

---

POLICE DEPARTMENT

June 11, 2020

Beloit Community

Re: Beloit Police Department's Use of Force policies and the #8CANTWAIT change demands

Dear Beloiters,

Over the last week our Department and City officials have received additional email inquiries regarding how the Beloit Police Department utilizes force, what types of policies it has in place, and what type of training our officers receive. These are legitimate questions and concerns and I am happy to be able to provide additional responses and context to this very important issue. You may have heard of the #8CANTWAIT policy change demands being circulated to departments across the United States. This campaign identified eight important policies that help reduce police use of force significantly. Our Department is in compliance with all eight of these standards as follows:

**1. Establish a use of force continuum.**

All Wisconsin law enforcement officers are certified by the State of Wisconsin Law Enforcement Standards Board (LESB). This board is staffed by the Wisconsin Department of Justice, Division of Law Enforcement Services, Training and Standards Bureau personnel. The LESB is an important regulatory body for law enforcement that ensures minimum standards are established and reinforced in training by developing valuable curriculum for law enforcement and law enforcement academies across the state of Wisconsin. Use of force training in Wisconsin is taught utilizing the Defense and Arrest Tactics (DAAT) Manual and all officers within the state of Wisconsin are trained in the same way. Within this curriculum is a well-established use of force continuum that all officers are trained on initially in the academy, as well as annually in the Beloit Police Department. This document is available on the BPD Policies & Forms tab on our webpage at [www.beloitwi.gov/police](http://www.beloitwi.gov/police)

**2. Ban chokeholds and strangleholds.**

Wisconsin does not teach, as a part of use of force training or policy, any type of strangulation or chokehold as a compliance alternative. The Beloit Police

Department's policy on use of force incorporates the State of Wisconsin's DAAT Training Manual, which means that our Department does not authorize, in any fashion, the use of a choke or stranglehold as a compliance alternative.

### 3. Require De-Escalation

The Wisconsin DOJ DAAT manual addresses use of force intervention techniques and options, specifically noting that once an officer has gained control of a subject, they must reduce the level of force that is needed to maintain control. This is one form of de-escalation and is trained at the basic recruit level and reinforced during annual Department training.

In addition, Beloit Police Department Policy 300 (Use of Force), Section 300.3, specifically states, "Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose."

All Beloit Police Department officers receive de-escalation training utilizing a national model developed by the Police Executive Research Forum (PERF) called Integrating Communications, Assessment, and Tactics (ICAT). This national model is in use in large and small departments across the United States and has been recognized as significantly deescalating situations that may otherwise result in officer-involved shootings. Our Department has two trainers who have been certified to instruct new Department members to ensure that everyone in the Department receives this valuable training to help keep both them and our community safe.

Forty of sworn officers and supervisors are certified in Crisis Intervention Techniques (CIT), which also stresses de-escalation and assists officers in dealing with those who may have mental health, drug, or alcohol issues. We continue to train additional members on an annual basis. In addition Beloit Police Department Policy 433 (Crisis Intervention Incidents), Section 433.6 (De-escalation) states, "Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis." Further, this section provides officers options on safe resolution and specifically states that officers generally should not "use stances or tactics that can be interpreted as aggressive; allow others to interrupt or engage the person; corner a person who is not believed to be armed, violent, or suicidal; argue, speak with a raised voice or use threats to obtain compliance."

De-escalation has been a cornerstone of our policing philosophy for many years and our officers, in utilizing this training, have avoided the use of deadly force in many instances.

#### **4. Exhaust all alternatives before shooting**

Wisconsin DOJ's DAAT Manual, relative to deadly force contains a preclusion piece which states the following: "Before you can use deadly force, you must reasonably believe that all other options have been exhausted or would be ineffective." In other words, deadly force is always a last resort. All officers in the state of Wisconsin are trained in this fashion. Specifically, our Beloit officers receive this training at least annually during firearms shooting, as well as during DAAT training. Beloit Police Department Policy 300, Section 300.4(a) (Deadly Force Applications) specifically follows state law (§939.48, Wi. Stats., Self-defense and defense of others) and the DAAT Manual in determining when an officer can use deadly force as follows: "An officer may use deadly force to protect him or herself or others from what he or she reasonably believes would be an imminent threat of death or serious bodily injury.

#### **5. Require warning before shooting**

Beloit Police Department Policy 300, Section 300.4(b) states "An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an eminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible." This portion of the policy refers to what is commonly referred to as the fleeing felon rule. An example of this would be an individual who committed an armed robbery and was fleeing on foot from officers while still armed and posing a significant danger to other community members.

#### **6. Ban shooting at moving vehicles**

Beloit Police Department Policy 300, Section 300.4.1 states "Officers should not place themselves in front of a vehicle to prevent escape and should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others." In short, we train our officers not to put themselves in front of vehicles and also not to shoot at any part of the vehicle in attempt to disable it.

## 7. Require all force be reported

Beloit Police Department Policy 300, Section 300.5.1 requires that officers notify a supervisor as soon as practicable following the application of force. This includes all use of force that the department tracks. Officers are required to file a use of force report which is also reviewed by the supervisor along with any applicable body-worn camera video or the statements of any witnesses. Our Department's 2019 Use of Force Summary is available on the BPD Data Initiative tab on our webpage at [www.beloitwi.gov/police](http://www.beloitwi.gov/police).

## 8. Duty to intervene

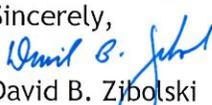
Beloit Police Department Policy 300, Section 300.2.1 (Duty to Intercede), states "Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor." Our officers are required and expected to physically intervene in any situation in which the use of force is being applied inappropriately or excessively.

Lastly, Policy 300, Section 300.2 states "The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and careful balancing of all interests." Thus, displaying our commitment to the sanctity of life.

This is just a sample of the types of training policies and accountability measures put in place in the Beloit Police Department to ensure not only the safety of our officers, but the safety of our community members. The referenced policies and manuals can be found on our Police Department website under BPD Policies & Forms. Our Department will be hosting another Conversations with the Community on this topic in the near future.

We greatly appreciate and value the support of our community and look forward to continued partnerships and discussions regarding police department operations, specifically in the area of use of force.

Sincerely,

  
David B. Zibolski  
Chief of Police