



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

230 – MUTUAL AID

GENERAL ORDER: 2021-09
ISSUED: April 16, 2021

EFFECTIVE: April 16, 2021

REVIEWED/APPROVED BY:
Inspector Willie Murphy
DATE: February 23, 2021

ACTION: Amends General Order 2016-37 (June 22, 2016)

WILEAG STANDARD(S): 1.6.2

230.00 PURPOSE (WILEAG 1.6.2)

Wis. Stat. § 66.0313 provides that any Wisconsin law enforcement agency may assist a requesting Wisconsin law enforcement agency with their law enforcement efforts within the requesting agency's jurisdiction. Such mutual assistance may include, but is not limited to, the use of specialized equipment, facilities and the trained personnel.

Wis. Stat. § 66.0303 and 175.46 allow a Wisconsin law enforcement agency to enter into a mutual aid agreement with a law enforcement agency of another state subject to certain statutory limitations.

230.05 REQUESTS FOR MUTUAL AID BY THE MILWAUKEE POLICE DEPARTMENT

- A. All requests for mutual aid or assistance made to another jurisdiction shall be made by the Chief of Police or designee.
- B. If circumstances permit, the request shall be made by official letter signed by the Chief of Police or designee. In the event of an emergency, the request may be made by telephone, followed as soon as practicable by facsimile and official letter.

230.10 REQUESTS FOR MUTUAL AID BY ANOTHER LAW ENFORCEMENT AGENCY

- A. INTERSTATE AID TO A LAW ENFORCEMENT AGENCY LOCATED IN A BORDER COUNTY IN A PHYSICALLY ADJACENT STATE (WIS. STAT. § 175.46)

- 1. Common Council Approval

- Mutual aid may be provided to an out-of-state law enforcement agency only pursuant to the terms of a mutual aid agreement authorized by the Common Council of the city of Milwaukee. The mutual aid agreement may be on an individual case-by-case basis or may be on a continuing basis until terminated by either party to the agreement.

- 2. Statutory Limitations

- Milwaukee Police Department officers may, pursuant to a mutual aid agreement, act with some or all of the arrest or other police authority of a law enforcement officer of the requesting law enforcement agency only if the requesting law enforcement

agency is located in a border county, which is defined as a county having land within 5 miles of the Wisconsin border.

A mutual aid agreement with a law enforcement agency located in a border county may grant authority to a Milwaukee Police Department officer only to enforce laws and make arrests that are similar to the types of laws that the officer is authorized to enforce or make arrests for in Wisconsin.

3. Wisconsin Department of Justice Review

At least 30 days before executing the mutual aid agreement, the Chief of Police shall submit the proposed agreement to the State of Wisconsin Department of Justice for review and comment. By statute, the Department of Justice shall provide comments within 21 days after receipt of the proposed agreement. The city of Milwaukee need not have the consent of the Department of Justice to enter into the agreement and may revise the proposed agreement without having to resubmit the proposed agreement to the Department of Justice.

B. INTERSTATE AID TO A LAW ENFORCEMENT AGENCY NOT LOCATED IN A BORDER COUNTY (Wis. Stat. § 66.0303)

1. Common Council Approval

Mutual aid may be provided to an out-of-state law enforcement agency only pursuant to the terms of a mutual aid agreement authorized by the Common Council of the city of Milwaukee.

2. Statutory Limitations

Milwaukee Police Department officers may not act with arrest or other police authority while providing services pursuant to a mutual aid agreement with a law enforcement agency not located in a border county.

3. Wisconsin Attorney General Approval

A mutual aid agreement with a law enforcement agency not located in a border county in a physically adjacent state must be submitted to the attorney general of the state of Wisconsin for approval. The attorney general shall determine whether the agreement is in proper form and compatible with the laws of the state of Wisconsin.

C. INTRASTATE AID OUTSIDE THE CITY OF MILWAUKEE

1. Any commanding officer subordinate to the rank of assistant chief of police who receives a request for mutual aid or assistance, which should be by official letter, shall prepare a *Department Memorandum* (form PM-9E). The report shall include the name, title and department of the person making the request, the specific reason(s) for the request, the specific resources requested, the duties and/or activities to be performed and any other information deemed relevant to the request.

2. The Chief of Police, or designee, shall approve requests for mutual aid or assistance by an outside agency.
 - a. If the request for mutual aid or assistance occurs during the day shift, the assistant chief or inspector of the bureau requested shall act as the primary designee.
 - b. If the request for mutual aid or assistance occurs during the night shift or the assistant chief or inspector of the bureau requested is not available, the night watch commander shall act as the primary designee.
3. In the event of an emergency (e.g., active shooter, terrorism incident), mutual aid or assistance may be requested by telephone to the Technical Communications Division (TCD), followed by teletype and official letter as soon as practicable.
 - a. A TCD supervisor may authorize two squads, a supervisor, and a specialized unit (e.g., Tactical Enforcement Unit) to respond in the event of an emergency pending approval by the assistant chief or inspector of the bureau requested, or if the assistant chief or inspector of the bureau requested is not available, the night watch commander. The assistant chief or inspector shall then make notification to the Chief of Police. A TCD supervisor shall notify the commanding officer of the specialized unit if a specialized unit is dispatched.
 - b. The on-scene supervisor shall immediately liaison with the outside agency's incident commander and establish themselves as the Milwaukee Police Department's incident commander and establish a command post. The on-scene supervisor shall remain the department's incident commander unless specifically assumed by a supervisor of higher rank or a coordinated transfer of command is made.
 - c. The on-scene supervisor shall make an initial assessment of the incident and advise a TCD supervisor of the resources required for the mutual aid or assistance. The TCD supervisor shall then advise the assistant chief or inspector of the bureau requested, or if the assistant chief or inspector of the bureau requested is not available, the night watch commander, of the resources requested by the on-scene supervisor. The assistant chief or inspector shall then make notification to the Chief of Police.
 - d. Members shall not respond to the request for mutual aid or assistance unless authorized by the dispatcher or a TCD supervisor.


D. AID WITHIN THE CITY OF MILWAUKEE

1. Routine requests for assistance requiring one squad may be processed by a telecommunicator without special approval.
2. If the request requires the assignment of more than one squad or the assistance of a specialized unit, the request must be approved by a Technical Communications

Division supervisor. The Technical Communications Division supervisor shall then notify the affected district or division commander or the night watch commander if the division or district commander is not available as soon as practicable.

230.15 REPORTING REQUIREMENTS

- A. Upon completion of assistance provided outside the city, the commanding officer or designee of the affected district or division shall complete an after action report. The report shall include the number of officers used, the number and types of equipment used, the number of arrests and types of arrest, the number of hours of service to the outside agency and any injuries/damage to department members and equipment.
- B. The original report shall be forwarded to the Chief of Police. A copy of the report shall be forwarded to the assistant chief of police or inspector of police of the bureau providing the assistance.

A handwritten signature in black ink, appearing to read 'J.B.N.' with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN
ACTING CHIEF OF POLICE

JBN:mfk