shall be completed by the officer taking the juvenile into custody. The officer apprehending a youth will ask the juvenile if he/she will sign or consent to a voluntary return to his/her state of residence. If the juvenile does, the officer will advise the Communication Center to notify the jurisdiction demanding the apprehension of the juvenile of the location of the juvenile and the fact that the juvenile intends to sign a consent for voluntary return and will be brought before our courts the following work day to have the waiver authorized for his/her voluntary return to his/her home state of residence. Once the juvenile is brought before the Court and the waiver authorizing his/her voluntary return home is signed, a member of the Criminal Justice Unit will assist Juvenile Intake and make final arrangements for the return of the juvenile.

- B. If the juvenile refuses to return to his/her home jurisdiction when asked by the officer, the Communication Center will advise the agency requesting the juvenile be apprehended that the juvenile, at this time, does not intend to consent to a voluntary return and we would request that they obtain a requisition for return. The arresting officer will contact the Juvenile Court Intake Worker and the court, during working hours, to arrange for a hearing for the juvenile for continued custody until such time as a requisition is received from the state demanding the juvenile's return to that jurisdiction. Once the requisition for return of the juvenile is received, the court will notify the Sheriff's Department and arrangements will be made with the agency as to the return of the juvenile.
- In addition to the above, the procedure on juvenile runaways from Outagamie County will follow the policy guidelines established

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concerning runaway youths, including the procedures for transportation of a juvenile back to Outagamie County. If there are any questions on the compact procedures or problems develop, contact the local office of the Wisconsin Department of Corrections for the Compact Administrator for this area.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Operating A Motor Vehicle While Under The Influence	Series: 602
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 January 25, 2016 December 2015; May 2022

602.01	GENERAL POLICY
602.02	INDICATORS OF OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE
602.03	PRELIMINARIES TO ARREST
602.04	ARREST FOR OMVWI
602.05	ALTERNATE TESTS
602.06	UNCONSCIOUS DRIVER/DRIVER NEEDING EMERGENCYMEDICAL ATTENTION
602.07	CHEMICAL TEST RESULTS
602.08	RELEASE OR INCARCERATION

602.01 GENERAL POLICY

It is the policy of this Department to strictly enforce the laws concerning Operating a Motor Vehicle While Under the Influence. It is the ultimate goal of this policy to bring about a reduction in traffic deaths, traffic accidents, and increase public awareness concerning the problem of driving while under the influence of alcohol and/or drugs.

602.02 INDICATORS OF OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE.

There are a considerable number of driving deviations and behaviors which might indicate an individual is driving while under the influence. This department recognizes there are three detection phases: the vehicle in motion, personal contact with the driver, and the pre-arrest screening. Officers should be alert to all phases and indicators to detect driving while under the influence offenses.

602.03 PRELIMINARIES TO ARREST

- A. Phase one, vehicle in motion. In this first phase the task is to observe the vehicle in operation. Based on this observation, the officer must decide whether there is sufficient cause to command the driver to stop. The second task is to observe the stopping sequence.
 - 1. As soon as the officer has a reasonable suspicion the driver is impaired in the operation of the vehicle; the officer shall stop the vehicle. There is a degree of urgency in getting the impaired driver off the road.
 - a. Stop the violator as soon as possible at the safest possible location.
 - b. Exercise care and caution in stopping the vehicle. Be alert for erratic driving behavior of the violator even if the driver appears to be slowing down or stopping.

2. Alert Communications as to your location for a traffic stop, license number of the vehicle, or description if no license number, and other pertinent information. If necessary, request a backup unit.
- B. Phase two, personal contact. At this point the task is to observe and interview the driver face-to-face. Based on this observation, you must decide whether there is sufficient cause to instruct the driver to step from the vehicle for further investigation. Your second task is to observe the driver's exit and walk from the vehicle.
1. Approach the impaired driver with due caution but with minimal delay. As soon as possible move the violator out of the vehicle to a safe location. Carefully observe the driver's actions, physical condition and statements, noting any unusual occurrences or condition for evidentiary purposes.
 2. Prior to doing the field sobriety test (FST) the officer should notify Communications. Due to the potential officer safety hazards presented with the close proximity between the officer and subject during FST's, a ***pat down for weapons*** may be conducted prior to conducting FST's.
- C. Phase three, pre-arrest screening. The task here is to administer structured, formal, psychophysical tests. Based on these tests, you must decide whether there is sufficient probable cause to arrest the driver for operating a motor vehicle while intoxicated. If possible, your second task is to arrange for, or administer a Preliminary Breath Test.
1. An officer should administer, when possible, short field tests of divided attention. The tests should exercise the same mental and physical capabilities that a person needs to drive.
 - a. If an officer has been trained in the use of standardized Field Sobriety Tests the officer should use those tests which include: Horizontal Gaze Nystagmus (HGN), Walk and Turn, and One Leg Stand.

- b. The Sheriff's Office recommends the following tests be used if officers have not been trained in Standardized Field Sobriety Tests or if those tests are otherwise not able to be administered due to weather, driver conditions or other articulable factors: Finger to nose, finger test, alphabet, and balance test.
- 2. Prior to taking the field sobriety test, the driver should be asked if he/she has any physical defects, recent injuries or hearing/balance impairment, which should be taken in account when determining the driver's performance on the field sobriety test. Officers should consider a person's age or physical condition prior to conducting field sobriety tests. Officers should make every attempt to conduct the tests in a safe location.
- D. An officer may request a driver to take a Preliminary Breath Test (PBT). A driver has a legal right to refuse to the Preliminary Breath Test. ***This test may be used to aid in determining the source of intoxication (i.e. alcohol vs. drugs).***

602.04

ARREST FOR OMVWI

- A. AT THE SCENE:
 - 1. Once the officer has decided to make the arrest, the officer should handcuff the driver according to the Use of Handcuffing Policy 801.09. Conduct a search incident to arrest, and place the driver in the officer's squad.
 - 2. The officer shall check to see if the driver has previous convictions for driving under the influence. The officer should count priors based on current Wisconsin State Statutes. The officer will then issue the appropriate civil or criminal citation.
 - 3. Handling of the Vehicle. A search of the vehicle incident to arrest is left to the officer's discretion. To protect the department and the officer from claims, the vehicle should be properly handled.

Operating While Intoxicated

- a. A vehicle may be released at the scene to an individual who possesses a valid driver's license with the permission of the driver. The individual shall be screened to determine if he/she is impaired by alcohol or controlled substances prior to releasing the vehicle to that person.
 - b. If the vehicle cannot be handled as above, a wrecker of the driver's choice should be summoned to remove the vehicle. If the driver fails to choose a reasonable wrecker service, the next wrecker up for that area shall be summoned.
 - c. If the driver is incarcerated, the arresting officer shall inform the corrections officer of the name of the wrecker service involved.
4. The driver shall be transported to the blood draw location or the location of the alternate testing site.

B. AT THE TESTING SITE:

1. Prior to requesting the operator to submit to a chemical test, and preferably while still at the scene, the arresting officer shall issue the proper traffic citation or notify the driver of any charges that will be referred to the DA's office. The court date selected by the officer should be set according to the DA's office guidelines.
2. Chemical Tests for Intoxication. This department designates the blood test as the primary test.
3. The driver shall be read the Informing The Accused form and asked if he/she will submit to an evidentiary chemical test of their blood.
 - a. If the driver consents, he/she will receive their copy of the Informing The Accused form. The test will be administered.

- b. If the driver refuses to submit to the test, he/she will receive their copy of the Informing The Accused form. The officer will complete the Intent to Revoke form.
- 4. If the driver refuses to submit to the chemical test or the blood draw the officer may require blood to be drawn. The blood sample is evidence and can be forcibly drawn after a search warrant has been obtained. If an officer has a question about the blood draw they should contact their supervisor.
- 5. The blood sample shall be drawn by the medical technician in the presence of the arresting officer. The sample should then be labeled, sealed, and packaged by the technician in the officer's presence. The sample shall remain in the officer's physical custody until it is deposited in the U.S. mail ***or entered into evidence.*** The officer should mail ***or secure*** the sample as soon as practical.
- 6. Breath Test. If the blood test is not available or time constraints do not allow you to have blood drawn, officers should use the breath test. The officer will transport the driver to a test site and have the test conducted by a qualified operator. The officer should read the Informing the Accused form to the driver and ask the driver to consent to a breath test.
 - a. If the driver consents to the test, give him/her their copy of the Informing the Accused form. Then start the 20-minute observation of the driver. Have a qualified operator administer the test.
 - b. If the driver does not consent to the test, give him/her their copy of the Informing the Accused. The officer should then complete the Intent to Revoke form.
 - c. At any point during this process if the driver does not cooperate, it can be deemed a refusal, such as the driver not giving a good breath sample. If the driver becomes

disorderly he/she will be deemed to have refused the test and shall be so informed. At this point the officer should attempt to have blood drawn.

7. An officer should attempt to ensure **any** chemical tests for intoxication are taken within 3 hours of the last operation of the vehicle by the driver.
8. Once the sample has been taken the officer will attempt to complete the **Alcohol/Drug** Influence Report. The officer should be sure to read the driver his/her rights and have the driver sign the form below the Waiver of Rights. The officer shall complete the OWI reimbursement form and turn in the paperwork.

602.05 ALTERNATE TESTS

- A. This department designates blood as the primary test. If the driver submits to the primary test, the driver may request an alternate test administered by the department. The driver also has a right to a reasonable request for a third test of his/her choosing. If requested, every effort should be made to allow him/her to have the test within 3 hours of the driving or operation of the vehicle.
- B. If the secondary test is conducted and the results of BAC are immediately obtained, affix all documents and/or paperwork provided as a result of the test by the testing officer to your report and note the test results in your report of the incident. The blood kit should be submitted in accordance with department policy and if appropriate the additional PAC citation, notice of intent to suspend form and Administrative Review Request shall be issued after the blood test results are received.

602.06 UNCONSCIOUS DRIVER/DRIVER NEEDING EMERGENCY MEDICAL ATTENTION

- A. If the driver is unconscious or in need of emergency medical attention and the officer reasonably believes the driver has been operating a motor

vehicle while under the influence, the officer shall place the driver under arrest and have the driver transported to a medical facility.

- B. An officer may require a blood sample from a person who is unconscious, or otherwise not capable of withdrawing his/her implied consent to an evidentiary chemical test, if the officer has probable cause to believe the person has committed an OMVWI offense. The officer should make every attempt to follow the same process as a conscious driver in these cases. If exigent circumstances do not exist for the blood sample, a warrant should be obtained for the blood sample.
- C. If a doctor refuses to draw a blood sample or refuses to allow someone under his/her direction to draw a blood sample, the officer shall notify the Shift Supervisor. The Shift Supervisor shall notify the District Attorney on call.

602.07

CHEMICAL TEST RESULTS

- A. Blood sample results. Once the results return from the State Department of Justice Lab *or State Hygiene Lab* and the PAC is above the legally allowed limit, the appropriate PAC citation should be issued and the Notice of Intent to Suspend should be completed. Both forms should be forwarded to the District Attorney's office.
- B. Breath sample results will be immediate. If the PAC is above the legally allowed limit, the appropriate PAC citation should be issued and the Notice of Intent to Suspend should be completed. The officer will provide the driver with his/her copy of both forms.
- C. If the individual charged is age 14 but less than 20 and operating a motor vehicle and tests under the PAC, the original OMVWI charge shall be amended to sec. 346.63(2M), violation of the absolute sobriety law.

602.08

RELEASE OR INCARCERATION

- A. After processing an individual arrested for a *releasable* OMVWI offense, the officer may release the individual to a responsible adult or transport for

holding in the Outagamie County Jail. A person arrested for OWI or other alcohol related offenses may not be released until 12 hours have elapsed from the time of his or her arrest or unless a chemical test shows that there is a .04% or less by weight of alcohol in the person's blood or .04 grams or less of alcohol in 210 liters of the person's breath, but the person may be released to his or her attorney, spouse, relative or other responsible adult at any time after arrest.

1. If the individual is transported to the Outagamie County Jail, the officer should notify the booking officer of the time of the arrest, as well as the disposition of the driver's vehicle. The officer should also advise if a bond is needed for the driver.
2. If the driver is released to a sober, responsible adult that adult should be cautioned not to allow the driver to operate a vehicle for a period of 12 hours. If the officer is unsure of the condition of the adult, the officer may request the person to submit to a PBT. If the adult is sober and understands they are responsible for the driver for a period of 12 hours, the officer should have the adult sign the Outagamie County Sheriff's Office Intoxicated Driver Release Form.

- B. Any person arrested for OMVWI, who will be taken to the Jail, and has a BAC .30 or above (***or appears incapacitated***) shall be taken to ***the hospital*** for medical clearance. This must be done before the person can be processed into the County Jail.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Drug Investigation	Series: 603
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 January 25, 2018 December 2015

603.01	GENERAL POLICY
603.02	ENFORCEMENT ACTION
603.03	INVESTIGATION
603.04	HANDLING OF EVIDENCE

603.01 GENERAL POLICY

The Department is committed to curtailing the illegal use of controlled substances.

It shall attempt to achieve this objective by:

- A. Taking enforcement action against those illegally possessing or distributing such drugs.
- B. Taking part in educational programs relating to drug abuse.
- C. Encouraging referral to community agencies for persons found addicted to or dependent on such drugs.

603.02 ENFORCEMENT ACTION

The Department shall take enforcement action relating to violation of law concerning controlled substances. The enforcement action may include full custody arrest, taking of information for later action, or the issuing of a citation where appropriate. The following priorities are established for investigation of violations of drug laws:

- A. Distribution of drugs by organized groups.
- B. Sale or distribution to juveniles.
- C. Individuals selling and dealing.
- D. Possession.

Information on drug sales should be referred to the Lake Winnebago MEG group ***and/or CRU*** for investigation and/or enforcement action.

603.03 INVESTIGATION

Since most drug offenses are committed in private and the only evidence of the offense is the drug itself, the need for immediate seizure and retention of the contraband is often so urgent that any delay in obtaining it may mean disappearance of both the offender and the substance. Therefore, searches, seizures and arrests may be conducted pursuant to recognized exceptions to the

warrant requirements. Such searches, seizures and arrests must meet the probable cause and reasonableness criteria as set forth in policies on Arrest, Stop & Frisk, and Search & Seizure.

603.04 HANDLING OF EVIDENCE

Individual officers, after seizing evidence of drug violations, shall properly tag any evidence and place the evidence and the locker key in the designated area.

A field test may be performed and the results noted.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Bomb Threats	Series: 601
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 April 9, 2009 July 2013 December 2015; March 2022

601.01	GENERAL POLICY
601.02	OBJECTIVES
601.03	RESPONSE AND PROCEDURE
601.04	DUTIES OF OFFICERS
601.05	FIRE/EMS RESPONSE
601.06	OUTAGAMIE COUNTY REGIONAL AIRPORT

601.01 GENERAL POLICY

The purpose of this policy is to clarify the role of the Sheriff's Office as it relates to the receipt of a bomb threat, or the discovery of a suspected IED (Improvised Explosive Device). Not only are extremely dangerous explosive devices easily constructed, placed and concealed, but also the use of modern communications makes a bomb threat itself a potential means for disruption of commerce and/or official business. That is, the primary goal of false bomb threats is to create such a disruption. The Sheriff's Office is responsible to respond to the problem because of the potential danger to life and property, and/or a disruption of commerce or services or scheduled activities. We must address concurrent obligations to meet and minimize the danger, contain the event, to avoid sensationalism and undue publicity, and avoid the unnecessary disruption of commerce or services. The handling of such events shall be expeditious, orderly and low key.

601.02 OBJECTIVES

The basic goals of the Sheriff's Office response to a bomb threat or the discovery of a suspected IED are identified below:

- A. Protection of life and property.
- B. Minimize risk to emergency services agencies.
- C. Control and contain the scene of the event to prevent panic and preserve potential evidence.
- D. Apprehension of those involved in perpetrating the incident.

601.03 RESPONSE AND PROCEDURE

The bomb threat or the report of a suspected IED may be received/discovered and reported by an employee, customer or other citizen. The original bomb threat, if

Bomb Threats

one is received, may be made through any mode of communication. Each report of a bomb threat or discovery of a suspected IED will be investigated thoroughly.

- A. Sheriff's Office personnel receiving notice of a bomb threat or the discovery of a suspected IED must obtain as much information about the matter as possible. This information should include, but is not limited to, the following:
 - 1. Address or location of the reported threat or suspected IED.
 - 2. Time of planned or reported detonation.
 - 3. Type of device used, and method of detonation.
 - 4. Exact words used by the perpetrator(s), and if the threat is made by voice, the voice characteristics, sex, demeanor, age presence or absence of an accent, rate of speech, or any other distinctive or identifiable traits discerned.
 - 5. Any distinctive or identifiable background noises.
- B. Any person receiving such a threat or a report of a suspected IED should immediately notify the Communications Center, providing all known information received.
- C. The Communications Center shall immediately confirm that the patrol shift supervisor is aware of the situation reported, and make necessary contacts per the "Major Incident Call List".
 - 1. The person in charge of the target premises shall be advised of the threat, or the existence of a suspected IED. If possible, persons on the premises should be advised to avoid moving or touching any suspicious items.

601.04 DUTIES OF OFFICERS

- A. The patrol shift supervisor shall attempt to verify the validity of the threat. This should be accomplished through the expeditious use of investigative techniques, including bomb squad and K-9 explosives detection personnel when appropriate, to gather and evaluate all reported, known and suspected information concerning the situation, with the understanding that this is a rapidly changing process, with each new fact obtained impacting on the process and final determination of whether or not the situation amounts to a credible threat, or the discovery of an actual IED.
- B. The patrol shift supervisor shall try to maintain contact with the person in charge of the property. The patrol shift supervisor should learn from the person in charge of the property if they have an existing policy/procedure in place concerning bomb threats and/or terrorist activity. Such policies may specify that in the case of a bomb threat, with no additional information causing the threat to be considered credible, that no disruption of normal business or evacuation be made. Under such circumstances, the decision to evacuate the premises shall be made by the person in charge of the property. In situations of compelling circumstances which amount to a credible threat, where a suspected IED has been located, or compelling reasons to believe an IED is involved, the patrol shift supervisor may order an evacuation. However, ordering an evacuation against the wishes of the person(s) in charge of the premises, although permissible, should be of last resort and deemed necessary, based upon the totality of the circumstances.
- C. The premises that are the subject of a bomb threat may have a policy in place that requires employees to visually search their immediate area, and areas on the premises that they are familiar with, for suspicious packages

Bomb Threats

or possible IED's. This is because responding emergency personnel are not familiar enough with such premises to detect foreign objects or packages. The policy in place on the premises may stress that employees look for, but not handle in any way, suspicious packages. In the absence of such a policy, the patrol shift supervisor should recommend the above-described actions, in an attempt to determine if an actual suspected IED is on the premises. Sheriff's Office personnel may be used to assist in such a search, provided that personnel have been briefed on the proper use of communication equipment in the vicinity of an IED; however, active investigation and determination of threat level should take precedence.

- D. Should a suspected IED be located, the patrol shift supervisor should take all necessary and reasonable steps to protect human life. The bomb squad shall be summoned to the scene, and the patrol shift supervisor shall defer to and assist the bomb squad in the investigation and handling of the suspected IED. Should a prolonged evacuation be necessary, the actual area to be evacuated should be determined by the bomb squad, based upon their expertise and knowledge of the suspected IED. In the event of an actual or suspected IED, reasonable steps should be taken to protect life without unnecessarily disrupting commerce or official business.
- E. Outagamie County Emergency Management should be notified when a highly credible threat has been established in the county, as Emergency Management action may be required in addition to emergency services.

601.05 FIRE/EMS RESPONSE

Appropriate fire and EMS agencies should be notified if the report or discovery of a suspected IED is deemed highly credible. Such agencies should be advised of

Bomb Threats

where the established safe perimeter has been designated, to assist them in selecting a safe staging area, should they believe a response is warranted.

601.06

APPLETON INTERNATIONAL AIRPORT

- A. Outagamie County Regional Airport personnel will implement airport policy and procedure upon receiving a bomb threat or the discovery of a suspected IED. Cooperation with airport management and employees following airport procedure should be maintained. In situations of compelling circumstances which amount to a credible threat, where a suspected IED has been located, or compelling reasons to believe an IED is involved, the patrol shift supervisor may order an evacuation.
- B. Cooperation with airline management and personnel implementing airline policy in such situations should also be maintained, in that responsibility for aircraft, and whether to delay or cancel a flight lies with the airline responsible for the aircraft.
- C. The TSA, FAA, and FBI should be notified as soon as possible in the event of a highly credible threat on airport property, or an incoming or outbound aircraft. Responding federal or state agencies will expect to operate under the Incident Command System (ICS) and be advised of the location of the command post upon initial notification.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Miranda Warnings	Series: 701
Effective Date: February 4, 2005	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: January 4, 2005 (Reviewed July 2013 with no changes) Revise May 2022

701.01 GENERAL PROVISIONS
701.02 WHEN GIVEN
701.03 HOW GIVEN

701.01 GENERAL PROVISIONS

The following is the Miranda Warning approved for use by the Department.

- A. You have the right to remain silent.
- B. Anything that you say can and will be used against you in court.
- C. You have the right to consult with an attorney before questioning and to have an attorney present with you while you during questioning.
- D. If you cannot afford to hire an attorney, one will be appointed to represent you before or during any questioning if you do wish.
- E. If you decide to answer questions now without an attorney present, you have the right to stop the questioning and remain silent at any time you wish. Including during the questioning.

701.02 WHEN GIVEN

The Miranda Warning shall be given to any individual before a criminal custodial interrogation.

- A. A custodial interrogation may occur at the individual's home, on the street, or at the Department. It occurs whenever an individual's freedom is restricted in any significant way and an officer questions the party beyond the purpose needed for identification. Custody is either a formal arrest or a restraint of freedom of movement of a degree associated with formal arrest; the restraint created by a law enforcement official.
- B. When a party is arrested, it is not necessary to immediately give them their Miranda Warnings, unless the officer intends to interrogate. If after arrest, an officer does not inform the party of the rights, the officer should be careful not to ask any questions or otherwise induce the party to discuss the arrest. Consent to search a location however, may be elicited if no other matter is discussed beyond the request to search.
- C. Whenever an interrogation of a person in custody is discontinued and restarted, the party shall again be informed of the Miranda Warnings

Miranda Warnings

unless termination is due to a request for counsel, then no questioning shall be initiated until counsel agrees.

701.03 HOW GIVEN

- A. The warnings shall be given orally in a language the person understands by reading them word for word as listed in 701.01 General Provisions.
 - 1. If possible, a waiver should be obtained in writing using the Warning and Waiver of Rights form.
 - 2. The suspect shall be requested to sign the front of the Miranda form.
 - 3. The officer and any witness shall also sign the form.
- B. It is not enough that the Miranda Warnings simply be given to a custodial party. It is also necessary that the officer take every step to assure that the party understands the warnings. There are many factors which contribute to a party's capability of understanding the Miranda Warnings, including age, mental capacity, physical condition or drug or alcohol intoxication and language. For a waiver to be valid it must be voluntarily, knowingly and intelligently made. The waiver must be a product of a free and deliberate choice rather than due to intimidation, coercion or deception by the police.
- C. If the suspect asks any questions concerning the Miranda Warnings themselves, the questions should be answered. There is however no duty to tell a suspect the subject of the prospective interrogation prior to seeking a Miranda waiver of rights, nor is there a duty to stop questioning upon the suspect's request for a person other than an attorney. If the suspect asks whether the suspect needs an attorney, the decision must be left to the suspect, the officer should not give advice nor name a specific

Miranda Warnings

attorney for the suspect. If the defendant's statements are ambiguous with respect to whether the suspect wishes to invoke the rights to counsel, it is best to ask clarifying questions.

D. If the suspect requests an attorney, questioning will cease.

E. A waiver of rights may never be presumed from the suspect's silence.

If a suspect in custody says he does not want to talk, his right to silence must be scrupulously honored and interrogation must cease at that point.

The suspect can invoke his rights to silence at any time during questioning.

If law enforcement wishes to renew interrogation on this or a separate unrelated crime, they may do so after consultation with the District Attorney.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Post Arrest Procedures	Series: 702
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 September 2013 July 2022

702.01 PROCESSING
702.02 BAIL

702.01 PROCESSING

Individuals arrested for felony **or misdemeanor** charges **may** be brought to the County Jail for processing (*Outagamie County Detention Guidelines must be met*)

OR, if circumstances warrant, a referral of charges to the District Attorney's office may be utilized. ***When transported to the jail subjects must be handcuffed and seatbelted if at all possible. Anytime a subject is transported the child safety locks must be activated to prevent the subject from opening the door on their own. If not equipped with child safety locks, other measures must be taken to insure that the rear doors and windows cannot be operated by the subject. Citations should be issued for county ordinance violations.***

702.02 BAIL

A. ***All persons arrested for new misdemeanor or felony charges or a warrant that requires the posting of a cash bond prior to release shall be transported to the jail or any police department which will accept the bond. (Stats.969.07)***

B. **OWI:**

When an individual is arrested for **OWI**, whether on State charge or on a County ordinance charge:

1. The person may be released to **a** responsible adult at any time after arrest, ***or taken to jail for further processing.***

C. **SPECIAL CIRCUMSTANCES**

When a bond has been established but certain circumstances have come to the attention of the officer which would lead the officer to believe that a higher bond needs to be established to prevent the defendant from fleeing or for the protection of the public, the officer shall:

Post Arrest Procedures

- a. If prior to initial court appearance, contact and review with the Shift Supervisor and then contact the appropriate judge to discuss an increase in bail.
- b. If it occurs after a court appearance where bond was established by a court, contact the appropriate representative of the District Attorney's Office with the information.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Stop & Frisk	Series: 703
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 April 9, 2009 July 2013

703.01	GENERAL POLICY
703.02	DEFINITIONS
703.03	CONTACT
703.04	STOPS
703.05	FRISK
703.06	RECORD KEEPING

703.01 GENERAL POLICY

It is the policy of the Department that field interrogations will be conducted in a manner which not only promotes the public safety and safeguards law enforcement officers from harm, but also holds incursion into personal rights and privacy to a minimum.

In performing his/her responsibilities, a police officer must often approach individuals who appear to be engaged in some activity calling for investigation. Such activities may cover a wide range of situations; in some, the officer will be preventing or detecting crime; in others, the officer will be providing assistance to persons in need. Depending on the nature of the situation encountered, the police response may at times constitute: a "contact", a "stop" and possibly a "frisk" or an "arrest."

703.02 DEFINITIONS

CONTACT: Consists of making an inquiry of a citizen in which the citizen's liberty is not restrained.

STOP: Temporary detention of a person for investigation.

FRISK: A limited protective search for concealed weapons or dangerous instruments.

703.03 CONTACT

Normally, unless an officer concludes that an arrest should be made, or that a stop is justifiable, communications with a private citizen should begin with a contact.

- A. After identifying him/herself as a law enforcement officer, an officer may initiate a contact with a person in any place that the officer has a right to be present.

- B. Persons contacted may not be halted or detained against their will, or frisked unless the officer has developed further information to transform the incident into a stop. They may not be required to answer questions or to cooperate in any way if they do not wish to do so.
- C. An officer may not use force or coercion in initiating a contact or in attempting to obtain cooperation once the contact is made. If the person contacted refuses to cooperate, he/she must be permitted to go. Since a contact is not a stop or an arrest, and those persons contacted may be innocent of wrongdoing of any kind, officers should take special care to act in as restrained and courteous manner as possible.

703.04

STOPS

A stop occurs whenever an officer uses his/her authority to make a person halt, or to keep the person in a certain place, or to compel the person to perform some act. If a person is under a reasonable impression that he/she is not free to leave the officer's presence, a "stop" has occurred.

- A. Basis for a Stop:

An officer may stop a person, after having identified him/herself as a law enforcement officer, if the officer reasonably suspects that a person has committed, is committing or is about to commit any crime. Both pedestrians and persons in vehicles may be stopped.
- B. Reasonable Suspicion:

The term "reasonable suspicion" is not capable of precise definition; however, it is more than a hunch or mere speculation on the part of an officer, but less than probable cause necessary for an arrest. Every officer conducting a stop must be prepared to cite the existence of specific facts in supporting his/her determination that a "reasonable suspicion" was present.

C. Duration of Stop:

A person stopped pursuant to this policy may be detained at or near the scene of the stop for a reasonable period of time. Officers should detain a person only for the length of time necessary to obtain or verify the person's identification, or an account of the offense, or otherwise determine if the person should be arrested or released. Persons may not be moved from the place of initial contact except with their voluntary consent or for the shortest distance possible to protect the person's safety, a move of longer duration is an arrest and must be supported by probable cause to arrest.

D. Explanation to Detained Person:

Officers shall act with courtesy towards the person stopped. At some point during the stop the officer shall identify him/herself and give the person stopped an explanation of the purpose of the stop whenever possible.

E. Rights of Detained Person:

The officer may direct questions to the detained person for the purpose of obtaining his/her name, address and an explanation of his/her conduct. The detained person may not be compelled to answer questions. Before the questioning, the detained person need not be advised of Miranda rights until the individual is taken into custody. When the above occurs, the officer should immediately halt the questioning and advise the detained person of Miranda rights.

F. Effect of Refusal to Cooperate:

Refusal to answer questions or to produce identification does not by itself yield probable cause to arrest, but such refusal may be considered along with other facts as an element adding to probable cause.

G. Effecting a Stop and Detention:

Stop & Frisk

Officers shall use the least coercive means necessary under the circumstances to effect a stop or to detain a person.

H. Use of Force:

An officer may use only the amount of force that is reasonably necessary to stop and detain a person pursuant to this policy. The Department's Use of Force policy shall be followed.

I. Stopping Witnesses Near the Scene of a Crime:

A police officer who has probable cause to believe that any felony or misdemeanor involving danger to persons or property has just been committed and who has probable cause to believe that a person found near the scene of such offense has knowledge of significant value to the investigation of the offense, may order that person to stop. The sole purpose of the stop authorized by this section is the obtaining of the witness' identification so that he/she may later be contacted by the officer's agency. Officers shall not use force to obtain this identification.

703.05

FRISK

A. A police officer may frisk any person whom he/she has stopped when the officer reasonably suspects that the person is armed and dangerous and that a frisk is necessary to protect him/herself or others. The frisk may be conducted at any time during the stop - whenever a "reasonable suspicion to frisk" appears. The purpose of a frisk is limited to a search for weapons and cannot be used to justify a search for evidence.

B. Reasonable Suspicion for Frisk:

Reasonable suspicion for a valid frisk is more than a vague hunch and less than probable cause. If a reasonably prudent police officer under the specific circumstances would be warranted in believing his/her safety or

that of other persons in the vicinity is in danger, a frisk is justified. A frisk may not be conducted as standard policy in each case. The officer must be able to articulate specific facts to justify each frisk conducted. "Officer safety" as a general basis is insufficient.

C. Procedure:

1. The officer should begin the frisk at the area of the person's clothing most likely to contain a concealed weapon or dangerous instrument. Usually, an officer should begin the frisk with a pat-down of the outside of the outer clothing; and the officer should not reach inside the clothing unless he/she first feels an object reasonably believed to be a weapon or dangerous instrument. If the outer clothing is too bulky to allow the officer to determine if a weapon or dangerous instrument is concealed underneath, then the outer clothing may be opened to allow a pat-down directly on the inner clothing. If the officer has a reasonable belief, based on reliable information or his/her own knowledge and observations, that a weapon or dangerous instrument is concealed at a particular location on the person, then the officer may reach directly into the suspected area. This is an unusual procedure and any officer so proceeding must be prepared to cite the precise factors which led to foregoing the normal pat-down procedure.
2. If the person is carrying something immediately separable from his/her person, e.g. a purse, shopping bag, briefcase, it should be taken from him/her. The officer should not search inside of the object but should place it in a safe location out of the person's reach for the duration of the detention.

Stop & Frisk

- D. Discovery of Weapon, Instrument or other Property: If a frisk or search discloses a weapon or instrument or any other property, possession of which the officer reasonably believes may constitute the commission of a crime or which may constitute a threat to his/her safety, the officer may take it and keep it until the completion of the questioning, at which time he/she shall either return it, if lawfully possessed, or arrest the person so questioned.
- E. Discovery of Incriminating Evidence:
If, while conducting a frisk, an officer feels an object which he/she does not reasonably believe to be a weapon or dangerous instrument but does believe it to be a seizable item, the officer may not, on the basis of his/her authority to frisk, take further steps to examine the object. However, if the nature of the object felt, alone or in combination with other factors, provides probable cause to arrest, the officer should tell the person he/she is under arrest. The officer may then conduct a full-custody search incident to arrest, but must not take any step to examine the object before making the arrest. If a seizable item is not found, the person should be released.

703.06 RECORD KEEPING

If an arrest is made incidental to a stop and frisk, the information concerning the stop and frisk shall be included within the arrest complaint.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Search & Seizure	Series: 704
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 April 2, 2015

704.01	PURPOSE
704.02	DEFINITIONS
704.03	AUTHORIZATION OF SEARCH & SEIZURE
704.04	SEARCH & SEIZURE WITH WARRANT
704.05	REQUIREMENTS FOR VALID SEARCH WARRANT
704.06	SECRECY OF WARRANT
704.07	EXECUTING A SEARCH WARRANT
704.08	REQUIREMENTS OF SEIZURE UNDER SEARCH WARRANT
704.09	RETURN OF WARRANT
704.10	SEARCH & SEIZURE WITHOUT A WARRANT
704.11	ABANDONED PROPERTY
704.12	SEARCH OF BODY CAVITY
704.13	SEARCH OF PHYSICALLY DISABLED PERSON
704.14	INSPECTION PURSUANT TO LAW
704.15	VEHICLE SEARCH & SEIZURE
704.16	VEHICLE INVENTORY

704.01 PURPOSE

The purpose of establishing search and seizure policy is to establish rules which protect the constitutional rights of individual citizens; ensure the admissibility at trial of any evidence seized as a result of search and to protect the officer from criminal or civil liability resulting from unauthorized searches.

704.02 DEFINITIONS

Search: The examination of a person, place, motor vehicle or any other thing with a view to the discovery of contraband or evidence of guilt to be used in the prosecution of a criminal action.

Seizure: The stopping and/or detaining of a person or property for any length of time, however short. Doesn't require formal custody, can be less than that, i.e. traffic stop or Terry stop is a seizure even if the people are held momentarily and released.

704.03 AUTHORIZATION OF SEARCH & SEIZURE

Under Wisconsin law a search of a person, place or object may be made and things may be seized when the search is made:

- A. Pursuant to a valid search warrant.
- B. Incident to a lawful arrest.
- C. As authorized under established exceptions, including, but not limited to: open fields, plain view, inventories, abandoned objects, automobile searches, community caretaker function, exigent circumstances.
- D. With consent.
- E. With the authority and within the scope of a right of lawful inspection.
- F. Pursuant to search during a stop & frisk.

- G. Pursuant to lawful authority granted to a law enforcement officer under 2013 Wisconsin Act 79 (involving a person placed on probation, released on parole or released to extended supervision).

704.04 SEARCH & SEIZURE WITH WARRANT

The officer requesting the warrant must provide sufficient information from which the judge may find probable cause to believe that the objects to be seized are at the place to be searched and are subject to lawful seizure.

704.05 REQUIREMENTS FOR VALID SEARCH WARRANT

To be valid a search warrant must:

- A. Be in writing and signed by the issuing magistrate, judge or court commissioner.
- B. Be directed to a law enforcement officer.
- C. Command that a particularly specified place or person or item be searched.
- D. State the particularly described articles to be seized.
- E. Order such articles seized to be held until further order of the Court and a written return of the warrant made.
- F. Contain accurate and correct information.

704.06 SECRECY OF WARRANT

The statutes direct that search warrants be issued with "all practicable secrecy." Disclosure concerning a search warrant prior to its execution is subject to criminal prosecution unless the disclosure is necessary to its execution.

704.07 EXECUTING A SEARCH WARRANT

- A. The warrant must be executed within five (5) days of issuance or sooner if the probable cause would dissipate (cause to believe the items would no longer be likely to be present if there is a delay).
- B. All necessary force will be used by the officer executing a search warrant.
- C. When executing the warrant the officer in charge of the search shall take the following actions before entering the premises to be searched.
 - 1. Knock on the door of the premises.
 - 2. Announce his/her identity as a police officer.
 - 3. Announce his/her purpose.
 - 4. Allow a reasonable time for any occupants to allow the search party to enter.
- D. Unannounced Entry:

The above actions need not be taken if the officer has a warrant which specifically authorizes unannounced entry or if the officer, based on facts known to him/her at the time of entry, has probable cause to believe that:

 - 1. There are people inside the premises who are in eminent danger of being harmed; or
 - 2. There are persons inside the premises who are armed and are likely to harm the officers conducting the search; or
 - 3. The persons inside the premises will escape or destroy the evidence sought in the search warrant.

704.08 REQUIREMENTS OF SEIZURE UNDER SEARCH WARRANT

- A. Anything described in a search warrant may be legally seized by the officer.

- B. Officers should begin their search in the locations where it is likely to find those items named in the search warrant.
- C. In order for evidence, including contraband, not particularly described in a warrant to be validly seized, four (4) requirements must be met:
 - 1. The item is discovered in the course of a lawful search;
 - 2. The item by itself or with facts known to the officer before or during the search provides a connection between the item and criminal activity. Unless necessary to the execution of the warrant for the specified items, other potential contraband may not be moved or turned, in order to ascertain its contraband nature. It must be apparent from plain view where it is located;
 - 3. The item is discovered in the physical area properly searchable within the purposes for which the search was authorized;
 - 4. The item was discovered while the officer is actually searching for objects within the purpose for which the search was authorized.

Whenever the above standards are met, the seizure is valid. However, the officer will terminate his/her search when the items named in the warrant are found.

704.09 RETURN OF WARRANT

- A. The search warrant shall be returned by the officer executing the warrant to the Clerk of Courts or designated magistrate, as directed by the magistrate. It shall be accompanied by a written inventory of any property seized and within **two (2) business days** after execution.
- B. Property seized shall be safely kept by the officer conducting the search until further order of the Court.

- C. All property, other than contraband, not required for evidence or used in further investigation, should be returned to the person from whom it was seized, upon order of the Court.

704.10 SEARCH & SEIZURE WITHOUT A WARRANT

A search may be validly conducted without a warrant under the following situations:

- A. Incident to Arrest:
 - 1. The officer, incident to arrest, can conduct a complete search of the person arrested and a limited search of the area readily accessible to the arrested person. This search should be made immediately after the arrest and while the arrestee is physically present at the scene of the arrest.
 - 2. Possessing an arrest warrant and probable cause to believe the defendant was at his residence, officers may search anywhere in the residence for the defendant. Once the defendant is found, the search of the residence is over. Incident to this arrest, officers could, as a precautionary matter and without probable cause, look into closets and other spaces immediately adjoining the place of arrest from which an attack could be immediately launched. (Case law has held that down a hall, around a corner 18 feet from arrestee's location is too remote.) Beyond that there must be articulable facts which taken together with the rational inferences would warrant a reasonably prudent officer in believing that the area to be swept harbors an individual posing a danger to those on the arrest scene. The search can only be a cursory inspection of those places where a person can be found and may last no longer

than is necessary to dispel the reasonable suspicion of danger, but no longer than it takes to complete the arrest and depart the premises. All items the officer knows to be contraband or evidence of a crime found in plain view may be seized.

B. Public Places:

No search warrant will be required by the officer to search a place open to the public, except in certain situations where the person has a "reasonable expectation of privacy." This includes public lands, places of business (but not private offices within) and common areas of apartment buildings if open to the public.

C. Plain View Searches:

1. An officer in a place where (s)he has a lawful right to be may seize, without obtaining a search warrant, any object in plain view if (s)he has probable cause to believe that the object is contraband, the fruits of a crime, an instrument used in the commission of crime or evidence of crime.
2. An officer, lawfully in a place in order to make an arrest, may not go into other rooms or parts of the premises for the purpose of seizing seizable items that might be in plain view.

D. Custodial Searches:

Any person taken into custody and arrested may lawfully be searched.

E. Consent Search:

1. The officer is not required to have a search warrant if the person having control of the place or thing to be searched gives his/her consent to the search. This consent must be voluntarily and freely given. It is not freely given if the officer says (s)he will get a search warrant if consent is not given.

Search & Seizure

2. The person who consents to a search must have equal rights to use and/or occupy the thing or place to be searched as does the person against who the evidence is to be used. Officers should make a reasonable effort to ascertain the person's authority to give consent.
 3. In cases of consent searches the officer should attempt to have the Consent to Search form completed by the party. If this is not done, the verbal consent should be witnessed by another officer.
 4. Whether verbal or written consent is given, it can be withdrawn by the party at any time and the officer will then stop the search. The scope of the consent to search is defined by the discussion between the officer and the person giving consent, be sure that items sought are considered to be included in scope of consent.
- F. If a person has been placed on probation, released on parole, or released to extended supervision on or after December 14, 2013, he/she is subject to warrantless searches of his/her residence and any property under his/her control during the period of probation, parole or extended supervision. This applies if a deputy has reasonable suspicion that the person is committing or is about to commit, or has committed a crime or violation of a condition of release, probation, parole or extended supervision.

As soon as practicable, the Department of Corrections must be notified via email at DOCDCCREG4@WISCONSIN.GOV. The subject line must contain "Act 79 Search Notification". The body of the email must contain offender's name and date of birth as well as a brief description of the search and its results.

704.11 ABANDONED PROPERTY

An officer in a place where he/she has a lawful right to be may seize and search, without a warrant, the contents of property which the officer has reason to believe is abandoned.

704.12 SEARCHES OF BODY CAVITY AND STRIP SEARCHES (Stats. 968.255)

Body cavity searches and strip searches will be done only in the confines of the jail or a medical facility under their policies or procedures.

704.13 SEARCH OF PHYSICALLY DISABLED PERSON (Stats. 968.256)

- A. Physically disabled person means a person who requires an assistive device for mobility, including, but not limited to, a wheelchair, brace, crutch or artificial limb.
- B. A search of a physically disabled person shall be conducted in a careful manner. If a search of a physically disabled person requires the removal of an assistive device or involves a person lacking sensation in some portion of his/her body, the search shall be conducted with extreme care by a person who has had training in handling physically disabled persons.

704.14 INSPECTION PURSUANT TO LAW

Proprietors of certain types of businesses, such as taverns or restaurants, are licensed and subject by statute to unannounced inspection.

704.15 VEHICLE SEARCH & SEIZURE

The adaptability and mobility of the motor vehicle for the concealment and transportation of contraband has caused the courts to impose unique interpretations of the search and seizure laws related to the motor vehicle.

Search & Seizure

- A. It is recommended to obtain a search warrant to search a motor vehicle if time and circumstances permit, even though a search without a warrant might be legally permissible.
- B. A search and seizure of a motor vehicle by an officer without a warrant may be legally justified if probable cause exists when:
 - 1. The officer believes that the vehicle has been used to facilitate the commission of a crime or that the vehicle contains fruits of a crime or that the vehicle contains instrumentalities of a crime. The probable cause required is the same as is needed to justify obtaining a search warrant. The search may also include containers in the vehicle provided the probable cause extend to the containers. If a specific container's location in vehicle is known as the source of the probable cause, the search is limited to that area.
 - 2. If circumstances make it impractical at the time to obtain a warrant.
 - 3. A vehicle is stopped and there is reasonable suspicion that the person is armed, officers may require that the person exit the vehicle and submit to a frisk. In such circumstances officers may search the passenger compartment of the vehicle in order to discover weapons, limited to areas where a weapon might be hidden.
 - 4. A person in a vehicle is to be subjected to a full-custody arrest for any offense, including a traffic violation, that person shall be removed from the vehicle and fully searched. Search of vehicle under these circumstances is limited to interior compartment of the car and any containers located therein, locked or unlocked. ***The search of vehicle shall be limited to evidence which pertains to the violation leading up to the custodial arrest or traffic stop and***

only if the arresting officer can articulate that he/she might find evidence which supports the arrest.

5. An officer lawfully in place may, without obtaining a search warrant, seize from a motor vehicle any seizable item he/she observes in plain view.
 6. An officer reasonably believes that a medical emergency exists for the purpose of rendering aid and assistance he or she may search those parts of the vehicle directly related to the emergency.
 7. If you believe damage will occur, you should contact a supervisor before causing damage, when possible.
- C. The search of a motor vehicle on probable cause without a warrant must be conducted at the time of the stopping of the vehicle or immediately after the vehicle has been taken into custody. The vehicle may be moved to a more secure area with the approval of a supervisor. The officer should consider, in determining whether it appropriate to search a motor vehicle without a warrant, the following factors:
1. Whether the vehicle is in such condition that it could be easily removed from the jurisdiction.
 2. Whether any person might obtain access to the evidence believed to be contained in the vehicle.
 3. Whether the nature of the evidence is such that it is likely to be destroyed by the passage of time or exposure to the elements.
 4. The likelihood that any person would know of the intended search who would have access to the vehicle and would be inclined to remove or destroy the evidence. If the search is incident to arrest, the vehicle may not be moved prior to the search and only if the arrestee is present on the scene.

D. Opening Packages and Containers Found in a Motor Vehicle

1. Pursuant to an arrest.
 - a. An officer who makes a lawful custodial arrest of an occupant of a motor vehicle, may at the time of arrest and while the arrestee is present, search the whole passenger compartment and look into packages and containers ***for evidence which pertains to the violation leading up to the custodial arrest or traffic stop and only if the arresting officer can articulate that he/she might find evidence which supports the arrest.***
 - b. An officer may open packages and containers in the interior passenger compartment, an unlocked glove box, under the seat, on the floor and the hatchback portion of a motor vehicle ***for evidence which pertains to the violation leading up to the custodial arrest or traffic stop and only if the arresting officer can articulate that he/she might find evidence which supports the arrest.***
 - . The search may include locked containers or compartments. If damage may occur, attempt to contact a supervisor before damage occurs.
 - c. The trunk of the motor vehicle should not be opened unless an officer has independent probable cause to open it.
2. With probable cause to search, pursuant to the automobile exception, and following departmental guidelines.
 - a. If probable cause exists that contraband or evidence of a crime is in a motor vehicle, all packages or containers that could reasonably contain such evidence may be opened by

an officer. (including the trunk but not searching areas where no probable cause exists.)

- b. If an officer's probable cause to search a motor vehicle is limited to one part of said vehicle the search shall be limited to that area.

- 3. Upon impoundment all packages and containers may be seized from a motor vehicle. If an officer can observe contraband or evidence of a crime in a package or container, he may open it. In all other circumstances a search warrant shall be obtained prior to opening a container or package. Obtaining a search warrant is the preferred method of opening all packages and containers.

704.16 VEHICLE INVENTORIES

- A. In order to safeguard citizens' property, protect the County from spurious claims of misconduct, and to ensure the safety of officers from potentially hazardous instrumentalities, officers shall thoroughly inventory all vehicles (including boats, trailers, mobile homes, etc.) towed by the department, and retained at the department or department impound area.
- B. The inventory shall encompass the entire vehicle accessible by key including the passenger compartment, glove box, and trunk. All containers, whether locked or unlocked, shall be opened and their contents examined if accessible by key or other means without causing damage.
- C. All property of apparent value or potentially hazardous instrumentalities located shall be recorded and placed in secure storage.
- D. ***This section shall not apply to vehicles seized for the purpose of conducting criminal investigations.***

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Arrest	Series: 705
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 September 15, 2013

705.01	GENERAL POLICY
705.02	DEFINITIONS
705.03	CRIMINAL ARREST WITH WARRANT
705.04	CRIMINAL ARREST WITHOUT WARRANT
705.05	TRAFFIC ARREST
705.06	ORDINANCE ARREST

705.01 GENERAL POLICY

The ability and authority to arrest is fundamental to the role of a police officer.

An arrest is a serious action and should only be undertaken when necessary. The basic authority for police officers to make arrests derives from the Wisconsin Statutes which makes it a duty for a peace officer to arrest with or without a warrant and with reasonable diligence take before the court every person found engaged in any disturbance of the peace or violating any law of the state or local ordinance. There are four basic types of arrest: Criminal, Traffic, Ordinance and Warrant (in this or another state).

705.02 DEFINITIONS

ARREST: The taking or detaining of a person into custody by word or action so as to limit the person's liberty with the intent of instituting the judicial process.

CRIME: A crime is conduct which is prohibited by State law and punishable by fine or imprisonment or both. Conduct punishable only by forfeiture is not a crime. WIS. STATS. 939.12

PROBABLE CAUSE (Used interchangeably)

REASONABLE GROUNDS: The amount of evidence which would lead a reasonable police officer to believe that a crime has been committed or is being committed and that the person in question committed it and would induce an ordinary, prudent and cautious officer under these circumstances to believe likewise. It is more than a hunch or suspicion but less than evidence required to bind over for trial.

TRAFFIC REGULATION: (As defined in WIS. STATS. 345.201.a)

A provision of Chapters 341-349 for which the penalty for violation is a forfeiture.

-or-

An ordinance enacted in accordance with Chapters 341-348 & 350.

705.03

CRIMINAL ARREST WITH WARRANT

- A. Whenever possible an arrest will be made by obtaining a warrant.
- B. If an officer has in his/her possession an arrest warrant valid on its face, the officer shall arrest the person and shall not use discretion to employ alternatives to arrest.
- C. If an officer does not have in his/her possession an arrest warrant but is told by another law enforcement officer, judge or Clerk of Courts Deputy Clerk that such a warrant exists, the officer shall arrest the person:
 - 1. When an officer is told about a warrant over the telephone, he/she shall verify the warrant by requesting a teletype message or a copy of the warrant.
 - 2. When an officer is told about an arrest warrant in person, he/she shall take reasonable steps to assure that the person is actually a law enforcement officer and that the warrant is on file verified by a teletype message or a copy of the warrant.
- D. Requirements for Valid Warrant:
 - To be valid, an arrest warrant must:
 - 1. Be in writing and signed by a judge or court commissioner.
 - 2. State the name of the crime charged and the statute section alleged to have been violated.

Arrest

3. Have a copy of the complaint (or indictment if any).
 4. State the name of the person to be arrested. (If not known, then a description with which to identify him/her with reasonable certainty.)
 5. State the date of issue, the name of the person issuing it and the title of his/her office.
 6. Command that the accused be arrested and brought before the person issuing the warrant, or if he/she is unavailable, some other judge of the same county.
- E. To obtain an arrest warrant sufficient information shall be taken to the District Attorney's to enable the District Attorney's Office to prepare a criminal complaint and obtain a warrant from a judicial authority.
- F. Time of Service: A warrant can be served by any sworn law enforcement officer at anytime.
- G. The actual warrant need not be in the arresting officer's possession so long as the officer knows the warrant has been issued. As soon as practical after the arrest, the arrestee shall be informed of the nature of the offense. In those situations where the executing of an arrest warrant results in a person being turned over to the Court or Sheriff, the officer delivering the person to the Court or Sheriff shall sign the back of the arrest warrant and indicate time and place of arrest.
- H. An officer shall not go outside the county in order to serve a warrant unless:
1. If in pursuit of the person to be arrested, in which case he/she shall proceed according to the policy on pursuit. (See operation of Emergency Vehicle Policy.)

Arrest

2. If pursuant to a request from a police agency of the jurisdiction where the warrant is authorized, the officer of the county where the arrestee is located should make the actual arrest.
- I. Whenever an officer has lawfully stopped or otherwise detained and identified a person, he/she should concurrently initiate a records check to determine whether any arrest warrant is outstanding against the person. For the purpose of completing such records check, a person who has been lawfully stopped may be detained for a reasonable period of time.
- J. The warrant may be served at any place; public or private, exceptions see K. below, where the individual named is reasonably believed to be located. Factors to be considered in determining the place of the arrest include:
 1. Knowledge of the individual's whereabouts and likely movement.
 2. The safety and security of the arrestee, the officers and third persons.
 3. Warrants shall not be served in a court room during court proceedings on the suspect's case.
- K. When entering a private premise with an arrest warrant, first the officers shall determine if the private premises is the arrestee's home, where he normally resides. If the private premise is the arrestee's home, the officers shall announce their identity, purpose and request admittance. If there is no answer the officers may enter the arrestee's private premises. However, this entry should not be made without a **supervisor's** approval unless exigent circumstances exist. Possessing an arrest warrant and probable cause to believe the defendant was at his residence, officers may search anywhere in the residence for the defendant. Once the defendant is found, the search of the residence is over. Incident to this arrest, officers could,

Arrest

as a precautionary matter and without probable cause, look into closets and other spaces immediately adjoining the place of arrest from which an attack could be immediately launched. Beyond that there must be articulable facts which taken together with the rational inferences would warrant a reasonably prudent officer in believing that the area to be swept harbors an individual posing a danger to those on the arrest scene (articulable reasonable suspicion). The search can only be a cursory inspection of those places where a person can be found and may last no longer than is necessary to dispel the reasonable suspicion of danger, in any event no longer than it takes to complete the arrest and depart the premises. All items the officer knows to be contraband or evidence of a crime found in plain view may be seized. When attempting to enter a private premise which is not the arrestee's home, with an arrest warrant, the officers shall announce their identity, purpose and request consent from the owner to enter. If the owner refuses admittance the officer may enter with a search warrant or on exigent circumstances. The officer should review with his supervisor if exigent circumstances are to be considered to justify entry. The officer shall respect the owner's refusal and not suggest that a search warrant may be obtained to gain entry. Because of the burden of proof, a search warrant is the most preferred method of entry, followed by consent of the owner and finally exigent circumstances. Exigent circumstances include but are not limited to the following situations: Officers in hot pursuit of arrestee, Officers reasonable belief arrestee is an immediate threat to safety of others and objective and subjective reasonable belief that someone in the premises is in need of immediate aid and is at immediate risk from the arrestee or others.

Arrest

1. In executing a felony warrant where the officers reasonably believe that circumstances exist which would unduly jeopardize their safety or the security of the person sought, it shall not be necessary for them to announce their identity and purpose before entering private premises.
 2. In executing a felony warrant when officers are refused entry after demanding admittance or when circumstances exist under subsection 1 above, the officers may forcibly enter the premises. Forcible entry may include the breaking of any door or window or such other violent means as may be necessary.
 3. Whenever it is necessary to forcibly enter private premises to execute a felony warrant, the officer in charge shall attempt to have uniformed officers enter the premises ahead of non-uniformed officers to assure ready identification.
 4. Forcible entry will not be used to execute non-felony warrants, unless specifically ordered to do so by the Court.
- L. Cancellation of Criminal Warrants: The officer serving the warrant is responsible for notifying the Communications Center to cancel the warrants in the NCIC/CIB systems.

705.04

CRIMINAL ARREST WITHOUT WARRANT

- A. An officer may arrest without a warrant whenever there is probable cause to believe:
1. A suspect is committing or has committed a crime.
 2. The suspect is wanted for a commission of a felony in another state.
- AND there is a pressing need for an immediate arrest.

- B. Whenever there is not a pressing need for an immediate arrest, the officer should obtain a warrant.
 - 1. Examples of circumstances involving "pressing need" would be flight of suspect, harm to persons, destruction of evidence or objective and subjective reasonable belief that someone in the premises is in need of immediate aid or that more crimes would be committed.
 - 2. The mere convenience of the officer does not constitute pressing need.
 - 3. If a domestic abuse complaint occurs, refer to the domestic abuse policy for guidance for an arrest.
- C. In determining whether probable cause exists, the officer must consider all the facts available at the time, including:
 - 1. Personal observations including inquiry after the officer's suspicions are aroused.
 - 2. Informer's tips, whenever possible corroborated by independent inquiry.
 - 3. Information from within the Department and other police agencies, including that received over communication networks. Facts discovered by an officer may be used by other officers and the reliability of the first officer need not be shown.
 - 4. Past criminal activity by the suspect, which, however, may be used only in conjunction with other evidence.
 - 5. Physical evidence at the scene.
 - 6. Reports of victims or eyewitnesses.

- D. The Fourth Amendment guarantees citizens against unreasonable entry into their dwellings. Only in limited circumstances may an officer forcibly enter land, buildings and dwellings to make an arrest without a warrant.
1. An officer, pursuing a suspect discovered in the act of committing a crime or pursuing a person described by witnesses and having been seen entering a building moments earlier, may enter such a building in pursuit of the suspect without first obtaining a warrant.
 2. Possessing an arrest warrant and probable cause to believe the defendant was at his residence, officers may search anywhere in the residence for the defendant. Once the defendant is found, the search of the residence is over. Incident to this arrest, officers could, as a precautionary matter and without probable cause, look into closets and other spaces immediately adjoining the place of arrest from which an attack could be immediately launched. Beyond that there must be articulable facts which taken together with the rational inferences would warrant a reasonably prudent officer in believing that the area to be swept harbors an individual posing a danger to those on the arrest scene (articulable reasonable suspicion). The search can only be a cursory inspection of those places where a person can be found and may last no longer than is necessary to dispel the reasonable suspicion of danger, in any event no longer than it takes to complete the arrest and depart the premises. All items the officer knows to be contraband or evidence of a crime found in plain view may be seized.
- E. Whenever it is necessary to enter upon private premises to execute an arrest, they shall, before entering, announce their identity, purpose and request admittance.

1. It shall not be necessary for officers to announce their identity and purpose before entering private premises where the officers reasonably believe that circumstances exist which would unduly jeopardize their safety or the security of the person sought.
- F. Particularly in making an arrest without a warrant it is important the officer makes clear to the suspect that he/she is under arrest.

705.05 TRAFFIC ARREST

(An arrest made under the provisions of Chapters 341-349 for which the penalty for violation is a forfeiture -or- An ordinance enacted in accordance with Chapters 341-348 & 350)

A. WITH A WARRANT:

An individual can be arrested for the violation of a traffic regulation with a warrant. Such a warrant should substantially comply with the provisions of a criminal warrant.

B. WITHOUT A WARRANT:

A person may be arrested without a warrant for the violation of a traffic regulation if the officer has reasonable grounds to believe that the person is violating or has violated such a regulation. In determining whether the charge shall be a violation of State Code or a violation of a County Ordinance, officers are encouraged to use the ordinance, whenever possible. If a person is arrested without a warrant, the officer shall issue a Uniform Traffic Citation.

- C. Violation of WIS. STATS. 341 to 349 where the conviction carried a penalty more than forfeiture and the violation is not going to be charged as a violation of a comparable ordinance, are criminal violations and should

be handled in the procedures set out in Criminal Arrest. ***A traffic citation with a required court appearance may also be used.***

- D. Section 705.03 C-D-G-H-I-J on Criminal Arrest with a Warrant apply to traffic arrests with a warrant.
- E. Whenever it is necessary to enter upon private premises to make a traffic arrest with or without a warrant, the officers shall, before entering, announce their identity and purpose and request admittance. Entry can only be made with consent or with a warrant. Exigent circumstances is not enough to justify entry.
- F. Cancellation of Traffic Warrants: The officer serving the warrant is responsible for notifying the Communications Center to cancel the warrants in the NCIC/CIB systems.

705.06 ORDINANCE ARREST

An officer is authorized by WIS. STATS. 59.24(1) to make an arrest, either full custody or through a summons, for any violation of County ordinances.

- A. An individual may be arrested for a violation of a County Ordinance by:
 - 1. An arrest warrant signed by a judge.
 - 2. An arrest without a warrant by an officer if the officer has reasonable grounds to believe that the person is violating or has violated the ordinance.
 - a. Persons will be arrested by issuing a citation on the County Citation form unless it is a violation of an ordinance which conforms to State Traffic Regulations.
 - b. If the violation is a county ordinance that conforms to a State Traffic Regulation, the citation will be written on the Uniform State Traffic Citation.

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- B. In a wide variety of situations the officer has the discretion to make an arrest either under the State criminal charge or a County ordinance charge.
In all misdemeanor arrests where a person could be charged either under the State Charge or County ordinance charge, the Department prefers the Ordinance charge be used.
- C. Cancellation of Ordinance Warrants:
The officer serving the warrant is responsible for notifying the Communications Center to cancel the warrants in the NCIC/CIB systems.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Evidence Handling Policy	Series: 706
Effective Date: September 15, 2013	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: September 15, 2013

706.01	PURPOSE
706.02	COLLECTION OF EVIDENCE
706.03	MARKING OF EVIDENCE
706.04	PACKAGING
706.05	CHAIN OF POSSESSION
706.06	PROPERTY ROOM
706.07	DISPOSAL OF PROPERTY
706.08	PROPERTY STATUS

706.01 PURPOSE

Every employee during the course of performing their duty, come into custody of lost and/or stolen property. These guidelines are aimed toward the proper storage and preservation of this property. Other property is obtained as evidence in criminal matters. The proper collection, documentation, and storage is imperative for successful use in court.

706.02 COLLECTION OF EVIDENCE

The collection and preservation of evidence often can be the key to successful prosecution of crimes. Employees during investigation of crimes should not overlook or underestimate the value of the least obvious physical evidence.

- A. Upon location of evidence and prior to moving the item (if possible), the items should be photographed, diagramed and measurements taken to place evidence at its' location, and documentation of item by description and location for inclusion in the police report.
- B. Upon documenting location and description of evidence, it should be carefully collected to avoid contamination, damage, alteration, or destruction. If comparison material is available, an adequate sample should be obtained for examination.

706.03 MARKING OF EVIDENCE

All evidence obtained should be marked when possible with initials and badge number to permit accurate identification for court. Location of markings should be noted in officer's report. When marking, officers should use care not to damage areas of evidentiary value. Items which cannot be marked should be sealed in containers and container marked by writing necessary information on label and attaching to container.

706.04 PACKAGING

Every item of evidence must be placed in separate containers. Pill boxes, envelopes, jars, cartons, etc., containing evidence should be sealed in a manner that they cannot be opened without the seal being broken. ***Proper sealing should consist of evidence tape, initials and date.*** Once sealed, employees should then attach a property tag, which identifies the case, date, description of property, and space for recording chain of evidence. Property tags should never be sealed in the package, as this creates problems in maintaining chain of evidence. When questions on packaging of evidence arise, the employee should consult with the Evidence Custodian or one of the Law Enforcement Specialist (LES).

706.05 CHAIN OF POSSESSION

Correct methods of collection and preservation of evidence can be nullified if employee cannot account for others handling, examining, or storing of evidence. The chain of possession begins upon discovery of evidence and continues to time of presentation in court proceedings through disposal of evidence. Employees should document the chain of evidence on the property tag and follow the following safeguards.

- A. Limit the number of individuals handling the evidence.
- B. When evidence leaves employee's possession, the employee should document time and date property left possession, to whom it was given and where evidence is available from.
- C. Employee should obtain a signed receipt from person receiving evidence.
- D. Upon return of evidence, employee should check condition or state it was received in. Any changes should be documented for attention of the court.

706.06 PROPERTY ROOM

The Sheriff or his designee shall designate a secure area for the storage of evidence and found property. The Sheriff or his designee shall appoint an employee as property room custodian. The Evidence Custodian, prior to accepting responsibility for the property room, shall conduct an inventory of all property held by the department with the prior Evidence Custodian. The property room shall be the storage facility for property obtained by officers during the course of their duties. No property shall be stored in employee lockers, brief cases, or other locations without authorization of the Sheriff or his designee. In such cases, location of property shall be documented in the official police report.

Employees receiving or seizing evidence during hours the Evidence Custodian is not available, shall secure the property in storage lockers provided. All property shall be properly packaged and property tag affixed to outside of package. The key to the locker used, shall be locked in the designated key locker. A property receipt should be completed and placed in the locker with the evidence. The Evidence Custodian shall, upon receiving property, remove property from temporary storage locker, indicating on property tag date and time received. The property shall then be stored in the property room. All property shall be recorded indicating location of storage in property room. During hours the Evidence Custodian is available, property shall be turned over to the officer. No employee will remove property from property room without signing property out and completing property tag. Upon returning property, property tag shall be updated.

706.07 DISPOSAL OF PROPERTY

At no time shall employees remove property from the property room without first notifying the Evidence Custodian.

- A. Property recovered from a pending crime with the authorization of the District Attorney's office may be returned to the property owner. Such authorization must be in writing and filed by the Evidence Custodian. Any property returned pending prosecution shall be photographed and property description and receipt for property entered on the police report. Photos of the property must be developed prior to release of the property. The person receiving the property shall sign a statement that the photos fairly and accurately portray the condition of the property.
- B. Owners of property held by the Sheriff's Office, shall receive property at the Sheriff's Office during normal courthouse hours. Upon completion of
- C. court procedures, property shall be held for 60 days unless the property clerk is notified of appeals. After 60 days it may be released after written confirmation from the D.A.'s office that it is no longer needed for any post conviction proceedings. In such case evidence shall be held until released by the District Attorney or court.
- D. Weapons Disposal: Weapons held in the Sheriff's Office property room used in the commission of a crime shall not be released without a court order. Weapons which have been stolen shall be returned at the written direction of the District Attorney's office. All other weapons will be turned over to the Wisconsin State Crime Lab.
 - 1. Weapons used in Suicide: Weapons used in suicides shall be held for one year by the Sheriff's Office. Such weapons shall be released only upon written authorization of Outagamie County Coroner.

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2. Weapons used in the commission of Part I crimes shall be delivered to the Wisconsin State Crime Laboratory for destruction in accordance with Wisconsin Statutes, unless otherwise ordered by the Court.
 3. All other weapons held by the Sheriff's Office shall be disposed of by the Department as the Department deems proper with written authorization of the Court.
- E. All evidence or property held by the Sheriff's Office and unclaimed within ninety (90) days shall be disposed of by the department in the following manner. Property set for disposal shall be logged out of the property log, indicating the method of disposal, date, and officer disposing of the property. An entry shall be made on the evidence form indicating that the property was disposed of and method of disposal used and date of disposal. The 90 day time period begins with the completion of court proceedings or recovery of found property.
1. Property turned over to the Sheriff's Office by a private citizen shall be held for 30 days from the date it was found. The party who discovered the item shall be informed by the officer receiving the property to contact the Town Clerk within 5 days, giving notice in writing of finding such money or property. A notice will be posted by the Town Clerk within 5 days giving notice of property found if value exceeds \$25.00 the Town Clerk must within 15 days cause a Class 2 notice to be published in the county. The property owner should be advised to follow-up with the Town Clerk. If the finder has complied with section 170.07 to 170.11 of the Wisconsin Statutes, he shall be notified at the end of 90 days that he can come to the Sheriff's Office and claim

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said property. If he has not complied with the requirements of those sections of Wisconsin statutes, the Sheriff's Office shall dispose of the property by auction or destruction. All money, whether proceeds from auction or money which was found and turned over to the Department, will be turned over to the County Treasurer if the procedure is not followed.

2. **How to Dispose Abandoned Property:**
Money which has been recovered by the Sheriff's Office or unclaimed under provision "1" above, shall be turned over to the County Treasurer after 90 days.
3. Contraband materials shall be disposed of by the Sheriff's Office by destruction, with the exception of firearms. Firearms shall be disposed of as previously discussed.
4. Property held as evidence or recovered by the Sheriff's Office employees during the course of their duties, shall be returned to the owner (if known) or disposed of by destruction or auction at the discretion of the department. Items which can be used by the Department shall be logged out of the property log to the division given authorization to use the property. All other property to be auctioned shall be held until notice of a public auction is published in accordance with Wisconsin Statutes. All monies received from such sale shall be turned over to the County Treasurer.
5. Property seized pursuant to search warrant may not be released or otherwise disposed of except pursuant to order of the Court.

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The seizing officer shall notify the owner of property held by this department of the availability of said property.

A. It shall be the responsibility of each officer to keep the Evidence Custodian advised of the status of respective cases property is being held from.

Officers shall be notified at 6 month intervals for status of case. Officers should review complaint and check with the District Attorney as to case status. If the complainant is scheduled for court, officers should indicate hold for trial and the date of the scheduled trial. If no trial is pending or charges have been dropped, the officer should indicate that property should be destroyed or returned to owner. The seizing officer will then contact the owner to return his property.

B. Property requiring processing by the State Crime Lab should be reported to the Evidence Custodian when turning property in to property room.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Digital Images	Series: 707
Effective Date: September 20, 2007	Original Date Issued: August 20, 2007
Sheriff:	Re-Issue Date: (Reviewed July 2013 with no changes)

707.01	PURPOSE
707.02	POLICY
707.03	DEFINITIONS
707.04	EQUIPMENT
707.05	PROCEDURE

707.01 PURPOSE

The purpose of this policy is to establish guidelines for the use, capture, storage, printing, electronic transmission, release, and enhancement of digital images and photographs. The duties and responsibilities of the investigating officer, field evidence technician, property custodian, property/evidence control personnel and the Digital image custodian will also be addressed in this policy.

707.02 POLICY

It is the policy of the Outagamie County Sheriff's Office that all employees conform to uniform procedures for the collection, preservation and security of photographs, and digital images. The Department provides training for all field evidence technicians, property/evidence control personnel, and the digital image custodians.

707.03 DEFINITIONS

- A. Media- Objects on which data can be stored.
- B. File Format- The structure by which data is organized in a file.
- C. Digital Image- An image that is represented by discrete numerical values organized in a two dimensional array. When viewed on a monitor or paper, it appears like a photograph.
- D. Primary Image- Refers to the first instance in which an image is recorded onto any media that is a separate, identifiable object or objects. Examples include a digital image recorded on a flash card or a digital image downloaded from the Internet.
- E. Working Image- Any image subjected to processing.
- F. Copy Image- A reproduction of information in a primary image.
- G. Image Enhancement- Any process intended to improve the visual appearance of an image or specific features within an image. This

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includes processes that have a direct counterpart in the conventional silver based photographic laboratory and those that can be accomplished only by using a computer.

- H. JPEG- (Joint Photographic Experts Group) A glossy image compression process.
- I. RAW- Lossless image format that is the raw data or a “digital negative” untouched by the cameras processing algorithms.
- J. Image Custodian-The person(s) designated by the Sheriff to maintain the department’s digital images.
- K. Archiving- The process of storing data in a manner suitable for long-term availability and retrieval.
- L. Chain of Custody-The chronological documentation of the movement, location and possession of evidence.
- M. Integrity Verification-The process of confirming that the data presented is complete and unaltered since time of acquisition.
- N. Image analysis-Involves the application of image science and domain expertise to examine and interpret the content of an image and/or the image itself in legal matters.

707.04

EQUIPMENT

- A. Department issued equipment listed in Appendix “A”, hardware, and software, etc. should be used in the capture, processing, storage, archival, management, security, and output of photographs and digital images.
- B. Each LES will be issued a digital camera kit and be responsible for maintaining the equipment. All equipment problems will be forwarded to Image Custodian.

707.05 PROCEDURE

A. Use of Digital Cameras

1. When called to photograph a scene LES's will set the appropriate file format and resolution on the camera in accordance with the table in Appendix "B" – Formats and Resolutions. If the Officer is unsure in which category an incident should be placed because of unclear facts the Officer should always select the higher of the possible resolutions.
2. Officers should validate the temporary storage media to ensure that it is working properly prior to photographing the scene. Officers should then fill out the Outagamie County Photo Card and photograph it. The Officer should then check to see if the photo card was properly captured by the temporary storage media by viewing the photograph.
3. Multiple incidents should not be stored on the same temporary storage media unless access to an empty storage media device is not available.
4. The Wisconsin State Crime Lab Physical Evidence Handbook along with the Officers training and experience should be used as guidelines when photographing a crime scene.
5. When photographic markers are used to indicate items of interest, the Officer should first take orientation and relationship photographs of the scene without the markers in place. The relationship photographs should then be repeated with the markers in place.
6. When scales are used the item to be photographed should first be photographed without the scale in place.
7. If the nature of an assignment exceeds the Officer's training and experience or requires specialized techniques the Officer shall seek the assistance of a qualified photographer.
8. Examination Quality photographs including but limited to tool marks, footwear impressions and fingerprints the Officer should

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photograph the image in the RAW setting also photograph using a 35mm film Camera.

9. Officers should not delete photographs once taken.
10. Once the assignment is complete, Officers will place the compact flash card in the photo log envelope, fill it out and seal it. Officers will then place the envelope in the photo evidence locker.

B. Storage of Digital Images

1. The Department shall designate a person or persons as Image Custodians. Image Custodians will have access to computers, storage devices, and other hardware and software that are approved and be responsible for storage and archival of digital images. Image custodians are responsible for archiving or creating a backup copy of each photograph on a regular basis.
2. No primary digital images shall be altered in any manner. Only working copies (images) of the primary digital images will be used for imaging processing, analysis, enhancements or adjustments.

C. Image processing and analysis

1. Image processing and/or analysis shall only be conducted by personnel who have training and/or experience in the specific process or analysis to be conducted on an image. Image enhancement will only be done from a working copy or the primary image.

D. Image Output

1. In a criminal case the images shall only be produced for the defendant or his/her attorney after a defendant or his/her attorney files a discovery demand with the District Attorneys Office. No request for images will be granted in a criminal case until approved by the District Attorneys Office and they submit a Request Form to the department.
2. The Image Custodians shall keep all image request forms for a minimum of seven years.

Digital Images

3. The Department maintains the right to charge a fee to recover the cost of the to reproduce the images.

APPENDIX A - EQUIPMENT

<u>Item Description</u>
Canon Digital Rebel XT
Canon Speedlight 580 EX
Quantum Battery Packs
Canon 5D digital Camera w/28-105mm lens
Canon 100mm Macro Lens
Canon Ef 70-300mm Lens
Canon MR14-EX Flash
Canon Off Camera Shoe Cord
Canon Shutter Release Cable
Acer AL1951 19 inch Monitor
HP DC511 Computer
Lacy 500GB External Hard Drive
HP 2600N Color Printer
Epson 4800 Color Inkjet Printer
Epson R200 Color Inkjet Printer
Adobe Photoshop CS2
Microsoft Power Point

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Use of Force	Series: 801
Effective Date: January 5 th , 2021	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: July 1, 2017, January 5, 2021

801.01	GENERAL POLICY
801.02	DEFINITIONS
801.03	DEFENSIVE AND ARREST TACTICS SYSTEM (DAAT)
801.04	USE OF DEADLY FORCE
801.05	USE OF POLICE BATON
801.06	IMPACT MUNITIONS
801.07	USE OF OC AEROSOL
801.08	CHEMICAL AGENTS, DISTRACTION DEVICES
801.09	USE OF ELECTRONIC CONTROL DEVICE
801.10	USE OF RESTRAINTS
801.11	MEDICAL TREATMENT
801.12	RESPONSIBILITY OF AN OFFICER AFTER THE USE OF FORCE
801.13	COMPLETION OF OUTAGAMIE COUNTY <i>DEFENSIVE ACTION</i> REPORT

Use of Force

801.01 GENERAL POLICY

Skilled policing requires officers to work in ways, which minimize the use of force.

Control of persons must be exercised to affect arrests and to protect the public safety.

This may be achieved through advice, warnings, and persuasion or with a use of physical force. Force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances. An officer's use of force must:

- A. Be lawful.
- B. Be necessary.
- C. Be objectively reasonable under the totality of circumstances known by the officer at the time the force was used.
- D. Not be done in a malicious or sadistic manner.

Comment: When exercising the use of firearms or other instruments, the safety of innocent bystanders and/or victims should not be risked unless they are in imminent danger and the use of deadly force is the only possible means of protecting them. Deadly force is the last resort.

801.02 DEFINITIONS

- A. ***INJURY:*** *A tool/technique causes injury if a citizen complains of injury, officer observes an injury, or medical treatment is sought. This includes treatment at an emergency room or on scene by medical personnel. (This excludes basic OC decontamination (e.g. flushing the person's eyes and face with water.) Every reasonable effort should be made to document any injuries with photographs or video.*
- B. ***RECORDABLE FORCE EVENT:*** *A recordable force event is any incident involving a sworn law enforcement officer of the Outagamie County Sheriff's Office, whether on duty or off duty, who uses any of the following techniques of force during an encounter with a citizen or domestic animal: Compliance holds,*

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pressure points, come-alongs, control devices, passive and active countermeasures, incapacitating techniques, impact devices, firearms or other deadly force applications. This WOULD include any incident where the presenting/drawing of any of the above techniques was successful to gain control. This does NOT include simply placing restraints on a compliant subject during arrest or transport. This also does NOT apply off-duty to traditional sport or hunting activity. Lastly, this does NOT apply to humanely dispatching a sick or injured wild animal.

C. DEFENSIVE AND ARREST TACTICS SYSTEM (DAAT): *Wisconsin's system of Defensive and Arrest Tactics is defined as a system of verbalization skills coupled with physical alternatives. This definition reflects the goal of gaining voluntary compliance. Achieving your objective by verbal persuasion is always preferable to having to use physical intervention.*

D. OBJECTIVELY REASONABLE FORCE: *In deciding the case of Graham v. Connor, the U.S. Supreme Court established the standard that any law enforcement use of force must be objectively reasonable, in light of:*

- The severity of the alleged crime at issue*
- Whether the suspect poses an imminent threat to the safety of officers and/or others*
- Whether the suspect is actively resisting or attempting to evade arrest by flight.*

In addition, the Court said that reasonableness should be judged under the totality of the circumstances from the perspective of a reasonable officer at the scene with similar training and experience.

E. DEADLY FORCE: *The intentional use of a firearm or other instrument, the use of which would result in a high probability of death. The behavior of a subject that justifies an officer's decision to use deadly force is behavior which*

has caused or imminently threatens to cause death or great bodily harm to you or another person or persons.

- F. PROTECTIVE ALTERNATIVES:** *Protective Alternatives is the fourth mode in Intervention Options of the DAAT system. As the name implies, these interventions are designed to protect officers in situations when they face subjects continuing to resist or threatening to assault. The overall purpose is to overcome continued resistance, assaultive behavior or their threats. Continued resistance means that an individual is maintaining a level of counteractive behavior that is not controlled with the officer's current level of force. Assaultive behavior occurs when an individual's direct actions generate bodily harm or the potential for bodily harm to the officer(s) and/or another person(s).*
- G. CONTROL ALTERNATIVES:** *Control Alternatives is the third mode in Intervention Options of the DAAT system. As the name implies, these interventions are designed to control subjects who are resisting or threatening to resist your lawful orders. As always, the overall purpose is to achieve compliance from a non-compliant subject, but these techniques are specifically geared toward overcoming both passive and active resistance.*
- H. PASSIVE RESISTANCE:** *Passive resistance refers to non-compliant, but non-threatening behavior. An example would be a person who refuses to get out of a car when ordered to do so. The person is not fighting with you—he or she is simply not complying with your orders. Protestors often use passive resistance as a political tactic, staging “sit-ins” to advance their agendas.*
- I. ACTIVE RESISTANCE:** *Active resistance refers to behaviors that physically counteract an officer's attempts to control a subject and which pose a risk of harm to the officer, subject, and others. Examples of active resistance include attempting to pull away from the officer's grasp, running away, getting up after being directed to the ground, and so on.*

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- J. *CHOKEHOLD:*** *Refers to a technique used to restrain an individual by placing pressure on the front of a subjects neck or throat area, which substantially restricts their breathing. Chokeholds may not be utilized except in circumstances where deadly force is authorized.*
- K. *ALTERNATIVE TACTICS – DE-ESCALATION:*** *When circumstances reasonably permit, deputies should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).*
- L. *DUTY TO INTERCEDE AND REPORT:*** *Any deputy present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. Any deputy who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible. When observing or reporting force used by a law enforcement officer, each deputy should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.*

801.03 DEFENSIVE AND ARREST TACTICS SYSTEM (DAAT)

The Outagamie County Sheriff's Office hereby adopts the Defensive and Arrest Tactics System (DAAT). This is a system designed for police officers for the primary purpose of maintaining subject control. This system includes a disturbance resolution outline, which provides a model for how officers should deal with situations in which they must get

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involved. All Sheriff's Office officers should train in Defensive and Arrest Tactics System once a year, unless excused by the Sheriff.

In applying the defensive and arrest tactics system:

- A. An officer shall only use that amount of force which is necessary and reasonable in the performance of his/her law enforcement duties.
- B. Except for handcuff application, officers shall discontinue the use of force against an individual who has ceased to resist.
- C. Officers shall move and transport all people with as much regard to the individual's safety and welfare as reasonable, practical, and possible.

DISTURBANCE RESOLUTION

When an officer decides to intervene in a situation, he/she has a range of options available. An officer may move from one option to another depending on the situation. An officer is not required to move from one option to another in a "step-by-step" approach. An officer may use a level of force higher than the level of resistance to maintain a position of advantage. At any time, if the level of force being used is not effective to gain control, an officer should disengage or escalate to a higher level of force.

APPROACH CONSIDERATIONS

- 1. Decision-Making
 - a. Justification
 - b. Desirability
- 2. Tactical Deployment
 - a. Control of Distance
 - b. Relative Positioning
 - c. Relative Positioning with Multiple Subjects
 - d. Team Tactics
- 3. Tactical Evaluation
 - a. Threat Assessment Opportunities
 - b. Officer/Subject Factors

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- c. Special Circumstances
- d. Level/Stage/Degree of Stabilization

INTERVENTION OPTIONS

<u>MODE</u>	<u>PURPOSE</u>
A. Presence	To present a visible display of authority
B. Dialogue	To verbally persuade
C. Control Alternatives	To overcome passive resistance, active resistance, or their threats
1. Escort holds	
a. Escort/blanket the arm	
2. Compliance holds	
a. Come along/pressure points	
3. Control devices	
a. OC or ECD	
4. Passive countermeasures	
a. Decentralizations	
D. Protective Alternatives	To overcome continued resistance, assaultive behavior, or the threat
1. Active Countermeasures	
a. Focused strikes/vertical stuns	
2. Incapacitating technique	
3. Intermediate weapon	
a. Baton strikes	
E. Deadly Force	To stop the threat

FOLLOW-THROUGH CONSIDERATIONS

- A. Stabilize Application of restraints, if necessary.
- B. Monitor/Debrief
- C. Search If Appropriate
- D. Escort if Necessary
- E. Transport If Necessary
- F. Turn-Over/Release Removal of restraints, if necessary

801.04

USE OF DEADLY FORCE

- A. Deadly force can be used only as a last resort and then only:
 - 1. When an officer feels the threat of imminent death or great bodily harm to self or others.
 - 2. When all other options have been exhausted or would be ineffective.

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3. Giving consideration to public view and safety, to dispose of a dangerous animal or one so badly injured or diseased that humanity requires its removal from suffering and other disposition is impractical.
- B. Deadly force shall not be used under the following circumstances:
1. When firing from or at a moving vehicle unless an officer reasonably believes that he/she or others are threatened by great bodily harm or death.
 2. When firing into a building or through doors and the person fired at is not clearly visible, unless officers are being fired upon from such building or through such door.
 3. WARNING SHOTS SHALL NOT BE FIRED.
- C. The use of deadly force shall not be threatened unless its use would be justified under this policy. No firearm shall be displayed or brandished as a threat unless its actual use in the situation would be proper. However, a firearm may be readied for use in situations where it is anticipated that it may be required.
- D. Before using deadly force, an officer shall, if reasonably possible, attempt to identify himself/herself, order the suspect to desist from the unlawful activity and threaten to use deadly force if the lawful order is not obeyed.

801.05 USE OF POLICE BATON

A police baton may be used by the officer only when the application of a lesser degree of force would be unreasonable or inadequate to control the situation. The target areas for the baton are the elbow and knee area and the lower abdomen. The intentional striking of an individual above the shoulders is prohibited except in deadly force situations. If, because of a person's own resistance, the accidental, unintentional striking of a person above the shoulders occurs, the officer must detail this in his/her report and will seek immediate medical attention for the injured person.

801.06 IMPACT MUNITIONS

Use of Force

The goal of extended range impact munitions is to protect the life and property of the citizens we serve. They may be used to control a violent subject and reduce the need to escalate to a higher force option. They have been placed at the intermediate weapon level on the list of intervention option. Target areas will be the same as outlined in the DAAT manual for batons. If these munitions are *intentionally* fired at the head, neck, or throat they should be considered an application of deadly force. ***If, because of a person's own resistance, the accidental, unintentional striking of a person above the shoulders occurs, the officer must detail this in his/her report and will seek immediate medical attention for the injured person.*** Officers need to understand that impact munitions fired at the chest of a slightly built subject may produce a higher risk of injury or death. Deployment consideration factors shall be taken into account when deploying munitions. Deploying officers should make every effort to notify other officers on the scene that less lethal rounds are being deployed. All officers need to make their own determination on the use of deadly force at the time of the incident. Officers should not react to the less lethal officer firing with deadly force response unless they can justify it. Photographs should be taken of any subject in custody of apparent injuries or area impacted even if no sign of injury is visible.

801.07

USE OF OC AEROSOL

OC is placed on the list of intervention *options under the category of "Control Alternatives"* and requires active resistance or the threat of active resistance from the subject. Passive resistance does not permit the use of OC. When using OC, officers must remain cognizant of uninvolved persons in the area and take every effort to avoid cross-contamination.

If an officer is threatened with OC, the officer must consider the person's intent and options available. Generally, options include: disengaging to a safe distance, receiving assistance from other officers, blocking or turning away from the spray or placing items

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between themselves and the threat. When a sworn officer reasonably believes OC will be used against him/her and the attack cannot be avoided, the options listed above should be employed. Realizing OC in itself is not a deadly force threat officers will have to articulate their response if deadly force is used. The officer must meet the same requirements as with any other deadly force situation. Decontamination of persons exposed to OC must be accomplished as soon as possible. Exposed persons must be monitored until they have recovered. If not recovered after 45 minutes, obtain medical attention.

801.08 CHEMICAL AGENTS, DISTRACTION DEVICES

The use of CN or CS chemical agents, distraction devices and 37mm Baton Rounds shall be limited to department officers who have received specialized training in the use of these munitions. These devices should be employed only after other reasonable means available to achieve objectives have been exhausted. The use of any of these devices will be in accordance with the requirements of this policy in that only lawful and necessary force be used. Persons coming into contact with these devices may require medical treatment. In some cases, the danger of fire also exists.

801.09 USE OF ELECTRONIC CONTROL DEVICE

1. A Electronic Control Device may be used by trained personnel when a subject is threatening to actively resist or is actively resisting an officer and the subject poses an articulable threat of harm to an officer or another person. It may also be used when the subject poses a threat of harm to himself or herself such as self-inflicted injury or a suicide attempt.
 - a) Officers may also include in the decision to use this force option information known to the officer at the time of the incident, including conduct or statements of the subject or prior history of resistive or assaultive behavior.
 - b) Passive resistance without posing an articulable threat of harm to officers or

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others does not permit the use of a conducted energy weapon.

2. An officer shall not brandish, display or threaten the use of a conducted energy weapon unless he or she can reasonably conclude its use may become justified and is anticipated.
3. Department personnel who use a conducted energy weapon against a person shall ensure the person is monitored for injury as soon as practical after the person is under control.
4. If an adverse reaction to the conducted energy weapon occurs, or if requested by the subject, transport to a medical facility shall be arranged.
5. If the probes are imbedded in sensitive tissue areas, i.e. neck, face, groin, or the breast of a female, officers shall arrange transport to a medical facility for removal. If the probes are imbedded in other non-sensitive tissue areas, a trained officer may remove them according to the trained procedures.
6. After the probes have been removed they shall be handled as a biohazard and packaged according to the trained procedure. The package shall be ***packaged with a hazardous materials label*** and placed into a temporary storage locker with instructions to be destroyed ***after 30 days***.
7. When a conducted energy weapon is ***involved as part of a “recordable force event”***, ***the officer shall be sure to record the serial number of the device used. This will allow a trained use of force instructor to download the recorded information from the device.***

801.10

USE OF RESTRAINTS

It is the general policy of this department to allow discretion by the individual officer in the arrest situation to employ or not employ handcuffs. Out of concern for everyone's safety and for proper control over the situation, officers are encouraged to use handcuffs on a person taken into custody unless there is an overriding consideration against their use.

Use of Force

Officers should use handcuffs to prevent the possibility of violence, attempts to escape or danger to the person in custody, or if the officer believes the person may harm themselves, the officer, or another person.

When handcuffs are used, they are to be applied as soon as possible, generally before a search. Handcuffs must be safety locked and checked for tightness also as soon as possible, with this procedure noted in the officer's report. Handcuffs are to be applied behind the subject's back whenever possible.

Upon removal of the handcuffs, an officer shall inspect the person's wrists to determine signs of possible injuries and note officer observations.

Any arrested person must be searched before he/she is transported.

Alternate restraining devices may include, but are not limited to:

1. Disposable handcuffs.
2. Transport belts.
3. Leg irons.
4. Hobble type restraints including rip restraints.
5. Leather institutional restraints.
6. Restraint chair.

Any application of a restraint device requires monitoring throughout the transport for possible injuries.

801.11 MEDICAL TREATMENT

Officers must evaluate any possible injuries for all persons who are handcuffed, or subjected to other force. Injuries must be attended to. Aid will be administered if practical or the person shall be transported to the nearest medical facility for treatment. Transportation will be by squad car, unless an ambulance is necessary for transportation to

Use of Force

the medical facility. If an ambulance is used, the ambulance will be accompanied by an officer. The officer must describe any injuries in the incident report and whether treatment was received or refused. Whenever any subject is exposed to impact munitions, they shall be medically evaluated, when the subject is taken into custody. However, we recognize that some munition types are designed to be used to disperse crowds and subjects. Under these and other circumstances, the officers must articulate why subjects were not taken into custody and why the department was unable to offer medical attention.

801.12 RESPONSIBILITY OF AN OFFICER AFTER THE USE OF FORCE

After an officer elects to use force and after a situation is stabilized and a subject is handcuffed and the scene is safe for the officer, the officer must:

- A. Render first aid/CPR to the level of his/her training.
- B. Call an ambulance/paramedics or whatever advanced medical assistance is available.
- C. Continue to monitor and provide custodial care, remaining with the subject until released to someone of equal or greater responsibility.
- D. Prepare a Department Crime Report detailing the incident and the circumstances surrounding the use of force.

Due to officer/subject factors and special circumstances that can exist as well as the dynamics of officer/subject confrontations, it is necessary for the officer to detail the totality of an event to show the reasonableness of force that was used and the legal and required nature of the officer's actions and the immediacy of the situation. The seriousness of the event and the amount of danger to all involved must be included.

The Defensive and Arrest Tactics DISTURBANCE RESOLUTION OUTLINE should be used as a guideline and structure for the report to document the officer's and the subject's actions.

801.13

COMPLETION OF OUTAGAMIE COUNTY DEFENSIVE ACTION REPORT

Any time an officer exercises a type of *force defined as a “recordable force” event*, the approved Outagamie County *Defensive Action* Report *shall* be completed and submitted to their immediate supervisor *before the end of his/her shift, or as soon as possible if off duty. An exception to this would be for a deputy involved in a Critical Incident under 802. (See attached form). The shift supervisor should discuss the incident and review the form with the involved officer(s), and then sign the form. With this complete, the supervisor shall then submit the original copy to the Patrol Operations Captain for review. Once his/her review is complete, the original copy of the form will be attached to the department case file. In the event the Patrol Operations Captain is the individual involved in the incident, the report will be forwarded up the chain of command.*

Use of Force

OUTAGAMIE COUNTY SHERIFF'S OFFICE OFFICERS DEFENSIVE ACTION REPORT

DATE:	TIME:	LOCATION:	INCIDENT NUMBER:
SUBJECTS NAME (Last, First, Middle):		DOB:	BODY WORN CAMERA VIDEO OF INCIDENT ☐ YES ☐ NO

SUBJECTS ACTIONS

AT THE TIME OF EVENT, THE SUBJECT APPEARED TO BE: ☐ MENTALLY IMPAIRED ☐ UNDER THE INFLUENCE OF ALCOHOL OR DRUGS ☐ EMOTIONALLY AGITATED ☐ NON-RESPONSIVE ☐ OTHER _____
REASON THE APPLICATION OF FORCE WAS NECESSARY: ☐ TO EFFECT AN ARREST ☐ TO DEFEND SELF/OTHERS ☐ TO DETAIN SUSPECTED LAW VIOLATOR ☐ TO PREVENT ESCAPE ☐ TO RESTRAIN FOR SUBJECTS SAFETY ☐ OTHER _____
PERCEIVED SUBJECT'S ACTION (S) OR THREATS: ☐ RESISTANT (PASSIVE) ☐ RESISTANT (ACTIVE) ☐ ASSAULT (BODILY HARM) ☐ ASSAULT (GREAT BODILY HARM/DEATH)
OFFICER'S RESPONSE (S) CATEGORIES: ☐ CONTROL TECHNIQUES (compliance holds, pressure points, ECD, OC, decentralizations) ☐ PROTECTIVE TECHNIQUES (Strikes, stuns, impact weapons) ☐ DEADLY FORCE

MEDICAL

WAS SUBJECT INJURED? ☐ YES ☐ NO	TRANSPORTED BY:	HOSPITAL / PHYSICIAN:
SUBJECT WAS: ☐ TREATED AND RELEASED BY HOSPITAL ☐ SEEN BY HOSPITAL & PHYSICIAN / REFUSAL ☐ RELEASED FROM CUSTODY ☐ ADMITTED TO HOSPITAL ☐ INJURIES REPORTED TO JAIL MEDICAL STAFF ☐ OTHER _____ ☐ SEEN BY PARAMEDICS IN THE FIELD / REFUSAL ☐ ECD PROBES REMOVED BY DEPUTY, PER TRAINING		
SUBJECTS INJURIES (Check All That Apply): (Do NOT document routine O/C decontamination) ☐ NOTHING OBSERVED ☐ BRUISING ☐ UNCONSCIOUSNESS ☐ MINOR (Includes typical TASER probe site) ☐ MAJOR ☐ DEATH PHOTO'S TAKEN? ☐ YES ☐ NO BY WHOM: _____		

Use of Force

1. CHEMICAL SPRAY

(INDICATE TARGET AREA ON DIAGRAM)

- ☐ PRESENTED – COMPLIANCE GAINED
☐ PRESENTED – TRANSITION REQUIRED
☐ DEPLOYED

WAS SPRAY EFFECTIVE? ☐ YES ☐ NO

FURTHER CONTROL METHODS NEEDED? ☐ YES ☐ NO

EYES: ☐ CLOSURE ☐ TEARS ☐ NO EFFECT

NOSE: ☐ DISCHARGE ☐ IRRITATION ☐ NO EFFECT

SKIN: ☐ REDNESS ☐ BURNING ☐ NO EFFECT

BREATHING: ☐ COUGHING ☐ LABORED ☐ NO EFFECT

CONTROL DEVICES/APPLICATIONS

RESTRAINT METHODS USED:

☐ HANDCUFFS ☐ LEG IRONS ☐ RESTRAINT CHAIR ☐ SPIT HOOD ☐ NONE ☐ OTHER _____

EMPTY HAND TECHNIQUES: (USING DIAGRAM INDICATE AREA WHERE TECHNIQUE WAS APPLIED)

☐ PRESSURE POINTS - LIST _____ ☐ STRIKES - LIST _____

☐ DECENTRALIZATIONS - LIST _____

☐ STUNS - LIST _____

REMOTE CONTROL DEVICES

☐ TASER PRESENTED – COMPLIANCE GAINED ☐ TASER PRESENTED – TRANSITION REQUIRED

☐ TASER DEPLOYED – DEVICE SER. # _____ (Download report to be done by OUSO TASER instructor)

☐ FLASH BANG - SPOON SERIAL. # _____

IMPACT DEVICES

(INDICATE IMPACT AREA ON DIAGRAM)

IMPACT TOOL: ☐ EXP BATON ☐ STRAIGHT BATON ☐ BATON/ BEAN BAG ROUND ☐ OTHER _____

☐ IMPACT TOOL PRESENTED – COMPLIANCE GAINED

☐ IMPACT TOOL PRESENTED – TRANSITION REQUIRED

☐ IMPACT TOOL DEPLOYED - WEAPON SERIAL. # _____

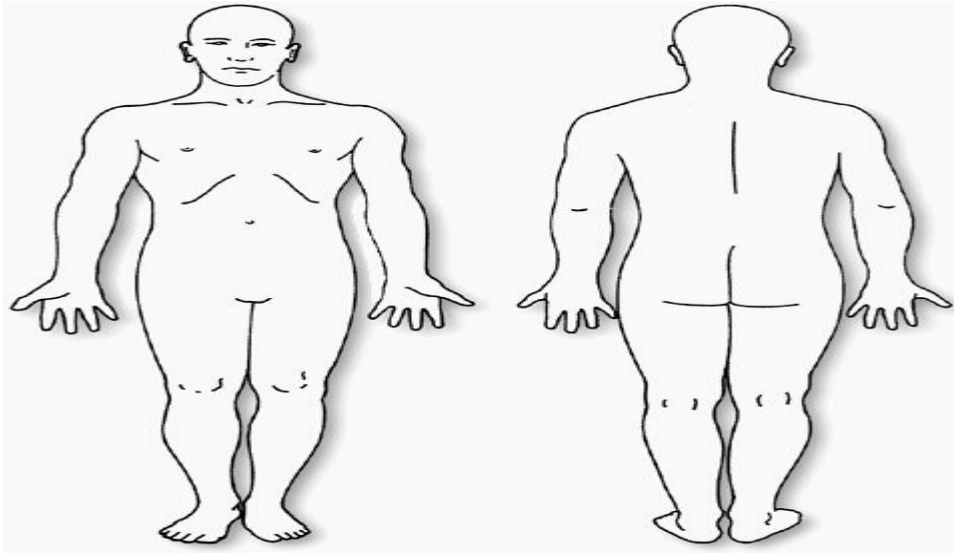
FIREARMS/DEADLY FORCE APPLICATIONS

Use of Force

☐ INTENTIONAL POINTING – COMPLIANCE GAINED ☐ DISCHARGE

TOOL USED: ☐ HANDGUN ☐ RIFLE ☐ VEHICLE ☐ OTHER _____

WEAPON MAKE _____ MODEL _____ SERIAL # _____



REPORTING OFFICER

REPORTING OFFICER'S NAME:	TYPE OF ACTION TAKEN:	OFFICER INJURED? ☐ YES ☐ NO LIST INJURY:
SECONDARY OFFICER'S NAME:	TYPE OF ACTION TAKEN:	OFFICER INJURED? ☐ YES ☐ NO LIST INJURY:
SHIFT SERGEANT'S SIGNATURE:	REVIEWED BY: (Initials & Badge #) USE OF FORCE INSTRUCTOR: _____ PATROL OPS CAPT _____	

BRIEF SUMMARY OF INCIDENT

(Include any additional officers involved that took action)

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Weapons Guidelines	Series: 803
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 January 25, 2016 December 2015

803.01	GENERAL PURPOSE
803.02	FIREARMS COMPETENCY
803.03	NON-DEPARTMENT ISSUED WEAPONS
803.04	FIREARMS UPKEEP
803.05	MODIFICATION OF WEAPONS
803.06	MINIMUM CALIBER
803.07	RESTRICTIONS

803.01 GENERAL PURPOSE

Due to the fact that employees of this department are required to **carry** firearms in the performance of their duties, it is necessary for those employees to be proficient in the use and care of those firearms. ***In accordance with Wisconsin Statute 165.85(4)(a)7.c employees will annually complete a handgun qualification course from curricula based upon the model standards established by the WI Law Enforcement Standards Board.***

803.02 FIREARMS COMPETENCY

Employees of this department shall participate in at least **two** training sessions per year under the supervision a Firearms Instructor.

A. REQUIREMENTS FOR DEPARTMENT ISSUED WEAPONS

1. In order to carry a department weapon, the employee must annually demonstrate competency in all performance objectives as outlined by the firearms instructor. The Firearms Instructor shall make records of each employee's performance.
2. Any employee failing to demonstrate competency during training sessions shall report to the range at the firearms instructor's discretion for additional firearms training and shall demonstrate competency within 30 days. All ammunition used by the employee during the 30 day remedial training shall be supplied by the department. If the employee fails to demonstrate competency during the remedial training sessions, the employee will be directed to contact a certified Firearms Instructor ***of their choice***. If the employee satisfactorily completes the course it shall be entered in the department records, and the department shall pay the cost of the training. If the employee fails to satisfactorily complete the course, the employee shall pay the cost of training and shall not be allowed to **carry and use** the specified weapon.
3. Proficiency with firearms will be considered the responsibility of each employee. Failure to meet standards shall result in one or more of the following.

Firearms Competency

- a. Surrender of all department weapons and ammunition to the division head.
- b. Disciplinary action including suspension or discharge.
4. Consideration shall be given to employees who cannot demonstrate competency due to medical handicaps. Permanent disabilities shall result in consideration by the division and department heads for reassignment. Employees with temporary handicaps shall report such disability to the division head, and training will be held at the department's request following recovery.
5. Ammunition for approved training with department weapons shall be provided by the department.
6. Officers shall use or carry only department issued weapons and ammunition while on duty unless otherwise approved by the Sheriff or his designee.

803.03 NON-DEPARTMENT WEAPONS

Any employee desiring to carry a non-department *issued* weapon on duty, must *train with and* demonstrate competency with the weapon. These weapons shall be recorded in the department records by make, model, caliber, and serial number. Employees attending training sessions held during off-duty hours for non-department approved weapons shall not be eligible for compensation by the department. Ammunition for non-department calibers shall be supplied by the individual employee. Any employee carrying a non-department *issued* weapon while on duty without written notification to the Sheriff shall be subject to disciplinary action.

803.04 FIREARMS UPKEEP

Each employee shall be responsible to ensure his/her weapon is clean and in firing condition. Weapons may be inspected periodically to insure proper care and cleaning is being performed.

Firearms Competency

803.05 MODIFICATIONS

No employee may alter any department approved weapon or ammunition without Firearms Instructor approval *and Department Armorer* approval.

803.06 MINIMUM CALIBER

Non-Department issued handguns *carried as a primary duty weapon* must have a minimum caliber of 9mm (.355 inch). On-duty secondary weapons may be of any caliber.

803.07 RESTRICTIONS

No employee may carry any department authorized weapon while under the influence of any substance likely to impair judgment or motor skills. No employee may carry a weapon when in conflict with federal or state law or local ordinance.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Emergency Response and Pursuit	Series: 804
Effective Date: August 1, 2017	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: July 1, 2017

804.01	PURPOSE
804.02	DEFINITIONS
804.03	PURSUIT POLICY
804.04	PURSUIT PROCEDURES
804.05	TRAINING AND DEBRIEFING
804.06	SILENT EMERGENCY RESPONSES
804.07	MANDATORY REPORTS

804.01 EMERGENCY VEHICLE OPERATIONS

- A. *Wisconsin State Statute 346.03 establishes the requirements for the operation of an authorized emergency vehicle. Sub. (2) of this statute grants the operator of an authorized emergency vehicle certain privileges when responding to an emergency or when in pursuit of an actual or suspected violator of the law. These privileges can only be exercised when giving visual and audible signals.***
- B. *Under certain circumstances Law Enforcement Officers may exceed the speed limit under WI State Statute 346.03 without giving visual or audible signals. This is often described as running silent. Sub. (4) defines the circumstances where a Law Enforcement Officer may exercise this privilege without visual or audible signal.***
- C. *The exemptions granted the operator of an authorized emergency vehicle by WI State Statute 346.03 do not relieve such operator from the duty to drive or ride with due regard under the circumstances for the safety of all person nor do they protect such operator from the consequences of his or her reckless disregard for the safety of others.***
- D. *This agency authorizes the use of emergency lights and sirens pursuant to WI State Statute 346.03.***
- E. *The Sheriff's Office operates various special purpose vehicles that may be equipped for special situations. Vehicles (owned or leased) include unmarked vehicles, undercover and/or civilian vehicles, ATV's, snowmobiles, boats, armored personnel carrier, pick-up trucks and various trailers, utility investigation trucks and vehicles designed for special purpose animals (K9).***

804.02 DEFINITION OF EMERGENCY

An emergency is defined as a situation in which there is a high probability of death or serious injury or significant property loss, and action by an emergency vehicle operator may reduce the seriousness of the situation.

804.03 DEFINITION OF DUE REGARD

- A. *Due regard is a legal standard defined as the degree of care that a reasonably careful person, performing similar duties, and acting under similar circumstances would show.***
- B. *Once an authorized emergency vehicle operator has decided to exercise the exemptions provided under the statute, he or she shall constantly evaluate the need to continue to do so. The following due regard elements shall be considered: time of day, volume of traffic (vehicular, bicycle, pedestrian), density of population, weather conditions, road***

conditions, severity of the crime or incident, vehicle condition, operator condition and has the emergency nature of the response diminished or changed.

804.04 USE OF EMERGENCY EQUIPMENT

- A.** *Deputy shall, in all cases, drive with due regard to the safety of all persons and shall carefully weigh the risks inherent in disregarding the traffic laws against the nature of the end promoted by such violation. In case of doubt, the Deputy shall opt for safety.*
- B.** *Emergency Response: Deputies operating an authorized emergency vehicle are authorized to use emergency (red-blue) lights and siren when responding to an emergency call for service. Deputies shall constantly evaluate the emergency nature of the call and downgrade to a lower response once the emergency no longer exists.*
- C.** *Non-Emergency Response: Deputies operating an authorized emergency vehicle are not authorized to use emergency equipment when responding to non-emergency calls. Emergency vehicles are under the continual observation by the general public and operators of such units should operate vehicles in a courteous manner, even though prompt response is required for all calls.*

804.05 PURSUIT POLICY

The Outagamie County Sheriff's Office has adopted the following Inter-Agency Pursuit Agreement as its policy for establishing guidelines for all vehicle pursuits involving Sheriff's Office personnel.

A. Purpose

The purpose of this document is to establish guidelines for the pursuit of vehicles by Outagamie County Law Enforcement agencies when one or more agencies is involved, and the pursuit crosses jurisdictional boundaries. Additional intent of this document is to provide an expectation of how each law enforcement agency will respond in the event that a pursuit enters their jurisdiction. This document is intended to supplement individual agency pursuit policies and does not supercede such policies. If any conflict between this agreement and individual agency policies exist, all personnel are expected to comply with their own agency policies on vehicle pursuits. It is recognized that any department can implement stricter pursuit initiation standards, but not more permissive standards in cases where the pursuit enters another jurisdiction.

B. Definitions

The following definitions shall be applicable to this document:

1. Pursuit. An active attempt by a law enforcement officer, on duty, in an authorized marked law enforcement vehicle with emergency equipment

activated to apprehend one or more occupants of a moving motor vehicle, providing the driver of such vehicle is aware of the attempt, and is resisting apprehension by maintaining or increasing their speed, extinguishing their headlights, or by other evasive action, or refusing to stop, or by ignoring the law enforcement officer's attempt to stop them.

2. Primary Unit. This is the police unit that initiates the pursuit, or a police unit that may assume control of the pursuit.
3. Assisting Unit(s). These are police units that assist the primary unit in the pursuit, either by direct or indirect involvement.
4. Roadblocks. The use of vehicles or other obstructions to block the roadway. For purposes of this policy, roadblocks are meant to stop the fleeing vehicle by giving the driver of the fleeing vehicle the opportunity to stop.
5. Traffic Restriction Techniques. These tactical tools are to divert the flow of traffic in order to cause a traffic stop, and should include only partial road closure or use of tire deflation devices for partial lane restriction or channelization techniques.
6. Tire Deflation Device. A device used by law enforcement officers to cause tire deflation due to punctures to the pursued vehicle to the extent that further flight is prevented.
7. Authorized Emergency Vehicle. For the purpose of this policy, an authorized emergency vehicle is a marked police vehicle equipped with one or more oscillating, rotating or flashing emergency lights and also equipped with emergency sirens.
8. Supervisor or OIC. Person acting in the capacity of the on-duty officer in charge. In jurisdictions where only one officer is on duty, that officer will be the OIC in that jurisdiction.

C. Pursuit Policy

1. Initiation of Pursuit. Any law enforcement officer in an authorized emergency vehicle may initiate a pursuit when the suspect is attempting to avoid apprehension and any of the following situations are present:
 - a. The subject has committed or is attempting to commit a crime that involves an actual or threatened action that an officer reasonably believes resulted in or could result in death or great bodily harm to a person or persons.

- b. The subject, if allowed to escape, is likely to cause injury or death to a person or person.
 - c. When an officer observes the operation of a motor vehicle, prior to the initiation of a pursuit, and evaluates that the continued operation of this vehicle would cause great bodily harm and/or immediate risk to the public.
 - d. When an officer believes the apprehension of a subject would be a benefit to the community because of offenses committed. However, the pursuit will not escalate as it would under conditions of great bodily harm. The intent is to facilitate the apprehension of the pursued driver, but not at the expense of creating a greater danger to the public.
- 2. Law enforcement officers will adhere to all Wisconsin traffic statutes under Chapter 346, Rules of the Road, while operating an emergency vehicle, and will further operate the police vehicle in a safe and responsible manner. Officer(s) operating an authorized emergency vehicle may perform actions contradictory to this chapter, but only as provided for under s. 346.03 Wisconsin Statutes. Officers will also follow other federal, state and local statutes, and department policies governing safe operation of motor vehicles, and will always operate their authorized emergency vehicle(s) under the Due Regard elements of the Wisconsin State Statutes.
- 3. Termination of Pursuit
 - a. Officers will terminate vehicle pursuits under any of the following conditions:
 - i. When, in the judgment of the officer, it is necessary to terminate the pursuit.
 - ii. When ordered to do so by their supervisor or OIC.
 - iii. When the continuing distance between the pursuing and fleeing vehicle is such that further pursuit is futile.
 - iv. When the pursued vehicle's location is unknown.
 - v. When the officer's vehicle or emergency equipment malfunctions.
 - vi. When it is necessary to stop to render aid to an injured person and no other police unit is immediately available to do so.
 - vii. When the suspect's identity has been established to allow later apprehension, and there is no other immediate reason to apprehend.

- b. Pursuits shall be discontinued when the officer(s) involved or supervisor assigned to monitor the pursuit objectively evaluates the above listed factors and feels the risk to public safety outweighs the value of the apprehension of the subject being pursued.
- c. When the pursuit is terminated, the Communications Center will be notified of the pursuit termination. Officers involved with the pursuit shall reduce their speed to conform with posted limits, turn off emergency equipment and continue in the direction of the fleeing vehicle for a reasonable distance to ensure the fleeing vehicle has not created or caused traffic hazards or accidents.

D. Pursuit Procedures

1. Evaluation Criteria to Continue the Pursuit.

- a. In determining whether or not to continue the pursuit that has justifiably initiated, the officer shall consider the following factors:
 - i. Whether conditions of the pursuit would likely create a danger to the public, officer(s), or subject(s) which is apparently greater than the value of apprehending the subject(s) due to such factors as, but not limited to the following:
 - a. Road conditions.
 - b. Weather conditions.
 - c. Time of day and density of population, including presence of pedestrian or vehicular traffic.
 - d. Severity of the crime.
 - e. Necessity of the pursuit.
 - ii. The availability of other methods of apprehension.
 - iii. The apparent age and ability of the pursued driver.
 - iv. The manner in which the pursued driver is operating his/her vehicle.
 - v. The nature and apparent condition of the vehicles involved in the pursuit.
 - vi. The limit of the officer's ability to operate their vehicle within their individual capabilities.
- b. Officers may pursue a fleeing subject if the reason for the pursuit falls within the guidelines established in Section III. A. 1(a-d). The officer's actions in initiating and/or continuing such a pursuit should not create a greater risk to the public than that posed by failing to apprehend the fleeing suspect.
- c. Radio frequencies to be used will be based on availability to the police units involved in the pursuit. Because all agencies in this county have a

common channel, Outagamie County Channel 1, that frequency shall be the one used by the police pursuit vehicles once the pursuit crosses a jurisdiction line.

2. Pursuing Officer Responsibilities

- a. Evaluate the necessity of the pursuit before the actual initiation and during the pursuit. Evaluation criteria include adherence to agency policy for the initiation and continuation of the pursuit, including, but not limited to, road conditions, density of population, nature of the crime(s), weather conditions, and necessity of the pursuit.
- b. Notify the Communications Center that a pursuit is in progress, the reason for the pursuit, giving location, directions, description of vehicle pursued and as much other pertinent information as possible.
- c. Continue to give updates on location, directions of travel and other information as it relates to the pursuit.
- d. Respond to questions asked by telecommunications personnel and/or their supervisor/OIC.
- e. Immediate radio notification upon termination of the pursuit.
- f. Attempt no “special maneuvers” that the officer or department has not been trained or authorized.

3. Communications Center Responsibilities

- a. Upon receiving notification of the pursuit, the Communications Center personnel will restrict the radio channel to the use of police radio traffic involved in the pursuit.
- b. Notify the appropriate supervisor or OIC (if applicable) of the pursuit. Notification shall be done at the initiation and also termination of the pursuit.
- c. Notify the jurisdiction being entered or about to be entered, of the pursuit. The notification will be completed on the primary radio channel.
- d. Notify other police agencies in the immediate area that a pursuit is in progress and the reason for the pursuit.

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- e. Communications Center personnel may assist in coordinating law enforcement resources for the pursuit.
- f. Ensure that the primary police unit involved in the pursuit clearly states the reason for the pursuit as well as prompting continual updates from units involved in the pursuit.
- g. Obtain the reason for any pursuit that is entering Outagamie County from police agencies outside this county. The reason for the pursuit shall be broadcast on the primary radio frequency.

4. Assisting Officer Responsibilities.

- a. Officers assisting shall monitor the radio channel being used to provide information regarding the pursuit. Radio discipline on the pursuit channel is critical and should be limited to radio traffic that is pertinent to the pursuit.
- b. If possible, the second police unit directly involved in the pursuit should assume radio communication responsibility for the pursuit, and relay the information to other units and the Communications Center.
- c. Officers not directly involved may assist with coordinating their resources to assist in stopping the pursuit as directed.
- d. Be prepared to assume primary police unit duties if circumstances require.
- e. Be prepared to assist in the event of accidents or incidents that happen during the course of the pursuit.

5. Supervisor Responsibilities:

- a. Assume overall control of the pursuit.
- b. Monitor the progress of the pursuit to ensure compliance with policies and legal standards.
- c. Order and coordinate additional police units to assist, or request other policy agency assistance.
- d. Ensure that unnecessary police units resume normal patrol duties.
- e. Order termination of the pursuit if time, distance, road or other traffic

conditions, or other circumstances warrant pursuit termination.

- f. Assist the Communications Center with controlling radio communications during the pursuit.
- g. Conduct a follow-up review of the pursuit.
- h. Coordinate alternative tactics to induce or possibly force the fleeing vehicle to stop.

6. Pursuit into Another Jurisdiction:

- a. When a pursuit proceeds from one jurisdiction into another jurisdiction, the following procedures will apply:
 - i. The primary pursuit vehicle may request assistance from the jurisdiction being entered, and the request may include active pursuit assistance or other tools such as road spikes, etc.
 - ii. The supervisor or OIC of the jurisdiction being entered may request termination of the pursuit. If the pursuit continues after receiving a request to terminate from the jurisdiction's law enforcement agency, the agency that continues the pursuit is responsible for any and all situations that arise from that pursuit.
 - iii. Authorized emergency vehicles directly involved in the pursuit shall be limited to no more than three police vehicles. This does not apply to other police vehicles that may "parallel" the main pursuit route. Parallel routes are those routes that help place other law enforcement officers in positions or areas to assist units involved in the actual pursuit. Police units on "parallel" routes shall be aware, and drive within reasonable speeds to ensure the risks associated with disregarding traffic regulations do not outweigh the benefits in doing so.
 - iv. Local agency policies will dictate when their officers that are assisting in pursuits return to their own jurisdiction.
 - v. When the pursuit enters another jurisdiction, the supervisor or OIC of that jurisdiction shall notify the pursuing officer(s) of specific circumstances in that community that may cause safety hazards, such as special events, parades, etc.
- b. Pursuits entering Outagamie County from other jurisdictions will be required to inform of their entry into the County, as well as any jurisdiction within the County that is entered. Outagamie County Sheriff's Office will provide written notice to adjacent jurisdictions that any pursuits initiated by them that will enter the

County will be asked to provide information regarding assistance requested and the reason for the pursuit.

7. Pursuit Tactics and Techniques.

- a. Guidelines adopted by police agencies within Outagamie County for effective pursuit tactics and techniques will remain under authority of individual agencies.
- b. The following rules shall apply when a pursuit enters another jurisdiction and requests the deployment of these tactics.
 - i. Approval and coordination of the supervisor or OIC.
 - ii. Deployment of tactic/technique will include the radio broadcast of the precise location.
 - iii. Deploying officer will remove the system/obstruction from the roadway after the suspect vehicle has passed the location, or when the system/obstructions are no longer useful.
- c. Road spike tactical system will comply with the above listed rules and require the following circumstances:
 - i. Straight and level roadway.
 - ii. Adequate sight and stopping distance behind the area where the spikes are deployed.
 - iii. Ability to safeguard non-target vehicles approaching spike locations.
- d. Roadblocks pose obvious dangers and shall not be employed unless the following conditions are met:
 - i. Due regard elements previously outlined in Section IV (A) (1) (a-f) of this pursuit protocol are present.
 - ii. Approval and coordination in implementation is received from the supervisor or OIC.
 - iii. Notification is made of the precise location of the roadblock.
 - iv. Location is well lighted on straight and level roadway with no sight restrictions.
 - v. All emergency lighting equipment is being used to illuminate the roadblock area to visually enable the suspect to see the roadblock and allow the suspect the opportunity to stop. In addition, flares, fuzes and other illumination equipment should be employed to further identify the presence of the roadblock, especially during hours of reduced visibility or darkness.
 - vi. Except in extreme circumstances, under the direct authorization of a supervisor, an opening in the roadblock shall be provided to

leave the suspect vehicle an area to pass if the suspect decides to drive through the roadblock.

- vii. Roadblocks shall not be employed in such a manner that the driver of the fleeing vehicle cannot react or safely stop fleeing. Roadblocks shall be set to present an opportunity for the fleeing driver to make a decision to stop fleeing.

804.06 TRAINING AND DEBRIEFING

A. Training

1. *Authorized Emergency Vehicle Operators must have successfully completed a safety and training course in Emergency Vehicle Operation that is taken at a technical college or that is approved by the department.*
2. *Authorized Emergency Vehicle Operators shall biennially complete at least four (4) hours of training from curricula based upon standards established by statute, policies and the Wisconsin Law Enforcement Standards Board.*

B. Debriefing

1. *It is recommended that pursuits be reviewed, such as by:*
 - a. *Tactical Debriefing. A review as indicated by local agency policies, and may involve all personnel deemed appropriate.*
 - b. *Administrative review. This should be completed as soon as practical after the pursuit. The review will consist of evaluation of written reports and other information from the pursuit to verify adherence with this policy.*
2. *Review of a non-pursuit emergency response will be done on an as needed basis, by personnel deemed appropriate.*

804.07 MANDATORY REPORTS

- A. *Reports shall be required with copies forwarded to division head and sheriff, for any of the following:*
 1. *Any pursuit*
 2. *Ramming and/or moving roadblocks*
 3. *Stationary Roadblocks*
 4. *Use of firearms in pursuit*

5. *Crash of Emergency Vehicle resulting in injury or excessive damage to the vehicle.*
- B. *The report will be reviewed by the shift supervisor for accuracy and policy compliance prior to forwarding copies.*
- C. *The shift supervisor will complete the required pursuit report (WI State Statute 85.07 (8)(b)) using WILENET.*

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Bloodborne Pathogens Exposure Control	Series: 805
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 August 1, 2010 July 2013

805.01	PURPOSE
805.02	DEFINITIONS
805.03	EXPOSURE DETERMINATION
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805.11	POST EXPOSURE TREATMENT

805.01 PURPOSE

The purpose of this Exposure Control Plan is to:

1. Eliminate or minimize employee occupational exposure to blood or certain other body fluids;
2. Comply with OSHA Bloodborne Pathogens Standard, 29 CFR 1910.1030.
3. This policy is intended for the protection of Outagamie County Sheriff's Office personnel and is in support of the Outagamie County Sheriff's Office Traffic Safety Commission Emergency Management Exposure Control Plan for compliance with OSHA Standard, 29 CFR 1910.1030.

805.02 DEFINITIONS

Specimen = Something you take with you to the hospital, for their use.

Waste = Something you throw away or dispose of.

Other Potentially Infectious Material = other body fluids that are visibly contaminated with blood. Example would be vomit or saliva that are visibly contaminated with blood.

805.03 EXPOSURE DETERMINATION

OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). The employer is required to list all job classifications in which all employees may be expected to incur such occupational exposure, regardless of frequency. In Outagamie County the following job classifications are in this category:

See 805.08 for Job Classifications.

805.04 IMPLEMENTATION SCHEDULE AND METHODOLOGY

A. Compliance Methods

Universal precautions will be observed in Outagamie County in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious

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regardless of the perceived status of the source individual.

Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees in Outagamie County. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized. In Outagamie county the following engineering controls will be utilized:

- * Gloves in squad
- * Puncture proof bucket with red biohazard bag
- * Blankets shall be used to prevent sharp object penetration and to prevent contamination of squad car seats
- * First Responder Kits
- * Blob CPR Masks

The above controls will be examined and maintained on a regular schedule.

The schedule for reviewing the effectiveness of the controls is as follows:

Each officer is responsible to inspect all squad equipment including PPE prior to each shift. Patrol supervisors will ensure compliance. Hand washing facilities shall be made available to the employees who incur exposure to blood or other potentially infectious materials. OSHA requires that these facilities be readily accessible after incurring exposure. Officers will be provided with antiseptic cleansers to use in the field.

All officers shall ensure that after the removal of personal protective gloves, they shall wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water. Supervisors will ensure compliance.

All officers shall ensure that if they incur exposure to their skin or mucous membranes then those areas shall be washed or flushed with water as soon as feasible following contact. Supervisors shall ensure compliance.

B. Needles

Contaminated needles and other contaminated sharps will not be bent, recapped, removed, sheared or purposely broken. OSHA allows an

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exception to this if the procedure would require that the contaminated needle be recapped or removed and no alternative is feasible and the action is required by the medical procedure. If such action is required then the recapping or removal of the needle must be done by the use of a mechanical device or a one-handed technique. In Outagamie County recapping or removal is only permitted for the following procedures:

Mechanical devices must be used or a one-hand technique will be used.

C. Containers for REUSABLE Sharps

No reusable sharps will be used.

D. Work Area Restrictions

In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, employees are not to eat, drink, apply cosmetics or lip balm, smoke, or handle contact lenses. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets, or on counter tops or bench tops where blood or other potentially infectious materials are present. All procedures will be conducted in a manner which will minimize splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious materials.

E. SPECIMENS

Specimens/Evidence of blood or other potentially infectious materials will be placed in a container which prevents leakage during the collection, handling, processing, storage, and transport of the specimens. The container used for this purpose will be labeled or color-coded in accordance with the requirements of the OSHA standard. Any specimens/evidence which could puncture a primary container will be placed within a secondary container which is puncture resistant. If outside contamination of the primary container occurs, the primary container shall be placed within a secondary container which prevents leakage during the handling, processing, storage, transport, or shipping of the specimen.

F. CONTAMINATED EQUIPMENT

All officers are responsible for ensuring that equipment which has become contaminated with blood or other potentially infectious materials shall be

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examined prior to servicing or shipping and shall be decontaminated as necessary unless the decontamination of the equipment is not feasible. Supervisors will ensure compliance.

G. PERSONAL PROTECTIVE EQUIPMENT

1. PPE Provision

Supervisors are responsible for ensuring that the following provisions are met.

All personal protective equipment used in Outagamie County will be provided without cost to employees. Personal protective equipment will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

2. PPE Use

Supervisors shall ensure that the employee uses appropriate PPE unless the supervisor shows that employee temporarily and briefly declined to use PPE when under rare and extraordinary circumstances, it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or posed an increased hazard to the safety of the worker or co-worker. When the employee makes this judgment, the circumstances shall be investigated and documented in order to determine whether changes can be instituted to prevent such occurrences in the future. In those rare instances when PPE cannot be worn, the supervisor must show that the employee temporarily and briefly declined to use PPE because it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or posed an increased hazard to the safety of the worker or co-worker. When the employee makes this judgment, the circumstances shall be

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investigated and documented in order to determine whether changes can be instituted to prevent such occurrences in the future.

3. PPE Accessibility

Supervisors shall ensure that appropriate PPE in the appropriate sizes is readily accessible at the work site or is issued without cost to employees. Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives shall be readily accessible to those employees who are allergic to the gloves normally provided.

4. PPE Cleaning, Laundering and Disposal

All personal protective equipment will be cleaned, laundered, and disposed of by the employer at no cost to the employees. All repairs and replacements will be made by the employer at no cost to employees. All garments which are penetrated by blood shall be removed immediately or as soon as feasible. All PPE will be removed prior to leaving the work area. When PPE is removed, it shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.

5. Gloves

Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, non-intact skin, and mucous membranes; when performing vascular access procedures and when handling or touching contaminated items or surfaces. Disposable gloves used at this facility are not to be washed or decontaminated for re-use and are to be replaced as soon as practical when they become contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

6. Eye and Face Protection

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Masks in combination with eye protection devices, such as goggles or glasses with solid side shield, or chin length face shields, are required to be worn whenever splashes, spray, splatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can reasonably be anticipated. Masks shall be worn if aerosolization of blood or body fluids may occur.

7. Additional Protection

Additional protective clothing (such as lab coats, gowns, aprons, or similar outer garments) shall be worn in instances when gross contamination can reasonably be anticipated. The following situations require that such protective clothing be utilized:

- a. Crime scenes where the potential for contamination risks are high.
- b. Traffic accident scenes where the potential for contamination risks are high.

H. HOUSEKEEPING

This facility will be cleaned and decontaminated according to the following schedule:

<u>Area</u>	<u>Schedule</u>	<u>Cleaner</u>
Temp. Evidence Lockers	As needed	Maintenance Department
Squads	As needed	By officers/contracted cleaners
Justice Center	As needed	Maintenance Department

Decontamination can be accomplished by utilizing the following materials:

1. Household bleach (5.25% Sodium hypochlorite) in a 1:10 dilution.
 - a. To mix a 1:10 dilution:
 1. 1 cup of bleach in 10 cups of water.
 2. or 1/5 of a cup of bleach in 2 cups of water.
2. Northwoods Sani-foam, by Superior.
3. Northwoods Mega-Cide, by Superior.

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4. Lysol, follow the package directions for disinfection.

Note: Disinfecting requires a wet exposure to the surface for a period of 10-30 minutes, and should be left to air dry.

All contaminated work surfaces (including clean up area) will be decontaminated after completion of procedures and immediately or as soon as feasible after any spill of blood or other potentially infectious materials, as well as the end of the work shift if the surface may have become contaminated since the last cleaning.

All bins, pails, cans, and similar receptacles shall be inspected and decontaminated on a regularly scheduled basis determined by the maintenance department.

Any broken glassware which may be contaminated, will not be picked up directly with the hands.

Reusable sharps that are contaminated with blood or other potentially infectious materials shall not be stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed.

I. REGULATED WASTE DISPOSAL

1. Disposable Sharps

Contaminated sharps shall be discarded immediately or as soon as feasible in containers that are closable, puncture resistance, leak proof on sides and bottom and labeled or color coded. During use, containers for contaminated sharps shall be easily accessible to personnel and located as close as is feasible to the immediate area where sharps are used or can be reasonably anticipated to be found. The containers shall be maintained upright throughout use and replaced routinely and not be allowed to overfill. When moving containers of contaminated sharps from the area of use, the containers shall be closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport, or shipping. The container shall be placed in a secondary container if leakage of the primary container is possible. The second container shall be closeable, constructed to

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contain all contents and prevent leakage during handling, storage and transport, or shipping. The second container shall be labeled or color coded to identify its contents. Reusable containers shall not be opened, emptied, or cleaned manually or in any other manner which would expose employees to the risk of percutaneous injury.

2. Other Regulated Waste

Other regulated waste shall be placed in containers, which are closeable, constructed to contain all contents and prevent leakage of fluids during handling, storage, transportation or shipping. The waste must be labeled or color-coded and closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.

NOTE: Disposal of all regulated waste shall be in accordance with applicable federal, state and local regulations. (The DNR is the controlling agency in Wisconsin.)

J. LAUNDRY PROCEDURES

Laundry contaminated with blood or other potentially infectious materials will be handled as little as possible. Such laundry will be placed in appropriately marked (biohazard labeled, or color coded red bags) bags at the location where it was used. Such laundry will not be sorted or rinsed in the area of use. Laundry at this facility will be cleaned at the jail laundry or by ***Gunderson Cleaners***. See Procedures Addendum.

K. HEPATITIS B VACCINE AND POST-EXPOSURE EVALUATION AND FOLLOW-UP

1. General

Outagamie County shall make available the Hepatitis B vaccine and vaccination series to all employees who reasonably anticipate occupational exposure, and post exposure follow-up to employees who have had an exposure incident. The Occupational Health Systems, 1523 South Madison, Appleton, WI 54915 currently holds the contract and shall ensure that all medical evaluations and procedures including the Hepatitis B vaccine and vaccination series and post exposure follow-up, including prophylaxis are:

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- a. Made available at no cost to the employee;
- b. Made available to the employee at a reasonable time and place;
- c. Performed by or under the supervision of a licensed physician;
- d. Provided according to the recommendation of the U.S. Public Health Service.

All laboratory tests shall be conducted by an accredited laboratory at no cost to the employee.

2. Hepatitis B Vaccination

The Occupation Health Systems, 1523 South Madison, Appleton, WI 54915 is in charge of the Hepatitis B vaccination program.

Hepatitis B vaccination shall be made available after the employee has received the training in occupational exposure (see Section L: Information and Training) and within 10 working days of initial assignment to all employees who reasonably anticipate occupational exposure unless the employee has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is contraindicated for medical reasons. Participation in a pre-screening program shall not be a prerequisite for receiving Hepatitis B vaccination. If the employee initially declines Hepatitis B vaccination but at a later date while still covered under the standard decides to accept the vaccination, the vaccination shall then be made available. All employees who decline the Hepatitis B vaccination offered shall sign the OSHA required waiver indicating their refusal. If a routine booster dose of Hepatitis B vaccine is recommended by the U.S. Public Health Service at a future date, such booster dose shall be made available.

3. Post Exposure Evaluation and Follow-up

All exposure incidents shall be reported, investigated, and documented. When the employee incurs an exposure incident, it

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shall be reported to the County Risk Administrator, located on the 4th floor of the Courthouse. Following a report of an exposure incident, the exposed employee shall immediately receive a confidential medical evaluation and follow-up, including at least the following elements:

- a. Documentation of the route of exposure, and the circumstances under which the exposure incident occurred;
- b. Identification and documentation of the source individual, unless it can be established that identification is infeasible or prohibited by state or local law.
- c. The source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, the Occupation Health Systems, 1523 South Madison, Appleton, WI 54915 shall establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented.
- d. When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
- e. Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.

Collection and testing of blood for HBV and HIV serological status will comply with the following:

- a. The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained;
- b. The employee will be offered the option of having their blood collected for testing of the employee's HIV/HBV serological status. The blood sample will be preserved for

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up to 90 days to allow the employee to decide if the blood should be tested for HIV serological status.

All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up in accordance with the OSHA standard. All post exposure follow-up will be performed by Occupational Health Services, 1523 South Madison, Appleton WI 54915.

4. Information Provided To The Health Care Professional
Occupational Health Services, 1253 South Madison, Appleton, WI 54915 and the County Risk Coordinator shall ensure that the health care professional responsible for the employee's Hepatitis B vaccination is provided with the following:
 - a. A copy of 29 CFR 1910.1030;
 - b. A written description of the exposed employee's duties as they relate to the exposure incident;
 - c. Written documentation of the route of exposure and circumstances under which exposure occurred;
 - d. Results of the source individuals blood testing, if available; and
 - e. All medical records relevant to the appropriate treatment of the employee including vaccination status.
5. Health care Professional's Written Opinion
The Occupation Health Services, 1523 South Madison, Appleton, WI 54915 shall obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation. The health care professionals written opinion for HBV vaccination shall be limited to whether the HBV vaccination is indicated for an employee, and if the employee has received such vaccination. The health care professional's written opinion for post exposure follow-up shall be limited to the following information:
 - a. A statement that the employee has been informed of the results of the evaluation; and

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- b. A statement that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

Note: All other findings or diagnosis shall remain confidential and shall not be included in the written report.

K. LABELS AND SIGNS

All officers shall ensure that biohazard labels shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious materials, and other containers used to store, transport or ship blood or other potentially infectious materials. The universal biohazard symbol shall be used. The label shall be fluorescent orange or orange-red. Label all specimens and waste with biohazard tape. Supervisors will ensure compliance. Red bags or containers may be substituted for labels. However, regulated wastes must be handled in accordance with the rules and regulations of the organization having jurisdiction. Blood products that have been released for transfusion or other clinical use are exempted from these labeling requirements.

L. INFORMATION AND TRAINING

The County Benefits Coordinator shall ensure that initial training is provided to all new employees at the orientation program, with the Manager of Health and Prevention acting as consultant and the employee's supervisor shall ensure that training is provided at the time of initial assignment to tasks where occupational exposure may occur, and that it shall be repeated within twelve months of the previous training. Training shall be tailored to the education and language level of the employee, and offered during the normal work shift. The training will be interactive (allowing for questions and answers) and cover the following:

1. A copy of the standard and an explanation of its contents;
2. A discussion of the epidemiology and symptoms of bloodborne diseases;
3. An explanation of the modes of transmission of bloodborne pathogens;

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4. An explanation of the Outagamie County's Bloodborne Pathogen Exposure Control Plan (this program), and a method for obtaining a copy.
5. The recognition of tasks that may involve exposure.
6. An explanation of the use and limitations of methods to reduce exposure, for example engineering controls, work practices and personal protective equipment (PPE).
7. Information on the types, use, location, removal, handling, decontamination, and disposal of PPEs.
8. An explanation of the basis of selection of PPEs.
9. Information on the Hepatitis B vaccination, including efficacy, safety, method of administration, benefits, and that it will be offered free of charge.
10. Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials.
11. An explanation of the procedures to follow if an exposure incident occurs, including the method of reporting and medical follow-up.
12. Information on the evaluation and follow-up required after an employee exposure incident.
13. An explanation of the signs, labels, and color-coding systems.
The person conducting the training shall be knowledgeable in the subject matter.
Job specific information will be provided by the individual department.
Additional training shall be provided to employees when there are any changes of tasks or procedures affecting the employee's occupational exposure.

M. RECORDKEEPING

1. Medical Records
Occupational Health Services, 1523 South Madison, Appleton, WI 54915 is responsible for maintaining medical records on exposures and vaccinations as indicated below. These records will be kept at

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that location. Medical records shall be maintained in accordance with OSHA Standard 29 CFR 1910.20. These records shall be kept confidential, and must be maintained for at least the duration of employment plus 30 years. The records shall include the following:

- a. The name and social security number of the employee.
- b. A copy of the employee's HBV vaccination status, including the dates of vaccination.
- c. A copy of all results of examinations, medical testing, and follow-up procedures.
- d. A copy of the information provided to the health care professional, including a description of the employee's duties as they relate to the exposure incident, and documentation of the routes of exposure and circumstances of the exposure.

2. Training Records

Human Resources is responsible for maintaining the following training records on the bloodborne pathogen standard. These records will be kept in the Human Resources Department. Training records shall be maintained for three years from the date of training. The following information shall be documented:

- a. The dates of the training sessions;
- b. An outline describing the material presented;
- c. The names and qualifications of persons conducting the training;
- d. The names and job titles of all persons attending the training sessions.

3. Availability

All employee records shall be made available to the employee in accordance with 29 CFR 1910.20. All employee records shall be made available to the Assistant Secretary of Labor for the Occupational Safety and Health Administration and the Director of the National Institute for Occupational Safety and Health upon request.

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4. Transfer of Records

If this facility is closed or there is no successor employer to receive and retain the records for the prescribed period, the Director of the NIOSH shall be contacted for final disposition.

N. EVALUATION AND REVIEW

Human Resources is responsible for annually reviewing this program, and its effectiveness, and for updating this program as needed.

O. DATES

All provisions required by this standard will be implemented by November 1, 1993.

P. OUTSIDE CONTRACTORS

All outside contractors must have an accepted exposure control plan. The contract agency is responsible to ensure compliance.

805.05

PROCEDURES

1. Any employee of the Outagamie County Sheriff's Office may come in contact with bloodborne pathogens in the performance of official duties as determined by job classification. Duties where employees may reasonably anticipate coming in contact with human blood and Other Potentially Infectious Materials (OPIM) include but are not limited to: arrests, civil disobedience protests, rallies, or riots; accident scenes; medical emergencies; handling deceased persons or assisting in body removal; attending autopsies; blood or urine testing including the handling of samples; searches of persons, vehicles, homes and other property; post-crash inspections; job injuries; evidence handling; assaults and combative behavior; and weapons violations.
2. Officers shall take universal precautions when performing official duties where contact with human blood and OPIM may reasonably be anticipated. This includes the use of appropriate personal protective equipment (PPE) to minimize or eliminate exposure. The exception to this rule is when the officer can show that the temporary and brief decline to use PPE was under rare and extraordinary circumstances. It must be in the officer's professional judgment that in the specific instance its use would have

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prevented the deliver of health care or public safety services or would have posed an increased hazard to the safety of the officer or other officers.

3. Personal protective equipment (PPE) issued to officers is protective gloves. Patrol vehicles are also equipped with Isolation Kits containing:
 - a. Antimicrobial towelettes - vionex
 - b. Isolation gown PPE-individual bag
 - c. Surgical mask, molded
 - d. Bouffant hair cover
 - e. Econo protective eyewear
4. Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, OPIM, mucous membranes, and non-intact skin, and when handling or touching contaminated items or surfaces. Disposable single use gloves shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. Disposable gloves shall not be washed or decontaminated for re-use. Utility gloves may be decontaminated for re-use if the integrity of the gloves is not compromised. However, they must be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.
5. Eye/nose/mouth protection shall be worn whenever splashes, spray, spatter, or droplets of blood or OPIM may be generated and eye, nose, or mouth contamination can be reasonably anticipated.
6. Rain gear and plastic covering or rubber overshoes can be used to protect clothing and footwear against contamination when appropriate. Disposable blankets may also be used to assist against contamination.
7. A CPR pocket mask with a one-way valve and airway is required when performing mouth-to-mouth resuscitation. The CDC and OSHA recommend that personnel refrain from having direct contact (mouth-to-mouth) with victims whenever possible, and that ventilation equipment be carried and utilized.
8. Extraordinary care should be taken to avoid accidental wounds from sharp objects or instruments including broken glass, needles, razors, nail, etc.,

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since these objects may be contaminated with blood or OPIM.

9. A person who declares an infection may attempt to spit, scratch, or bit an arresting or detaining officer. At the outset, it should be clear that the threat of someone maliciously attempting to infect an employee by spitting is not cause for the use of deadly force because the clear and present danger of death or great bodily injury is not evident. If an employee is spat upon, the best reaction is to clean the area with germicidal cleaner and soap and water as soon as possible. The cleaning procedures should be followed with disinfectant. Cuts, scratches, and punctures should be cleaned with soap, water, and disinfectant as soon as possible, and medical attention sought. If a bite draws blood, clean it thoroughly and get medical treatment.
10. Whenever it is necessary to transport a subject who has blood or bodily fluids present on his person or clothing, the supervisor shall be notified. An ambulance should be summoned when transport is necessary to a health care facility.
11. Subjects with blood or bodily fluids present on their persons should be transported separately from other subjects when possible. Officers will inform communications when a subject needs to be transported alone. Communications personnel will notify the responding unit, or ambulance, when solo transportation is required.
12. Officers have an obligation to inform other support personnel (fire fighters, paramedics, jail personnel, medical personnel, etc.) whenever a change or transfer of custody occurs and the subject has blood or bodily fluids present on his person, or if the subject has made a voluntary statement that he has a contagious disease.
13. Officers should indicate on the appropriate arrest forms when a subject taken into custody makes a voluntary statement that he has an infectious disease, verbatim narrative also will be included when preparing offense reports. Additionally, a notation should be made when a subject has blood or bodily fluids present on his person or clothing (e.g., "Bodily fluids present.")
14. Officers responding to a call when a complainant is alleging infection with an infectious disease shall document this information on a complaint and

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have it forwarded to the District Attorney's Office.

15. Any record which contains information indicating that an individual has or is suspected of having an infectious disease will be reviewed by the Division Head. Any information regarding disease infection will be deleted from the report before the report is released to the public. For release of further information, refer to Section 19.35 of State Statutes.
16. The following precautionary measures will assist in reducing the risk of infection during searches:
 - a. Officers should use great caution in searching the clothing of suspects.
 - b. A flashlight should be used even during daylight hours to search hidden areas. Whenever possible, objects and flashlights should be used to assist in searching limited view areas such as under car seats.
 - c. In searching purses, carefully empty contents directly from purse by turning it upside down over a table.
 - d. Broken glass and other items which may be contaminated shall not be picked up directly with hands.
 - e. Potentially contaminated evidence must be handled with extreme caution.

805.06 DECONTAMINATION

- A. Personal:
 1. Officers shall ensure that hands are washed immediately or as soon as feasible after removal of gloves or other personal protective equipment. Officers shall ensure that they wash hands and any other skin with soap and warm water, or flush mucous membranes with water immediately or as soon as feasible following contact of such body areas with blood or OPIM.
 2. If soap and warm water are not available, an antiseptic towelette containing 70% isopropyl (rubbing) alcohol or a germicidal can be used to disinfect the wound. When antiseptic hand cleansers or towelettes are used, hands shall be washed with soap and warm running water as soon as feasible.

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B. Equipment, PPE, and Clothing:

1. The Sheriff's Office will clean, launder, dispose of, and replaced required PPE at no cost to employees.
2. Consideration should be given to reducing the contamination of other items, surfaces, or clothing in officer's home, private or departmental vehicle, etc.
3. When contaminated PPE is removed, care should be given to avoiding skin contact. It shall be placed in a biohazard bag and the container in the back stairwell for disposal. Whenever contaminated material is placed in the back stairwell container, this information must be placed in the officer's report. And maintenance personnel must be notified. If an officer has contaminated disposable items, they must be placed in a biohazard bag. They can be taken to the ground floor disposal area and disposed of in an appropriate container, or if they are still at the scene, these items can be turned over to the responding ambulance service for disposal.
4. Contaminated clothing (uniform) shall be removed as soon and discretely as possible after contamination, minimizing skin contact. The laundry shall be placed, using gloves, in a biohazard bag and labeled with the officer's name, for cleaning or disposal. Care shall be taken not to contaminate the outside of the bag. The officer should notify his or her supervisor.
5. If outside contamination of a primary container is present, the primary container shall be placed in a secondary container to prevent leakage during handling, storage, transportation, or shipping. If the specimen could puncture the primary container, the primary container shall be placed within a secondary container, which is puncture-resistant.
6. Contaminated clothing (uniforms) will generally be cleaned. If a commercial cleaning facility is used, advise the proprietor of the presence of blood and/or OPIM. The officer should place the contaminated clothing in a red bag. After notifying his/her supervisor, the clothing shall be transported to Gunderson Cleaners

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for decontamination. The cleaning cost shall be paid by the Department. Under no circumstances, shall contaminated clothing be laundered at home. If the clothing must be replaced, the Supervisor must notify the Division Head in writing. Officers should have another uniform available for use.

7. Equipment, work surfaces, and other surfaces which have become contaminated with blood or OPIM shall be disinfected using a solution of bleach in water or an EPA registered germicide. The recommended ratio is 1 cup of bleach to 10 cups of water (1:10 solution). This procedure is to be used for color safe items. If splashing of clothes, skin, face or shoes, is anticipated, additional PPE will be required. Prior to starting, visible material should first be removed with disposable towels. All contaminated materials shall be disposed of in the labeled container on the ground floor.
8. Vehicle Decontamination
 - a. All attempts will be made to avoid contamination of Outagamie County Sheriff's Office vehicles.
 - b. Vehicle disinfection procedures shall be effective when a police vehicle has been exposed to blood or other bodily fluid discharges.
 - c. A supervisor shall be notified and vehicles taken or towed to a contracted service center for cleaning when necessary. Cleaning agents must be notified of the nature of the incident and need for precautions.
 - d. When appropriate, officers can effect disinfection procedures outlined above.

805.07 BIOHAZARD COMMUNICATION

- A. Officers shall affix a biohazard warning label (orange or orange-red biohazard symbol) to containers of regulated waste and other containers when used to transport blood or OPIM. Biohazard bags may be used instead of labeling.
- B. When equipment is contaminated, a biohazard label shall be attached to the

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equipment stating which portion remains contaminated.

- C. When equipment is used or placed in the contaminated item container, a copy of the complaint must be forwarded to a Patrol Supervisor who will arrange for disposal and replacement.
- D. When placing biohazard material into evidence, biohazard labels shall be placed on the outside of the evidence package.

805.08 EXPOSURE DETERMINATION BY JOB CLASSIFICATION

CLASS A

Patrol Officer
Corrections Officer
Patrol Staff Sergeant
Corrections Staff Sergeant
Law Enforcement Specialist
Investigator
Sergeant
Head Cook & Cook
Prisoner Transporter
Jail Nurse

CLASS B

Jail Book Clerk:	Disturbances at booking counter.
Lieutenant:	Responding to large-scale disturbances in corrections setting; responding to crime scene or accident scene.
Staff Sergeant:	Responding to crime scenes or emergency response team call-outs.

CLASS C

Telecommunicator II
Supervisor: Telecommunicators
Process Server
Assistant Process Server
Records Clerk
Secretary II Confidential
Confidential Secretary

Staff Accountant
Emergency Management Coordinator
Traffic Safety Coordinator
Captain
Undersheriff
Sheriff

805.09 EXPOSURE INCIDENT DEFINED

An employee should be considered exposed and should be examined if they have contact with blood or O.P.I.M. to the:

Eyes

Mouth

Other Mucous Membranes

Non-Intact Skin

Parenteral Contact (piercing mucous membranes or skin barrier, such as needle sticks, human bites, cuts and abrasions)

Occupational Exposure (where it can reasonably be anticipated that an exposure to skin, eye, mucous membrane, with blood or other O.P.I.M. occurred as a result of the performance of that employee's duties.)

If blood soaks through clothing and makes contact with skin. If a question should arise regarding whether an employee has been exposed, it should be assumed an exposure has occurred and the employee should be examined.

805.10 SUPERVISOR RESPONSIBILITY

A. Provide and re-supply Personal Protective Equipment (P.P.E.) to officers.

We currently supply:

Isolation Kit

Latex Gloves

Blob CPR masks

Alcohol Based Hand Cleaners

Blankets

First Responder Kits

Sharps Container (5 qt. Plastic Pail)

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- B. Ensure employees use P.P.E. whenever there is a risk of contamination to the employee. On most occasions rubber gloves should be sufficient, however the event should dictate how much P.P.E. is used. Bloody crime/accident scenes may require full protection of isolation kit.
- C. Make sure hazardous waste is disposed of properly either at the scene with the ambulance crew or at headquarters in the correct area.
- D. If uniforms are contaminated with potentially infectious materials, make sure the employee does not contaminate anything else (such as squad or others). Make sure the officer does not take the contaminated items home for cleaning. Make sure the officer changes his/her uniform, places the contaminated uniform in a red Biohazard bag, and attaches a label to it identifying the owner. Make arrangements for transportation to the appropriate cleaners. If replacement is required, notify the division head or designee in writing.

805.11

POST EXPOSURE TREATMENT

If an officer has an exposure incident, make every legal attempt to identify the source. Try to reduce the further risk of exposure and contamination. The employee must fill out the "Determination of Exposure to Blood/Body Fluids" form #WKC-8165 prior to treatment, and must take it with him/her for their examination. In addition, a department report must also be filled out documenting the incident. Be sure it includes documentation of route of exposure, circumstances surrounding exposure, identity and current location of the source individual if known.

The employee must be examined as quickly as possible or within 24 hours by a qualified person. If the exposure occurs during normal business hours, the employee should report to Occupational Health Services, 1523 S. Madison Street, Appleton (behind St. Elizabeth Hospital). If the exposure occurs after normal business hours or on a weekend or holiday, the employee must report to St. Elizabeth Emergency Room.

In either case, make sure the "Determination of Exposure" form is filled out and is taken to the treating physician. You must notify the Risk Coordinator Carole Charles (ext. 5494) immediately or the next working day of the exposure incident.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Emergency Response Team	Series: 806
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 September 15, 2013

806.01	OBJECTIVE
806.02	DEFINITIONS
806.03	THE TACTICAL SITUATION

806.01 OBJECTIVE

When deployed, the Outagamie County Emergency Response Team **is** tasked with the management and control of barricade/hostage terrorist situations, and the execution of high-risk search warrants. This policy provides a guide by which these situations can be concluded in a safe manner minimizing risk or injury to hostages, hostage takers/barricaded suspects, other suspects, innocent bystanders and/or police officers.

It is the intention of this policy to provide direction for the peaceful resolution of a tactical situation. However, the suspect's actions or inactions may force the tactical officer to consider alternative tactical options.

It is further noted that this policy is intended to be a guide and in no way intended to limit the flexibility and discretion of the on-scene commander or tactical officer's responses to exigent circumstances. All team members will be cross-trained in the performance of any team task (except as selected marksman).

806.02 DEFINITIONS

- A. Hostage Incident - A situation in which a person(s) holds another person(s) against his will by force, threat or violence; and, law enforcement officials present at the scene are attempting to obtain the safe release of the person(s), hostage(s) being held, and peaceful surrender of the suspect(s).
- B. Barricade Incident - A situation in which a person, while in a place of cover, who is armed, believed to be armed, or had been armed, resists being taken into custody. Armed persons threatening suicide are also considered to be barricaded persons.
- C. Terrorist Incident - A situation in which a person or organization commits or threatens to commit a serious criminal offense for political or ideological purposes.
- D. Jail Disturbance - A situation in which inmates of a jail or prison gain control of the facility and commit or threaten to commit criminal offenses.
- E. High Risk Search Warrant - A situation in which an officer or officers are attempting to execute a search warrant on a premises which is occupied by a person(s) who are believed to be armed or in possession of controlled substances.

E.R.T.

- F. Tactical Commander - Team commander shall assume command of the incident until he/she determines that the tactical aspect of the incident has been resolved; after which the commanding officer of the Investigative Division at the scene will assume command of any crime scene investigation.
- G. Team Leader - Assume the command of the ERT team acting under the direction of the Team Commander.
- H. Team Crisis Negotiator - An officer of the ERT, trained and authorized to act for the department by communicating with a subject during a hostage, barricaded or terrorist incident acting under the direction of the Tactical Commander.
- I. Crisis Negotiating Team - A team comprised of trained negotiators. Other members of the department can be used as needed.
- J. Containment Team - Comprised of members of the ERT under the direction of the Tactical Commander. This containment team will be led by a team leader, effect the immediate isolation and containment of the suspect(s).
- K. Inner Perimeter - The immediate area of the containment as designated by the ERT. This area will initially be manned by responding uniform personnel until relieved by members of the ERT if possible. The team will act under the direction of the Tactical Commander.
- L. Outer Perimeter - A controlled area surrounding the inner perimeter, providing a safe zone for access to the inner perimeter as well as defining the limit of access by unauthorized persons.
- M. Command Post - A secure position from which the officer in charge will direct operations. Support personnel will also report to this location for briefing and assignment. Additional satellite command posts may be necessary depending on the type of situation involved. However, all satellite command posts shall be subordinate to the primary command post.
- N. Command Post Responsibility - The command post will be commanded by the by the ERT Commander and assisted by the Tactical Commander or designee of the ERT. The ERT Commander of the command post shall work in close contact and in coordination with appropriate Investigative Division personnel, which will develop incident intelligence, suspect

profile building and when appropriate, crime scene investigation. When operating in local jurisdictions, an attempt will be made to include local law enforcement officials in command post situation.

- O. ERT Commander - Ranking officer with the responsibility of decision-making and in liaison with the Sheriff, Chief, and Media.

806.03

THE TACTICAL SITUATION

The Department's management of a tactical incident can best be accomplished through a controlled approach to the situation. The ERT's response and successful termination of the incident is achieved through a well-defined tactical plan. This plan is segmented into phases.

Phase #1 **RESPONSE PHASE**

- A. The Outagamie County Emergency Response Team responds to all calls for service involving violence or the threat of violence via the team call-up procedure. Upon arrival, they will confirm the incident, gather intelligence, establish a command post, and a safe entry route. If the assignment is resolved, the tactical officers will remain on the scene until they are no longer needed by the patrol officers.
- B. The Patrol Division Supervisor
 - 1. The division supervisor at the scene (usually a patrol supervisor) is responsible for establishing and maintaining the outer perimeter he/she will:
 - a. Control vehicular and pedestrian traffic.
 - b. Detain and question anyone leaving the outer perimeter.
 - c. Evacuate adjoining buildings if the situation permits.
 - d. Maintain an outer perimeter access roster.
 - e. Maintain a diagram of personnel deployment points.
- C. Upon confirmation of a tactical situation, the Tactical Commander will respond to the Command Post and will perform the following tasks.
 - 1. Immediately confirm positive containment on the target location.
 - 2. Assess the situation and gather all available information regarding suspect, location, weapons, and hostages.
 - 3. Re-evaluate the Command Post location and redefine safe entry

routes.

4. Establish and restrict a tactical radio channel.
5. Notify the Investigative Supervisor or Designee.
6. Select the unit recorder.
7. Assign the negotiator, if necessary.
8. Assign an officer to maintain a situation board, if necessary.

Phase #2 THE CONTAINMENT OR DEPLOYMENT PHASE

1. Upon arrival at the Command Post, a Tactical Commander will deploy the tactical officers. Manpower availability and tactical needs will, in many instances, dictate the size and type of equipment assigned.
2. Team members or other officers will be deployed to positions to effect the containment of the location. These personnel are responsible for the following:
 - a. To prevent the suspect(s) from escaping.
 - b. To prevent the suspect(s) from relocating.
 - c. To provide intelligence information to the Command Post.
 - d. To use deadly force if needed.
3. The primary purpose of effective containment is safety. That is, the safety of innocent bystanders, hostages, police officers and the suspect(s). In effective containment, the inner perimeter is sealed and stabilized, and the full resources of the department can be brought to bear against the suspect in an effort to resolve the situation without injury.
4. Selected Marksman (sniper/counter-sniper) responsibilities:
 - a. To scan the location and report intelligence information to the Command Post.
 - b. To provide tasks of selected marksmanship if necessary.
5. An entry team has the following responsibilities:
 - a. To enter the location if necessary.
 - b. To evacuate surrounding buildings if a hazard is present.
 - c. To capture the suspect should he/she exit the location; to take into custody any released hostages; and to protect the crime scene and preserve all evidence pending the arrival of

Investigative Division personnel.

- d. To respond to a relocation problem if it occurs.

Phase #3 INTELLIGENCE GATHERING PHASE

- A. Intelligence gathering is the responsibility of all officers at a tactical situation.
- B. Intelligence gathering includes information relative to suspects, hostages, and location.
- C. To facilitate the gathering of information, an Investigative Division post can be established within the outer perimeter.

Phase #4 NEGOTIATIONS PHASE

- A. Negotiations shall be conducted in an effort to successfully conclude the incident in a safe manner.
- B. Negotiation shall be conducted whenever possible by trained negotiators.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Transportation of Prisoners	Series: 807
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: December 2018 September 20, 2007 August 20, 2007 April 2013

807.01 GENERAL POLICY
807.02 TRANSPORTATION OF PRISONERS UPON ARREST
807.03 TRANSPORTATION TO COURT
807.04 OTHER TRANSPORTATION
807.05 ESCAPE OF PRISONERS

807.01 GENERAL POLICY

It is the responsibility of officers involved in prisoner transportation to assure the security and control of the prisoner. Officers shall also take necessary steps to ensure the prisoner's safety. In the event the prisoner should be released to another authority, officers shall document to whom the prisoner is released, and the authority for such release.

807.02 TRANSPORTATION OF PRISONERS UPON ARREST

- A. Prior to transportation of a prisoner, the individual shall be given a pat down search. Any weapons or items which may be used as a weapon shall be taken from the prisoner.
- B. Prior to transporting, the officer shall notify the Telecommunicator of the intent to transport, including beginning and ending location. Also, when transporting members of the opposite sex, the officer shall notify the Telecommunicator of the time and mileage reading at beginning and ending of trip.
- C. Handcuffing:
See Handcuffing Policy 801.09
- D. In arrest situations, the prisoner should be transported in the rear seat, with the exception of the canine unit. In other situations where it is believed that additional officers should transport, the officer shall notify the supervisor.
- E. When possible, prisoners should be secured in the seat belt. Care should be taken in assisting a prisoner in and out of the squad.
- F. At the completion of the trip to the Jail, the prisoner shall again be given a pat down search. The officer shall also conduct a search of the area in the squad where the prisoner was located for contraband, weapons or evidence.

Transportation of Prisoners

- G. Prisoners shall not be allowed to smoke in the squad.

807.03

TRANSPORTATION TO COURT

- A. All prisoners shall be handcuffed when transported to court unless otherwise ordered by a judge. Leg restraints or other devices may also be used to ensure public safety.
- B. When there are multiple prisoners going to court at the same time, sufficient officers shall be used to assure proper security. An individual officer may escort more than one prisoner when immediate backup officers are available.
- C. At no time during the transportation to or from court or during the court hearing shall an officer allow a prisoner out of the officer's direct sight or allow any physical contact. The only exception to this is for a private conference between the prisoner and his/her attorney. Prior to such a conference the officer shall assure the room for the meeting has no other avenue of exit other than the door, which shall be guarded.
- D. At the time of return from court, the transporting officer shall document the court disposition and forward the information to Jail Records.

807.04

OTHER TRANSPORTATION

- A. Any prisoner being transferred to or from another facility in a squad without a shield should be transported by a minimum of two officers. In a squad with a shield, one officer may transport.
- B. The prisoner shall be given a pat down search prior to transportation and shall be restrained.
- C. Prisoners being transported due to court ordered commitment or evaluation for mental illness or competency and out of jail appointments for psychiatrist, psychologist, or psychotherapy shall be transported by one or two officers, whichever the supervisor deems appropriate.

Transportation of Prisoners

- D. Prisoners being transported due to a 72 hour hold on mental illness or prisoners incapacitated by alcohol shall be accompanied by **one or two** officers. If the party is too ill to be transported by squad, an ambulance shall be used. If necessary, an officer(s) shall accompany the person in the ambulance or by following in the squad.

807.05 ESCAPE OF PRISONERS

- A. At any time a prisoner escapes from an officer, the officer shall take immediate steps to re-secure the prisoner. Use of force in such situations shall be in accordance with the Department's Use of Force policy.
- B. At the first opportunity the officer shall alert their supervisor as to the escape of the prisoner and file a full report relating to the escape.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Impoundment/Seizure of Motor Vehicle	Series: 808
Effective Date: December 2018	Original Date Issued: February 1, 1996
Sheriff:	Re-Issue Date: APRIL 2023 December 2018 September 20, 2007 August 20, 2007 April 2013

808.01	DEFINITIONS
808.02	GENERAL INFORMATION
808.03	VEHICLE INVENTORY SEARCHES
808.04	ABANDONMENT
808.05	PRISONER'S PROPERTY
808.06	SEIZURE AS EVIDENCE
808.07	SEIZURE FOR FORFEITURE - VEHICLE USED ILLEGALLY
808.08	RELEASE PROCEDURES FOR AN IMPOUNDED VEHICLE

Impoundment/Seizure of Vehicles

808.01 DEFINITIONS

A motor vehicle is impounded or seized when deputy takes custody of it and has it moved to an approved storage facility. For the purpose of these guidelines, vehicles coming into the custody of the Department shall be classified into five categories:

- A. Traffic Impoundment.
- B. Abandonment.
- C. Prisoner's Property.
- D. Impoundment for Evidence.
- E. Impoundment for Forfeiture.

808.02 GENERAL INFORMATION

- A. An NCIC/CIB check will be conducted on each vehicle prior to its impoundment.
- B. If the vehicle is entered as wanted or stolen through NCIC, the deputy conducting the check shall have hit confirmation completed before having the vehicle transported to impound.
- C. The investigating deputy's report should contain the following:
 - 1. Date of impoundment.
 - 2. Name, address and phone number of the last known owner.
 - 3. Full description of the vehicle.
 - 4. Registration, license plate and identification number.
 - 5. Reason for impoundment.
 - 6. Location vehicle is impounded.
- D. Any valuables removed from the vehicle shall be placed in a secure storage location at the Sheriff's Office and documented in the Deputy's report.
- E. For purposes of identification, all vehicles impounded shall be tagged at the impoundment area with the complaint number.

808.03 VEHICLE INVENTORY SEARCHES (see also 704.07)

- A. In order to safeguard citizens' property, protect the County from spurious claims of misconduct, and to ensure the safety of officers from potentially

Impoundment/Seizure of Vehicles

hazardous instrumentalities, officers shall thoroughly inventory all vehicles (including boats, trailers, mobile homes, etc.) towed by the department, and retained at the department or department impound area.

- B. The inventory shall encompass the entire vehicle accessible by key including the passenger compartment, glove box, and trunk. All containers, whether locked or unlocked, shall be opened and their contents examined if accessible by key or other means without causing damage.
- C. All property of apparent value or potentially hazardous instrumentalities located shall be recorded and placed in secure storage.
- D. This section shall not apply to vehicles seized for the purpose of conducting criminal investigations.
- E. If the Deputy(s) performing the vehicle inventory locate any item(s) known or believed to be evidence of a crime, the inventory shall cease and a search warrant applied for.

808.04 ABANDONMENT

- A. When a deputy sees a vehicle on any public highway or public property which reasonably appears to have been abandoned and meets the requirements of the State Statutes or local ordinance, the deputy may impound the vehicle.
- B. When a deputy sees a vehicle on private property which reasonably appears to have been abandoned, the deputy shall perform an NCIC/CIB check on the vehicle. In the absence of any other police interest, the property owner will be informed it is their own responsibility for removal.

808.05 PRISONER'S PROPERTY

- A. When a person is arrested in a vehicle which the person owns or has been authorized to use, and the vehicle is not otherwise subject to seizure, it may be classified as "prisoner's property" and may be disposed of as follows:
 - 1. Alternatives to Impoundment:

Impoundment/Seizure of Vehicles

- a. If the vehicle is on the owner's property at the time of the arrest, it should not be impounded.
 - b. If at the time of the arrest the vehicle's owner or driver requests that a passenger be allowed to drive the vehicle from the scene, such requests may be honored but only if the passenger is:
 - 1. Not taken into custody
 - 2. Is a properly licensed driver.
 - 3. Appears to be capable of properly operating the vehicle at the time.
 - 4. The vehicle is properly registered, and the vehicle is road worthy.
2. Impoundment:
- a. The vehicle should be taken to where it is to be impounded - the Department or private storage area. After the vehicle is inventoried, it should be properly secured.

808.06

SEIZURE AS EVIDENCE

- A. When permitted:

When an officer has probable cause to believe that a vehicle has been stolen, used in a crime, involved in a hit and run or a crash resulting in serious injury or death, or is otherwise connected with a crime, the officer may impound the vehicle and classify it as a "seizure for evidence."
- B. Necessity for Search Warrant:

A deputy shall obtain a search warrant prior to making a "seizure for evidence" whenever the vehicle to be seized is on private property and it is not likely to be removed or tampered with while a search warrant is being obtained. If there are locked containers within the vehicle that lead the officer to believe that there is evidence of a crime then an additional search warrant shall be obtained.
- C. Inspection:

A vehicle seized as evidence shall be inventoried at the department storage facility.

808.07 SEIZURE FOR FORFEITURE - VEHICLE USED ILLEGALLY

A. When a deputy has probable cause to believe that a vehicle has been used to:

1. Transport for sale or receipt controlled substances in violation of the Uniform Controlled Substance Act or federal law.
2. Assist in the unlawful manufacture or commercial transfer of gambling devices.
3. Illegally transport weapons; e.g. sawed-off shotguns, fully automatic weapons.

The deputy shall seize the vehicle and classify it as a "seizure for forfeiture." No seizure for forfeiture shall be made without the approval of a supervisor. Whenever time allows, the District Attorney's Office should be consulted as to the appropriateness of a "seizure for forfeiture."

B. If the seizure is for a federal charge, after the impoundment has taken place, the appropriate agency shall be notified.

C. Necessity for Search Warrant:

A deputy shall obtain a search warrant prior to making a seizure for forfeiture whenever the vehicle to be seized is on private property and it is not likely that the vehicle will be moved or tampered with while a warrant is being obtained. If there is a question as to whether reasonable cause exists for the seizure, the deputy shall contact a **Supervisor** or District Attorney's Office or attempt to obtain a search warrant.

D. Inspection:

A deputy who seizes a vehicle for forfeiture shall inventory the contents upon its arrival at the approved storage facility. Upon completion of the inspection, the deputy shall contact a **Supervisor** relating to appropriate further processing of the vehicle

808.08 RELEASE PROCEDURES FOR AN IMPOUNDED VEHICLE

A. Impounded vehicles shall not be released to any person until:

1. In the case of vehicle being seized as evidence, division head or designee has authorized the release.

Impoundment/Seizure of Vehicles

2. In impoundment for forfeiture, the appropriate prosecutor or court order has approved the release.
 3. In impoundment for forfeiture, the appropriate prosecutor or court order has approved the release.
- B. The deputy releasing the vehicle shall perform a NCIC/CIB check on the VIN of the vehicle to ensure there are no wants.
- C. Prior to the release of a vehicle from the approved storage facility, payment for towing should be arranged.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Electronic Recording of Custodial Interviewing – Adult and Juveniles	Series: 809
Effective Date: December 2018	Original Date Issued: July 21, 2006
Sheriff:	Re-Issue Date: April 2023 /December 2018 August 1, 2010 July 2013

809.01	PURPOSE
809.02	GENERAL POLICY
809.03	DEFINITIONS
809.04	PROCEDURES

Electronic Recording

809.01 PURPOSE

It is the purpose of this policy to establish guidelines for the recording and the associated use, management, storage, and retrieval of recordings of custodial questioning. This policy is intended to reduce the risk of wrongful conviction of innocent persons and to ensure that the highest quality of evidence possible is obtained from custodial interviews.

809.02 GENERAL POLICY

Electronic recording provides persuasive documentary evidence and helps defend against civil litigation and allegations of deputy misconduct. To maximize the effectiveness of electronic recording, and to preserve the integrity of audio and/or video documentation, deputies shall adhere to the operational objectives and protocols outlined in this policy.

809.03 DEFINITIONS

- A. Custodial Questioning: The questioning of a person whose freedom is restricted in any significant way, or if the person believes that they are in custody, and they are being questioned for a criminal matter.
- B. Electronic Recording: A visual and/or audio recording using a digital or analog storage format that is stored on a recording device.

809.04 PROCEDURES

- A. Electronic recording is intended to accurately capture statements and events during the course of custodial questioning. It is meant to enhance the ability to document and review statements for courtroom preparation and presentation and to capture visual and/or audio information for use in current and future investigations. Electronic recording can be used to document adherence to a suspect's rights and preserve the integrity of the

Electronic Recording

investigative process. When possible, and practical, electronic recording shall be done for any custodial questioning.

1. Recording is mandatory for any custodial questioning of any juveniles (misdemeanor or felony) or adults (felony only) being questioned for a crime. There will be an exception to the recording requirement if any of the following apply:
 - a. The recording device does not work and there is no other device available.
 - b. The deputy operating the device inadvertently fails to operate it properly.
 - c. The recording device malfunctions without the deputy's knowledge.
 - d. A person makes a spontaneous statement to law enforcement or in response to routine booking questions.
 - e. It is an emergency situation.
2. Law enforcement is not required to inform suspects they are being recorded and the lack of consent does not affect the admissibility of a recorded statement.
3. Giving notice before recording may at times foster public trust in law enforcement, but deputies must use their judgment about whether a particular suspect is likely to be inhibited by notice of recording.
4. Recording should begin at the start of custodial questioning and continue without interruption until the questioning ends.
5. Deputies will prepare a report of custodial questioning and may obtain written statements from suspects.
6. Deputies shall not erase, alter, reuse, modify, or tamper with recordings.

Electronic Recording

7. Recordings should be marked as evidence and submitted to evidence as soon as possible.

B. Operation of the Equipment

1. Deputies should check that the volume from any other electronic devices they may have on them during the interview do not interfere with recordings.
2. Turn the recording device on when you are ready to begin custodial questioning. If the suspect then refuses to talk while being questioned, the refusal will then be recorded.
3. Try and ensure the subject's statements will be audible and comprehensible on playback. If the suspect makes a statement in a soft voice, or does not enunciate clearly, ask the suspect to repeat himself or herself.
4. If the recording device stops functioning during the interview, wait for an appropriate time to pause the questioning. If the recording device cannot be restored, use discretion to determine whether questioning should be continued without recording or whether it should be resumed at a later time.
5. Deputies shall record the entire contact, including any contact with the suspect during all breaks.
6. Recordings shall not be viewed in any equipment other than the equipment issued and authorized by the Outagamie County Sheriff's Office.

C. Duplication of the Recorded Media

1. All recordings are the property of the Outagamie County Sheriff's Office.

Electronic Recording

2. Unofficial or unauthorized release of recordings is strictly prohibited without specific written permission of the Sheriff or his designee.
3. A working copy of the original media shall be used for viewing by investigators and staff to preserve the original media.
4. All recordings will be retained and stored.
5. Recordings will not be edited unless at the explicit direction from the court, in order to comply with open records requests, or under the direction of the District Attorney's Office. All editing should be done on a copy of the recording and clearly marked as an edited version.

OUTAGAMIE COUNTY SHERIFF'S OFFICE

POLICY MANUAL

Title: Eyewitness Identification	Series: 810
Effective Date: December 2018	Original Date Issued: July 21, 2006
Sheriff:	Re-Issue Date: March 2023 December 2018 August 1, 2010 July 2013

810.01	PURPOSE
810.02	GENERAL POLICY
810.03	DEFINITIONS
810.04	PROCEDURES

Eyewitness Identification

810.01 PURPOSE

To establish guidelines for the use of eyewitness identification procedures involving photo arrays, live line-ups, show-ups, and facial composites. Further, to reduce the risk of wrongful conviction of innocent persons while increasing the probability of convicting the guilty persons.

810.02 GENERAL POLICY

Eyewitness identification has always been a powerful tool for investigating and prosecuting criminal cases. Eyewitness evidence can be the most important and convincing evidence in a case. To reduce the risk of wrongful conviction and aid in the detection and apprehension of the guilty, officers should adhere to procedures set forth here in order to maximize the reliability of identifications, minimize unjust accusations of innocent persons and to establish evidence that is reliable and conforms to established legal procedure.

810.03 DEFINITIONS

- A. Photo Array: The sequential showing of multiple photographs to an eyewitness for the purpose of obtaining an identification.
- B. Live Line-up: The presentation of a number of individuals, including a suspect, sequentially before an eyewitness.
- C. Show-up: The presentation of one suspect to an eyewitness within a short time following commission of a crime.

810.04 PROCEDURES

- A. Photo Arrays and Live Line-Ups General Considerations
 - 1. Choose non-suspect fillers that fit the witness's description and that minimize any suggestiveness that might point toward a suspect;

Eyewitness Identification

2. Use 'double blind' procedures, in which the administrator is not in a position to unintentionally influence the witness's selection.
3. Specifically instruct eyewitnesses that the real perpetrator may or may not be present and that the administrator does not know which person is the suspect.
4. Present the suspects and fillers sequentially (one at a time) rather than simultaneously (all at once). This encourages absolute judgments of each person presented, because eyewitnesses are unable to see the subjects all at once and are unable to know when they have seen the last subject.
5. Assess eyewitness confidence immediately following an identification. Carefully document a witness's response before any feedback from law enforcement.
6. Avoid multiple identification procedures in which the same witness views the same suspect more than once.
7. When possible, a deputy unfamiliar with the case should be used to display the photo line-up.

B. Show-Ups General Considerations

Some courts have suppressed identification evidence based on the use of show-ups due to inherent suggestiveness of the practice. Therefore, the use of show-ups should be secondary in preference to the use of photo arrays or line-ups when possible. However, when exigent circumstance requires the use of a show-up, the following guidelines should be considered:

1. Document the eyewitness's description carefully prior to the show-up.

Eyewitness Identification

2. Whenever practical, transport the eyewitness to the location of the suspect. Show-ups should not be conducted at law enforcement headquarters or other public safety buildings.
3. Specifically instruct eyewitnesses that the real perpetrator may or may not be present.
4. Show-ups should be conducted with one witness present at a time. If identification is conducted separately for more than one witness, witnesses should not be permitted to communicate before or after any procedures regarding the identification of the suspect.
5. The same suspect should not be presented to the same witness more than once.
6. Show-up suspects should not be required to put on clothing worn by the perpetrator. They may be asked to speak words uttered by the perpetrator or to perform other actions of the perpetrator.
7. Words or conduct of any type by officers that may suggest to the witness that the individual is or may be the perpetrator should be scrupulously avoided.
8. Assess eyewitness confidence immediately following an identification.
9. If there is probable cause to make an arrest, a show-up line-up should not be used.

C. Facial Composite General Considerations

Inaccurate information from outside an eyewitness's memory can taint development of a composite. As with photo arrays, live line-ups, and show-ups, composites can be compromised if the witness's description relies on information learned from external sources after the crime or if the person administering the procedure either unintentionally supplies the

Eyewitness Identification

witness with information or unintentionally incorporates outside knowledge of the case into the production of the composite. For this reason, when a composite is used, double-blind concepts and principles in which both the witness and the person making the composite are unaware of external information about the case may be helpful. It may not be feasible to conduct a completely double-blind procedure for a variety of reasons, in which case witnesses should be told to rely on their independent recollection of the event – not information learned from other sources. Administrators must be mindful of any natural tendency to incorporate prior knowledge into the process.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Expander of Jurisdiction Policy and Procedure	Series: 811
Effective Date: December 2018	Original Date Issued: August 20, 2007
Sheriff:	Re-Issue Date: March 2023 December 2018 September 20, 2007 April 2013

811.01	PURPOSE
811.02	POLICY
811.03	AUTHORITY
811.04	COMPLIANCE

811.01 PURPOSE

The purpose of this policy is to provide guidelines for deputies of the Outagamie County Sheriff's Office that are outside their jurisdiction and witness an illegal act or emergency situation and to comply with Wis. Stats. 175.40(d).

811.02 POLICY

It shall be the policy of the Outagamie County Sheriff's Office to comply with the provisions of Wis. Stats. 175.40(6) as it relates to the expansion of jurisdiction for law enforcement officers. This policy does not affect responses under Wis. Stats. 66.0313 (mutual aid) and Wis. Stats. 175.40(2)(3) (fresh pursuit). This policy does not extend a deputy's jurisdiction outside the boundaries of this state.

811.03 AUTHORITY

Wis. Stats. 175.406(6)(a) states: A peace officer outside of his or her territorial jurisdiction may arrest a person or provide aid or assistance anywhere in the state if the following criteria under subds. 1.to 3.are met:

1. The officer is on duty and on official business.
2. The officer is taking action that he or she would be authorized to take under the same circumstances in his or her territorial jurisdiction.
 - a. An emergency situation that poses a significant threat to life or of bodily harm.
 - b. A peace officer specified in par (a) has the additional arrest and other authority under this subsection only if the peace officer's supervisory agency has adopted policies under par (d) and the officer complies with those policies.
 - c. For purposes of civil and criminal liability, any peace officer outside of his or her territorial jurisdiction acting under par (a) is considered to be acting in an official capacity.

Release of Information

- d. In order to allow a peace officer to exercise authority under par. (a), the peace officer's supervisory agency must adopt and implement written policies regarding the arrest and other authority under this subsection, including at least a policy on notification to and cooperation with the law enforcement agency of another jurisdiction regarding arrests made and other actions taken in the other jurisdiction.

811.04 COMPLIANCE

This policy will comply with (D) as it outlines the authority and requirements for notifying the appropriate agencies.

CONTACT WITH LOCAL LAW ENFORCEMENT AUTHORITY

1. If practical, all reasonable attempts will be made to contact the local law enforcement authority and report to them what was witnessed.
2. If it is determined by the deputy that their immediate intervention is necessary to protect life or prevent great bodily harm, or to act where it appears that a felony is being committed, the deputy may arrest a person, or provide aid or assistance anywhere in the State of Wisconsin if the above requirements are met.
3. Deputies are generally discouraged from acting when out of uniform and without marked law enforcement vehicles, unless the deputy or another person or person(s) physical safety is in jeopardy. If the situation allows, any action taken should occur after the deputy properly identifies him or herself.
4. A deputy who acts under this authority will, as soon as practical, notify the on-duty shift supervisor of this agency, relaying all pertinent information. The information shall be documented and forwarded to the Sheriff or his designee of this agency.

Release of Information

5. The agency having acting jurisdiction over the incident shall be notified as soon as possible, with a copy of the report, after review, being provided to them.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Traffic Safety Vests (ANSI 207)	Series: 812
Effective Date: December 2018	Original Date Issued: October 30, 2009
Sheriff:	Re-Issue Date: April 2023 / December 2018 October 30, 2009 July 2013

812.01 PURPOSE
812.02 POLICY

812.01 PURPOSE

The purpose of this policy is to set guidelines for employees on when to utilize their traffic safety vests (ANSI 207).

812.02 POLICY

The Outagamie County Sheriff's Office will utilize their issued traffic safety vests (ANSI 207) whenever officers leave the confinement of their vehicle on a roadway for the purpose of directing traffic, investigating crashes, handling lane closures, handling obstructed roadways, and/or handling disasters within the right of way. The safety vests will be worn in compliance with manufacturer instructions.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Roadway Incident Response	Series: 813
Effective Date: December 2018	Original Date Issued: November 16, 2009
Sheriff:	Re-Issue Date: May 2023 / December 2018 November 16, 2018 July 2013

813.01	PURPOSE
813.02	DISCUSSION
813.03	DEFINITIONS
813.04	PROCEDURES
813.05	RESPONSIBILITY

813.01 PURPOSE

To establish and maintain a safe working environment for all personnel who respond to and work at scenes along or in close proximity to roadways.

813.02 DISCUSSION

These guidelines shall apply to all personnel operating at the scene of an emergency incident or training exercise. When responding to an incident scene, first responders are tasked with protecting themselves from traffic, while trying to get their primary job done. As illustrated in these guidelines, responders can do this by:

1. **Establishing a Traffic Incident Management Area, or TIMA** – Let the driver know what's going on and where to drive. Use all available equipment to set up traffic control.
2. **Avoiding the errant driver** – Face traffic; stay aware through your own eyes and ears or those of a lookout who will warn you. Plan your escape route.
3. **Using protective equipment** – Federal law mandates the use of protective clothing (such as traffic vests) at all roadway incidents. (Meets ANSI 207)

813.03 DEFINITIONS

Advance Warning – Notification procedure that advises approaching motorists to transition from normal driving status to that required by the temporary emergency traffic control measures ahead of them. Response vehicles including Fire Apparatus, Police, and EMS Vehicles can be used as advance warning. Special care should be used, as this will most likely be the motorist's first warning of the incident.

Incident Classification – All emergency traffic incidents will be classified in one

Roadway Incident Response

of the following three categories:

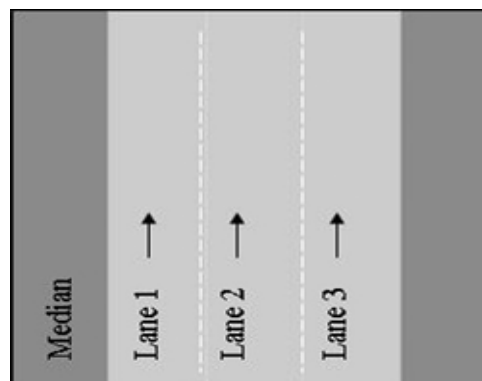
- **Major** – expected duration of more than 2 hours.
 - Major traffic incidents are traffic incidents involving numerous vehicles, and other natural or man-made disasters.
- **Intermediate** – expected duration between 30 minutes and 2 hours.
 - Intermediate traffic incidents typically involving roadway debris, overturned vehicle or commercial carrier accidents which require traffic control on scene to re-route traffic past the blockage. Full roadway closures may be needed for short periods during traffic incident.
- **Minor** – expected duration of less than 30 minutes.
 - Minor traffic incidents are disabled vehicles and minor accidents that would likely include law enforcement and a towing company.

Standardized lane identification – Lanes are numbered starting with the left most lane of travel as seen from the motorist's direction of travel (the lane nearest the median or center line) as Lane 1. 3-lane divided highway example:

Lane 1 – left lane nearest the median

Lane 2 – middle lane

Lane 3 – right lane nearest shoulder



Roadway Incident Response

Traffic Incident Management Area (TIMA) – Area of highway where temporary traffic controls are imposed by authorized officials in response to an incident. TIMA are used to provide initial traffic control at an incident scene. For incidents anticipated to have an extended duration, the TIMA would be expanded and converted to a TTC Zone.

Temporary Traffic Control (TTC) Zone – An area of the highway where road user conditions are changed due to a work zone or an incident by use of temporary traffic control devices, flaggers, uniform law enforcement officers or other authorized personnel/emergency responders.

23 CRF 634: Use of High-Visibility Apparel When Working on Federal-Aid-Highways – On November 24, 2008, federal regulation (23 CRF 634) went into effect mandating that anyone working in the right-of-way of a federal-aid highway must be wearing high-visibility clothing that meets the requirements of ANSI/ISEA 207; 2006 edition class 2 or 3. This requirement will apply to all emergency responders.

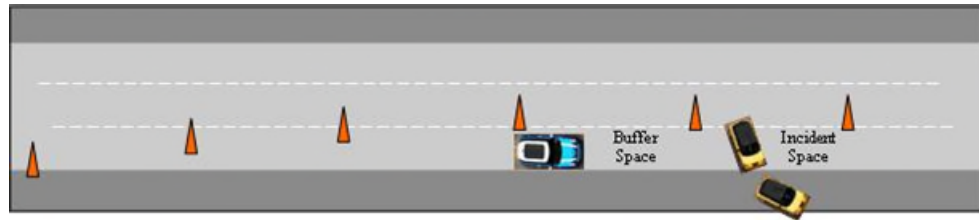
813.04 PROCEDURES

Many times personnel are required to work at emergency scenes which are along and/or in near proximity to roadways.

There are several things that can be done to provide the safest possible work environment. Personnel should use whatever means necessary, within reason, to provide for a safe working environment. Personnel must understand that even when all protective measures are in place, “roadway scenes” are still extremely dangerous places to work.

Roadway Incident Response

1. **Arrival/Vehicle Positioning:** Upon arriving at the scene with the first emergency vehicle, position the vehicle to assist in redirecting the flow of traffic to maintain a safe scene. As soon as practical, implement advance warning signs.



2. **Scene Size-Up:** Upon arriving at the scene of a traffic emergency and as soon as practical the responder should provide their communications/dispatch center with the information outlined below. Provide as much information as possible before exiting the response vehicle.
 - a. **Location** – highway name, direction, mile marker, scene conditions, etc.
 - b. **Vehicles** – The number and type of vehicles involved in the incident.
 - c. **Injured Persons** – The number of people, extent of their injuries, and if extrication is necessary.
 - d. **Incident Type** – An initial approximation will be adequate to assist the dispatch center in resource allocation. This can always be upgraded or downgraded as necessary.
 1. Major (2 hours or more)
 2. Intermediate (between 30 minutes and 2 hours)
 3. Minor (under 30 minutes)
3. **Other Conditions/Resources** – highway department, power company, tow truck service, DNR, etc.
4. **Personally Owned Vehicle (POV):** Due to the lack of vehicle markings

Roadway Incident Response

and appropriate emergency lighting, **the use of POV's to respond to the scene of highway incidents is discouraged.** When it is necessary for a personally owned vehicle to respond to a highway incident, the vehicle should be parked downstream and as far away from the incident as possible or off of the roadway (e.g. a nearby parking lot).

5. **Establish and use the incident command system (ICS):** For the purpose of personnel accountability, Command (IC) must be established on all highway scenes. It is recommended that a unified command approach be utilized, because this is typically a multi-agency event.
6. **Cancelled En-Route:** Canceling a unit en-route should only be done if the Command Officer is sure he or she has all the response factors identified, and is confident additional units will not be needed. Any units that are cancelled en-route should not proceed into the scene.
7. **Personnel Protective Equipment (PPE)**
 - a. PPE must be donned prior to the officer beginning work at any roadway incident.
8. **Standardized lane identification** – Lanes are numbered starting with the left most lane of travel as seen from the motorist's direction of travel (the lane nearest the median or center line) as lane 1. See definitions.
 - a. **Develop a safe work area.** Vehicles or other barriers can be used as protective barriers between personnel and traffic when possible. This can be accomplished by properly spotting vehicles upon arrival at the scene.
 - b. **Advanced Warning** – Initial advance warning should be established upstream of the incident in order to reduce travel speeds and warn oncoming traffic of the upcoming incident scene.
 - c. **Transition Area/Tapers** – The transition area is that section of

Roadway Incident Response

highway where traffic is redirected out of their normal lane using traffic cones to taper off a portion of the roadway upstream from the incident.

- d. **Flagger/Spotter** – When resources permit a “Flagger” function should be established to assist in redirecting approaching traffic.
- e. **Activity Area** – This is the area of the roadway where response activities take place.
- f. **Termination Area** – This area is downstream from the Activity Area which allows traffic to merge into the blocked lane of traffic by use of traffic cones.
- g. **Conclusion/Breakdown** – Dismantle the scene from the Termination Area backwards to the Advanced Warning Area.

The following may be used to develop a safe work area:

- 1. Fire engines
- 2. Ambulances
- 3. Law enforcement vehicles
- 4. Other barriers such as a concrete medium
- 5. Other vehicles involved in or at scene
- 6. Traffic cones (Recommended Minimum of cones)
 - a. Fire Apparatus – 20 Cones
 - b. Law Enforcement Response Vehicles – 6 Cones

Reminder IC, as well as other personnel on scene, must constantly be aware of changes to safety barriers. For example, law enforcement vehicle or ambulance leaves scene. A safe work area must be maintained until command determines it is not needed.

Roadway Incident Response

h. **Scene/work areas should be properly lit by using:**

- a. Fire apparatus spot and scene lights
- b. Fire apparatus head lights
- c. Ambulance scene lights
- d. Hand lights and portable lights
- e. Law enforcement vehicles

Beware of the possibility of scene lights blinding traffic.

i. **Command may decide to:**

- a. Assign personnel to a traffic safety/watch sector
- b. Request additional resources to the scene

If personnel feel they need additional protection from traffic they should request additional resources.

- c. Turn off non-amber emergency lighting.

In some cases, flashing lights may blind drivers or divert their attention from safely navigating the scene.

9. **Locate safe areas for escape:** IC should identify safe area(s) and communicate them to all responders.

- a. Personnel should maintain awareness to traffic and prepare an escape plan to a safe area in case of a secondary collision.
- b. Personnel should avoid or at least be aware of situations in which there is no avenue of escape to a safe area away from traffic.

Safe areas include:

- 1. Between guardrails and concrete barriers, ditches, etc.
- 2. In front of fire apparatus away from traffic.

Roadway Incident Response

3. Concrete bridge structures and concrete culverts.
 4. Any area away from traffic.
10. **Conclusion of / Breakdown of Incident Scene.** Command must monitor and control the dismantling of the scene. Remove personnel, apparatus, victims, bystanders and vehicles safely from scene. Dismantle the scene from the Termination Area backwards to the Advanced Warning Area.

813.05 RESPONSIBILITY

All personnel are primarily responsible for adherence to these guidelines. Officers are responsible for the enforcement of these guidelines within their respective crews.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Personal Video Recorder (PVR)	Series: 814
Effective Date: December 2018	Original Date Issued: February 1, 2011
Sheriff:	Re-Issue Date: December 2018 April 2, 2015

814.01	PURPOSE
814.02	POLICY
814.03	DEFINITIONS
814.04	PROCEDURE

Personal Video Recorder

814.01 PURPOSE

The purpose of this policy is to provide standards for the use and maintenance of the Personal Video Recorder (PVR). This policy will also address proper usage, storage, and retention of evidence and incidents captured on videotape.

814.02 POLICY

It is the policy of the Outagamie County Sheriff's Office to provide PVR devices to its officers. Uniform procedures will be followed for the storage and safekeeping of evidentiary recordings and general incidents captured on videotape. ***All deputies issued a PVR shall wear it during their shift.***

814.03 DEFINITIONS

A PVR (Personal Video Recorder) is an audio/video recording device worn on a person.

814.04 PROCEDURE

A. Training

1. All officers using a PVR shall receive training in the use of the equipment to ***include, but not limited to***, include techniques that will help ensure an incident is accurately documented and properly stored.

B. PVR Inspection

1. At the beginning of each shift officers shall inspect the PVR to ensure that it is functioning properly.
2. Any malfunctions that cannot be immediately corrected will be properly documented and forwarded to the Supervisor ***and PVR Manager.***

Personal Video Recorder

3. Malfunctions noticed during use in the field will be promptly repaired and/or documented and forwarded to the Supervisor **and PVR Manager**.

C. Personal Video Recorder

1. The PVR equipment, as well as any recorded audio/video obtained through its use, are the property of the Outagamie County Sheriff's Office and shall be for authorized use only.
2. Officers assigned a PVR are responsible for keeping the unit in good working order. This includes frequent charging of the battery and downloading of the video files.
3. Officers not assigned a PVR may sign one out from the unit storage location at the Outagamie County Sheriff's Office.
4. If a PVR is damaged or not properly functioning, it shall be taken out of service and the Supervisor **and PVR Manager** notified.

D. PVR Use

1. All deputies with a PVR shall activate both the audio and visual functions of their PVR on every traffic stop upon the initiation of the stop until the release of the subject of the stop.
2. PVR's shall be activated by every deputy with a PVR upon their arrival at the scene of all calls for service and **deputy-initiated contacts *when the contact has potential for: criminal arrest or citation, evidentiary value or potential for citizen complaint.*** ***PVR's may be deactivated when objectively reasonable.*** ***(Example: a 72-hour hold contact where the patient is unconscious, civil process, private patient conversations with medical personnel, safety planning for domestic violence investigations, and citizens who wish to remain anonymous).***

Personal Video Recorder

3. In the event when it is appropriate to turn off the PVR, an audio notation should be made. (Example: A 72-hour hold contact where the patient is unconscious, civil process, private patient conversations with medical personnel).

E. Filing and Storage

1. PVR video files from the following types of incidents shall be downloaded and stored as evidence. The recording officer shall also complete the appropriate Outagamie County Sheriff's Office evidence form.
 - a. Operating While Intoxicated Arrests (civil and criminal)
 - b. Vehicle pursuits
 - c. Crime scene footage
 - d. Arson or suspicious fires
 - e. Fatal or serious injury vehicle crashes
 - f. Use of deadly force or substantial non-deadly force
 - g. Any other incident where, in the officer's discretion, the documented footage (audio, video or both) will supplement the officer's written report.
2. PVR video files that are not evidence shall be downloaded and retained for **120 days**.

F. Reports

1. Officers shall document in their reports if an incident was recorded with a PVR.
2. Prior to completing an incident report, officers are encouraged to review a recorded incident for accuracy of details.

Personal Video Recorder

3. Although incidents may be recorded, incident reports must be complete and thorough. A report lacking detail and simply referring to the video/audio recording is not acceptable.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Citizens Carrying Concealed Weapons	Series: 816
Effective Date: December 2018	Original Date Issued: September 15, 2013
Sheriff:	Re-Issue Date: May 2023 / December 2018 September 15, 2013 December 2015

816.01 POLICY
816.02 GENERAL INFORMATION
816.03 PROCEDURES

816.01 POLICY

It shall be policy of the Outagamie County Sheriff's Office to provide for a safe, professional contact with citizens carrying concealed weapons.

816.02 GENERAL INFORMATION

1. Synopsis: The legislature enacted Act 35, which became operational on November 1, 2011. The major purpose of this Act is to provide an opportunity for Wisconsin citizens to lawfully carry in a concealed manner. The citizen must apply for a Concealed Carry Weapon (CCW) license from the Wisconsin Department of Justice (DOJ). The license is for a "weapon" which is defined as a handgun, an electric weapon as defined in 941.295(1c)(a), or a billy club as defined in 175.60(1)(j). In order to qualify for this license the citizen must be 21 years of age, must not be prohibited from possessing a firearm, and be a Wisconsin resident. The license is good for five (5) years from the date of issuance. The citizen can apply for a license renewal and will not have to undergo a new round of training. With a CCW license, a citizen is exempt from the carrying a concealed weapon criminal statute. There are some areas where a licensed citizen cannot carry, and businesses or residences can prohibit concealed carry in their buildings or grounds, if they have the appropriate signs at the appropriate locations. The Act does not impact existing open carry rights, though it does clearly state that open carry is not disorderly conduct, unless the conduct shows a malicious or illegal intent. Citizens with a valid CCW license may transport a concealed, loaded, unsheathed handgun in their vehicle.

Law enforcement remains exempt from the criminal concealed carry statute, regardless if they have a CCW license or not. Retired law enforcement officers have the opportunity to apply for a former law enforcement certification card (LEOSA). The requirements for obtaining this card are more stringent than the requirements for obtaining a CCW license, and must be

renewed every year. The advantage is that this card should be good for the holder in all 50 states, even if any one of those states does not have a reciprocity agreement with Wisconsin. There is no prohibition for either a law enforcement officer or retired officer to get a CCW license, if they choose to do so.

Law enforcement may not run random checks of an individual's CCW license status; although they are entitled to ask for this license from citizens they are lawfully in contact with. Citizens are required to produce their license, upon request by law enforcement, if they are carrying. Law enforcement may ask DOJ for information about the CCW license, but only to confirm the subject has a license, or to confirm that the subject did not use false information to get the license. Police officers, who seek this information for other purposes, are subject to criminal prosecution.

816.02.1 PROCEDURES

1. Carrying Concealed Weapons

- a. Law enforcement officers have the right to keep the contact as safe as possible as long as the rights of the citizen are not violated.
- b. An officer may request the showing of the CCW license if the officer is acting in an official capacity and with lawful authority. The officer does not need reasonable suspicion, or probable cause, to ask a lawfully stopped or detained citizen about his/her CCW status.

2. CCW License Information Inquires

- a. Inquires to the CCW License Information will be made consistent with WI §175.60.
 - i. The DOJ is required to maintain a listing of the names of and the specified information (dates, sex, and identification number

of the CCW license) concerning all individuals who have been issued a CCW license and former law enforcement officers who have been issued certification cards.

- b. Inquiries are allowed for the following reasons when Officers are in direct lawful contact with an armed individual who claims to have a CCW License.
 - i. To confirm the CCW License produced by an individual is valid.
 - ii. To confirm an individual holds a valid CCW License when the license is not with the person.
- c. Inquiries to the CCW License Information require the permission of a Supervisor.
- d. Officers shall document any inquiry and the reasons it was made in an Incident Report, or Field Interview document, dependent upon circumstances
- e. CCW License Information is confidential and shall not be released to the public.

3. Seizing of Weapons

- a. Officers generally shall not seize a legally carried weapon, either, open carry or CCW. In certain circumstances, (criminal arrest or reasonable articulable fear for their safety, etc.) a law enforcement officer may ask to take temporary possession of the weapon or may seize the weapon during interaction with the individual to ensure the safety of the officer and others or to secure the weapon as evidence. The officer will return the weapon at the end of the stop unless the individual is placed under arrest for a violation of the law that allows the weapon to be seized. Any weapon seized will be done in a manner consistent with current training.

- i. Citizens shall not be allowed to handle the weapon during any contact.
- b. Officers will not take possession of any weapon for safekeeping, when doing so is outside of the realm of official responsibility. i.e., a rescue call when a person has a legitimate CCW permit and is incapacitated; the rescue service or hospital will have the obligation for the weapon.
 - i. This does not preclude an officer from assisting in making a weapon safe for the other entity.

4. CCW Information Prohibitions

- a. Neither a law enforcement agency nor any of its employees may store or maintain information regarding an individual that was obtained from DOJ based on the individual's status as a licensee.
- b. Neither a law enforcement agency nor any of its employees may sort or access information regarding traffic stops, investigations, civil or criminal offenses, or other activities involving the agency based on an individual's status as a licensee.
- c. It does not preclude an officer from placing information that he/she had contact with a subject, and checked on his CCW license status into their report. However, this report should not be flagged or separated in any way to highlight that a subject is a CCW license holder.
- d. A police officer who violates this section is subject to a criminal penalty of a fine or imprisonment or both.

5. Other Prohibitions, Penalties and Information

- a. If a citizen does not have a CCW license and carries, then that person is guilty of CCW, a class A misdemeanor.
- b. If a person does have a license, but does not have the license in their possession, that person is subject to forfeiture, except a person is exempt from this penalty if he or she presents their license document

and photographic identification to the law enforcement agency within 48 hours.

- c. A person with a CCW license can carry a concealed weapon, including a handgun, in their car.
 - i. Even a person without a CCW license can carry a handgun or load a handgun in his/her vehicle, so long as the weapon is not concealed.
 - ii. However long guns (rifles/shotguns) still must be unloaded and encased while in a vehicle, whether the person is a CCW license holder or not.
- d. A CCW license holder may lawfully possess or go armed with an electronic weapon.
 - i. The prohibition against the possession of an electronic weapon remains in full force or effect for those citizens who do not have a CCW license.
 - ii. A retired officer with a certification card cannot possess an electronic weapon as the certification is only for firearms; they must obtain a CCW license if they wish to carry an electronic weapon.
- e. Locations where citizens with CCW license may or may not carry a concealed weapon:
 - i. A person with a CCW license may not carry a concealed weapon in any portion of a building that is a police station, sheriff's office, state patrol station, or the office of a Division of Criminal Investigation special agent of DOJ.
 - ii. They may not carry a concealed weapon in any portion of a building that is a prison, jail, house of corrections, or secured correctional facility or secured portion of a mental health facility.

- iii. They may not carry a concealed weapon in any portion of a building that is a county, state, or federal courthouse, or any portion of a building that is a municipal courtroom if court is in session, or a place beyond a security checkpoint at an airport.
 - 1. However, in all these places, a license holder can carry a concealed weapon in a vehicle driven or parked in a parking facility in the above described facilities.
- iv. A CCW licensed judge can carry a concealed weapon in his/her courtroom, as can any licensee whom the judge has given permission to carry a concealed weapon, or any District Attorney or Assistant District Attorney who is a CCW license holder.
- v. A licensed CCW holder cannot possess a firearm in or on school grounds or within 1,000 feet of school grounds.
 - 1. A stadium or athletic field is considered to be school grounds.
 - 2. This prohibition does not include law enforcement officers from possessing a concealed weapon when acting in their official capacity.
 - 3. This does not apply to a University; a licensed CCW holder may carry on the grounds, but may prohibit carrying in buildings, with proper notice.
- vi. A licensed CCW holder can carry a concealed weapon in a bar or tavern, if they are **NOT** consuming alcohol. However, it is a class A misdemeanor (punishable by 9 months jail and/or \$10,000 fine) for anyone to go armed with a firearm while under the influence of an intoxicant. Wis. Stat. § 941.20(1)(b). “Under the Influence has been defined as materially impairing the ability to handle a firearm which is further explained as consuming an amount of alcohol to cause the person to be less able to exercise clear judgment and steady hand necessary to

handle a firearm. WI Jury Instruction-CRIMINAL 1321.

However, the tavern owner may prohibit anyone carrying a firearm in their business with the appropriate notifications.

6. Legal Considerations

- a. The new Act does not change existing laws governing the conduct of individuals and the use of weapons, for the most part.
 - i. A person cannot be charged for disorderly conduct by openly carrying a weapon, even if it causes a disturbance, unless the facts and circumstances indicate a malicious or illegal intent.
 - ii. The crimes of going armed while intoxicated, going armed with a detectable amount of a restricted controlled substance, of intentionally pointing a firearm at another unless such conduct is privileged, intentionally pointing a firearm at a law enforcement officer, intentionally discharging a firearm into a vehicle or building under circumstances in which the actor should realize there might be a human being present, etc., remain in full force and effect.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Civil Disturbances	Series: 817
Effective Date: December 2018	Original Date Issued: April 2, 2015
Sheriff:	Re-Issue Date: May 2023 / December 2018 April 2, 2015

817.01 GENERAL POLICY
817.02 DEFINITION
817.03 MASS ARRESTS

817.01 GENERAL POLICY

The purpose of this policy is to provide guidelines for assessing and responding to peaceful demonstrations, lawful and unlawful assemblies.

817.02 DEFINITION

Defined as an unlawful assembly that constitutes a breach of the peace or any assembly of persons where there is imminent danger of collective violence, destruction of property or other unlawful acts.

- A. Deputies may encounter various situations in which there is public disorder or acts of violence. Deputies shall attempt to preserve order and protect persons and property by using what resources are available. Deputies must be diligent in recognizing the right of individuals to peacefully protest. Peaceful demonstrations/protests should not be considered Civil Disturbances for the purpose of this policy.
- B. Deputies will try to preserve the peace and decrease the likelihood of disorder when dealing with potentially disruptive situations. The protection of property and apprehension of persons violating laws will be attempted when it is reasonable to do so.
- C. Upon arriving at the scene of a disorderly group, Deputies should immediately try to evaluate the situation and inform dispatch. When the group does not appear to be a serious threat to the Deputies, an attempt should be made to resolve the situation in a peaceful manner without an escalation of the incident.
- D. The on-scene supervisor must weigh the effects of taking enforcement action while considering the following:
 - 1. The potential of further disorder, to include safety of citizens / property.
 - 2. The safety of personnel.

3. The severity of the law violations.
 4. The resources available.
- E. The supervisor must then consider the following response:
1. Utilize professional communication tactics in an attempt to end the situation non-violently.
 2. Selectively arresting law violators.
 3. Withdrawal from the immediate scene when resources are not available to effectively handle the problem.
- F. When the group is involved in violence or destructive behavior beyond the immediate capability of the responding Deputies, additional assistance should be requested. Behavior at this point then becomes a riot, which is characterized by:
1. Breakdown in normal social order.
 2. Mass disorderly conduct.
 3. A resistance to authority.
- G. If the situation rises to a level requiring specialized crowd control tactics, the Emergency Response Team should be activated.
- H. After-Action Reports: Necessary reports are to be completed and reviewed once the crisis has ended. A report of the causes and results of the disturbance should be prepared for administrative review. As soon as possible after the crisis, the staff should meet for a critique of the incident.
- I. Consistent with law, the Outagamie County Sheriff's Office may impose reasonable restrictions on the time, place and manner of demonstrations.
- J. The Outagamie County Sheriff's Office shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and ease of movement for uninvolved persons.

- K. The Outagamie County Sheriff's Office Use of Force Policy is equally applicable to enforcement actions in the context of mass demonstrations as well as day to day operations with individual citizens. Officers will only use force during mass demonstrations when required, consistent with and outlined within the Departments Use of Force Policy (801).

817.03 MASS ARRESTS

- A. During the course of civil disturbances, it may be necessary to make arrests of numerous individuals over a relatively short period of time. In order for this process to be handled efficiently, safely and legally, the Supervisor in Charge should ensure that:
1. An arrest team is designated to process all prisoners for purpose of transportation.
 2. An adequate number of vehicles are made available to transport the prisoners to the detention center.
 3. An adequate secure area is designated in the field for holding prisoners after initial screening and while awaiting transportation.
 4. All arrested individuals are searched and properly identified for transportation to the Outagamie County Jail for formal booking.
 5. All injured prisoners will be provided medical attention prior to being booked.
 6. All arrested juveniles are handled in accordance with the Outagamie County Sheriff's Office procedures for the arrest, transportation and detention of juveniles.
 7. All evidence and weapons taken from arrestees are processed in accordance with the Outagamie County Sheriff's Office policy on the preservation and custody of evidence.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Trespasser Complaints Pursuant to Wis. Stat. §175.403	Series: 818
Effective Date: December 2018	Original Date Issued: September 15, 2016
Sheriff:	Re-Issue Date: May 2023 / December 2018 September 15, 2016

818.01 GENERAL POLICY
818.02 DEFINITION

818.01 GENERAL POLICY

Wis. Stat. §175.403 (2) states that “[e]ach law enforcement agency shall have a written policy regarding the investigation of complaints alleging a violation of s. 943.14 [criminal trespass]. The policy shall require a law enforcement officer who has probable cause to arrest a person for a violation of s. 943.14 to remove the person from a dwelling.”

818.02 DEFINITION

- A. A law enforcement officer shall not remove a person from dwelling in a landlord-tenant dispute or a dispute between residents, pursuant to Wis. Stat. §175.403 (2), unless:
1. The law enforcement agency or law enforcement officer has received a complaint alleging a violation of the criminal trespass statute; and,
 2. The officer has probable cause that the person to be removed is committing a violation of the criminal trespass statute.
- B. Adherence to this policy is required because the department and officers may be liable for unlawful evictions. *Wolf-Lillie v. Sonquist*, 699 F.2d 864, 872 (7th Cir. 1983) (upholding a sheriff’s liability for his department’s pattern and practice of not following Wisconsin’s civil eviction process).
- C. As detailed below, an officer should understand:
- A person may be a tenant with legal rights to remain on the premises, even if that person is not named in a written rental agreement. Removing a person simply because the person is not named in a written rental agreement could result in the officer effecting an unlawful eviction.
 - A person may be lawfully present on the premises because the person is an allowable guest. The officer must determine whether the person had consent to enter or remain in the dwelling.
 - The person should not be removed unless the person’s unlawful entering or remaining on the premises tends to create or provoke a breach of the peace. Good faith landlord-tenant disputes or genuine

uncertainty about a person's status as a tenant tend not to create or provoke a breach of the peace because the civil eviction process is designed to peaceably resolve these issues. When a person breaks into a vacant resident and "squats," a breach of the peace is more likely to occur.

- D. As outlined below, in many landlord-tenant situations, investigating whether or not an individual is a tenant is factually complex. It is the policy of this agency to investigate alleged violations of Wis. Stat. §943.14; however, these investigations shall not take priority over critical victim and community protection priorities, such as investigating and responding to violent crimes.
- E. Because establishing probable cause in landlord-tenant situations is factually complex, if probable cause cannot be established after a reasonable investigation, the officer shall not remove the individual and shall refer the complaining party to the civil eviction process.
- F. In order for a law enforcement officer to have probable cause that a person is committing a violation of the criminal trespass statute, the officer must establish probable cause as to each element of trespass.
 - 1. Is the person a tenant? As an initial matter, the officer must establish that person alleged to be committing the violation is not a tenant who has a legal right to remain on the property.
 - i. Legal Background
 - a. Under Wisconsin law, the absence of the person's name on a written rental agreement does not establish that the person is not a tenant.
 - b. A tenancy may be created by verbal agreement between the landlord and the tenant. Wis. Stat. §704.01(3m). Like other forms of tenancy, a tenancy established under a verbal rental agreement may only be terminated with proper notice and through the civil eviction process. Therefore, a person who is a tenant and who has not been evicted by the Sheriff through the civil eviction process is not trespassing.

- c. Further, a tenancy at will is created when a person resides in a dwelling “with permission of the tenant’s landlord without a valid lease and under circumstances not involving the periodic payment of rent.” Wis. Stat. §704.01(5). Therefore, someone may be a tenant, even if the person does not pay rent on a regular basis. Once a tenancy at will is established it may only be terminated with proper notice and through the civil eviction process. Therefore, a person who is a tenant at will and not evicted by the Sheriff through the civil eviction process is not trespassing.
- ii. Steps to investigation. In order to establish probable cause that a person is not a tenant, an officer must do all of the following:
 - a. Establish probable cause that no written or verbal lease agreement existed between the person and landlord, nor between the person and any agent of the landlord.
 - i. Ordinarily, this would require interviewing the landlord, the landlord’s agents, the alleged trespasser and any other individuals, such as other residents, who may have knowledge as to the existence of a written or verbal rental agreement.
 - ii. Reviewing any written lease agreements may be helpful, but the existence or absences of a written agreement does not establish that a separate verbal agreement did not exist.
 - b. Establish probable cause that the person is not a tenant at will.
 - i. A tenancy at will exists whenever the person resided at the dwelling with the permission of the landlord. The existence or absence of a written rental agreement is generally not relevant to whether or not the person is a tenant at will. To establish the existence or absence of permission, in addition to interviewing relevant

individuals, the officer shall investigate all of the following:

- 1) Whether the person lived at the dwelling for a length of time as evidenced by;
 - i. The presence of the person's belongings, such as clothes, appliances and other possessions;
or,
 - ii. Whether or not the address of the dwelling is listed on the person's mail, ID or other documents.
- 2) Whether the landlord or landlord's agent knew of the person's presence at the dwelling and agreed to the person's presence or did not object to the person's presence, as evidenced by:
 - i. Whether or not the landlord or landlord's agent had occasion to learn of the person's presence during maintenance or other visits to the property;
 - ii. Whether or not the landlord or landlord's agent accepted rent from the person; or,
 - iii. Other relevant information.
2. For persons who are not tenants did the person intentionally enter or remain without consent. In other words, is the person a guest?
 - i. Did the person intentionally enter or remain in the dwelling of another without the permission of a person lawfully present? For persons who the officer has established probable cause to believe are NOT tenants, the officer must proceed to consider whether there is probable cause to

believe the person intentionally entered or remained in the dwelling without the consent of some person lawfully upon the premises.

ii. Or, if no person is lawfully upon the premises, did the person intentionally enter or remain in the dwelling of another without the consent of the owner of the property that includes the dwelling? For persons who the officer has established probable cause to believe are NOT tenants, and when no person is lawfully upon the premises, the officer must proceed to consider whether there is probable cause to believe the person intentionally entered or remained in the dwelling without the consent of the owner of the property that includes the dwelling.

3. Was the non-consensual entry or remaining on the premises under circumstances that tend to create or provoke a breach of the peace? Criminal trespass under Wis. Stat. §943.14 requires more than non-consensually entering or remaining in the dwelling. The person must enter or remain under circumstances that tend to create or provoke a breach of the peace.

An example of a circumstance that tends not to create or provoke a breach of the peace is when a person establishes a dwelling as his or her residence and with the permission of tenant or property owner and later remains on the property with the belief that he or she is a tenant. Wisconsin law contains a civil legal process for handling these situations, which landlords typically use. Landlord-tenant situations which are typically peaceably resolved by the civil legal process are not circumstances that tend to create or provoke a breach of the peace.

An example of a circumstance that may tend to create or provoke a breach of the peace is when a person unlawfully enters a vacant dwelling. In this situation, it is reasonable to expect that neighbors or the owner of the property may be concerned. Particularly if the person who entered the vacant dwelling is confronted and refuses to leave, the circumstances would tend to create or provoke a breach of the peace.

Because creating or provoking a breach of the peace is an element of criminal trespass, it is the policy of this department not to arrest persons in landlord-tenant situations when the person did not enter or remain in the dwelling under circumstances that tend to create or provoke a breach of the peace.

If an officer is sent to investigate a violation of Sec. 943.14 (criminal trespass) and, based on his or her investigation, establishes probable cause that the person present (1) is not a tenant, (2) entered a premises or remains on a premises without consent of a tenant or landlord, and (3) that entry or remaining is tending to create or provoke a breach of the peace, the officer shall remove the person from the premises.

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Critical Incident Investigations	Series: 819
Effective Date: December 2018	Original Date Issued: April 1, 2017
Sheriff:	Re-Issue Date: December 2018 May 1, 2017

- 819.01 PURPOSE AND SCOPE
- 819.02 GENERAL POLICY
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- 819.06 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS
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- 819.08 ADMINISTRATIVE INVESTIGATION
- 819.09 INVESTIGATION PROCESS
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- 819.15 REPORTS BY INVOLVED OUSO OFFICERS
- 819.16 WITNESS IDENTIFICATION AND INTERVIEWS
- 819.17 CRITICAL INCIDENT INVESTIGATION-NO DEATH ANTICIPATED
- 819.18 CRITICAL INCIDENT INVESTIGATION-DEATH
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- 819.20 ADMINISTRATIVE ASSIGNMENT PROCEDURES
- 819.21 CONFIDENTIALITY OF THE CRITICAL INCIDENT INVESTIGATION
- 819.22 CRITICAL INCIDENT REVIEW BOARD (CIRB)
- 819.23 AUDIO AND VIDEO RECORDINGS
- 819.24 MEDIA RELATIONS
- 819.25 REPORTING

ATTACHMENTS

- INCIDENT COMMANDER
- SCENE COMMAND
- INVESTIGATION/LIAISON SUPERVISOR
- PATROL/OPERATIONS CAPTAIN
- COMMAND STAFF – SHERIFF AND UNDERSHERIFF
- OFFICER INVOLVED CRITICAL INCIDENT CHECK LIST
- CRITICAL INCIDENT EMPLOYEE HANDBOOK

819.01 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures for the investigation of an incident in which a departmental employee, or another person is seriously injured or dies as the result of the action or omission or involvement of a departmental employee while on duty or off duty but performing activities that are within the scope of the officer's duties (Wis. Stat. §175.47).

In other incidents not covered by this policy, the Sheriff may decide that the investigation will follow the process provided in this policy.

See attachment: Critical Incident Protocols.pdf

See attachment: Officer Involved Critical Incident Check List.pdf

See attachment: Critical Incident Handbook.pdf

819.02 GENERAL POLICY

The policy of the Outagamie County Sheriff's Office is to ensure that critical incidents are investigated in a thorough, professional and impartial manner.

819.03 TYPES OF INVESTIGATIONS

Officer-involved critical incidents involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.

819.04 DEFINITIONS

Critical Incident: An incident involving the death or serious injury to a departmental employee, or another person, as a result of the action or omission or involvement of a departmental employee while on duty or acting under the authority of the Sheriff's Office.

Involved Officer: An officer, whose personal actions or omission resulted in a critical incident.

Officer-involved Death: The death of an individual that results directly from an action or an omission of a law enforcement officer while the officer is on duty or while acting under the authority of the sheriff's office.

Witness Officer: An officer who is not an involved officer, but who is a witness to a critical Incident at the time of, or immediately after the incident.

Companion Officer: An officer who is not an involved officer and who is not a witness to the critical incident at the time of, or immediately after the incident. This officer will act as a liaison for the involved officer with the department representative, to arrange meeting dates and times, provide and receive status updates, give the involved officer a ride home, etc. This officer must not ask questions of the officer or others in an attempt to gather information about the incident, so that they do not end up being called to testify as a witness in future court proceedings. This officer also may not be used on the CIRB or used by the officer to assist in completion of the involved officer's report.

819.05 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer. Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

819.06 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Outagamie County Sheriff's Office would control the investigation if the suspect's crime occurred in Outagamie County's primary enforcement jurisdiction. If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Sheriff and with concurrence from the other agency.

819.07 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a critical incident or death involving an outside agency's officer shall be referred to the Sheriff or the authorized designee for approval.

819.08 ADMINISTRATIVE INVESTIGATION

Regardless of where the incident occurs, the administrative investigation of each involved officer is controlled by the respective employing agency.

819.09 INVESTIGATION PROCESS

The following procedures are guidelines to be used in the investigation of a critical Incident.

INITIAL OFFICER RESPONSIBILITIES

Upon arrival at the scene of a critical incident, the first OUSO officer will be the officer-in-charge until properly relieved. This officer should, as appropriate:

- (a) Control any threat to the safety of persons at the scene. Ensure that all suspects have been properly searched and secured.
- (b) Provide first aid if necessary and request medical assistance if appropriate.
- (c) As soon as possible:
 - 1. Notify the communications center of the incident and location.
 - 2. Request a supervisor to respond.
 - 3. Identify safe response routes that responding officers may use or areas that could pose dangers from armed or hostile persons.
 - 4. Broadcast a description and direction of travel of any vehicles, suspects, etc., still at large.
- (d) Secure the incident scene and establish a perimeter by use of crime scene tape to limit access and protect evidence.
- (e) Locate, identify, separate and control all witnesses.
- (f) The involved officer will remain at the scene until a supervisor arrives unless the officer is injured, or their safety or well-being is in jeopardy.
- (g) The involved officer will provide a summary/explanation of the incident to the responding shift supervisor. The summary information provided by the officer shall be compelled by the scene supervisor and limited to questions that are pertinent to public safety and establishing the parameters of the scene. The questioning should be limited and designed to identify and protect evidence, address medical needs, and aid in suspect apprehension. The following are some examples:
 - 1. Is anyone injured (Including officers)? If so, where are they located?
 - 2. Are there any witnesses and where are they now?
 - 3. Are there suspects at large?
 - 4. What was the last known direction and mode of travel?
 - 5. What was the direction of any gunfire, and the officer's location at the time force was used?
 - 6. The scope of the scene, where it began and where it ended.
 - 7. Are there any weapons or other evidence that must be protected or secured?
- (h) Because of the stress involved in the incident the officer should not be asked about imminent threat, the number of shots they fired, or their reasoning for using deadly force, if deadly force was used.
- (i) Other officer witnesses will provide a report and/or a written statement regarding their observations/actions, relating to the critical incident before the end of their shift, unless otherwise directed by the supervisor(s) in charge of the investigation.

819.10 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first supervisor should assume incident command and ensure completion of the duties as outlined below until the first uninvolved supervisor arrives:

- (a) Attempt to obtain a brief overview of the situation from officers at the scene and notify the Patrol Lt and/or Patrol / Operations Captain of the incident.
- (b) Attempt to take pictures of the officer(s) involved to document injuries and the condition of their uniform, to include collecting the officer's body camera, prior to leaving the scene if possible.
- (c) Advise all involved officers, witness officers, and all other witnesses not to discuss any details of the incident in order to preserve the integrity of the investigation.
- (d) Assign a companion officer, of the involved officer's choice, to the involved officer. The companion officer should be an officer who was not involved in, and is not a witness to the incident. The companion officer should transport the involved officer to headquarters or another suitable location as directed. In the event that the involved officer is injured and requiring medical attention, the assigned companion officer will remain with the involved officer.
- (e) Assign an officer to identify and document everyone present at the scene in a crime scene log and to determine where these people were located within the scene at the time of the incident.
- (f) Assign an officer to accompany any injured suspect(s) to a medical facility in order to record any statement, admissions, or declarations that are made; and at the direction of the lead investigator collect evidence, such as clothing and safeguard the suspect pending a disposition.
- (g) No firearm, (including any officer owned backup firearm or other weapon) or item used to cause the injury or death, should be collected or disturbed by anyone, other than under the direction of the lead investigator or scene supervisor, unless necessary to secure the scene. The involved officer's firearm should be re-holstered or left where it was dropped. Shotguns and/ or rifles should remain exactly where left by the officer after the shooting. When exigent circumstances exist and there is a possibility of evidence being destroyed, the evidence should be secured by an officer or supervisor.
- (i) Verify that crime scene tape has been setup to protect the scene.

819.11 PATROL/OPERATIONS CAPTAIN RESPONSIBILITIES

Upon learning of a critical incident, the patrol / operations captain shall be responsible for coordinating all aspects of the incident. The captain may call in another supervisor to coordinate all aspects of the incident.

See attached responsibilities and check list.

819.12 NOTIFICATIONS

The shift supervisor will notify the Patrol / Operations Captain, the Investigative supervisor, or on-call supervisor if the incident is after hours, and make any other appropriate notifications:

- (a) Sheriff.
- (b) Undersheriff.

If the incident is traffic related the Patrol / Operations Captain or designee may respond and will assist the Incident Commander or assume those duties. The fact that a notification has been made does not mean that the notified person must respond to the incident scene.

819.13 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal representation will be accommodated (Wis. Stat. § 164.02(1)(b)).
 - 1. Involved OUSO officers shall not be permitted to meet collectively or in a group with an attorney or any representative to discuss the specifics of the incident prior to providing a formal interview or report.
 - 2. Requests from involved non-OUSO officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be made available by OUSO to each involved OUSO officer. A licensed psychotherapist may also be provided to any other affected OUSO members, upon request.
 - 1. Interviews with a licensed psychotherapist will be considered privileged.
 - 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 - 3. A separate fitness-for-duty exam may also be required.
- (e) Although the Department will attempt to honor the sensitivity of communications with peer counselors, there is no legal privilege to such communications. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

Care should be taken to preserve the integrity of any physical evidence present on the involved Officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved OUSO officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Patrol Captain or designee to make schedule adjustments to accommodate such leave.

Involved Officers shall:

- (a) Provide a preliminary summary of events (public safety statement) and may do a brief voluntary walk through of the scene with the investigators
- (b) Protect his/her firearm for examination and submit it to the appropriate authority upon

demand.

- (c) Be offered the opportunity to provide a voluntary statement to investigators within 24-72 hours of the incident.

819.14 CRIMINAL INVESTIGATION

The District Attorney's Office is responsible for the review of the criminal investigation into the circumstances of any officer-involved shooting or death. In the event of a death, the investigation must be conducted by no less than two investigators, one of whom is the lead investigator and neither of whom is employed by the OUSO (Wis. Stat. § 175.47(3)(a)).

If the officer-involved death being investigated is traffic-related, the investigation must include the use of a crash reconstruction unit from a law enforcement agency separate from OUSO (Wis. Stat. § 175.47(3)(b)).

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from witness officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) OUSO supervisors or investigators should not directly participate in any voluntary interview of OUSO officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing, or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

819.15 REPORTS BY INVOLVED OUSO OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved OUSO officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved OUSO officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal

activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved OUSO officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the critical incident.

819.16 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (c) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

819.17 CRITICAL INCIDENT INVESTIGATION-NO DEATH ANTICIPATED

- (a) The Investigations Supervisor assigned to the scene shall assume Scene Command from the initial supervisor when they are prepared to assume it. They shall then:
 - 1. Verify that all duties of the initial officers who responded have been completed.
 - 2. If the involved officer is still on scene he/she should be removed from the scene and accompanied by the assigned companion officer or a supervisor to the Sheriff's Office.
 - 3. Collection of the involved officer(s) firearm, or other weapon used, should take place at the Sheriff's Office, in most circumstances. Another department firearm will be provided to the involved officer unless circumstances arise to suggest otherwise. The involved firearm will be collected by a supervisor assigned to the investigation and placed into evidence. Pertinent information shall be relayed to

the on-scene incident commander. If the weapon appears to have malfunctioned, it should be placed into evidence in that fashion, so a proper and safe inspection can be done at a later time.

4. Coordinate with the Incident Commander a possible compelled "public safety walk through" by the involved officer(s). The involved officer shall be allowed to have union representation present, if applicable, for the walk through. If the involved officer is an AS&P employee they will be allowed to have a witness present. The purpose of this "walk through" is to have someone with direct knowledge of the incident able to point out where evidence might be located. This is not to be considered a definitive statement, but rather a preliminary pointer to aid in the scene investigation. This walk through will not be taped or recorded.
5. Ensure that the scene is thoroughly documented, such as photographs, videotapes, sketches, measurements, total station, etc. and that all evidence is properly processed and collected.

(b) The Supervisor assigned to be the Incident Commander will do the following:

1. Establish an incident command structure and ensure the resources needed to properly handle the incident are obtained.
2. Ensure that witnesses, victims and suspects are interviewed and statements taken. Involved officer interviews are addressed in subsection (e). These interviews will be recorded. The Incident Commander must be notified by the investigator if they believe there are extenuating circumstances.
3. Make the determination as to which officers who had been present at the original critical incident scene will complete their own report and which will be required to provide a statement to a detective/supervisor. The Incident Commander will base their decision on factors such as:
 - (a) The officer's physical proximity to the critical incident.
 - (b) The officer's knowledge of events leading to the critical incident.
 - (c) The officer's role in the critical incident.

(c) Be responsible for the completeness of the investigation in a timely manner and keeping the Sheriff briefed on the progress of the incident.

(d) Ensure that a voluntary recorded statement is taken from the involved officer as soon as practical, but within 24-72 hours of the critical incident. The involved officer should be allowed one to two sleep cycles prior to the statement. This 24-72 hour guideline may be waived upon extenuating circumstances.

1. The Incident Commander will ensure that notification is made to a union representative as soon as possible after the incident.
2. The involved officer may request the presence of an attorney for his/her personal counsel prior to and during any statement. The involved officer may also have a representative from the Outagamie County Deputy Sheriff's Association present during the statement process.
3. This attorney will not be provided by Outagamie County. The County's attorney may become involved in the incident to act on behalf of the county, but will not be the personal attorney for the involved officer.
4. If the officer involved is a county supervisor / AS&P, the county will provide legal counsel to represent the officer during the statement.

- (e) A supervisor will be assigned as the Investigative/Liaison Command to assist in coordinating interviews and the investigation and to be the point of contact for the involved officer.
 - 1. They will ensure that the involved officer's firearm is retrieved and replaced if not already done.
 - 2. Coordinate the activities of the department's mental health professionals and the POST Officers and arrange a private area at the department for the involved officer, their companion officer, and their significant others.
 - 3. Make arrangements for any medical assistance or evidence collection.
 - 4. Coordinate with the Scene Commander the logistics of the walk through.
 - 5. Schedule interview for the involved officer(s) and notify them of the time of the interviews, if possible, before they end their shift.
 - 6. Provide them with a copy of the Critical Incident Handbook (attached).
- (f) The Detective Division will complete a detailed investigative report and submit it to:
 - 1. The Sheriff.
 - 2. The District Attorney, if determined by the Sheriff.
 - 3. Critical Incident Review Board.

819.18 CRITICAL INCIDENT INVESTIGATION-DEATH

- (a) Critical Incident Investigation –Death
 - 1. When an Officer-involved death occurs, or is possible, the investigation will be turned over to a different agency as soon as arrangements can be made, with at least two investigators assigned, one of whom is designated as the Lead Investigator.
 - 2. If the incident being investigated is traffic related a crash reconstruction unit from a different agency must be used.
 - 3. The Sheriff will determine which agency the investigation will be turned over to.
 - 4. The Investigative Division will assist the other agency investigators by providing support and resources as requested by the lead investigator.
 - (a) An Investigative supervisor will be assigned as the OUSO Incident Commander. This supervisor will be the point of contact for the investigating agency and will complete those duties described above for the Incident Commander, under the direction of the lead investigator.
 - (b) A supervisor will be assigned as the Scene Commander. This supervisor will immediately respond to the scene and complete those duties described above for the Scene Commander, under the direction of the lead investigator.

819.19 INTERNAL INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, the Sheriff may order an internal investigation separate to any criminal investigation. The investigation may or may not be related to the findings of the CIRB. This investigation will be

conducted under the supervision of the assigned administrative staff member and will be considered a confidential file. Interviews of members shall be subject to department policies and applicable laws.

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative staff member should review that statement before proceeding with any further interview of that involved officer.
 - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 - 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview (Wis. Stat. § 164.02(1)(b)). However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet as a group with a representative prior to being interviewed and discuss the incident.
 - 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
 - 4. The officer shall be informed of the nature of the investigation. (Wis. Stat. § 164.02(1) (a)). The officer should be given his/her Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
 - 5. The administrative officer assigned shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
 - 6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the patrol / operations captain and Use of Force matter instructors. They will restrict their findings as to whether there was compliance with the Use of Force Policy.
 - 7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

819.20 ADMINISTRATIVE ASSIGNMENT PROCEDURES

Any involved officer in a critical incident may be placed on administrative assignment. This

assignment is with pay and shall not imply or indicate that the officer acted improperly or is being punished. The purpose of the leave is to allow for a complete and thorough investigation, with no assumption of the findings until the investigation is completed. The duration of the assignment will be determined by the Sheriff and based on the below listed factors, but not limited to:

- The progress of the investigation
- Mental and physical fitness of the officer
- Final disposition of the Critical Incident Review Board.

The Sheriff will provide a letter to the involved officer and a copy will be placed in the case file regarding the administrative assignment. A copy of the letter will be provided to the officer's immediate supervisor. The Patrol /Operations Captain will be responsible for subsequent staffing concerns. While on administrative assignment, the officer must be available to appear for interviews and provide information as needed. In some cases (although not typical) the officer may be reassigned to another position within the department, until the investigation has been completed, unless the officer is determined unable to work by a MHP or physician.

The officer will be instructed to not discuss the incident with anyone except:

- The district attorney or his designee
- Assigned departmental personnel
- The officer's personal attorney
- The officer's MHP or doctor
- The officer's chosen clergy or the police chaplain
- OCDSA attorney/representative, if appropriate
- Outagamie County Corporation Counsel or other assigned attorney
- The officer's immediate family
- Within any legal proceeding associated with the incident
- Appointed civil liability attorney

819.21 CONFIDENTIALITY OF THE CRITICAL INCIDENT INVESTIGATION

The incident commander will be responsible for ensuring that the critical incident investigation remains confidential and only the investigating supervisors and officers assigned to the incident have access to the investigation while it is an open and ongoing investigation. This will ensure the integrity of the investigation, the integrity of the involved officer's statement(s), and the ability of the CIRB and Sheriff to make an informed and impartial decision based on substantiated facts and statements.

Any and all employees assigned to assist with the investigation shall not disclose any information about the investigation to any other employee not assigned to the investigation. This shall not prevent the involved officer(s) from communicating with their OCDSA representatives or legal counsel.

819.22 CRITICAL INCIDENT REVIEW BOARD (CIRB)

The Critical Incident Review Board (CIRB) shall be appointed by and convene at the direction of the Sheriff to review circumstances surrounding each critical incident. The Sheriff may also at his/her discretion convene the CIRB to review other incidents. The CIRB will consist of the following members unless a member is involved in the incident or the subsequent investigation:

- Administrative Staff Member
- Shift Supervisor (Patrol Division Staff Sergeant)
- Department firearms instructor or Use of Force instructor if appropriate
- Core LES (Investigator)
- Any other member of the department may be assigned to the board in addition to, or in replacement of any of the above members if the Sheriff feels they have an expert use that will benefit the board, such as an ERT (emergency response team) member not involved in the incident if the critical incident involved the ERT.
- One member to be appointed at the involved officer's request

The CIRB will evaluate each aspect of the incident, including:

- A thorough review of the criminal investigation
- Hearing direct testimony from officers and witnesses if necessary. No testimony from the involved officer(s) is allowed
- An examination of physical evidence
- A visit to the site of the incident if needed

CIRB will issue findings and make recommendations in a written report to the Sheriff that will include:

- Whether the involved officer's actions during the critical incident were: Justified, in accordance with departmental policy; outside of policy; accidental; or unjustified and contrary to Department Policy.
- Any tactical or training considerations
- Any potential disciplinary considerations

819.23 AUDIO AND VIDEO RECORDINGS

Any officer involved in a critical incident or death shall be permitted to review available body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

Any body-worn and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or County's Corporation Counsel, as appropriate.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted

to review available video or audio recordings with approval of assigned investigators or a supervisor.

819.24 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and investigating agency. Releases will be made available to the Shift supervisors, Captain and Public Information Officer in the event of inquiries from the media.

No involved OUSO officer shall make any comment to the media unless he/she is authorized by the Sheriff or his/her designee.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

The involved officer, or their companion officer, should be notified of the contents of the release, prior to the release being made available to the media.

819.25 REPORTING

If the death of an individual occurs in the Outagamie County Sheriff Office's primary enforcement jurisdiction and qualifies to be reported to the Wisconsin Department of Justice, the Patrol Division will ensure that the Office Administrative Supervisor is provided with enough information to meet the reporting requirements (Wis. Stat. § 165.845(2)).

Attachments

Critical Incident Protocols.pdf

Incident Commander

- Establish an incident command structure by assigning duties and ensure the resources needed to properly handle the incident are obtained.
- The Incident Commander will ensure that notification has been made to a union representative as soon as possible after the incident, if the officer involved is an OCDSA member.
- Make sure the Critical Incident Investigation policy is followed and the Mental Health Provider is notified to respond for education and debriefing and for end of shift briefing/debriefing if possible. Notify Supervisor of POST team for activation.
- Obtain necessary assets and notify other agencies that are required to be notified (CPS child death involved, FBI bombing or active shooter incident because of concurrent jurisdiction, state or other federal entities.)
- Keep resources in reserve if anticipated it is going to be a lengthy investigation.
- Activate a logistics branch and assign a supervisor if needed because of the anticipated length of the investigation or the number of resources needed.
- Ensure that witnesses, victims and suspects are interviewed and statements taken and preferably audio/video taped. Involved officer interviews are addressed in subsection (e). These interviews will be audio recorded.
- Make the determination as to which officers will complete their own report and which will be required to provide a statement to a detective/supervisor.
- Be responsible for the completeness of the investigation in a timely manner and keeping the Sheriff briefed on the progress of the incident.
- Ensure that a voluntary recorded statement is taken from the involved officer between 24 – 72 hours . This 24 -72 hour guideline may be waived upon extenuating circumstances .
- The incident commander will be responsible for ensuring that the critical incident investigation remains confidential and only the investigating supervisors and officers assigned to the incident have access to the investigation during the investigation. This will ensure the integrity of the investigation and evidence, and the ability of the CIRB and Sheriff to make an informed and impartial decision.
- Do an investigative debriefing after the incident to identify strengths and areas of improvement and disseminate it to the appropriate staff.

Scene Command

- Obtain briefing by first responding supervisor and verify that all duties of the initial officers have been completed. Take over Scene Command after being briefed and announce it on the radio so it is logged and officers' know of the transition.
- Establish an Investigative Command Post if needed. If ongoing tactical incident it should be separate from the Tactical Operations Center (TOC).
- Ensure that no non-essential personnel, regardless of rank, enter the scene without the permission of the Incident Commander.
- Coordinate a "walk through" with the Investigative Liaison Supervisor and the involved officer to obtain a brief preliminary summary of events in order to determine where additional evidence may be located. This walk through should be compelled and will not be taped or recorded.
- The involved officer(s) should be removed from the scene and taken to the Sheriff's Office, or another suitable location if appropriate. They should be accompanied by an assigned companion officer of their choice. If there is no companion officer available, a supervisor should accompany the officer.
- Witness officers should complete a walk-through as soon as possible. If it appears that because of their Involvement, they may need a companion officer and possible administrative duty, get them a companion officer to assist them through the scene and at the Department until it is determined by the Incident Commander how they will be handled. They may drive themselves to the Department, at the scene commander's discretion.
- Ensure that the scene is thoroughly documented, such as videotaped in similar conditions, Photographs taken, photographed with markers, sketches, measurements, total station, etc. and that all evidence is properly processed and collected. Canvass log may need to be completed to make sure addresses can be followed up on. Hold the scene until after the walk-through and cleared by the Incident Commander.
- Coordinate interviews and assignments through the Incident Commander or the Investigation/Liaison Supervisor.
- Collection of the involved officer(s) firearm should take place at the Sheriff's Office, if possible, and coordinated by the Investigations/Liaison Supervisor. All firearms in the officer's possession (including officer owned backup or other firearms) at the time of the incident should be collected for examination.

Investigation/Liaison Supervisor

- A supervisor will be assigned to coordinate interviews and to be the point of contact for the involved officer and witness officers who have been placed on administrative duty.
- They will ensure that the involved officer's firearm is retrieved and replaced if not already done. Evidence procedures will be strictly adhered to and if assistance is needed replacing a firearm a supervisor should be contacted. If there are concerns about if a firearm should be replaced the Incident Commander should be notified. Take all magazines and inventory their equipment and uniform.
- Pertinent information, like the number of rounds expended, shall be relayed to the Scene Supervisor. If the weapon appears to have a malfunction, it should be placed into evidence in the same fashion and a proper and safe inspection can be done at a later time.
- Confirm with the IC that the department's mental health professional (MHP) is responding to the Sheriff's Office and arrange a private area at the department for the involved officer, their companion officer, and their significant other(s). The POST team may be used when appropriate.
- Determine the involvement of the witness officers and coordinate with the IC if they will do details or be interviewed, and their administrative assignment if needed. Be cautious to not make the incident more stressful by treating them like an involved officer if not needed. Interviewing and extended admin duty may add layers of trauma that are not needed.
- Coordinate with the Scene Supervisor the logistics of the walk through.
- Coordinate an end of shift briefing only for the officers working the shift, no uninvolved officers or command staff, and brief them on conditions and status. If the MHP is available they should attend the briefing also to provide education and support. This briefing should be facilitated by one of the investigative supervisors or their designee. After the briefing the investigative supervisor should leave and only the involved group of officers working should attend the education and support meeting (to include AS&P if involved).
- Schedule interview for the involved officer(s) and notify them of the time of the interviews, if possible, before they leave for the day. Write it down for them. Provide them with a copy of the Critical Incident Handbook.
- Make personal notification of Administrative Duty Status for the Officer(s) involved, who is being placed on administrative leave.

Patrol / Operations Captain

- The Patrol / Operations Captain will notify the Investigative Division Supervisor. The Investigative Division Supervisor is the trigger to the response of the investigative, union, and mental health assets.
- If any officer is injured and transported to a hospital, attempt to get a supervisor to the hospital immediately, to relay information, provide support, and monitor the situation. Command staff responding to the hospital may be able to cover those responsibilities.
- Ensure the county has police coverage by requesting mutual aid from other local agencies.
- Ensure that all staffing adjustments for the current and future shifts are taken care of, keeping in mind the likelihood of the involved officer(s) being unavailable for duty and on administrative leave.
- Ensure resources are available to continue to handle calls and requests for services from the public.
- Ensure the Patrol Lieutenant makes all necessary entries / adjustments to the payroll system.
- Work with the PIO and appropriate command staff on the contents of the media release and ensure that the officer and / or their companion officer is notified of the contents of the release prior to media dissemination.

- Make your own notifications as you deem appropriate (cautious that involved officers, significant others may not have been notified yet).
- Keep in mind that one of the best things you can do for the initial response is to show support for all of those involved in the incident.
- Respond to the hospital or Sheriff's Office, depending on where officers involved are. The messaging from Command Staff is extremely important. Words of support and concern for them and all their co-workers are encouraged.
- Understand those involved, and some who are not involved, but close friends or co-workers, will be impacted in different ways. Be observant and look for officers that seem in a daze. Sometimes zombie-like, or overly emotional, and notify the Incident Command immediately.
- The initial briefing/debriefing with the shift (hopefully before they leave for the day) is only for the involved officers and supervisors. Although good intentioned, understand that attending these meetings does impact the dynamics of the debriefing and the willingness of some to share their feelings. This is a healing and bonding time for those involved.
- Be visible for a period of time after the incident to show continued support and monitor your officers, especially during critical times. Also understand there are several trigger-points to be aware of, such as the day of the press conference, if there would happen to be other similar incidents that are in the news, the death of one of the subjects, or the day of the release of the involved officer's names
- Don't forget about the other shifts and staff. Everyone is affected, including their significant others. Make extra effort to be supportive and visible to all the shifts.
- At some point Command Staff will be asked to review the incident so do not become involved in the investigation if at all possible. Recommendations made in writing are part of the record and will be available for civil or criminal discovery and need to be well thought out.

Shift Supervisor's duties

- # Notify On-call admin staff if after hours.
- # Notify Patrol / Operations Captain –Besaw (920) 832-5615, 982-4907 or 716-8369
Patrol / Operations Captain will make other notifications as needed.
- # Address staffing issues with additional call-in's and hold over's.
- # Make mutual aid request to other agencies if necessary to handle county calls.
- # arrange for an additional supervisor to assist with patrol operations.

On Scene Incident Commander

- # Make scene safe and secure.
- # Account for all officers and their status.
- # Assign companion officer(s).
- # Assign an officer(s) to suspect if transported to hospital.
- # Setup defined perimeter and notify dispatch of area.
- # Identify witnesses and separate them. This includes officer witnesses.
- # Setup media staging area -notify dispatch
 - o PIO will be notified by Operations Captain

Phone contacts

Sheriff Gehring	920-585-1302 - Cell		
Undersheriff Jobe	920-858-7358 – Cell		
Captain Besaw	920-716-8369 – Cell	982-4907 – Home	832-5615 Desk
Lt Proietti	920-740-1893 – Cell	981-4301 – Home	832-5629 Desk
Lt Hammen	920-716-8379 – Cell	759-1838 – Home	832-6060 Desk
PIO S/Sgt Carpenter	920-209-1374 – Cell	378-2012 – Home	832-5264 Desk
PIO Sgt Borman	920-716-8385 – Cell	428-5568 – Home	832-5499 Desk

Questions for shift Commander/On-Scene Supervisor:

How many officers involved/who? _____

Scene location(s)? _____

How many officers are on scene? _____

On Scene supervisor? _____

What is the current call volume? _____

What is current staffing? _____

Call in shift/ officers #s _____

Witnesses / locations? _____

Outagamie County Sheriff's Office Critical Incident Services and Protocol

The department recognizes that even though stress is inherent in policing, occasionally employees become involved in what has been described in our policy as a critical incident, which places them under emotional stress. All people react differently to stressful situations and no one response should be considered as the norm. No matter how much you have prepared these type of events, you will likely have concerns and questions.

The purpose of this handbook is to provide you and your loved ones with information that will hopefully assist you in dealing with the aftermath of this incident. The Outagamie County Sheriff's Office values its employees and understands that every employee will deal with the emotions of an incident differently. This information is being provided to you and your families to let you know what you can expect in the upcoming days and weeks.

Critical incidents are typically sudden, powerful events, which fall outside the range of our ordinary human experiences. Because they happen so abruptly, they often have a strong emotional impact, even on an experienced, well-trained officer. In law enforcement, officers generally don't have the luxury of fleeing in a life or death situation, when a threat is perceived, or the unthinkable is witnessed. We are trained, and have taken an oath, to sometimes run towards the danger, when most others would run away.

This handout is meant to assist the involved officers, their families, and other department employees, in understanding and coping with a critical incident. Your support group extends beyond your immediate family, but your family members or significant others are encouraged to accompany you to any of your meetings with the department's mental health professional and avail themselves to the professional's services.

Department's contracted mental health professional
Paul M. Smith
3311 S. Packerland Dr. suite A #8
De Pere, WI 54115
(262) 355-5800
Fax: 855-884-2688
pmsmith322@gmail.com

At the time of the incident

- * You will be asked to provide preliminary information to the first responding supervisor so they can follow through with their responsibilities and the best and most credible investigation can be done. The information that is requested of you is listed in the Critical Incident Investigations Policy, section 819.10, and is what is referred to within this policy as a Public Safety Statement. This statement is needed ASAP because of the critical need for this information. It will be taken without any legal counsel present, but will be compelled, in order to protect the officer's legal rights.
 - o Any injuries to any person or officer. If so, Where?
 - o Any witnesses and their locations.
 - o If anyone has fled the scene. If so mode of travel and last known direction.
 - o The direction of any gunfire and the officer's location at the time force was used.
 - o The scope of the scene, where it began and where it ended.
 - o Are there any weapons, or other evidence you are aware of which must be secured.
- * If you used your firearm you should holster it and not remove the magazine or reload your gun, once the scene is safe (if you haven't already done so). If you used a rifle, you can leave it at the scene if you dropped it, or can turn it over as directed by the first responding supervisor.
- * Once the scene is secured and stabilized take a step back from the scene and gather your thoughts. Take mental notes of your surroundings, do some autogenic breathing, and slow yourself down. You have done your part; it is now up to others to do theirs.
- * You will be allowed to have a companion officer called to be your partner through the remainder of the incident. This can be anyone not involved in the incident. They can respond to the scene or meet you at headquarters. This officer will help provide for physical needs, contact people you wish contacted, and support you.
- * You will be given a ride from the scene by another officer or supervisor. This will get you away from what is probably a chaotic scene and prevent you from having any accidental involvement with the investigation.
- * You will be allowed to call family members as you see fit. If you want one of them to respond to headquarters to meet you, that can be arranged through your companion officer.
- * One administrative staff member will be assigned to be a liaison and your point of contact through the incident. They will be the liaison to you, provide updates, handle evidence as needed, and make arrangements with you for your interview and other meetings.
- * At the station your firearm, and possibly your magazines, will be collected by a supervisor, if it was used. You will be provided with a replacement weapon immediately. Your uniform may be collected and photographed as well. In addition, you may be photographed to depict any injuries as well.
- * At the station you will be given a quiet area to meet with your representatives, family, and the mental health professional.
- * If the mental health professional was able to immediately respond you will have your first meeting with them (Education and Support Debriefing). The purpose of this session is to provide you with information and support.
- * If a voluntary walk through was not done initially with investigators, you will be asked to go back to the scene to do this with the investigators. It will be compelled and not be recorded. An OSDA representative may be present during any walk through. It will help you to start putting the pieces of the incident back together and it will help you recall the incident when you give your statement. The purpose of the walkthrough is to locate evidence.
- * If you agree to it, a voluntary blood draw or urine sample will be arranged by a supervisor.

- * As your point of contact, who do you want us to call to get messages or make arrangements for interviews:

_____ Ph. _____

After the Incident

The following things will occur, generally in this order, after the incident:

Education and Support Debriefing – within 24 hours

Immediately after, or within 24 hours of the incident, if at all possible, you will have the opportunity to meet with the department's mental health professional. The purpose of this meeting is to allow you the opportunity to meet with someone trained in the body's response to critical incidents and allow you the chance to express your feelings if you wish. They will discuss with you some of the feelings you may have had and will educate you on some of the feelings that may occur in the future. Your family may come with you but the debriefing will be a private, individual meeting. Your family members can also meet with the health care professional at this time if they would like to discuss their feelings or if they have questions. This is offered at no cost to you or your family.

Administrative Assignment

You will be placed on administrative assignment to allow you to develop the coping skills needed to help you deal with the impact of the incident and meet the other requirements that will be expected of you over the next several days. The length of the assignment will be determined by the Sheriff. If you are unable to return to work after you are cleared to return by the Sheriff, we will work with you and the MHP to arrange an appropriate time for your return. Research has shown that returning to work sooner rather than later is usually best for the Officer.

While on administrative assignment you are encouraged to arrange time with a firearms instructor to do some shooting. An instructor will also make arrangements to have you go through several use of force scenarios. This is not for any specific training purpose but is to help you again transition back into your normal duties.

The time spent on administrative assignment should not be construed as discipline or a finding of fault. The Outagamie County Sheriff's Office has elected to place you on administrative assignment to allow you and your family the time to begin the process of recovering from this highly emotional incident. Your pay, benefits, and any vacation or compensatory time are not affected while on administrative duty. As noted in 819.20, you must remain available to appear for interviews and provide information as needed. In some cases, although not typical, you may be reassigned to another position within the department, until the investigation has been completed, unless a mental health provider or physician has determined you are unable to work in such position.

Many of your co-workers will want to show their support as your critical incident is being investigated. It is your decision how you want to inform them of how you are doing, but you cannot discuss the incident with them while it is being investigated, unless they are listed in the critical incident investigation policy. You may decide to have your companion officer be your point of contact for your co-workers to avoid numerous calls and questions from co-workers.

While on administrative assignment you are encouraged to contact your administrative staff member, who has been assigned as your point of contact, with any questions related to the investigation. Please forward all questions and concerns to that individual to avoid any confusion or conflicting information

Interview with Investigators

You will be asked to provide a statement to investigators. The decision to do so is yours. Absent extenuating circumstances and a waiver by you, that statement/interview will not occur prior to 2 sleep cycles after the incident, between 24 and 72 hours. The interview will take place in a private area of the department and you will be allowed to have a union representative and/or union attorney present, and/or a private attorney of your choice present during the interview.

This interview will act as your statement and detail of the incident. The transcripts of the interview will be typed up and you will be allowed to make corrections and additions later, as you normally would with your reports. You will also be allowed to review all available audio and video recordings related to the incident, which are in the Department's possession.

Individual Debriefing While on Administrative Assignment

After your interview, and while you are still on administrative assignment, you will be required to meet with the MHP. It has been suggested that you consider inviting your spouse or significant other to attend the session with you as a support person. This may be very beneficial to your family.

Case Updates

The administrative staff member assigned as your liaison will provide whatever updates they can to you on the status of the investigation and when you can expect your firearm back. The investigation that is being done is being done as quickly and efficiently as possible. The investigation will be thorough and complete, and will eventually be released to the public. At some point, after you have notified your family members, the public will be provided with your name and some basic employment information. This is public record and must be released.

CIRB

The Critical Incident Review Board is made up of numerous department employees of various ranks. They will review the investigation and issue findings and make recommendations to the Sheriff. The Sheriff will determine the disposition at that time.

Return to Full Duty Status

You will return to full duty status when determined by the Sheriff, after the conclusion of the incident investigation. When you return to full duty status your work assignment and any special requests to ride with a partner, etc., will be accommodated and handled by the Patrol Lieutenant or your immediate supervisor if you are not a shift supervisor. If so, the Patrol Lieutenant or Patrol / Ops Captain will handle any such requests.

District Attorney Review

The final report will be forwarded to the District Attorney for his/her review and decision.

Follow-Up Services

Follow-up care is encouraged for all Officers, and their families, to the extent they are comfortable. There are sessions available to you and your family at the EAP center. All contacts and services are

confidential between you and the provider. Your meetings with the department mental health professional are also at no cost to you.

Six and 12 Month Meetings with MHP

By policy, you will be mandated to meet with the department mental health professional at approximately the six and twelve month mark after the incident. This is to check on how you are doing, and to offer any other services to you and your family. These meetings are confidential and the Department is only notified that you did attend the meeting. These meetings will be arranged by the Patrol Lieutenant.

Department Point of Contact

Your Department point of contact: _____

Phone Number's: _____

OUTAGAMIE COUNTY

SHERIFF'S OFFICE

POLICY MANUAL

Title: Law Enforcement Canines	Series: 901
Effective Date: April 29, 2021	Original Date Issued: March 8, 2004
Sheriff:	Re-Issue Date: April 29, 2021 April 2, 2015

- 901.01 GENERAL POLICY
- 901.02 DEFINITIONS
- 901.03 ADMINISTRATION AND MANAGEMENT
- 901.04 OPERATION PROCEDURES

UPDATED---Outagamie County Sheriff's Office Canine (K9) Unit Policy

901.01 PURPOSE

The purpose of this policy is to provide guidelines for the management and deployment of Sheriff's Office Canine (K9) units for a variety of operational purposes.

901.02 POLICY

It is the policy of the Outagamie County Sheriff's Office to provide specialized canine support to the operations of the Sheriff's Office, specifically for searching, tracking, patrol, tactical operations, explosive detection, and drug detection.

901.03 DEFINITIONS

- A. Canine Team: An Outagamie County Sheriff's Office Deputy, who was selected to be a canine handler, and his/her assigned police canine.
- B. Canine Sniff (Narcotics): The utilization of the police canine for the detection of odor of an illegal substance.
Canine Sniff (Explosives): The utilization of the police canine for the detection of an explosive substance.
A canine sniff can be done without restrictions in areas where there is no reasonable expectation of privacy.
- C. Canine Deployment: When a canine handler uses his/her police canine in an official capacity.

901.04 PROCEDURES

- A. General Guidelines
 - 1. Canine teams are available on a 24 hour, on call basis.
 - 2. Canine handlers will be compensated for "at home care" (Fair Labor Standards Act, Garcia vs San Antonio Metro Trans. Auth., Levering vs District of Columbia)
 - a. Compensation may include wage differential or shift adjustment
 - 3. The decision to use a canine in accordance with this policy shall be deemed an act of discretion and shall be reviewed based on the information reasonably available to the handler at the time the decision was made.
 - a. The tactics and manner in which the canine is to be utilized in a police operation shall be a decision of the handler, within the canine's abilities, and within department policy.
 - 4. The use of the canine team may constitute a Use of Force. When it does, the canine team shall only use that amount of force that is reasonably necessary to establish and maintain control of the subject.
 - a. The use of a canine to locate items, evidence, or a person(s) that does not result in a bite, does not constitute a Use of Force.
 - b. The use of a canine to apprehend a person(s) resulting in a bite, is a Use of Force under this policy.
 - 5. Whenever the use of a canine results in a bite or the canine injures a person, a written report shall be completed. The report shall include:
 - a. The circumstances surrounding the incident

- b. The identity of the person(s) involved
 - c. Any witnesses
 - d. The extent of injuries, if known
- 6. When a canine team is on-duty, assistance may be requested by contacting the canine handler directly.
 - a. If a canine team is off-duty, assistance shall be requested through a supervisor.
 - b. The supervisor will determine if a canine team needs to be called in.
- 7. Sheriff's Office canines shall normally be handled or given commands by the assigned handler. Only under emergency situations shall another handler or Deputy/officer control or command the canine.
- 8. The Outagamie County Sheriff's Office canine units may assist other law enforcement agencies when that assistance does not jeopardize the safety or security of Outagamie County and its citizens. The following guidelines shall be followed:
 - a. The on-duty supervisor shall be notified for approval.
 - b. Sheriff's Office canine handlers will operate under the guidelines of the Outagamie County Sheriff's Office policy and procedures while assisting other law enforcement agencies.
 - c. Handlers may use other Outagamie County Sheriff's Office Deputies to assist with tactical operations for other law enforcement agencies.

B. Building Searches

- 1. Canine building searches may be conducted in a number of situations, for the purpose of locating potentially dangerous subjects.
- 2. Responding Deputies/Officers should secure the building perimeter and await the arrival of the canine team
- 3. Upon arrival, the canine team will take charge of the building search and will direct the activities of assisting Deputies/Officers.
- 4. Before starting a building search using a police canine, the handler shall announce a verbal warning, unless such warning would increase the threat of injury to Officers or others. The verbal warning shall include:
 - a. Identifying the law enforcement agency that has jurisdiction.
 - b. A police canine is present and will be used to search the building
 - c. Clear instructions to the person(s) occupying the building
 - d. Consequences to the person(s) failing to comply with the instructions
 - e. The verbal warning shall be given in loud, clear manner. If known, a reasonable attempt to give a warning in the language of the suspect should be made.
 - f. If practical, the verbal warning should be repeated, and an attempt should be made to record this announcement.
 - g. A reasonable amount of time shall be allowed for the suspects to respond. This verbal warning shall be repeated on each level of a multilevel structure.

5. To reduce the potential for bite or injury to person(s) who may be lawfully inside the building, reasonable efforts to contact the building owner, or caretaker, or key holder(s) to try to determine whom, if anyone, should be in the building.
6. The canine should not be used to search facilities that contain substances that may be harmful to the canine or handler unless there is an overriding risk to human life that is present.

C. Drug Detection

1. The utilization of the canine to detect illegal drugs in support of a “search” is governed by the applicable case law. In addition, a canine sniff can be done without restrictions in areas where there is no reasonable expectation of privacy in the target area.
2. Luggage. Whenever possible, canine sniffs of a public facility should be conducted with the advanced knowledge of the facilities manager or owner. The sniff, if possible, should be conducted without interference or annoyance to the public or interruption of facility operations.
 - a. Drug Detection canines may not be used to sniff luggage or related personal items in the physical possession (i.e. control of or close proximity to) of an individual in a public facility or place unless both of the following apply:
 - i. There is reasonable suspicion that the personal possession contains illegal drugs or evidence of a crime
 - ii. The time required to conduct the sniff is limited in duration
 - b. Canines may be used to sniff luggage or other personal effects of an individual on either a random or selective basis if the items are not in the possession of the owner. (Example: on conveyor belts, or in the possession of the baggage handlers etc.)
3. Schools. The use of the drug detection canines in the schools is allowed when requested by school administration, and in situations where there is a reasonable suspicion to believe that illegal drugs are being sold, possessed, and/or consumed on the premises.
 - a. When reasonably possible, the school principal or designated authority should be contacted in advance of the sniffs.
 - b. The canine sniffs should be limited to places where there is no reasonable expectation of privacy.
4. Motor Vehicles. The use of canines for the detection of illegal drugs in motor vehicles, located in areas open to the public, may occur when:
 - a. There is a reasonable suspicion to believe that the operator or passengers are in possession of illegal drugs
 - b. The canine handler and current case law shall dictate the extent of the sniff of the vehicle
 - c. Any other time when a search of the vehicle is otherwise authorized.
5. Since case laws are continuously updated, canine handlers shall follow current case law until this policy can be updated.

D. Bomb/Explosive Detection Canines

1. Due to the high risk or danger to the public, law enforcement, and 1st responders, when a bomb or other explosive device is suspected, the use of the explosive detection canine team may be considered.
 - a. The on-duty supervisor and/or canine handler should contact a member(s) of the Brown-Outagamie County Bomb squad or a similar resource for consultation prior to the sniff.
2. Explosive detection canines may be used in accordance with current laws, and under circumstances such as:
 - a. Searching a building, structure, area, vehicle, or articles
 - b. Searches of transportation facilities and vehicles (buses, airplanes, trans)
 - c. Searches at Special Events, VIP visits, Official Buildings, or other restricted areas
 - d. Assisting the search of post-blast scene where a secondary device is suspected
 - e. Explosive detection canines will not be used to render a suspected device safe or clear.
3. Since case laws are continuously updated, canine handlers shall follow current case law until this policy can be updated.

E. Tracking

1. When trained police canines are available for tracking, an on-duty supervisor's approval and canine handler's input will determine if a canine should be used to track missing persons or criminal suspects or to locate evidence.
2. An on-duty supervisor should be notified whenever possible prior to, during, and at the end of the track
3. When pursuing suspect(s) or missing person(s) and contact with them is lost, prior to requesting a canine team, officers should:
 - a. Stop and determine the last seen point of the suspect(s) or missing person(s).
 - b. Set up a perimeter using other law enforcement personnel (or consider using 1st responders to assist on a perimeter for missing person(s))
 - c. Avoid vehicle or foot traffic in the area where the suspect(s) or missing person(s) were last seen.
 - d. Consider using other resources such as a drone or ATV to help search the area

F. Canine Apprehension

1. A police canine may be used to apprehend a subject(s) if the canine handler reasonably believes that the individual is causing a situation, or has either committed or is about to commit, any offense wherein any of the following exist:
 - a. There is a reasonable belief that the subject poses an imminent threat of bodily harm to another person or him/herself.

- b. The subject is physically resisting arrest/detention and poses an imminent threat of bodily harm to the officers and/or others and the use of the canine appears necessary to overcome such resistance.
- c. The subject is believed to be concealed from law enforcement in an area that makes a canine search and apprehension the most appropriate method to avoid the potential threat outlined in section a and b above.

G. Injured Handler—Emergency Procedures

1. If the canine handler is injured, and unable to give commands to canine, the canine may become defensive or attempt to protect the handler. Other officers may:
 - a. Contact another canine handler to assist
 - b. Do not attempt physical contact with the canine
 - c. Position the canine squad near the canine in an attempt to verbally direct the canine inside of it
 - d. Close the door and wait for further instructions from a supervisor or another handler

H. Injured Canine

- a. Contact the Fox Valley Animal Referral Center—920-993-9193
- b. Transport canine to Fox Valley Animal Referral Center if needed

I. Canine bites and Injuries to a subject

1. If subject was bitten or injured by canine during its official duties, the handler shall:
 - a. If no arrest was made, offer medical care and treatment by a qualified medical professional to the subject
 - b. If an arrest was made, the subject will be provided with medical attention in accordance with Sheriff's Office policy and follow thru considerations
 - c. Injury photographs shall be documented following completed medical treatment and prior to discharge
 - d. The handler shall complete and submit a written report
2. A police canine that bit a subject while performing a law enforcement function, does not need to be quarantined. The canine will be examined by the canine's primary veterinarian within a reasonable time after the bite.
 - a. The quarantine requirement does not apply to a canine that is used by a law enforcement agency and that canine bites a person(s) while the canine is performing law enforcement functions if the canine is immunized against rabies and has a valid certificate of rabies vaccination or other evidence
 - b. The Sheriff's Office shall notify local Health Department if the canine exhibits any abnormal behavior.

J. Canine Use and Care

1. Sheriff's Office and/or the funds from the Sheriff's Office K9 fund (kept at the Community Foundation of the Fox Valley) shall be responsible for the expenses related to the canine care and maintenance, proper housing/kennel, medical expenses, immunizations, and training supplies.
 - a. Non-life-threatening medical decisions shall be made by the Sheriff's Office
 - b. A canine supervisor or designee may conduct periodic checks to ensure the housing/kennel are properly maintained.
2. Canines shall not be used for breeding, participation in shows, field trails, exhibitions, or other demonstrations, on or off duty, unless authorized by the canine supervisor or their designee.
3. Canines, both on and off duty, shall be not be allowed to run loose unless under the control of the handler.
4. Canine handlers are responsible for the daily care, grooming, medical care, and overall maintenance of the canine and will be compensated for that.
5. If the handler is unable to perform these duties, due an injury, illness or leave:
 - a. Another canine handler may be assigned to assist
 - b. The canine may be housed in a department-approved kennel
6. Handlers shall not permit anyone to pet or hug their canine without the handler's permissions and handler's supervision.
7. Retirement. The handler may request to take possession of their canine if:
 - a. The canine is retired from duty or relieved of duty due to injury
 - b. The handler retires and the decision is made not to retain the canine for another canine handler
 - c. If the canine retires, the canine handler may purchase the canine for \$1.00 and sign a liability release form.

K. Canine Vehicle Equipment and Canine Vehicle Operations

1. Canine vehicles are assigned to canine handlers and will be used for transporting the canine, responding to calls for service, training, or any other assignments determined by the canine handler Supervisor
 - a. Canine vehicles will be used on and off duty to transport the canine to/from handler's residence for routine veterinary care, grooming, and for emergency or non-emergency care.
 - b. Canine handlers are responsible for the operation and maintenance of the canine vehicles in accordance with department policy
2. Canine vehicles will only be operated by assigned canine handlers unless approved by canine handler's supervisor
3. Canine vehicles will not be used to transport other animals for any reason
4. Canine vehicles should not be used to transport subjects whenever practical
5. Canine vehicles should be equipped with working:
 - a. Exterior emergency lights and siren
 - b. Canine insert/cage
 - i. With a proper ventilation design

- ii. Direct access to AC/Heat vents
 - iii. Grates/barriers to prevent people or objects from getting into canine area thru the window or walls of the insert
- c. Tinted windows
- d. Temperature monitoring system that includes working safety devices/features to prevent the overheating or freezing temperatures to prevent canine injury or death
- e. This temperature system will also have the ability to contact the handler and/or an emergency contact list in case of a temperature system emergency activation
- f. (Optional) A “hot n pop” or “bail out” type system which allows the handler to release the canine from the vehicle remotely
- 6. Canine vehicles should contain additional supplies and equipment needed for deployments such as water, food, leashes, collars, harnesses, etc.
- 7. Canine vehicles should contain emergency supplies such as canine 1st aid kit
- L. Canine Team Qualifications and Training
 - 1. The final selection of a canine handler will be at the discretion of the Sheriff.
 - a. A selection process may include the requirements set forth in the Deputy Association contract, an interview process and/or written testing
 - 2. New canine handlers and their assigned canine must pass the initial required canine training course(s) together thru Kevin Sheldahl at K9 Services, LLC
 - 3. The canine handler(s) will maintain training and deployment records. These records will be available for:
 - a. The canine supervisor, who may review these records
 - b. Clerical supervisor
 - c. Others who may need it when seeking warrants
 - 4. All department canines must meet established certification requirements that are established by Kevin Sheldahl at K9 Services, LLC bi-annually.
 - a. Canines not certified, may not be used for on duty canine deployments
 - 5. The department will provide a minimum of 16 hours per month in canine training opportunities for the handler to maintain within appropriate standards.
 - a. With Supervisor approval, canine handler may be excused from this requirement due to personal leave of absence, vacation, or illness of canine and/or handler
 - 6. The canine supervisor shall confirm that basic, in-service training(s), and certifications are conducted on a regular basis
 - 7. Canine handlers may be required to demonstrate these canine abilities for the canine supervisor
 - 8. Failure to participate in or qualify for the established training standards will result in de-certification of the canine/handler team. The team may not be deployed until certification standards are met.

M. Controlled Substance Training Aides and Control

1. Controlled Substance training aids used for training of drug detection police canines shall be procured through the Drug Enforcement Agency (DEA), Lake Winnebago Area MEG (LWAM), Sheriff's Office Evidence Custodian or other approved sources.
2. Controlled Substance aids procured through the Sheriff's Office Evidence Custodian, will be approved by the canine supervisor, and documented according to Sheriff's Office policy and procedures.
3. Controlled Substance training aids storage will follow department requirements of:
 - a. When not in use, the aids will be:
 - i. Secured in a locked container
 - ii. Secured in canine vehicle or secured location at the Sheriff's Office
4. If a special use permit is obtained through the Wisconsin Department of Safety and Professional Services, the physical security requirements established by SS. 961.335 will be followed
5. Controlled Substance aids shall be inspected, weighed, and an accountability log kept if removed from secured storage at the Sheriff's Office for training purposes.
6. Controlled Substance aids shall be documented, periodically inspected, and confirmed by the canine supervisor
7. Canine handlers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of training in compliance with state and federal laws (21 USC SS.823(f); Wis Statute 961.335—regarding special use permits/physical security requirements; Wis Admin Code CSB 3.05—regarding limits on drug quantities handlers may possess)

N. Explosive Training aids and Control

1. Canine handlers may possess, transport, store or use explosives in compliance with state and federal laws (Wis. Stat. 941.31; 18 USC SS 842; 27 CFR 555.41)
2. Explosive training aids designed for canine teams should be used whenever feasible
3. Storage:
 - a. When not in use, all explosive training aids shall be stored in accordance with state and federal laws
 - b. An inventory log shall be used to document the type and quantity of explosive training aids that are stored
 - c. The canine supervisor shall be responsible to verify the explosive training aids on hand
 - d. Canine handlers and bomb squad members have access to training aids in the storage container at the Sheriff's Office
 - e. Any lost or damaged explosive training aids will be reported to the canine supervisor, who will determine if any further action is needed.
 - f. Any loss of explosive training aids will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as required by federal law

O. Future Canine Policy Updates

1. When there are any future updates, or changes to this policy, a canine handler (or the canine unit as a whole) should be consulted prior to finalizing the policy due to continuous updates in state and federal court rulings and applicable laws.

Note: the use of force policy and the Defensive Action report will be updated to include K9 deployments and / or apprehensions