

Wisconsin Law Enforcement Accreditation Group



Core Standards Verification Program

February 1, 2014

1st Edition

Foreword

Accreditation is a progressive and time-proven way of helping institutions evaluate and improve their overall performance. The key to any successful accreditation system lies in the consensus of published standards containing a clear statement of professional objectives.

The practice of accrediting institutions began in this country more than 200 years ago when New York State established a State Board of Regents to charter colleges and private academies. The concept has since been successfully applied in fields as diverse as corrections and health care services. The move to accredit law enforcement agencies began in 1979 when the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA®) was established.

CALEA® established the first body of professional standards by which a law enforcement agency could be evaluated. They also developed an administrative process whereby an agency could demonstrate its compliance with their standards and achieve law enforcement accreditation. CALEA® accredited its first agency in 1984.

In the years that followed, many agencies successfully completed the accreditation process. Unfortunately, many others with a desire to achieve and demonstrate professional excellence were stymied by the cost and administrative burden associated with pursuing accreditation at a national level. This, coupled with an interest in programs that were tailored to meet the specific needs of law enforcement agencies operating within various regions of the country, led many states to develop their own systems. In 1995, Wisconsin joined the ranks of states developing accreditation programs designed to embrace best practices emerging throughout the country, while addressing circumstances unique to policing in our state. The Wisconsin Law Enforcement Accreditation Group (WILEAG) was formed.

The WILEAG Board of Directors understands the financial and human resource limitations of a smaller agency and has identified that the great majority of Wisconsin law enforcement agencies provide services to 4th Class cities, towns, and villages (populations of 10,000 or less) and sheriff's departments with a county population of 30,000 or less.

The Core Standards Verification Program (CSVP) is an abridged version of the full accreditation program and was developed because of challenges and hurdles smaller agencies experienced when developing policies in line with full accredited status.

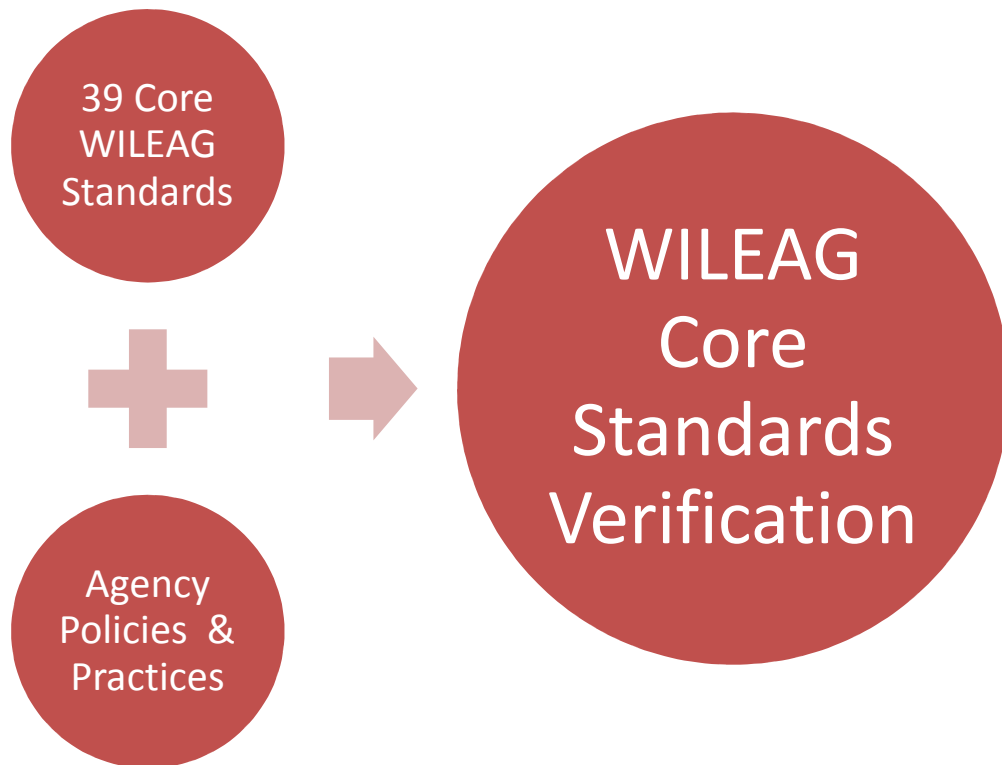
While the Core Standards Verification Program does not achieve the level of full accreditation, it does highlight the standards that can be described as “high risk” for Wisconsin law enforcement agencies; those standards that address mandates, statutory requirements and inherent risk.

Welcome to raising your agency's level of professionalism and excellence through compliance with the 39 “core” standards. Don't look at this manual as daunting; in fact the content of this manual should be encouraging as it provides you with the resources you will need to establish your policies.

Table of Contents

Focus, Purpose, Benefits, Eligibility	5
Process Overview	6
Definitions	7
Resources	8
Program Steps	9
Final Instructions	9
How to Submit the Final Product	9
Program Disclaimer – Requires CEO Signature	10
Acknowledgment of Core Standard Verification	11
Core Standard 01-1.2.4 Harassment in the Workplace	12
Core Standard 02-1.2.5 Privacy in Locker Rooms	12-13
Core Standard 03-1.6.1 Expander of Jurisdiction	13-14
Core Standard 04-1.6.2 Mutual Aid	14-15
Core Standard 05-1.7.7 Strip Searches	15-16
Core Standard 06-1.9.1 Citizen Complaint	16
Core Standard 07-2.4.5 Hiring Medical Exams	17
Core Standard 08-2.7.1 Part-Time Personnel Selection / Training	17
Core Standard 09-2.8.1 Auxiliary Personnel / Training	18
Core Standard 10-4.2.1 Disciplinary System and Punitive Action	18-19
Core Standard 11-5.1.1 Use of Force	19-20
Core Standard 12-6.1.4 High Speed Pursuit	20
Core Standard 13-6.1.8 Anatomical Gifts	20-21
Core Standard 14-6.2.5 Traffic Stops / Approach	21
Core Standard 15-6.3.6 Custodial Interrogation	21-22
Core Standard 16-6.3.7 Eyewitness Identification	22
Core Standard 17-6.3.8 Officer Involved Shooting	22-23
Core Standard 18-6.3.9 Domestic Abuse	23
Core Standard 19-6.6.1 Juvenile Operations	24
Core Standard 20-6.6.2 Juvenile Offenders	24
Core Standard 21-6.6.3 Juveniles in Custody	25
Core Standard 22-6.6.4 Interrogation of Juveniles	25

Core Standard 23-6.6.5 Missing Juvenile Investigations	26
Core Standard 24-6.6.6 Relinquishing Custody of Newborns	26
Core Standard 25-6.6.7 Reporting Abuse of a Child	26-27
Core Standard 26-7.1.1 Detainee Search	27
Core Standard 27-7.2.1 Lock-up Facilities	27-28
Core Standard 28-9.1.10 Inter-Jurisdictional Communications	28
Core Standard 29-10.1.1 Separation of Juvenile Records	28-29
Core Standard 30-10.2.1 Open Records	29
Core Standard 31-11.1.6 Computer / Electronic Evidence – Chain of Custody	30
Core Standard 32-12.2.3 Recruit Training	30
Core Standard 33-12.2.4 Field Training	31
Core Standard 34-12.2.5 Annual Training	31-32
Core Standard 35-12.2.6 Career Development	32
Core Standard 36-14.1.1 Victim and Witness Rights	33
Core Standard 37-14.1.2 Victim and Witness Services	33-34
Core Standard 38-19.21 Disposition of Public Records – Destruction Contemplated	34
Core Standard 39-51.15 Emergency Detention	34





Wisconsin Law Enforcement Accreditation Group

Core Standards Verification Program

Established February 1, 2014



Focus

The Wisconsin Law Enforcement Accreditation Group (WILEAG) has identified 39 **CORE** standards from within the 235 4th Edition standards in its **ACCREDITATION PROGRAM**. These 39 select standards and the associated agency policies are at the heart of the program. They are focused on:

- Key Federal & State statutory mandates related to law enforcement
- Requirements arising from case law
- Inherent issues related to high risk law enforcement operations
- Sensitive areas involving community relations

Purpose

The program serves 2 purposes for agencies that successfully participate:

1. It provides independent verification that the agency is meeting minimum expectations in essential areas of operations and management.
2. It serves as a stepping stone to full accreditation for those agencies that aspire to that level of professional excellence.

Benefits

Successful agencies, their employees, affiliates and constituents will have the peace of mind that comes with independent verification that their policies and practices in the essential (core) areas of operations and management meet minimum standards.

Eligibility

The program is designed to serve smaller Wisconsin law enforcement agencies. It will be available to agencies serving Fourth Class Cities (cities, villages and towns under 10,000 population) and sheriff's offices serving counties with a county population of 30,000 or less.

Process Overview

1. A candidate agency signs up for the program.
2. The agency develops and formally implements the policies needed to be in compliance with the requirements of the WILEAG CORE STANDARDS VERIFICATION PROGRAM.
3. The agency applies for a review and submits the required materials committing to on-going upkeep of policies / proofs of compliance and a 3-year cycle of re-verification.
4. Two WILEAG reviewers verify that the agency's entire submission is in compliance by scrutinizing policy language and proofs of actual implementation in practice.
5. The WILEAG Board makes the final decisions and issues a certificate verifying compliance with the CORE STANDARDS VERIFICATION PROGRAM.
6. Annually, the agency CEO confirms in writing to WILEAG that the agency has maintained compliance and implemented any changes / revisions as warranted in line #7.
7. WILEAG monitors emerging developments, revises standards as appropriate and communicates same to all affiliated agencies for their inclusion in their policies/procedures.



Definitions

Directive:

Any written document used to guide or affect the performance or conduct of agency employees. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.

Standard:

A model of authority or excellence; identified best practices in law enforcement that require compliance by policy and by proof.

Example:

6.3.6 *Adult Custodial Interrogation*

A written directive requires the agency to have procedures governing adult custodial interrogations, to include electronic recording for suspects arrested for a felony in conformity with § 968.073(2) Wis. Stats.

Dimension:

Sub categories of a standard that require compliance by policy and by proof.

Example:

6.6.4 *Juvenile Custodial Interrogation*

A written directive establishes agency policies and procedures covering custodial interrogation of juveniles including but not limited to:

- 6.6.4.1** *Mandatory electronic recording of custodial interviews.*
- 6.6.4.2** *Contact with parents or guardians.*
- 6.6.4.3** *Duration of interrogation and the number of officers involved in the interrogation.*

Compliance:

Fulfilling the mandatory requirements of a standard and dimension.

Proofs:

Documentation / demonstration that you comply with the standard. Proofs may include photos, incident reports, screen shots, etc. Proofs show that you do what your policy says. Contact the WILEAG program manager to request a table of suggested proofs.

Core Verification Report (CVR):

WILEAG Core Program form to be completed by the candidate agency prior to an assessment; a CVR must accompany each standard. The CVR is submitted at the time of assessment along with the agency's written policy and proofs of compliance.

Agency Profile Questionnaire (APQ):

WILEAG Core Program form to be completed by the candidate agency that provides a snapshot of the agency; submitted to WILEAG at the time of file assessment.

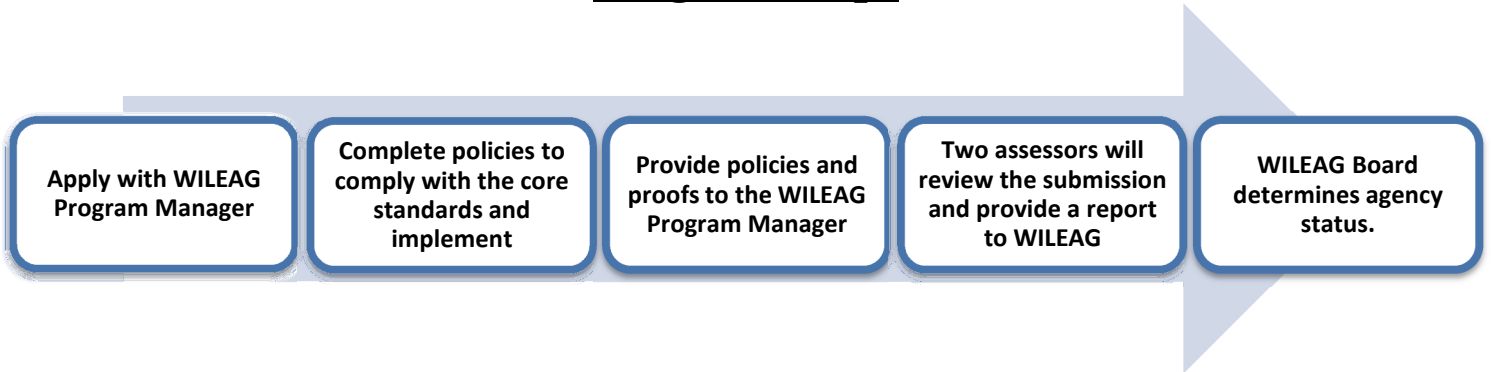
Resources

Resource	Contact Info	Expectations
<p>Custom Service Information-LLC - CSI -</p>	<p>Tim Kriz Email: csi-llc@hotmail.com</p>	<p>Policy writing, organization, guidance with proofs and/or role of Accreditation Manager.</p>
	<p>http://www.cvmic.com/</p>	<p>Access to up-to-date standards that have gone through legal review, the CVMIC newsletter, have staff trained as assessors (the level of understanding about accreditation goes up dramatically) and members can attend CVMIC / WILEAG co-sponsored programs for free.</p>
	<p>Tom Frank Email: tfrank@deercreektech.com http://www.deercreektech.com</p>	<p>Software applications for: Document Management, Training, Testing, Review, and Compliance. Employee Early Warning System provides complete reporting and review functionality. Pricing is affordable for every budget.</p>
<p>International Association of Chiefs of Police</p>	<p>http://www.theiacp.org/</p>	<p>Free Model Policies</p>
	<p>Jerry Matysik Regional Support Manager Lexipol, LLC Office: 949-276-9970 Cell: 715-828-6337 www.Lexipol.com</p>	<p>Policy Writing, Policy Updates, and Training. The training (Daily Training Bulletins) consists of real-life scenario-based training with an emphasis on high-risk, low-frequency events. The Daily Training Bulletins can be completed in just a few minutes. Fee based on agency size. WMMIC, CVMIC, and WCMIC each contribute to the costs of a subscription.</p>
	<p>http://www.wi-pac.org/</p>	<p>Organization of Accreditation & Policy Managers who have proven to be an outstanding network of support. \$50 annual membership fee; quarterly meetings.</p>
	<p>Rick Balistrieri – Program Manager 414-813-0005 Email: wileag@sbcglobal.net http://www.wileag.info/</p> 	<p>WILEAG staff member providing guidance, forms and templates while serving as a liaison to the Wisconsin Law Enforcement Accreditation Group Governing Board.</p>

The resources provided in this document do not reflect any WILEAG endorsements.

All policies should be reviewed by your agency legal counsel.

Program Steps



Final Instructions

Policy and Proof Highlighting:

Policy verbiage and proofs that meet the mandatory language in a standard should be highlighted. The following example is an excerpt regarding locker room privacy:

In compliance with Wisconsin State Statute 175.22 - Privacy in Locker Rooms the following guidelines have been established.

- *Interviews of any nature (audio or video) WILL NOT be permitted in a department locker room.*
- *Excluding department tours, the media or any other interview source WILL NOT be permitted in a department locker room. Department tours will only be permitted if the locker room is not being utilized.*
- *Recording devices ARE NOT permitted to be utilized by department personnel under any circumstances in a department locker room, unless approved by the Chief of Police and/or his designee for special circumstances.*
- *The locker room, as described in this standard, is to include the attached shower facilities and restroom facilities.*

Assessors will be looking for specific terminology within your policy and proofs; highlight the applicable verbiage within what could be a lengthy policy or proof. *The excerpt cited above was taken from a 6-page policy on Harassment and Discrimination In The Workplace; you can appreciate the importance of highlighting the required standard elements. Do not submit the whole policy... only the applicable (and highlighted) page.*

Additional Proof and CVR Instructions: Using the example above, if your agency does not have a locker room specify such in the CVR area labeled “Agency Comments” to indicate that the standard is “Not applicable”; “This agency does not have a locker room.”

How to Submit the Final Product

Contact the WILEAG Program Manager when you are ready to submit your packet (CVR, policy, and proofs for each standard) for assessor review; you must include the signed disclaimer acknowledgement that is found on the following page. The Program Manager will coordinate the assessor review and provide a timeline for WILEAG Board review.

Please refer any questions regarding this program to:

WILEAG Program Manager Rick Balistrieri
414-813-0005 or wileag@sbcglobal.net
Core Standard Verification Program Disclaimer
1st Edition

The Core Standard Verification Program (CSVP) is provided as a service by the Wisconsin Law Enforcement Accreditation Group, Inc. (WILEAG) at the request of the agency indicated and acknowledged below. WILEAG makes no warranty regarding the sufficiency of the criteria it applies while reviewing your submission, the findings of its process of verification as applied only to excerpts of your policies related to WILEAG standards, and the results of your implementation or application of those verified policies in practice.

FURTHERMORE, WILEAG does not provide liability insurance for the protection of individuals, groups, organizations, businesses, spectators, or others who may participate in the CSVP. In consideration for your participation in the CSVP, the agency does hereby release and forever discharge WILEAG and its officers, board, agents, and employees, jointly and severally from any and all actions, causes of actions, claims and demands for, upon or by reason of any damage, loss or injury, which hereafter may be sustained by participating in the CSVP. This release extends and applies to, and also covers and includes, all unknown, unforeseen, unanticipated and unsuspected injuries, damages, loss and liability and the consequences thereof, as well as those now disclosed and known to exist. The provisions of any state, federal, local or territorial law or state providing substance that releases shall not extend to claims, demands, injuries, or damages which are known or unsuspected to exist at this time, to the person executing such release, are hereby expressly waived. The agency and any successor agency further agrees to indemnify, defend and hold harmless WILEAG and its officers, board, agents, and employees, joint and severally from any and all actions, causes of actions, claims and demands for, upon or by reason of any damage, loss or injury, which hereafter may be sustained by participating in the CSVP. It is further understood and agreed that said participation in the CSVP is not to be construed as an admission of any liability and acceptance of assumption of responsibility by WILEAG, its officers, board, agents, and employees, jointly and severally, for all damages and expenses for which the WILEAG, its officers, board, agents, and employees, become liable as a result of any alleged act.

Acknowledgement

You acknowledge by your signature below that you have read, understand and accept the disclaimer above, that significant revisions require resubmission of previously verified policies to WILEAG for review, that this Core Standards Verification Program is of limited scope and does not constitute an accreditation program or include a review of the policy language beyond language that directly applies to the standards and, that the absence of a WILEAG policy or standard requirement covering a particular issue does not imply that a risk, exposure or duty does not exist.

Agency

Name of Responsible Individual

Address

Signature

Telephone

Date

This signed document is required to be included when you submit your files for review.



Your Police Department

Has fully demonstrated its voluntary commitment to law enforcement excellence by its compliance with a body of 39 core standards deemed essential to the protection of life, safety, and rights of the citizens it serves.

Certificate of

Core Standards Verification

Upon recommendation of the members of the Governing Board of the Wisconsin Law Enforcement Accreditation Group, Your Police Department is recognized with verification of the 39 Core standards for a period of three years.

Effective the 1st day of January 2014

A handwritten signature in black ink that reads "Greg Peterson".

Greg Peterson
President, WILEAG

Legal Review of the Core Standard Verification Policies

By Gunta Law Offices

The 39 (thirty-nine) selected core standards were reviewed by Gunta Law Offices during the month of August, 2013. Essential and mandatory elements of each standard were identified. Gunta Law Offices also provided references and citations where applicable; all references and citations to support a specific standard will be highlighted in a gray text box.

Core Standard 01-1.2.4 Harassment in the Workplace

1.2.4 Harassment in the Workplace

A written directive prohibits harassment in the workplace and provides a means by which harassment can be reported, including a means by which it can be reported if the offending party is in the complainant's chain of command.

Context

Employees should be protected from any type of a hostile work environment, especially sexual harassment. Training, reporting procedures and support systems shall be provided to all employees.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
Chapter 111 Subchapter II Fair Employment	Conform with Standard Guidelines and address retaliation in the workplace.

Core Standard 02-1.2.5 Privacy in Locker Rooms

1.2.5 Locker Room Privacy

If the agency has a locker room, a written directive addresses privacy in the locker room, as required by §175.22, Wis. Stats.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 175.22	Must comply with § 175.22, Wis. Stats. <ul style="list-style-type: none"> • Specifies who may enter and remain in the locker room to interview or seek information from any individual in the locker room. • Specifies the recording devices that may be used in the locker room and the circumstances under which they may be used. • Reflects the privacy interests of individuals who use the locker room. • Specifies that no person may use a cell phone to capture, record, or transfer a representation of a nude or partially nude person in the locker room.

Core Standard 03-1.6.1 Expander of Jurisdiction

1.6.1 Agency Jurisdiction

A written directive establishes the limits of the agency’s jurisdiction, to include:

- 1.6.1.1 The geographic boundaries of the agency’s territorial jurisdiction.
- 1.6.1.2 Guidelines for exercising extraterritorial jurisdiction, both on and off duty, as outlined in §175.40.
- 1.6.1.3 Agency responsibilities with respect to incidents involving concurrent jurisdiction.

Context

All personnel within the agency should know the limitations of their geographical jurisdiction, authority, and responsibilities.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 175.40	Must comply with § 175.40, Wis. Stats. <ul style="list-style-type: none"> • For purposes of civil and criminal liability, any peace officer may, when in fresh pursuit, follow anywhere in the state and arrest any person for the violation of any law or ordinance the officer is authorized to enforce. • For purposes of civil and criminal liability, any peace officer outside his or her territorial jurisdiction acting under sub. (2) is considered to be acting in an official capacity while in fresh pursuit under sub. (2), making an arrest under sub. (2) or

	<p>transporting a person arrested under sub. (2)</p> <ul style="list-style-type: none"> • A peace officer whose boundary is a highway may enforce any law or ordinance that he or she is otherwise authorized to enforce by arrest or issuance of a citation on the entire width of such a highway and on the entire intersection of such a highway and a highway located in an adjacent jurisdiction outside the boundaries of this state. • For any county having a population of 500,000 or more, if any law enforcement officer has territorial jurisdiction that is wholly or partially within that county and has authority to arrest a person within the officer’s territorial jurisdiction, the officer may arrest that person anywhere in the county. <p>(a) An off-duty peace officer may arrest a person or provide aid or assistance outside of his or her territorial jurisdiction but in the state if all of the following apply:</p> <ol style="list-style-type: none"> 1. The officer is responding to an emergency situation that poses a significant threat to life or of bodily harm. 2. The officer is taking action that he or she would be authorized to take under the same circumstances in the officer’s territorial jurisdiction. 3. The officer’s supervising agency has adopted written policies authorizing off-duty officers to make arrests or provide aid or assistance outside of the agency’s territorial jurisdiction but in the state, and the policies at a minimum address all of the following: <ol style="list-style-type: none"> a. Reasonable responses to an emergency situation under subd. 1. b. Arrests made in response to an emergency situation under subd. 1. c. Notification of and cooperation with a law enforcement agency of another jurisdiction regarding arrests made and other actions taken in the other jurisdiction. 4. The officer’s action is in compliance with the policies under subd. 3. <p>(b) A supervising agency may limit its officer’s authority to act under this subsection by including limitations in the written policies under par. (a)3.</p>
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Core Standard 04-1.6.2

Mutual Aid

1.6.2 Mutual Aid

The agency has a plan for providing aid to other jurisdictions in unusual occurrence situations and special operations pursuant to formal mutual aid agreements and §66.0313, Wis. Stats.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 66.0313 § 175.40 § 175.46 § 59.28(2) § 895.35 § 895.46	<p>Must comply with § 66.0313, Wis. Stats. Law enforcement; mutual assistance; § 66.0513, Wis. Stats. Police, pay when acting outside county or municipality; § 175.40, Wis. Stats. Arrests; assistance; § 175.46, Wis. Stats. Mutual aid agreements.</p> <p>Upon the request of any law enforcement agency, including county law enforcement agencies as provided in § 59.28(2), the law enforcement personnel of any other law enforcement agency may assist the requesting agency within the latter’s jurisdiction, notwithstanding any other jurisdictional provision.</p> <p>For purposes of § 895.35 and §895.46, law enforcement personnel, while acting in response to a request for assistance, shall be deemed employees of the requesting agency and, to the extent that those sections apply to law enforcement personnel and a law enforcement against acting under or affected by this section, §895.35 and § 895.46 shall apply to tribal law enforcement personnel and a tribal law enforcement agency acting under or affected by this section.</p>

Core Standard 05-1.7.7
Strip Searches

1.7.7 Strip Searches

A written directive establishes guidelines for conducting strip and body cavity searches in accordance with §968.255, Wis. Stats.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 968.255 § 968.256	<p>Must comply with § 968.255, Wis. Stats.; § 968.256, Wis. Stats. for search of physically disabled person.</p> <p>- No person may be the subject of a strip search unless he or she is a detained person and if:</p> <ul style="list-style-type: none"> (a) The person conducting the search is of the same sex as the person detained, unless the search is a body cavity search conducted under sub. (3); (b) The detained person is not exposed to the view of any person not conducting the search; (c) The search is not reproduced through a visual or sound recording; (d) A person conducting the search has obtained prior written permission of the chief, sheriff or law enforcement administrator of

	<p>the jurisdiction where the person is detained, or his or her designee, unless there is probable cause to believe that the detained person is concealing a weapon; and</p> <p>(e) A person conducting the search prepares a report identifying the person detained, all persons conducting the search, the time, date and place of the search and the written authorization required by par. (d), and provides a copy of the report to the person detained.</p> <p>- No person other than a physician, physician assistant or registered nurse licensed to practice in this state may conduct a body cavity search.</p>
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Core Standard 06-1.9.1

Citizen Complaint

1.9.1 Agency Investigation of Complaints

A written directive requires that all complaints against the agency or its employees are investigated, and further specifies:

- 1.9.1.1 Complaints that are to be investigated by line supervisors.
- 1.9.1.2 Complaints that are to be investigated by the internal affairs function.
- 1.9.1.3 Complaints that are to be reviewed by the internal affairs function.
- 1.9.1.4 Written procedures for filing a complaint are made available to the public and include a prohibition against filing a false complaint as outlined in §§66.0511(3) and 946.66, Wis. Stats.

Context

The written directive should delineate who has responsibility for an investigation or review of a complaint based on the seriousness of the allegations. For example, situations involving complaints about officer driving behavior, rudeness, officer enforcement decisions may be assigned to a line supervisor while situations involving complaints of criminal activity, civil rights violations, use of force, corruption or brutality would be handled by internal affairs.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 66.0511(3) § 946.66	Must comply with §§ 66.0511(3) & 946.66, Wis. Stats.

Core Standard 07-2.4.5

Hiring Medical Exams

2.4.5 Medical Examinations

When required by the agency, physical, medical, and/or psychological examinations are provided at no cost to the employee.

Last Reviewed: December 10, 2012

Last Updated: October 1, 2008

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 08-2.7.1

Part-Time Personnel Selection / Training

2.7.1 Part-time Officers

Agencies that utilize part-time officers have a written directive that describes duties and responsibilities, delineates authority and discretion and specifies the amount of and types of supervision part-time officers are to receive.

Context

A written directive establishes and describes the agency's part-time officer program, to include: the authority of the part-time personnel; the duties and responsibilities of the part-time personnel; the requirement that part-time personnel successfully complete training in all tasks which they will be authorized to perform prior to performing the task; and all training requirements necessary to obtain and maintain part-time personnel status.

Part-time officers shall be defined as any person employed by the state or any political subdivision of the state, in a capacity less than full-time, for the purpose of detecting and preventing crime and enforcing laws or ordinances, and who is authorized to make arrests for violations of the laws or ordinances the person is employed to enforce. Part-time officers shall have satisfied all requirements for certification by the Law Enforcement Standards Board.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 09-2.8.1

Auxiliary Personnel – Training

2.8.1 Auxiliary Personnel

If the agency utilizes auxiliary personnel, a written directive describes the auxiliary program, to include:

- 2.8.1.1 A statement establishing auxiliaries as non-sworn personnel.
- 2.8.1.2 An explanation of the duties and scope of authority of auxiliary personnel.
- 2.8.1.3 A requirement that uniforms, if worn, clearly distinguish auxiliary personnel from sworn officers.
- 2.8.1.4 A requirement that auxiliary personnel receive training related to their authorized and assigned duties.
- 2.8.1.5 Liability protection and indemnification for auxiliary personnel acting within the scope of their authority.

Context

Auxiliary personnel may be assigned to provide support services to any law enforcement functions not requiring sworn officer status. To the extent the agency chooses to use auxiliary personnel, they should receive initial and on-going training appropriate to the duties.

Auxiliary personnel are defined as non-sworn personnel, uniformed or non-uniformed, who support the operational policing mission of the organization, and may include, but not be limited to, community service officers, police aides or cadets, code enforcement officers, parking enforcement personnel, police Explorers, and police volunteers.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 10-4.2.1

Disciplinary System and Punitive Action

4.2.1 Disciplinary System

A written directive governs a disciplinary system that includes:

- 4.2.1.1 Criteria and procedures for counseling.
- 4.2.1.2 Criteria and procedures for punitive actions, such as but not limited to: oral reprimand, written reprimand, loss of leave, suspension, demotion and dismissal.

4.2.1.3 Recognition of employment rights and procedural safeguards as outlined in Chapter 164, Wis. Stats., Law Enforcement Officers' Bill of Rights.

Context

The agency strives to stay abreast of evolving case law and disciplinary systems and to incorporate them into its policies, procedures and practices.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 164.02 § 164.05 § 62.13(5)	Must comply with § 164, Wis. Stats. (Also consider any union/contractual concerns or protections offered) Interrogation: (1) If a law enforcement officer is under investigation and is subjected to interrogation for any reason which could lead to disciplinary action, demotion, dismissal or criminal charges, the interrogation shall comply with the following requirements: (a) The law enforcement officer under investigation shall be informed of the nature of the investigation prior to any interrogation. (b) At the request of any law enforcement officer under interrogation, he or she may be represented by a representative of his or her choice who, at the discretion of the officer, may be present at all times during the interrogation. (2) Evidence obtained during the course of any interrogation not conducted in accordance with sub. (1) may not be utilized in any subsequent disciplinary proceeding against the law enforcement officer.

Core Standard 11-5.1.1

Use of Force

5.1.1 Use of Force

The agency has a written directive governing the use of force as required by §66.0511(2), Wis. Stats., which states personnel will use only the force reasonably necessary to accomplish lawful objectives.

Context

The policy should be based upon state law and current professional standards and accepted practices.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 66.0511(2) § 939.45 § 939.48 § 941	Must comply with § 66.0511(2), Wis. Stats., § 939.45, Wis. Stats. Privilege, § 939.48, Wis. Stats. Self-Defense and Defense of Others. § 941, Wis. Stats. Crimes Against Public Health & Safety DAAT Incident Response and Disturbance Resolution Model

Core Standard 12-6.1.4

High Speed Pursuit

6.1.4 Vehicle Pursuits - §346.03(6)

A written directive requires the agency to have policies/procedures governing pursuit of motor vehicles that include:

- 6.1.4.1 Evaluation of the current situation and preceding events.
- 6.1.4.2 Authority, responsibility and role of the officer initiating the pursuit, back up units, supervisory personnel and dispatchers.
- 6.1.4.3 Guidance on use of marked, unmarked, or other types of police vehicles in the pursuit.
- 6.1.4.4 Guidance on use of roadblocks and other forcible means of stopping a fleeing vehicle.
- 6.1.4.5 Criteria for mandated and voluntary termination of pursuit.
- 6.1.4.6 Guidance for inter and intra-agency pursuits involving agency personnel initiating in but pursuing out of jurisdiction as well as request for assistance by out-of-jurisdiction agency in pursuit in or out of its jurisdiction.
- 6.1.4.7 Incident documentation, administrative review, and/or annual state reporting requirements.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 346.03(6) § 85.07(8) § 175.40	Must comply with § 346.03, Wis. Stats.; § 85.07(8), Wis. Stats.; § 175.40, Wis. Stats.

Core Standard 13-6.1.8

Anatomical Gifts

6.1.8 Anatomical Gifts

A written directive requires officers to make a determination of prospective donors of anatomical gifts, or those who have refused such a donation, as outlined in §157.06(12), Wis. Stats.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 157.06(12)	Must comply with §157.06(12), Wis. Stats.

Core Standard 14-6.2.5
Traffic Stops / Approach

6.2.5 Traffic Stops and Approach to Violator’s Vehicle

A written directive requires the agency to have procedures for stopping and approaching vehicles, to include:

- 6.2.5.1 Approach contacts.
- 6.2.5.2 Non-approach contacts.
- 6.2.5.3 High-risk contacts.

Context

The intent of this standard is to promote safety of officers, the general motoring public and violators. The agency should provide detailed instructions to officers on making effective stops that are safe for the officer and the motorist, approach procedures and requirements for selecting a stop location, and calling in traffic stop information.

Last Reviewed: December 10, 2012 Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 15-6.3.6
Custodial Interrogation

6.3.6 Adult Custodial Interrogation

A written directive requires the agency to have procedures governing adult custodial interrogations, to include electronic recording for suspects arrested for a felony in conformity with § 968.073(2) Wis. Stats.

Context

A model policy regarding Recording of Custodial Interviews is available on Wilenet.

Last Reviewed: December 10, 2012 Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 968.073(2) § 972.115(2)(a)	Must comply with § 968.073(2), Wis. Stats. <ul style="list-style-type: none"> • It is the policy of this state to make an audio or audio and visual recording of a custodial interrogation of a person suspected of committing a felony unless a condition under §972.115(2)(a) 1. to 6. applies or good cause is shown for not making an audio or audio and visual recording of the interrogation. • A law enforcement officer or agent of a law enforcement agency conducting a custodial interrogation is not required to inform the subject of the interrogation that the officer or agent is making an audio or audio and visual recording of the interrogation.

Core Standard 16-6.3.7 Eyewitness Identification

6.3.7 Eyewitness Identification

A written directive specifies the procedures to be followed when using an eyewitness to identify a suspect by viewing the suspect in person or by viewing a representation of the suspect, as required by §175.50(2), Wis. Stats.

Context

A model policy regarding Procedures for Eyewitness Identification is available on Wilenet.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 175.50(2)	WI DOJ Eyewitness Identification Model Policy for Eyewitness Identification. Must comply with § 175.50(2), Wis. Stats.

Core Standard 17-6.3.8 Officer Involved Shooting

6.3.8 Officer Involved Shooting

A written directive establishes procedures for the agency's response to an officer involved shooting, including investigation and administrative review of the incident. The directive shall address:

- 6.3.8.1 Separation of the criminal investigation and administrative review.

- 6.3.8.2 Responsibility for the criminal investigation and administrative review.
- 6.3.8.3 Protection of the officer's legal rights and psychological well being.
- 6.3.8.4 Removal from, and return to, full duty for the involved officer.
- 6.3.8.5 Timely notification of the officer's family, to include procedures for when the officer is seriously injured or killed.
- 6.3.8.6 Post incident procedures such as critical incident stress debriefing and post-traumatic stress.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 18-6.3.9 Domestic Abuse

6.3.9 Domestic Abuse

A written directive establishes agency procedures for handling domestic abuse incidents that are in compliance with §968.075(3), Wis. Stats., and include:

- 6.3.9.1 Actions of the responding officers.
- 6.3.9.2 The circumstances under which an officer should arrest a possible offender.
- 6.3.9.3 Informing the victim when the alleged offender will be released.
- 6.3.9.4 Preparation and delivery of a written report to the district attorney if an officer did not arrest a suspect, yet has reasonable grounds to believe that a person is committing or has committed domestic abuse.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 968.075(3) § 968.075(4)	Must comply with § 968.075(3), Wis. Stats.; § 968.075(4), Wis. Stats.

Core Standard 19-6.6.1 Juvenile Operations

6.6.1 Juvenile Operations

A written directive requires the agency to have policies and procedures regarding agency functions and operations involving juveniles.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 20-6.6.2 Juvenile Offenders

6.6.2 Juvenile Offenders

A written directive establishes that the agency requires officers to use the least restrictive alternative while protecting public safety, order, and individual liberty in dealing with juvenile suspects. The directive should include at a minimum, provisions for:

- 6.6.2.1 Release with no further action.
- 6.6.2.2 Citations or summonses to appear at intake in lieu of being taken into custody.
- 6.6.2.3 Referral to juvenile court.

Context

Agencies should have a wide range of alternatives ranging from warnings to intake. They should provide guidelines for officers in making diversion decisions taking into account such factors as:

- The age and circumstances of the offender.
- The nature and seriousness of the offense.
- The offender's record.
- The availability of community-based programs.
- Recommendations for diversion from complainants or victims.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 21-6.6.3

Juveniles in Custody

6.6.3 Juveniles in Custody

The agency has a written directive for taking a juvenile into custody, that reflects at a minimum, provisions for the following:

- 6.6.3.1 Type of offense.
- 6.6.3.2 Threat of harm or danger to, or by, the juvenile.
- 6.6.3.3 Protection of the constitutional rights of juveniles.
- 6.6.3.4 Expeditious transport to and processing at the intake facility (unless there is a need for emergency medical treatment).
- 6.6.3.5 Notification of parents/guardians that their child has been taken into custody.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 22-6.6.4

Interrogation of Juveniles

6.6.4 Juvenile Custodial Interrogation

A written directive establishes agency policies and procedures covering custodial interrogation of juveniles including but not limited to:

- 6.6.4.1 Mandatory electronic recording of custodial interviews.
- 6.6.4.2 Contact with parents or guardians.
- 6.6.4.3 Duration of interrogation and the number of officers involved in the interrogation.

Context

A model policy regarding recording of custodial interviews is available on Wilenet.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 23-6.6.5

Missing Juvenile Investigations

6.6.5 Missing Juvenile Investigations

A written directive requires the agency to have policies/procedures regarding the handling of missing juveniles, runaways, abducted children, and abandoned children, including:

- 6.6.5.1 Requirements for activation of Amber Alert Systems.
- 6.6.5.2 Requirements for an initial investigation.
- 6.6.5.3 Follow up investigations.
- 6.6.5.4 Supervisory control and notification.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 24-6.6.6

Relinquishing Custody Newborns

6.6.6 Relinquishing Custody of Newborns

A written directive establishes procedures for taking custody of a newborn child in accordance with §48.195, Wis. Stats.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 48.195	Must comply with § 48.195, Wis. Stats.

Core Standard 25-6.6.7

Reporting Abuse of a Child

6.6.7 Reporting of Child Abuse - §48.981(2), §48.981(3)(b)3

A written directive establishes an officer's role as a mandatory reporter of actual or suspected child abuse or neglect, as required by §48.981(2)(a)29, Wis. Stats., and specifies the type of reports of suspected or threatened abuse, as defined in §48.02(1)(b) to (f), Wis. Stats., that the department will routinely refer to the district attorney for criminal prosecution.

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 48.981(2) § 48.981(3)(a)(2) § 48.981(3)(b)(3) § 48.02(1)(b) to (f)	Must comply with § 48.981(2), Wis. Stats.; § 48.981(3)(a)(2), Wis. Stats.; § 48.981(3)(b)(3), Wis. Stats.; § 48.02(1)(b) to (f), Wis. Stats. <ul style="list-style-type: none"> • If the police department determines that criminal action is necessary, the police department shall refer the case to the district attorney for criminal prosecution. Each police department shall adopt a written policy specifying the kinds of reports of suspected or threatened abuse, as defined in § 48.02(1)(b) to (f), that the police department will routinely refer to the district attorney for criminal prosecution.

Core Standard 26-7.1.1
Detainee Search

7.1.1 Search of Prisoners

A written directive requires that transporting officers search all prisoners before being transported.

Context

The transporting officer is responsible for the safety of the public, other law enforcement personnel and the prisoner. The operating assumption is that prisoners may have obtained a weapon or contraband prior to being accepted for transport by the officer and that no one else has searched them. Prisoners should be searched/re-searched each time there is transfer of custody including medical visits or court appearances.

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 27-7.2.1
Lock-up Facilities

7.2.1 Lockup Facility

If the agency operates a lockup facility, a written directive identifies the specific areas within the law enforcement facility authorized for such purposes.

Context

This section applies to agencies that maintain a lockup facility, as defined by Department of Corrections Administrative Code Chapter 349. The DOC defines "lockup facility" or "lockup" as a temporary place of detention within a police station which is used exclusively for confinement of persons under arrest before those persons are brought before a court or post bond. It is presumed that detainees not expeditiously released or transferred to a correctional facility following processing, testing, and/or interview/interrogation are being confined according to DOC 349 and the facility in which they are confined constitutes a lockup facility.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
DOC 349	Conform with Standard Guidelines.

Core Standard 28-9.1.10

Inter-Jurisdictional Communications

9.1.10 Inter-Jurisdictional Communications

The agency's communication center has, at a minimum, the necessary equipment to access inter-jurisdictional, regional, or area law enforcement radio systems.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 29-10.1.1

Separation of Juvenile Records

10.1.1 Records Security

A written directive requires the agency to undertake privacy and security precautions for the agency's records which at a minimum include:

- 10.1.1.1 Separation of juvenile criminal records from adult criminal records.
- 10.1.1.2 Policies and procedures governing collection, retention, storage and release of juvenile fingerprints, photographs, and other methods of identification.
- 10.1.1.3 Appropriate security measures for, and limitation of access to, agency files.

Context

§48.396 and §938.396, Wis. Stats., require records of juveniles to be kept separate from records of adults. The records system should distinguish between adult and juvenile criminal records. If the agency specifically identifies juvenile records and adult records to prevent unauthorized access and release they will be in compliance with this standard. This identification may include specially marking of juvenile records, computer files that are marked and/or access restricted, or files that are physically separated. (WILEAG interpretation – 03/29/1999)

The agency should have procedures in place for access, security and release of records.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Note: WILEAG has taken the position that prominently marking the report as a juvenile record in a co-mingled storage environment is an acceptable option to complete separation.

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 48.396 § 938.396	Must comply with § 48.396 and § 938.396, Wis. Stats. • Law Enforcement Records. <i>Confidentiality</i> . Law enforcement agency records of juveniles shall be kept separate from records of adults.

Core Standard 30-10.2.1

Open Records

10.2.1 Open Records

A written directive requires the agency to establish procedures and criteria for the release of agency records and display a public notice as required in §19.34(1).

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 19.34(1) § 19.34(2) § 19.35 DPPA 18 USC § 2721 & 2725	Must comply with § 19.34(1), Wis. Stats.; § 19.34(2), Wis. Stats.; § 19.35, Wis. Stats.; DPPA 18 USC § 2721; 18 USC § 2725

Core Standard 31-11.1.6

Computer/Electronic Evidence & Chain of Custody

11.1.6 Computer/Electronic Evidence

A written directive governs agency policy for computer or other devices storing data in an electronic format including:

- 11.1.6.1 First responder precautions and responsibilities.
- 11.1.6.2 Collecting, transporting, and storage of computer/other electronic evidence.
- 11.1.6.3 Submission of computer/other electronic evidence to the Wisconsin State Crime Lab or other processing agencies.
- 11.1.6.4 Training for personnel collecting and preserving computer/electronic evidence.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 32-12.2.3

Recruit Training

12.2.3 Recruit Training

The agency requires that all sworn officers satisfactorily complete the Wisconsin law enforcement officer preparatory training or the Wisconsin Department of Justice, Training and Standards Bureau Reciprocity Examination, prior to any assignment in which the officer is allowed to carry a weapon or is in a position to make an arrest (other than while involved in the agency's formal field training program).

Context

The intent of this standard is to ensure that recruits have successfully completed a structured basic training course prior to unsupervised carrying of a weapon, enforcing the law, or making arrests. They could be used in such positions as communications, records, or other activities not involving enforcement activities or carrying a weapon.

Trainees participating in the formal field-training program are considered to be supervised for purposes of this standard.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
LESB Rules	Conform with Standard Guidelines.

Core Standard 33-12.2.4

Field Training

12.2.4 Field Training

A written directive requires a field-training program for newly sworn officers. The program shall incorporate a comprehensive curriculum comprised of organizational policy and procedure for handling high frequency tasks/assignments, as well as low frequency, but high risk/liability tasks and assignments, and include:

- 12.2.4.1 A minimum duration of four weeks.
- 12.2.4.2 A rotation of field training assignments to ensure broad experience.
- 12.2.4.3 Structured evaluation of, and reporting on, a recruit's performance by field training officers.
- 12.2.4.4 Selection and training criteria for field training officers.
- 12.2.4.5 Active supervision of field training officers.

Context

The field-training program is a key supplement to the formal recruit classroom training and should be as actively managed as the classroom training.

There should be close supervision by well-trained FTO's, since the initial field experiences of a recruit often set the tone for his/her entire career. The selection of FTO's is crucial, as they serve as role models for desired values, tactics, and attitudes.

The agency should provide guidelines defining the responsibilities of the FTO.

The program should include an evaluation process and training for the FTO as well as for the trainee.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
LESB Rules	Conform with Standard Guidelines.

Core Standard 34-12.2.5

Annual Training

12.2.5 Annual Training

A written directive requires all sworn personnel complete training annually, as prescribed by the State of Wisconsin Training and Standards Bureau.

Context

It is important that personnel keep up-to-date on new laws, changes in case law, technology, defense and arrest tactics, topics relevant to law enforcement and revisions in agency policy, procedures, rules, and regulations. Generally there is core content applicable to all sworn personnel. In addition, specialized training courses may be appropriate for career development or those seeking promotion to certain positions. The objective of the program should be to motivate veteran personnel and to enhance the professionalism of personnel and the agency generally.

Last Reviewed: December 10, 2012

Last Updated: October 1, 2008

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
LESB Rules	Conform with Standard Guidelines.

Core Standard 35-12.2.6

Career Development

12.2.6 Career Development

The agency provides knowledge and skill development to all personnel, which includes:

- 12.2.6.1 Offering career counseling covering topics such as advancement, specialization or training, to enhance performance in the employee’s current position.
- 12.2.6.2 Providing position specific training to officers receiving promotion or assignment to specialized positions.

Context

The agency has a career development program/plan that utilizes an ongoing inventory of skills, knowledge, and abilities for each employee to further their careers. The program/plan is evaluated as needed. Upon being promoted or assigned to a specialized position, an employee is trained and provided performance expectations for his or her new position.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
N/a	Conform with Standard Guidelines.

Core Standard 36-14.1.1

Victim and Witness Rights

14.1.1 Victim and Witness Rights

A written directive establishes the agency’s philosophy regarding crime victims and ensures all victims and witnesses of crime are treated with dignity, respect, courtesy and sensitivity, as intended by the State of Wisconsin Victim’s Bill of Rights, §950.01, Wis. Stats.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 950.08(2g) & § 950.04(1v)	Must comply with §§ 950.08(2g) & 950.04

Core Standard 37-14.1.2

Victim and Witness Services

14.1.2 Victim and Witness Services

A written directive identifies the information law enforcement must provide to crime victims, as outlined in §950.08(2g), Wis. Stats., including:

- 14.1.2.1 A list of rights of victims under §950.04(1v).
- 14.1.2.2 The availability of compensation and the address and telephone number at which to contact the department for information concerning compensation.
- 14.1.2.3 The address and telephone number of the intake worker, corporation counsel, or district attorney whom the victim may contact to obtain information concerning the rights of victims and to request notice of court proceedings and the opportunity to confer.
- 14.1.2.4 The address and telephone number of the custodial agency that the victim may contact to obtain information concerning the arrest and/or custody of a suspect in connection with the crime of which he or she is a victim.
- 14.1.2.5 The address and telephone number of the custodial agency the victim may contact for information concerning release of a person arrested or taken into custody for the crime of which he or she is a victim.
- 14.1.2.6 Suggested procedures for the victim to follow if he or she is subject to threats or intimidation arising out of his or her cooperation with law enforcement and prosecution efforts relating to a crime of which he or she is a victim.
- 14.1.2.7 The address and telephone number at which the victim may contact the department or any local agency that provides victim assistance in order to

obtain further information about services available for victims, including medical services.

Context

Information regarding victim/witness services shall be supplied by the agency directly; and if applicable, additional referral information regarding services offered within the agency's jurisdiction by other organizations (governmental or private sector) for victims/witnesses should be made available. The agency may complete a documented review of victim/witness assistance needs and available services within the agency's service area.

Last Reviewed: December 10, 2012

Last Updated: December 10, 2012

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 950.08(2g) & § 950.04(1v)	Must comply with §§ 950.08(2g) & 950.04

Core Standard 38-19.21

Disposition of Public Records If Destruction Is Being Contemplated

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 19.21	Must comply with § 19.21, Wis. Stats.

Core Standard 39-51.15

Emergency Detention

Applicable Wisconsin Statutes	Essential Statutory / Standard Elements and Mandates
§ 51.15	Must comply with § 51.15, Wis. Stats.