

RULE 4 - GENERAL RULES AND REGULATIONS

(Rev. 07/08)

005.00 All employees of the Police Department shall be known as members of the Department. Members who are designated by Charter Ordinance as Police Officers with police powers shall comprise the “police force.”

010.00 All members of the Department shall familiarize themselves with all the provisions of the Department’s Rules and Procedures Manual within 30 days of issuance thereof.

It shall be the duty of all members of the Department to thoroughly familiarize themselves with such provisions of the Department’s Rules and Procedures Manual as deal specifically and generally with the duties of their rank, grade, or position within 20 days from assuming that rank, grade or position.

Police recruit officers shall familiarize themselves with all the provisions of the Department’s Rules and Procedure Manual prior to graduation.

Failure on the part of members of the Department to acquaint themselves with and abide by the provisions of the Department’s Rules and Procedures Manual as hereby directed shall be considered neglect of duty and shall subject such members to disciplinary action.

015.00 Members of the police force shall, at all times within the boundaries of the City, preserve the public peace, prevent crime, detect and arrest violators of the law, and protect life and property.

They shall conform to, abide by and enforce all the criminal laws of the State of Wisconsin and the ordinances of the City of Milwaukee of which the Department must take cognizance and they shall render their services to the City with zeal, courage, discretion, and fidelity. They shall render their services to the City in an efficient manner.

Members shall also observe the laws and ordinances in effect in any other jurisdiction while within such jurisdiction.

20.00 Except as otherwise herein provided, members of the police force shall devote their whole time and attention to the service of the Department and they are expressly prohibited from engaging in any other business or occupation. Members of the police force represented by a labor organization may engage in another business or occupation in accordance with the provisions of the labor agreement in force between the member’s labor organization and the city of Milwaukee. Members of the police force

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not represented by a labor organization may engage in another business or occupation as approved by the Chief of Police.

025.00

Members of the police force shall have regular hours assigned to them for active duty each day, and when not so employed they shall be considered "off duty." Normal hours of work shall consist of work shifts of eight (8) consecutive hours which in the aggregate results in an average work week of forty (40) hours. The regularly scheduled eight hour shift shall be established by the Chief of Police in accordance with the foregoing. Members of the police force shall, however, be always subject to duty although periodically relieved from the routine performance of it. They are always subject to orders from proper authority and to call from civilians. The fact that they may be technically "off duty" shall not be held as relieving them from the responsibility of taking required police action in any matter coming to their attention at any time.

030.00

Members shall promptly obey any lawful order emanating from any officer of higher rank. Should any such order conflict with a previous order from any other ranking officer, with any general or special order, or any provision of the Rules and Procedures Manual, the member to whom such order is given shall respectfully call attention to such conflict of orders, and if the officer giving the last order does not change it to eliminate such conflict, the order shall stand and the member giving such order shall bear full responsibility. Further, the member obeying the order shall not be held in any way responsible for disobedience of any orders theretofore issued. If any unlawful order is given to any member, such member shall promptly report such fact to the Chief of Police.

035.00

Members shall promptly communicate in writing to their commanding officer any violation of the Department Rules and Procedures Manual or disobedience of orders by any other member that may come to their knowledge.

040.00

Members shall reside in the city of Milwaukee except when on vacation, or as otherwise provided in these rules. Whenever members leave the City for more than seventy-two (72) hours (except when on vacation), they shall furnish their commanding officer with sufficient information so that they may be enabled to communicate with them without delay.

045.00

When members are assigned to a work location for permanent duty, they shall immediately report their correct residence addresses on Form PN-2 to their respective commanding officers, and shall also report any changes in such addresses as soon as practical, i.e., their next tour of duty. Commanding officers or heads of bureaus shall promptly submit such information to the Administration Bureau. Members shall also report the telephone numbers in their residences, or in the event they have no

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telephone, the number of the nearest telephone through which they may be reached in cases of emergency.

050.00 Members of the police force are required to discharge their duties with composure and determination, and in time of extreme peril they shall act together and assist and protect each other in the restoration of peace and order. Whoever shrinks from danger or responsibility shall be considered guilty of gross neglect of duty and unworthy of a place in the service.

055.00 Members are prohibited from affiliating with any organization or body, the constitution of which embraces provisions which might in any way exact prior consideration and prevent the proper and efficient functioning of the Department, and which further require members to ignore their obligations to uphold and defend the constitution and laws of the United States, the state of Wisconsin and the city of Milwaukee, as well as all lawful orders of their supervisory officers.

060.00 Courtesy and civility toward the public are demanded of all members of the Department and any conduct to the contrary shall not be tolerated. Members in their conduct and department shall be civil and orderly, and shall at all times be attentive and zealous in the discharge of their duties, controlling their tempers and exercising the utmost patience and discretion. They must refrain from using coarse, violent, profane, or insolent language. When required to act, members must do so with firmness and sufficient energy to perform their duties, but they must never subject a person to any greater indignity than is necessary. Members shall be civil and respectful toward each other.

065.00 Members shall be particularly careful not to interfere officiously or unnecessarily in the private business of any person.

075.00 Members of the Department, shall not take part or be concerned either directly or indirectly in making or negotiating any compromise or arrangement for any criminal or any person who has suffered by their act with a view to permitting such criminal or other person to escape the penalty of the law. Members, shall not recommend to any said prisoner the employment of any person as their attorney, or suggest the name of any attorney to a prisoner with a view to their defense at any time. Nor shall they either directly or indirectly interfere or interest themselves in any manner whatever in the employment of any attorney to aid any victim of an accident, or other person.

080.00 Members of the Department shall not request the aid of any person outside of the Department to have them transferred to another assignment or beat, or to have them restored to any assignment or beat from which they have been removed by order of a supervisory officer, or to have them

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promoted to a higher rank in the service; nor shall they knowingly permit any petition to be prepared or presented by citizens in their behalf requesting such transfer, restoration, or promotion.

085.00

All members of the police force are equally responsible for the enforcement of the traffic laws and ordinances. The special delegation of the enforcement of certain laws and ordinances to particular divisions or bureaus of the Department does not relieve members of other divisions or bureaus from the responsibility of taking prompt and proper police action relative to violations of any laws or ordinances observed by them or coming to their attention, and of which the Department takes cognizance.

090.00

Members of the Department shall not consume any intoxicating liquor and/or fermented malt beverages while on duty without approval of the Chief of Police. Members of the Department shall not purchase or possess any intoxicating liquor and/or fermented malt beverages while on duty or while in uniform, except with the approval of the Chief of Police or in the performance of official police duties.

095.00

Members of the Department are prohibited from being under the influence of an intoxicant both on or off duty. For the purpose of this rule, "under the influence of an intoxicant" means that the person's condition is impaired to such an extent that their capacity for rational action or conduct is substantially lessened because of the consumption of an alcoholic beverage. Such persons shall immediately be suspended and charges preferred against them.

100.00

No intoxicating liquor and/or fermented malt beverages shall be brought into or kept in any Department building or part thereof, nor in any building designated for and/or used in part or whole for police purposes, except when officially seized, or for training purposes or with the permission of the Chief of Police.

105.00

No member shall intentionally or with reckless disregard for the truth make an untrue statement, either orally or in writing, in connection with any investigation, assignment, or inquiry. Members found to be in violation of this rule shall be subject to discipline up to and including discharge from the Department.

105.05

No member shall knowingly or with reckless disregard for the truth sign any false official statement or report, commit perjury, or give false testimony before any court, board, or commission, or in any judicial or administrative hearing, whether or not under oath. Members found to be in violation of this rule shall be subject to discipline up to and including discharge from the Department.

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- 105.10** Members are required, in their reports, to be complete, honest and accurate with respect to all relevant facts and information pertaining to any investigation, whether criminal or administrative, or pertaining to any other matter for which the member provides a report, either orally or in writing, to the Department. Members found to be in violation of this rule shall be subject to discipline up to and including discharge from the Department.
- 110.00** Members of the Department shall communicate promptly to their commanding officer all catastrophes, crimes, suicides, attempted suicides, fires, serious accidents, and all important public occurrences, complaints, and information of which the Department takes cognizance, which may come to their attention. Members shall not withhold "tips" or information with a view to personal achievement or for any other reason.
- 115.00** When members of the police force are called to, or happen upon, the scene of a crime, they shall at once investigate and note all particulars and obtain the names and addresses of witnesses and all other important details; and they shall as soon as practicable communicate the facts obtained to the commanding officer, or designee, of the district in which the crime occurred; except, members of the Criminal Investigation Bureau or Special Operations Bureau, who shall communicate such facts directly to the officer in charge of said bureau. Investigating members shall make a written report as soon as practicable to their commanding officers. Members of the police force making such investigation shall deliver at the scene of the crime all evidence and information obtained in the case to any members of the Criminal Investigation Bureau who may be assigned to such case, upon their arrival. Members of the police force shall prevent unauthorized persons from entering upon the scene of a crime.
- 120.00** Members of the police force, when investigating an alleged crime or suspicious death, shall exercise every precaution to avoid destroying or lessening the evidence on bodies, effects, and surrounding property, and particularly avoid destroying fingerprints by unintelligent or careless handling of any weapon or other article.
- 125.00** City Ordinance 350-35 2 a. and c.
Any exempt or nonexempt city employee may be a candidate for any political office and may actively campaign therefore without jeopardizing his or her employment with the city. Any exempt or nonexempt city employee who desires to become a candidate for political office, in all instances where there is a contest for such offices, shall be required to take a leave of absence without pay commencing on the date on which he or she files nomination papers for such office and continuing until the elimination of the candidate in the primary election, if any, or until the day after the general election in which such employee may be a candidate. The requirement to take a leave of absence shall not apply to employees

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represented by the Milwaukee Police Association, Local #21, IUPA, AFL-CIO, or the Milwaukee Police Supervisors Organization in those instances where such employees are candidates for a nonpartisan, part time political office.

It shall be the duty of all employees affected by this section to forthwith advise their immediate supervisor of such political candidacy, and of such supervisor to forthwith give notice to the Chief of Police.

130.00 Members of the Department shall treat as confidential the official business of the Department. They shall not impart it to anyone except those for whom it is intended, or as directed by their commanding officer, or under due process of law; and they shall not make known to any person, whether or not a member of the Department, any special order which they may receive, unless required by the nature of the order.

135.00 No member of the Department shall speak on behalf of the Department unless authorized to do so by the Chief of Police. Commanding officers shall impart to representatives of the press, upon establishing their identity, current news, provided the ends of justice are not compromised. (Refer to S.O.P., 3/570.00, regarding Public Information Policy.)

140.00 Members of the Department shall treat their supervisory officers with respect and their demeanor toward their associates in the Department shall be courteous and considerate. They shall guard themselves against envy, jealousy, or other unfriendly feeling; and they shall refrain from all communications to their discredit, except to their supervisors whom it is their duty to inform of every neglect or disobedience of orders that may come to their knowledge.

145.00 Members of the police force shall not serve civil process; neither shall they render assistance in civil cases, except when the City of Milwaukee is a party. They shall, however, prevent breaches of the peace and quell disturbances growing out of such matters and take the persons breaking the peace into custody, if necessary. Members of the Department shall not testify in civil cases unless legally summoned to do so.

150.00 Any and all witness fees paid to members of the Department for attendance or testifying in court where the information or knowledge testified to or sought to be elicited has been acquired by said members in the performance of their official duty shall be immediately deposited through the respective District Station cash register for transmittal to the City Treasurer.

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- 155.00** Members of the Department shall not communicate verbally or in writing, directly or indirectly, in any manner or form, any information which may enable persons involved in criminal acts or city ordinance violations to escape arrest or punishment, or which may permit them to dispose of or secrete any money, goods, or other valuables unlawfully obtained.
- 160.00** Members of the Department while on duty or while acting in an official capacity shall not engage in political or religious discussions to the detriment of discipline, and shall not speak disparagingly of the nationality of any person.
- 165.00** Members of the Department shall be punctual in reporting for duty at the time designated by their supervisors. Habitual failure to report promptly at the time directed shall be considered gross neglect of duty.
- 170.00** Members while on duty and in uniform shall not carry umbrellas, packages, bundles, or newspapers. Members in uniform shall not read newspapers while on active duty and in public, except when otherwise directed by proper authority; nor shall they, while in uniform, walk or stand with their hands in their pockets.
- 170.01** While on duty, members of the Department shall not have in their possession, or use, any unauthorized uniforms or equipment. For the purposes of this rule authorized uniforms and equipment are those issued by the Department, or other items expressly authorized by a supervisor for use in the accomplishment of police duties.
- 170.02** Members of the Department are permitted to transport Department-authorized work materials and other non-prohibited items (citation books, rain gear, body armor, lunch, etc.) by means of a gym-type bag or briefcase, of common design and color; provided, that such gym-type bag or briefcase does not bear any type of advertising, logos, or other identification which may be deemed detrimental to the Department.
- The following items shall not be contained within or transported by means of such gym-type bags or briefcases: Items required to be placed on inventory; unauthorized weapons; alcoholic beverages; controlled substances and paraphernalia; personal radios, cameras, tape recorders, and televisions; as well as any other items without enumeration which may be deemed inconsistent with the efficient conduct of police duties.
- 170.03** Officers assigned to uniformed foot patrol are prohibited from using gym-type bags or briefcases except to and from work.

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- 170.04** The Department reserves the right to open and inspect any such gym-type bag or briefcase transported by or otherwise in the possession of a member provided the member whose gym-type bag or briefcase is inspected is present during such inspection. The City shall continue to be held blameless against loss, theft or damage. Members are specifically required to cooperate with superior officers in order to facilitate such inspection.
- 175.00** Members of the police force shall not smoke while in uniform and in public, either on or off duty; nor in any building, facility, or vehicle, owned or controlled by the Milwaukee Police Department; nor shall they chew gum or tobacco while in ranks during roll call or at any time in a manner conspicuous or unsightly. Members of the police force not in uniform and civilian employees shall not smoke in any building, facility, or vehicle, owned or controlled by the Milwaukee Police Department.
- 180.00** Members of the Department shall not accept, directly or indirectly, from any person liable to arrest or to complaint, or in custody, or after discharge, or from any friend or friends of any such person, any gratuity, fee, loan, reward, or gift whatsoever. They shall not accept from any person any money, reward, gift, or other compensation for services rendered in line of duty, except such rewards in money as may be approved by the Chief of Police, to be disposed of as provided in Section 2/185.00 of this Manual.
- 185.00** All monies received as rewards, presents, gifts, or emoluments by members of the Department for services rendered in the line of duty, other than salaries, shall be promptly relinquished to their respective commanding officers, together with a written statement of the circumstances under which such monies were received; and such commanding officers shall immediately forward the money to the Commanding Officer of the Administration Bureau, who shall in turn, upon approval of the Chief of Police, deliver such monies to the City Treasurer, unless the donor of any such rewards, presents, gifts, or emoluments, except standing rewards, specifically designates that the money shall be paid to the Milwaukee Police Athletic Association, the Police Relief Association, the Milwaukee Police Association, the Milwaukee Police Supervisors' Organization, or to the Policemen's Annuity and Benefit Fund, when such monies shall be delivered to the respective treasurers of said associations or fund.
- 190.00** Members of the Department while on duty shall not collect or receive any money, property, or other thing of value from citizens or other persons for any purpose without the permission of the Chief of Police. Department members while on duty shall not circulate subscription papers, sell tickets,

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or collect money from any person for any purpose, without permission from the Chief of Police.

195.00 Members of the Department shall not permit the use of their photographs or names depicting their official position for advertising purposes, or by testimonial, recommendation, or other means participate in any advertising scheme or enterprise without the express permission of the Chief of Police.

200.00 Members of the police force shall not apply for any search warrant or other warrant, nor serve any such warrants, without the knowledge and approval of their commanding officers. Commanding officers shall be responsible for contacting the appropriate bureau commander or designee for approval. If the warrant involves gambling, narcotics, prostitution or liquor law violations, the commander of the Vice Control Division shall be contacted. All other requests shall be made to the commander of the Criminal Investigation Bureau. The bureau commander granting approval shall assign a member of her/his command to assist in obtaining and serving the warrant.

205.00 Members of the Department shall be incompetent bail for any person arrested and shall in no case become bail for any person under arrest.

210.00 Members of the Department are prohibited from making or causing to be made any duplicates of signal box keys or of any other Department keys without the approval of the Chief of Police.

220.00 Members of the police force when requiring a chemical analysis of any substance for use as evidence shall place that substance on inventory, prepare a written request for chemical analysis and submit both to their commanding officer, who shall forward these items to the Property Control Section. The Property Control Section shall forward these items to a designated laboratory for analysis.

If the substance is food or drink and it is believed to have been poisoned, or becomes poisonous because of improper storage or not being properly cared for, it shall be inventoried in its original container. This substance along with a written request for chemical analysis shall be forwarded to the Property Control Section. The Property Control Section shall forward the substance to a designated laboratory for examination.

225.00 Members of the Department, when required to appear in court, are to be punctual in attendance, and shall appear in uniform except those who are not required to wear a uniform. Non-uniform members shall dress according to Section 2/900.05 G. They shall have the cases for which they are responsible properly prepared, the witnesses properly listed, and

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all property which is to be used as evidence available for presentation to the court.

225.01 Members shall at all times be attentive and respectful toward magistrates. When giving testimony, they shall speak calmly and explicitly in a clear, distinct, and audible tone in order to be easily heard by court and jury, and shall not chew gum or tobacco.

225.02 They shall testify with the strictest accuracy, confining themselves to the case before the court, and neither suppress or overstate the slightest circumstance with a view to favoring or discrediting any person. When cross-examined, they shall answer with the same readiness and civility as when testifying in support of the charge, remembering that the ends of justice shall be promoted by showing a desire simply to tell the whole truth, whether it is for or against the defendant.

230.00 Members of the Department shall not seek free admission for themselves or others to theaters or other places of amusement nor shall they ask for or accept a free pass upon any common carrier without approval of their commanding officer.

Members of the police force, when in uniform and riding free, shall not occupy seats in a public conveyance to the exclusion of paying passengers.

245.00 Any member of the Department who may be placed temporarily in the position of a member of higher rank by proper authority shall exercise the authority and perform the duties of such higher position, and shall be held responsible in like manner as if regularly appointed to such higher office. Such member shall be careful not to interfere with or countermand any order issued by the member whose place is temporarily occupied, except in exigent police circumstances.

250.00 Members shall not seek or accept from any person any money or other compensation for damages sustained or expenses incurred by them while on duty, unless they have submitted a written notice to the Chief of Police and have received permission to do so.

Members shall not commence civil action for damages sustained in the line of duty without first submitting a report of the matter in writing to the Chief of Police advising the Chief of their intentions to do so.

255.00 Members of the Department shall give their name, proper rank, and badge number if applicable, in a respectful manner to any person who may request it. This rule does not apply to members of the Department when

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those members are assigned to duty requiring that their identity or another member's identity be kept confidential.

255.01 Members of the Department shall give all proper information carefully, courteously and accurately, to persons requesting it, avoiding all unnecessary conversation or controversy.

260.00 Members of the police force shall not knowingly enter any place or premise known to be regularly used for criminal activity, except in the performance of duty, and if required to enter any such place, they shall report the fact to their commanding officer as soon as practicable, except as may be otherwise ordered.

265.00 Members of the Department shall be responsible for the good care of all Department property assigned to their use or keeping and shall promptly report to their commanding officer the loss of, damage to, or unserviceable condition of such property. Roughness or carelessness in the handling of such property will not be tolerated. Members shall not deface, damage, or destroy any Department property. They shall not alter without permission or convert to unauthorized use any Department property either through willfulness or negligence.

265.01 Members assigned to Department vehicles shall be responsible for the care of the vehicles, radio and other equipment, exercising a high degree of care over all such vehicles and equipment in order to keep at a minimum the costs of repairs and maintenance. Commanding officers shall assign responsibility for the washing and proper servicing of vehicles assigned to their command.

265.02 At each shift change, the member assigned to a Department vehicle will conduct an inspection of that vehicle to determine if the vehicle is in serviceable condition. It shall be the responsibility of members assigned to a Department vehicle to see that their vehicle is supplied with gasoline and oil and returned in a clean condition at the end of their tour of duty. They shall examine the vehicle and report as soon as possible, on the form provided, any defect, damage or alteration which may be found. The shift commander shall be notified immediately of any such defect, damage or alteration.

265.03 If a Department vehicle is obviously unsafe and/or is not operating satisfactorily, members shall immediately report same to their shift commander so that a determination can be made as to whether or not the vehicle is fit for police service. If any members fail to report a defect, it shall be assumed that it occurred during their tour of duty.

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- 268.00** Members of the Department feeling aggrieved at the treatment or orders of a supervisory officer, or members wishing to call attention to any matter of police business or neglect of duty, or to make suggestion for the improvement of the service, shall consult with their commanding officer and if the matter is not resolved satisfactorily shall communicate in writing and such report shall be forwarded by the commanding officer to the Chief of Police. When necessary, such communication shall be followed by a personal interview. Failure of a supervisory officer to forward such communication through official channels shall be treated as a serious dereliction of duty. (See SOP 3/530.00.)
- 270.00** Whenever a complaint is made by a person that another has violated a city ordinance or state statute, Department members must not under any circumstances reveal the name of the complainant, except under due process of law, or when it is absolutely necessary to do so in the performance of duty.
- 275.00** No member of the Department shall make false official reports, or knowingly enter or cause to be entered in any Department books or records any inaccurate, false, or improper information.
- 280.00** Members of the police force shall investigate all cases of injury to persons or damage to property on the public streets, sidewalks, alleys, or other public places which may come to their attention.
- 285.00** Members of the police force having knowledge of any vehicular accident, or when at the scene of any accident on the public streets, sidewalks, alleys, other public places, or private or public parking lots shall immediately investigate and take prompt measures to obtain all information and evidence which would be of value in determining whether a violation of the law was involved and other causal factors. The person or persons responsible shall be detained if lawful, or efforts made to secure their cooperation until a proper investigation is made.
- 285.01** Names and addresses of all principals and witnesses, together with their statements, shall be obtained and necessary measurements taken to complete the "Wisconsin Motor Vehicle Accident Report" and "Supplementary Accident Report."
- 285.02** In cases of vehicular accidents involving serious injury, death, or extraordinary circumstances, members of the Department shall immediately report to the dispatcher who shall dispatch a supervisor to the scene. The supervisor shall then contact the appropriate shift commander with information relating to the accident. The shift commander will notify the Field Deputy Inspector or designee who will make a determination whether or not to notify members of the Accident Investigation Section.

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- 285.03** In all other cases of vehicular accidents involving injury or damage to property, members of the police force will consult with their commanding officer to determine when the required reports are to be completed.
- 290.00** Members of the police force shall investigate accidents on the public streets, sidewalks, alleys, or other places, and in cases of injury to persons or damage to property alleged to have been caused by any obstruction, accumulation of snow and ice, or other matter or defect, members shall complete a "Report of Injury to Person or Property on Public Highway" (Form CA-46).
- 290.01** Members shall examine such defects carefully and enter in their memorandum books the general description and location, definitely and accurately, including the measurements in feet or inches of depressions or obstructions, such as the circumference, the diameter, the length, and the width. All members are cautioned to bear in mind that they may be called upon to testify in a damage suit against the city many months or even years after the occurrence of an accident and it is expected that they shall be able to testify definitely about the facts in the case, so that courts may be able to pass upon the legal questions involved.
- 290.02** Upon completion of the investigation, the officer shall promptly contact his commanding officer, who in turn, will call the complaint operator at City Hall and relate all pertinent information as to location, type of injury, and apparent cause (slippery sidewalk, etc.).
- 290.03** In cases of injury to persons or damage to property alleged to have been caused by an obstruction, accumulation of snow and ice, or other matter or defect, members of the Department shall, in the event they are asked for information about the proper procedure to be followed by persons contemplating legal action against the city for injuries or damages sustained through any of the causes aforesaid, inform such persons of the provisions of the state law applying in such cases, namely, that no such action shall be maintained against the city unless, within 120 days after the happening of the event causing such damage, notice in writing signed by the party, his agent, or attorney shall be given to the Mayor or City Clerk, stating the place where such damage occurred, and describing generally the insufficiency or want of repair which occasioned it and that satisfaction therefore is claimed of the city. (Also see SOP 3/950)
- 295.00** Members of the police force shall be vigilant in observing the condition of the public thoroughfares, and shall promptly report any defects in or obstructions on any street, roadway, alley, or sidewalk, and shall, if necessary, take prompt action in barricading them during the day and in barricading and placing lights thereon at night, and shall immediately

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report such fact to the commanding officer of the district in which such condition exists.

300.00 No game of chance for stakes or wagers shall be played in any station house or other Department building.

305.00 It shall be the duty of every member of the police force to master thoroughly the subject of first aid to the injured, as taught in the Training Bureau in order that such member may be prepared to apply first aid promptly and properly in any emergency cases which may come to such member's attention. Any member failing to render first aid whenever necessary, or who may be found incompetent to do so, shall be charged with neglect of duty.

310.00 Members of the police force shall, during their regular or extended hours of duty, have with them a regulation memorandum book in which they shall enter the names of persons taken into custody by them and such particulars in each case as may be important in a trial thereof, and in which they may be called upon to testify; and also all assignments, investigations, and other transactions, information, and matters of importance relative to the discharge of their official duties. Members of the police force shall preserve and maintain their memorandum books, both current and past, and shall produce them for inspection upon the request of a supervisor. Only books issued by the Department shall be used.

315.00 All members of the police force who are assigned to classes in the Training Bureau shall attend such classes as long as they are in the service of the Department unless otherwise directed by the Chief of Police.

320.00 Except in a serious emergency, members shall not use any Department vehicle for any reason without the knowledge or permission of their commanding officers. In the event of an emergency requiring members to use a Department vehicle without the knowledge or permission of their commanding officer, they shall notify their commanding officer of such use as soon as practicable. Members are strictly prohibited from using any privately-owned vehicle on duty without permission from their commanding officer.

325.00 Members of the Department shall promptly report to their commanding officers any accident with any Department motor vehicle operated by them or in their charge. All accidents involving police department and city owned vehicles shall be investigated and reported in accordance with SOP 3/650.

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- 330.00** Members of the Department who may have occasion to inquire about their duties concerning any matters whatsoever shall seek such information from their supervisory officers and not from any source outside of the Department, unless they are so instructed.
- 335.00** All original appointments to the Police Department shall be for a probationary period, continuation in the service being dependent upon the conduct of the appointees and their fitness for the performance of the duties to which assigned, as indicated by reports of their supervisory officers and by reports of Department designated medical examiners. If, during that period, members prove unsatisfactory, their services from the Department shall be terminated, and they shall not be entitled to an appeal to the Board of Fire and Police Commissioners from such disposition.
- 340.00** Authority in the Department shall be exercised with firmness, fairness and respect. Supervisory officers shall sustain their subordinates when appropriate and avoid, as far as circumstances warrant, censuring subordinates in the presence of others. Supervisory officers are forbidden to injure or discredit those under their authority by tyrannical or capricious conduct or by abusive language.
- 345.00** Members of the Department, when making written reports, shall legibly sign their full names thereto, along with their rank and work location. When sent on an investigation, members shall upon returning "in service" report, either by telephone or radio, what action was taken in the matter and file a written report, when necessary. In those instances whereby members are unable to return to an "in service" status, prior to the end of their shift, they shall communicate by telephone or radio to their dispatcher the applicable coded disposition.
- 350.00** The furniture, files, and other equipment of the Police Department buildings shall remain where officially placed and shall not be moved from such offices or places, or the location of equipment and furnishings changed in any manner without the commanding officer's approval. No calendar, poster, picture, advertising matters, or other things shall be hung on the walls of any facility under the control of the Police Department, without permission of the commanding officer.
- 355.00** Whenever members of the Department resign or are discharged, or in any way vacate their office, they shall surrender to their commanding officer or designee all the property in their possession belonging to the Department. In case of the death of a member of the Department the respective commanding officer shall obtain the member's badge and all other Department property and make proper disposition of it.

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360.00 Except for members of the Communications Division, any Department members answering a Department telephone shall promptly respond by giving the name of the work location to which they are attached, their rank or title, and their surname. All members of the Department when calling someone in the performance of their duty shall identify themselves in a like manner.

When monitoring emergency calls, members assigned to the Communications Division shall answer with the words, "Milwaukee Emergency Operator, Number" and give their assigned number. For non-emergency calls, they shall respond with "Milwaukee Police Operator, Number" and give their assigned number.

365.00 Bills for authorized expenses incurred by members of the Department in connection with their official duties shall be promptly submitted to their respective commanding officers. Such expense vouchers shall be made on regulation forms and shall bear an itemized account of expenditures. After reviewing such vouchers, the commanding officer shall forward them to the Budget and Finance Division.

370.00 Members of the Department, upon appointment and before being assigned to any duties in the Department, or upon promotion to other positions in the Department, shall take and subscribe an oath of office or affirmation administered by the City Clerk or other authorized person in such form as may be required.

375.00 Members of the Department shall report to their respective commanding officers or heads of bureaus/divisions any change in their domestic status while in the Department with reference to marriage, divorce, or death of spouse and respective district commanders or heads of bureaus shall promptly submit such reports to the Personnel Division.

380.00 Sleeping, idling, or loafing while on duty is a serious dereliction and any member of the Department guilty of such misconduct shall be subject to charges of neglect of duty.

385.00 Department stationery shall not be used for personal correspondence nor shall any Department property whatsoever be used for private purposes.

390.00 Members of the Department may obtain stationery, office equipment, and all other necessary supplies only upon requisitions forwarded and approved by the proper commanding officers or heads of work locations.

395.00 Members of the Department shall not enter into official Department correspondence over their signatures; nor shall they convey official

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Department communications by telephone or otherwise outside of the city, except when properly authorized by their commanding officer.

400.00 Members of the Department shall not make long distance telephone calls through the Department telephone system except on official Department business and with prior approval of their shift commander. The member making such call shall promptly complete the required form, which shall be submitted to their shift commander for transmittal to the Communications Division, except as otherwise provided.

410.00 Police officers shall furnish such information or render such aid to all persons when requested as is consistent with their duties. They shall display or carry their badge in accordance with SOP 340.

415.00 During hours of duty, members of the police force shall report by telephone or radio, to a supervisor at such times as may be directed by their commanding officer. This, however, shall not prevent a member from remaining at any particular place for any length of time if their presence is required on legitimate and necessary police business. Any member who fails to report as directed shall satisfy their supervisory officer that there was sufficient cause for such action.

420.00 Members who are assigned to patrol a specific district shall not leave that district without the permission of a supervisory officer, except in emergency situations. When members leave their assigned districts due to an emergency, they shall communicate that fact and the reason therefore to their immediate supervisor as soon as practicable. Dispatchers shall not authorize members to leave their assigned district unless: an emergency situation exists; members have authorization to do so from a supervisory officer; or when necessary to respond to a call for service in accordance with established dispatch procedures.

425.00 Members shall not have in their possession, without the knowledge and consent of their commanding officer, a key to any premises upon or near their beat or squad precinct, or any Department facility.

430.00 A patrol wagon shall be used only for the transportation of prisoners, sick and injured persons when serious emergencies necessitate same, and the movement of police officers in the necessary performance of duty, and not for any other purpose, except upon authorization of a commanding officer, and then only on police business.

435.00 No photographs or records shall be permanently removed from the cabinets or files in the Identification Division except on approval of the Chief of Police. For purposes of identification, photographs or records may be removed temporarily by order of the commanding officer of the

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Technical Services Bureau but shall be replaced as soon as possible; and a record of such removal, with the name of the person receiving the photographs or records, together with the day and date, shall be kept on file until such removed photographs or records are returned.

445.00

When appropriate, a police officer may use force in the performance of duty. However, the degree of force used shall be only that which a reasonable police officer would deem necessary, given the same circumstances and information.

Force that is intended or likely to cause great bodily harm or death, may only be used:

1. If reasonable under all the circumstances then existing to prevent great bodily harm or death to the officer or a third party; or
2. When necessary to prevent a suspect's escape and the officer has probable cause to believe that the suspect presently poses a significant threat of great bodily harm or death to the officer or others.
3. To kill an animal if the officer or another person is threatened with serious bodily harm by the animal or otherwise to provide for the safety of the general public.
4. To kill an animal that has been so badly injured that its destruction would prevent further suffering.

The firing of warning shots is prohibited. When feasible, a verbal warning should be given prior to the use of force likely to cause great bodily harm or death.

Discharging firearms at or from moving vehicles will be justified only when the use of force likely to cause great bodily harm or death would be authorized.

In the course of vehicular pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, driving alongside the pursued vehicle while it is in motion or the use of roadblocks is prohibited.

In all cases where a firearm is discharged by a member, a defensive chemical agent is used, a baton, or any other use of force is used in the performance of duty (excluding training), such members shall as soon as possible notify their immediate supervisor. Members of the Department having knowledge of such uses of force shall as soon as possible also

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notify their immediate supervisor. [See Standard Operating Procedures regarding officer-involved shootings/use of force.]

450.00 Any member of the Department may be ordered to submit to an examination, at any time, to determine whether a member is physically, mentally, or emotionally fit for the proper performance of duties. A medical doctor, licensed clinical psychologist or a psychiatrist may conduct the aforementioned examination.

455.00 Members of the police force are strictly forbidden to argue with prisoners, to speak to them unnecessarily, to address them in obscene or profane language, or to threaten them. Members of the police force guilty of unnecessarily striking or manhandling a prisoner or mistreating them in any manner shall be subject to dismissal. A member of the police force having supervision of any police building, bureau or office, to which prisoners are conveyed or in which they are detained, shall be responsible for the proper and humane treatment of such prisoners.

460.00 Whenever members of the police force make an arrest or at any time have in their personal custody a prisoner not confined in a cell, they shall always keep them in sight and use the utmost precaution to prevent such prisoner from escaping or injuring anyone. If a prisoner escapes because of negligence or carelessness on the part of such member of the force, it shall be considered gross neglect of duty. The prisoner shall under no circumstances be left in the custody of any civilian member of the Department, except when absolutely necessary in an emergency.

465.00 All members shall conform to and abide by the provisions of the Department's Equal Employment Opportunity and Anti-Sexual Harassment Policies. (See 3/520.00)

475.00 Members of the Department occupying a Department vehicle or a personal vehicle in the performance of duty (with the permission of their commanding officer) shall wear safety belts. The belts shall be worn properly adjusted and securely fastened. Arrestees and other passengers shall be required to use available safety belts in accordance with established procedures.

This rule does not apply to a member:

1. While operating an authorized emergency vehicle under circumstances in which compliance could endanger the safety of the operator or another.
2. Who submits a written communication from a physician that he/she is unable to wear a safety belt for bona fide medical reasons.

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3. (Refer to S.O.P., 3/080.05, 3/080.15, 3/140.80 regarding Transportation of Arrestees.)

480.00

Police Department members should not normally convey citizens in Department vehicles except on official Department business. However, when in the course of their duties members of the police force come upon a victim of crime or a person who in their judgment requires assistance for security reasons such person may be transported to a secure location or the nearest police facility. When such action is deemed desirable or necessary the Department member shall, prior to taking such action, contact and notify a supervisor or shift commander of such action.

485.00

Members of the Department equipped with a radio unit shall constantly monitor all descriptions, information, calls for service, and respond promptly when their unit is requested. They shall not interrupt while any alarm or message is being transmitted.

490.00

Members of the Police Department shall conform to and abide by the Rules and Regulations of the Department, observe the laws and ordinances in force in the City of Milwaukee, and render their services to the City with zeal, courage, discretion and fidelity. Members of the Police Department shall also observe the laws and ordinances in effect in any other jurisdiction while within such jurisdiction.