

FREQUENTLY ASKED QUESTIONS

WHAT STEPS DOES THE CITY TAKE TO TRAIN OUR OFFICERS TO PREVENT UNCONSCIOUS BIAS?

Officers receive cultural competence and recognizing biases training as part of the Wisconsin Law Enforcement Standards Board curriculum for police officer certification. In addition, officers receive ethics-based training.

[ADDED BY MAYOR: Additionally, the department has a clear policy against bias-based policing, and officers are trained from those policies.]

WHAT TRAINING DOES OUR DEPARTMENT TAKE TO DE-ESCALATE SITUATIONS?

Using scenario-based training, officers are placed into live situations with various role-players during yearly interaction/use of force training. In these situations, officers learn a variety of responses to different events, including de-escalation skill practice and safe approach/egress options. In addition, a number of officers have gone and will continue to go through Crisis Intervention Training - where de-escalation training is further learned through live role-playing events. Crisis intervention training is a priority for our department.

WHAT STEPS DOES OUR DEPARTMENT TAKE TO TRAIN OFFICERS TO AVOID SITUATIONS WHERE THEY WOULD USE DEADLY FORCE?

There are many steps put in place by the courts (state, district, and the US Supreme Court) that establish strict parameters. Deadly force is highly regulated by law and court rulings; thus, it is a great statistical rarity in policing as a whole. There are several specific requirements that would need to exist before deadly force is used (such as weapon, intent, and delivery system ... then there would have to be target acquisition, target identification, and target isolation).

Using dialogue (communication skills) has historically allowed Mequon Officers to accomplish the vast majority of our duties without having to use higher levels of force, even when the individuals involved are uncooperative. Avoiding high levels of force (including deadly force) through dialogue and interpersonal skills, is the goal of the Mequon Police Department and its officers. In addition, we have policies in place that further limit situations involving the potential for deadly force (like pursuits or shooting from a moving vehicle). However, the potential certainly exists that dialogue and interpersonal skills may fail, and officers also face the unfortunate reality that deadly force is unavoidable in some cases.

DO OUR OFFICERS WEAR BODY CAMS?

Yes, all officers who are assigned to regular patrol duties are required to wear body cameras. They are also recorded via dash-mounted squad cameras (two recording devices).

DO THE OFFICERS HAVE THE ABILITY TO TURN OFF THE CAMERA FEED DURING A SHIFT?

The entire work shift is not recorded, as a substantial amount of time does not involve a citizen-police interaction. The Mequon Police Department has a specific policy in place that requires all citizen-police interactions involving a call for service, enforcement, or service/action based interactions to be recorded via body camera. If an officer stops a vehicle/pedestrian, responds to a domestic violence call, goes to a mental health commitment at the hospital, or is sent to/initiates a call involving police action, all of these events are required to be recorded. When the officer is in the station completing paperwork, stops to hand out stickers to kids in a neighborhood, or goes to a gas station to get a soda, these events are not required to be recorded. However, if any of these non-required events become confrontational or change into a police activity/action, then the officer must activate their camera. For example, a few years back, an officer pulled into the gas station at Wauwatosa/Mequon to get a soda just before closing - an event that he was not required to record. As he pulled in, a person emerged from behind the station, saw the officer and started running away. Given the uncertainty and evolution into a police activity, the officer then had to activate his body camera to record the event (it ended up the individual was walking up to rob the gas station right before close and the officer accidentally interrupted the robbery ... the suspect was later arrested and the co-conspirator admitted the gun being used was fake).

HAVE THE CAMERA FEEDS BEEN SHUT OFF DURING SHIFTS IN THE PAST?

There are specific exceptions within the body camera recording policy in regards to when a recording can be shut off- like if a crime victim requests it. Shift supervisors review officer body camera videos as they review cases and as a means of random checking to confirm compliance with policy. Body cameras are a piece of technology and, as with any electronic, they are subject to problems. Body cameras have been broken by suspects during confrontations and they have failed to work properly (batteries dying after two hours of straight recording, cold/wet malfunctions, and other technical issues). There have been no instances involving an officer intentionally shutting off a body camera related to misconduct.

WHY ARE MULTIPLE OFFICERS AND CARS REQUIRED TO PULL A PERSON OF COLOR OVER, BUT OFFICERS HAVE APPROACHED MY VEHICLE WITHOUT CALLING FOR BACKUP?

As human observers, we often see a situation or event and make assumptions base upon our life experiences and/or beliefs. It is inherently a human condition and response.

However, there is more to every situation or event than a brief observer could know. Ultimately, the number of officers involved in any one event can vary greatly on the event specific circumstances. A simple speeding citation is unlikely to require several officers (if the driver is cooperative). However, an impaired driver stop, warrant situation, or any other arrestable offense will result in two officers present. In custodial situations (making an arrest), safety is enhanced when there is one more officer than individuals. The reality is that, with more officer's present, the amount of force needed to effect the arrest or maintain control is markedly less. Thus, having more officers can serve to increase the safety of everyone involved. The need for additional officers is not related to the race, ethnicity, gender, or age of the individual involved - although those aspects are easily observed by a person "passing by" and are then erroneously linked as causation for having more than one officer.

WHAT MILITARY ARMAMENTS DOES OUR POLICE FORCE OWN? WHY?

Mequon Officers do have some items that one often may associate with the military. Officers have patrol rifles, body armor, and Kevlar helmets in their squads. Additionally, there are three shields that can be taken on patrol as well.

The sad reality is that officers are being asked to do everything and have become responsible for many actions that were once only done by "specialized groups." Post Columbine (1999), officers can no longer wait for a SWAT team to arrive and address a threat. When an active shooter event or even a high risk call happens, officers are expected to act immediately- and are trained to enter alone. This is a task that many civilians do not understand, but it is a necessity. In Columbine, roughly 75 officers responded and "locked down" the exterior of the school ... and waited 47 minutes for SWAT. During this time, the suspects continued killing. As learned from Columbine and reiterated in Parkland Fl (Marjory Stoneman Douglas High School), waiting is no longer an option. In society today (and even in the past), weapons and body armor have become prevalent and more easy to acquire. As weaponry increased in the community, officers have found themselves unprepared. In February 1997, two heavily armed bank robbers (wearing body armor and using fully automatic assault rifles with armor piercing rounds) held off 300 officers for 44 minutes. The low caliber pistol rounds (and shotgun rounds) could not penetrate the suspect's body armor. Even in a local officer involved shooting from over a decade ago, a domestic violence suspect armed himself with a semi-automatic rifle (able to defeat body armor) and fired on the first two Mequon Officers to arrive (before their squads even came to a stop). Overall, the concept of militarization of the police brings positives and negatives. It allows officers to stop violent encounters quickly and handle a broader spectrum of potential events. The converse is that it can provide the perception that the police are the military that are there to "occupy" a community. With the items that Mequon Officers have (patrol rifles, shields, body armor), the "militarization" aspect is relatively low.

Officers are required to wear their body armor on patrol, and rifles and/or shields are only deployed when it would be reasonable to believe they would be needed.

WHAT ABOUT DEADLY FORCE?

Every use of force (especially deadly force), is critical in terms of understanding what happened, seeing all perspectives, objectively weighing the realities in conjunction with what the law directs, learning what could be done better or differently in the future, and to establish accountability and transparency. Without a detailed discussion of *Graham v. Connor* (US Supreme Court ruling) first, any use of force legality or deadly force discussion is dangerously incomplete. However, one misconception about use of force that abounds is frequency. Despite what we may see in the media or be exposed to on social media, deadly force by a police officer (justified or not justified) is statistically an extremely rare event.

Using citizen-police contact averages around Mequon (5 citizen-police contacts per officer per shift, which is on the low side) and the number of uniformed patrol officers in the US (factoring down to minimum numbers working patrol functions per day- which is about 200,000 of the nearly 900,000 officers), there are roughly 365 MILLION police-citizen interactions per year (again, this is really on the low side). That means that any one of those 365 million contacts could result in a deadly force event. Yet, deadly force results in the killing (both justified and unjustified) of about 1000 people per year (using the Washington Post database at:

<https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>.

The outcome is that deadly force is used and results in death in about .000276% of citizen-police contacts. If we include non-fatal uses of deadly force and employ a hypothetical 2/3 approach/construct (where for every fatal use of deadly force, there are 2 non-fatal uses), then deadly force is used overall in about .000826% of citizen-police contacts (hypothetical construct based on the 2/3 approach). With the 2/3 approach (because it gives us a greater rate), an officer would have to work over 93.2 years (5 days a week, with no vacations or any extra off time) to reach the statistical probability of using deadly force (simply firing their weapon at a person - not just resulting in death). The average work span for policing is 25-30 years. Thus, the overwhelming majority of officers never fire their weapons or use deadly force during their career.

While it is true that the use of deadly force by an officer is an exceedingly rare event, I opened with something that must not be forgotten - that these events are still individually and as a sum critically important to both policing and the community. Therefore, they need to be analyzed, understood, and learned from - so that we as a society can identify which actions were necessary and what problems or methods for reducing such events exist.