

**PUBLIC SAFETY
COMMITTEE**

Wednesday, August 12, 2020

6:30 PM

McFarland Municipal Center
Conference Room A

AGENDA

Zoom Public Invite:

Join the webinar: <https://us02web.zoom.us/j/84286652548>

Or By Telephone:

Dial US: +1 (312) 626-6799

Webinar ID: 842 8665 2548

1. CALL TO ORDER, ROLL CALL.
2. PUBLIC APPEARANCES.
3. APPROVAL OF MINUTES.
 - a. Motion to approve the Minutes from the 7/8/2020 Public Safety Committee Meeting.
4. BUSINESS.
 - a. Staff Reports
 - 1) Fire and Rescue Department
 - 2) Police Department
 - b. License Hearing -
 - 1) Conduct hearing on the recommendation from Chief Sherven to deny the issuance of an operator's license for Aaron Nash for the period ending June 30, 2021.
 - 2) Discussion and recommendation on the operator's license for Aaron Nash for the period ending June 30, 2021.
 - c. Presentation of Police Department analysis report of current procedures and directives as compared to action steps relating to police reform being discussed nationally.
 - d. Discussion and possible referral to Public Works Committee relating to a request to reduce the speed limit from 25 to 15 mph on Bremer Rd.
 - e. Discussion and possible referral to the Public Works Committee regarding a request to change parking on Overlook Dr. from the west side of the road to the east side.

5. SCHEDULE NEXT MEETING DATE.

6. ADJOURNMENT.

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related to Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the McFarland Municipal Center at (608) 838-3153 or cassandra.suettinger@mcfarland.wi.us.

VILLAGE OF MCFARLAND
Public Safety Committee Minutes

Wednesday, July 8, 2020 - 6:30 PM

1. CALL TO ORDER, ROLL CALL.

Trustee Eric Kryzenske called the regular meeting of the Public Safety Committee to order at 6:37 p.m.

Members present: Stephanie Brassington, Tyler Mortenson, Rich Staley, Eric Kryzenske

Members not present: Sandy Bakk, Ken Machtan

Staff Present: Police Chief Craig Sherven

2. PUBLIC APPEARANCES.

Rob Bloxham was present for the hearing.

3. APPROVAL OF MINUTES.

- a. Motion to approve the minutes of the 6/10/2020 Public Safety Committee meeting.
Motion by Village Trustee Eric Kryzenske, second by Village Trustee Stephanie Brassington, to approve Motion to approve the minutes of the 6/10/2020 Public Safety Committee meeting. Motion carries 4 - 0 - 0 by acclamation.

4. BUSINESS.

a. Staff Reports

1) Fire and Rescue Department

2) Police Department

Chief Craig Sherven reviewed the monthly report.

b. License Hearing -

1) Conduct hearing on the recommendation from Chief Sherven to deny the issuance of an operator's license for Aaron Nash for the period ending June 30, 2021.

A hearing on the recommendation to deny the issuance of an Alcohol Beverage Operator's License for Aaron Nash was conducted at 6:47 p.m. by the Public Safety Committee on July 8, 2020 in the Community Room of the McFarland Municipal Center, 5915 Milwaukee Street, McFarland, Wisconsin. The hearing was conducted per McFarland Village Ordinance 11-67(d). Public Safety Committee members present were Village Trustee Stephanie Brassington, Tyler Mortenson, Rich Staley, Village Trustee Eric Kryzenske. Staff present was Police Chief Craig Sherven. Others present were applicant Aaron Nash and witness Rob Bloxham.

Deputy Clerk O'Malley swore in Chief Sherven, who provided the following exhibits:
Exhibit A. A copy of the initial "Application for an Alcohol Beverage Operator's License" completed by Aaron Nash.

Exhibit B. A copy of the letter to Aaron Nash from Village Clerk Cassandra Suettinger notifying of the denial hearing process.

Exhibit C. A copy of the memo to the Public Safety Committee from Chief Craig Sherven, apprising them of his recommendation of denial of the Alcohol Beverage Operator's License for Aaron Nash and the reasons for this recommendation.

Chief Sherven presented the following testimony: Aaron Nash had a an Operating with Prohibited Alcohol Concentration conviction June 17, 2017, and conviction of serving alcohol to a minor in August of 2019. Denial is based on applying this record to McFarland village ordinance 11-74(c)(3) guidelines 3 (a) and (b). Nothing has changed since the last hearing late in 2019 or early 2020, when the PSC recommended to deny his application. Aaron Nash's habitual offender status would expire in 2022. In answering Eric Kryzenske's question regarding the discrepancy in the conviction date for selling alcohol to a minor, Chief Sherven responded this would not change the denial.

Deputy Clerk O'Malley swore in Aaron Nash, who provided the following testimony: Aaron Nash said he has gone through therapy and an alcohol class. Aaron Nash presented his two letters of recommendation and proof he took an alcohol class through Mercy Healthcare. Aaron Nash said he paid the citation rather than attending court proceedings. The serving alcohol to a minor event happened in October 2018. Aaron Nash said he is able to present letters from AODA counselors at a later date.

The hearing was closed at 7:02 p.m.

2) Discussion and recommendation on the operator's license for Aaron Nash for the period ending June 30, 2021.

Motion by Village Trustee Eric Kryzenske, second by Village Trustee Stephanie Brassington, to postpone Discussion and recommendation on the operator's license for Aaron Nash for the period ending June 30, 2021. Motion carries 3 - 1 - 0 by acclamation.

5. SCHEDULE NEXT MEETING DATE.

The next meeting is scheduled for August 12, 2020, at 6:30 p.m.

6. ADJOURNMENT.

Motion by Tyler Mortenson, second by Village Trustee Stephanie Brassington, to adjourn at 7:08 pm.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,
Tricia Reimer
Administrative Assist



McFarland Fire & Rescue Department

5915 Milwaukee Street • PO Box 110 • McFarland, WI 53558-0110
(608) 838-3278 • Fax: (608) 838-3619

Emergency: 911

August 2020 Fire & Rescue Department Report For July 2020 Activity

- **Operations**

- July call volume was close to normal levels, with a slight increase in ambulance requests. We have remained at predicted levels for transports.
- We have administered Ketorolac (Toradol) for a few times and had some relief provided. The medication has provided the expected results, and patients are receiving pain relief without waiting for Paramedics.
- COVID-19 has delayed the Utility as Ford shut down the production line to build medical equipment. The truck is tentatively scheduled for delivery in quarter 3 of 2021.
- We have been scheduling a meeting with the Stoughton Fire Department to develop a collaborative plan for responses to the lake and river-related emergencies.
- We have returned to having an engine response to assist with ambulance calls. We have not experienced a large number of firefighters needing to be deconned after a medical call, and it was determined the engine provides a more significant separation among staff.
- We have been performing outreach with a child in our area that is autistic. The individual has been struggling with the isolation of COVID-19. We originally made contact with the child due to them setting off the fire alarm at school. Our previous outreach was able to stop the fire alarm behavior, and now our goal is to help them at home to reduce the possibility of a crisis occurring.

- **COVID-19**

- The following initiatives were implemented and continue:
 - We have closed the Fire & Rescue area to non-essential people, including village and department staff. Only the required staff may be present in our area of the building.
 - We have implemented daily cleaning within the Fire & Rescue area for high contact and high traffic areas.
 - Shift changes are performed with social distancing and are required to be completed in ten minutes or less.
 - The Engines, Squad, and Ladder are only staffed with four firefighters to maintain social distancing as possible during a response.
 - Increased the cleaning and disinfecting of the vehicles in the fleet and then leaving the vehicles open to allow air circulation.
 - Department training and meetings are being conducted online for groups larger than ten. Ten or less may be scheduled in person.
 - Social distancing is used among staff during the day.
 - Surgical masks and safety glasses are utilized on every medical call during training, performing fire inspections and interacting with the public when possible.
 - N95 masks, isolation gowns, and safety glasses are used on any patient contact that has been tested positive, suspected of COVID-19, or a higher risk procedure is performed (nebulizer, high flow oxygen, CPAP, CPR, etc.)
 - Firefighters are released immediately upon determination that any additional staff isn't required. The firefighters are limited to the apparatus bay area. The sign-in process for firefighters is completed in the laundry area, where firefighters are required to wash hands after signing in for a call.
 - The career staff is conducting weekly equipment checks usually performed by the paid-on-call staff.
 - Our PPE supplies remain sufficient.
 - We are participating in N95 mask decontamination with the State EOC with the Battelle System.
 - The staff is performing daily monitoring and logging of any symptoms.
- We have provided an estimated 60 birthday parades.

- **Staffing**

- Current Staffing Levels
 - Fulltime Fire Rescue Chief – 1
 - Administrative Captain – 1
 - Fulltime Fire Inspector/Public Education Specialist – 1
 - Fulltime EMTs – 6
 - Fulltime Confidential Administrative Assistant - 1
 - Paid-On-Call – 56 (12 EMTs (1 on military leave and 1 on medical leave), 25 Firefighters (1 Active Retired), 9 EMR/Firefighter, & 10 EMT/Firefighters(1 on military leave)
 - Total Staffing Level – 66
- We currently have a career EMT off due to a non-work-related injury. We have been covering the majority of the shifts with the Administrative Captain, or Fire Inspector and Paid-On-Call EMTs.
- We have two members attending EMT Basic Class this summer and two additional members looking to participate in the fall.
- We are starting a Firefighter I class in August for the members that completed Entry-level last spring.
- We have two past members that have re-applied and are completing the background. We have six applicants that were interviewed by the new member review committee and are waiting to meet with the Chief.

<u>Inspection/Prevention Activity</u>	<u>Completed</u>	<u>Year to Date Total</u>
Building Inspections	42	186
Fire Code Violations Identified	28	91
Re-inspections Completed	1	12
Corrections Noted	3	22
Building Plan Reviews	1	4
Development Reviews	3	14
Acceptance Test/site visits	3	13
Fire Drills	0	0
AHA-CPR Classes	0	8
AHA Attendance Total	0	85
Public Education	0	5
Public Education Attendance	0	130
Home Prevention Installations	0	3

Many fire prevention activities are suspended due to COVID-19

- **Apparatus & Equipment**

- 2017 SUV (Shared Car 4) received regular maintenance with no issues found.
- 2000 Heavy Rescue (Squad 5) had the air conditioning serviced. The freon was found to be down. A leak detection dye was added to check for any leaks, and none have been found. Control leakage for the venting system was also found to be faulty, but was not replaced as the replacement vehicle has been ordered.
- 1997 Aerial (Ladder 8) had the tie rod ends replaced. A pressure switch appears to be faulty on the air brake interlock system, and if it fails the truck will be prevented from operating. It is planned to be repaired by the Village Mechanic soon.
- 2012 SUV (Car 1) had the driver's seat position control switch replaced. It failed in the full forward position. The Village Mechanic replaced the switch.
- 2004 Boat (Water 10) had the oil pump fail during a search for a drowning victim on Lake Kegonsa. The crew returned to shore, and the boat was sent to a local vendor for repair.
- We have ordered a replacement pulse oximeter with CO capability as our current unit, which was purchased by the McFarland EMS Association over a decade ago, failed. The battery case holding the batteries had broken down from batteries leaking over the years. The equipment is used on almost every patient we provide care to. We do have a total of two, and we will be looking to replace the other unit. However, the cost per unit is \$4,500, and we need to determine how to fund the purchase. The current purchase was made with funds from not purchasing EMS turnout gear, as we have seen a reduction in EMTs.

- **Budget**

- We have received our annual state aid from fire insurance premiums (2% Dues), and we received \$931.94 above the budgeted amount. The State EMS Funding Assistance Program (FAP) has been submitted, and we are waiting for those funds to be provided. We have received \$157,000 in ambulance fee revenue for 2020. We are currently \$9,000 less than budgeted for the end of July, but many of July will not be received until the end of August, and we are assuming to be about \$10,000 more than budgeted.
- Personal Services area of the budget is tracking within the expected budget amounts. We are currently predicting to be within 4% of the budget amount.

- Contractual Services we are projected to have a budget shortage due to vehicle maintenance. We are currently expected to exceed the vehicle maintenance budget by \$7,000.
- Supplies and Expenses we are projected to have a surplus, and the main reason is fuel savings that have occurred. Due to COVID-19, we have reduced fuel consumption during the spring, and the overall cost of fuel has dropped. We are expecting about \$3,500 in surplus for fuel.
- Fixed charges we will be exceeding the budget as the monthly rent charge was adjusted in 2020 after the 2020 budget was approved. We will exceed the budget by \$9,750.00. The fortunate part of the adjustment is funds are more accounting changes, and won't have a significant impact on the expenditure of funds overall for the general fund.
- Overall the budget is tracking to be exceeded by \$9,500. We will continue to work on narrowing the gap, but based on the response to COVID-19, the budget is performing well.
- The replacement radio project has begun. We have received the majority of the portable radios, and they are in service. We are waiting on final quotes for the mobile radios. The project is tracking to be within budget.
- We have placed on order our annual fire turnout gear replacement and the 2020 portion of ballistic protection gear. We will have ballistic protection for each firefighter on the engines and ladder and two sets on each ambulance once the current shipment is received.
- The Mobile Data Computers (MDC) and ambulance report computer has been received in and replaced. Each year we receive a new report computer, and then the old are moved to the Command Car as an MDC, and the Command Car MDC is moved to Car 3.

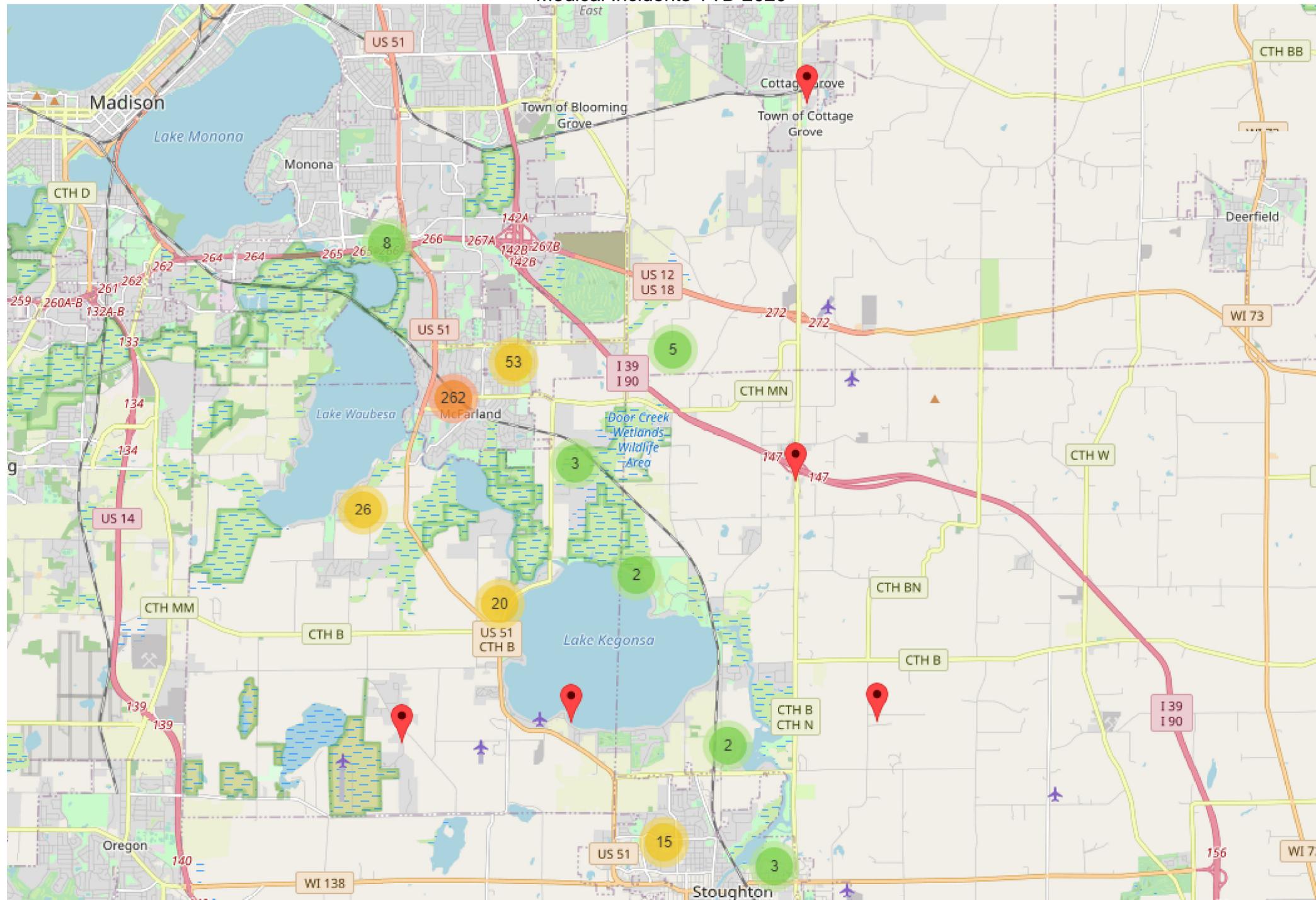
Ambulance Runs By Dispatch Reason

Incident Complaint Reported By Dispatch	7/1 - 7/31/20		7/1 - 7/31/19		7/1 - 7/31/18	
Abdominal Pain/Problems	0	0.00%	0	0.00%	0	0.00%
Allergic Reaction/Stings	0	0.00%	0	0.00%	0	0.00%
Animal Bite	0	0.00%	0	0.00%	0	0.00%
Assault	1	1.16%	1	1.47%	0	0.00%
Automated Crash Notification	0	0.00%	0	0.00%	0	0.00%
Back Pain (Non-Traumatic)	2	2.33%	4	5.88%	2	2.47%
Breathing Problem	2	2.33%	4	5.88%	4	4.94%
Burns/Explosion	0	0.00%	0	0.00%	0	0.00%
Carbon Monoxide/Hazmat/Inhalation/CBRN	3	3.49%	0	0.00%	6	7.41%
Cardiac Arrest/Death	1	1.16%	3	4.41%	1	1.23%
Chest Pain (Non-Traumatic)	4	4.65%	4	5.88%	3	3.70%
Choking	1	1.16%	1	1.47%	0	0.00%
Convulsions/Seizure	2	2.33%	2	2.94%	4	4.94%
Diabetic Problem	4	4.65%	2	2.94%	1	1.23%
Drowning/Diving/SCUBA Accident	0	0.00%	1	1.47%	0	0.00%
Electrocution/Lightning	0	0.00%	0	0.00%	0	0.00%
Eye Problem/Injury	1	1.16%	0	0.00%	0	0.00%
Falls	11	12.79%	19	27.94%	10	12.35%
Fire	8	9.30%	0	0.00%	10	12.35%
Headache	0	0.00%	0	0.00%	0	0.00%
Heart Problems/AICD	0	0.00%	2	2.94%	1	1.23%
Heat/Cold Exposure	0	0.00%	0	0.00%	0	0.00%
Hemorrhage/Laceration	1	1.16%	2	2.94%	1	1.23%
Industrial Accident/Inaccessible Incident/Other Entrapments (Non-Vehicle)	0	0.00%	0	0.00%	1	1.23%
Medical Alarm	0	0.00%	0	0.00%	0	0.00%
No Other Appropriate Choice	2	2.33%	1	1.47%	1	1.23%
Overdose/Poisoning/Ingestion	2	2.33%	1	1.47%	1	1.23%
Pregnancy/Childbirth/Miscarriage	0	0.00%	0	0.00%	0	0.00%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	0	0.00%	1	1.47%	1	1.23%
Sick Person	13	15.12%	8	11.76%	9	11.11%
Stab/Gunshot Wound/Penetrating Trauma	0	0.00%	0	0.00%	0	0.00%
Standby	1	1.16%	0	0.00%	0	0.00%
Stroke/CVA	4	4.65%	2	2.94%	1	1.23%
Traffic/Transportation Incident	8	9.30%	0	0.00%	12	14.81%
Transfer/Interfacility/Palliative Care	0	0.00%	1	1.47%	2	2.47%
Traumatic Injury	2	2.33%	2	2.94%	2	2.47%
Unconscious/Fainting/Near-Fainting	13	15.12%	7	10.29%	7	8.64%
Unknown Problem/Person Down	0	0.00%	0	0.00%	1	1.23%
Total	86		68		81	

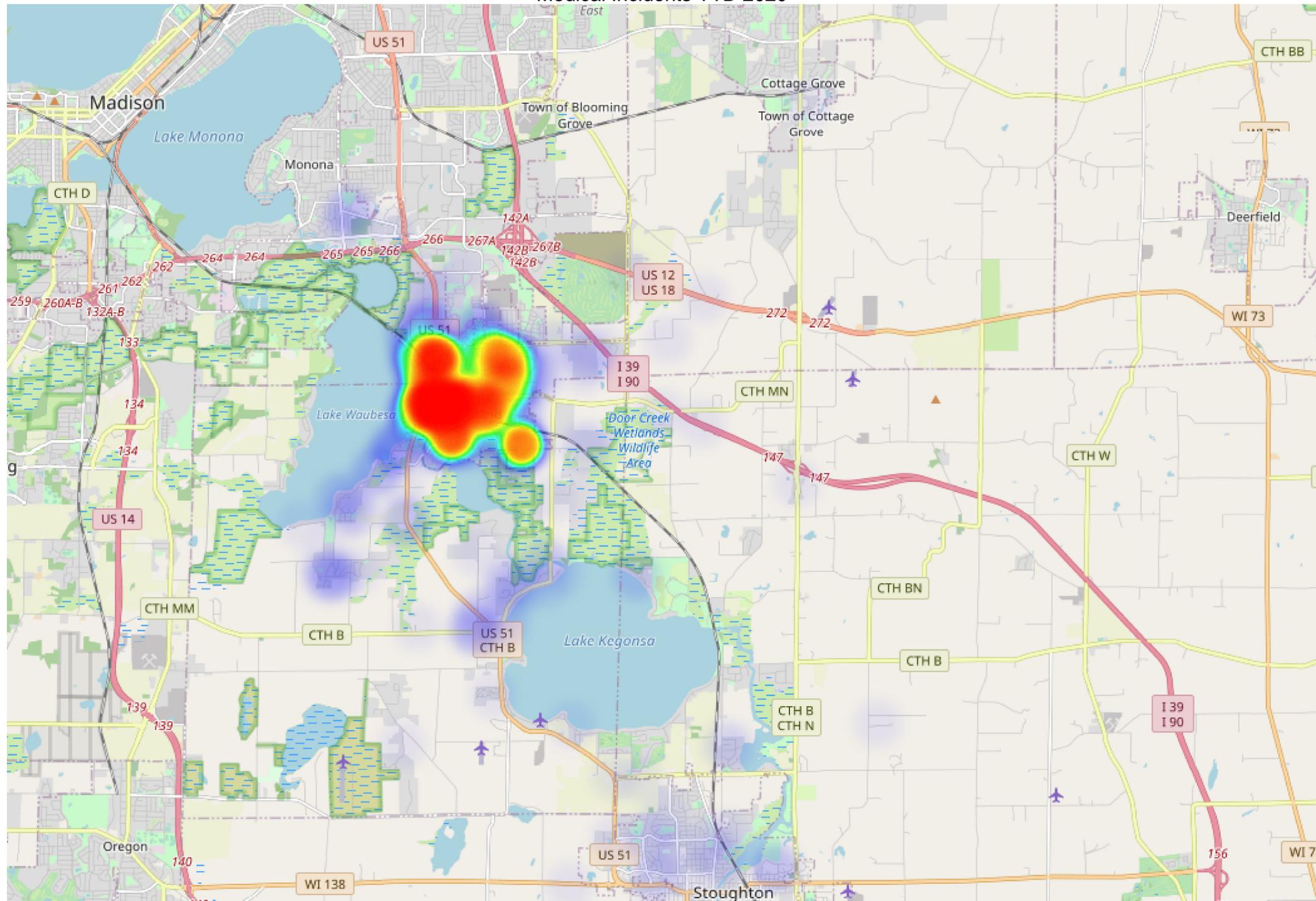
Ambulance Runs By Dispatch Reason

Incident Complaint Reported By Dispatch	01/01/20 - 7/31/20		01/01/19 - 7/31/19		01/01/18 - 6/30/18	
Abdominal Pain/Problems	12	2.40%	8	1.66%	6	1.16%
Allergic Reaction/Stings	1	0.20%	1	0.21%	4	0.77%
Animal Bite	1	0.20%	0	0.00%	0	0.00%
Assault	10	2.00%	4	0.83%	3	0.58%
Automated Crash Notification	0	0.00%	1	0.21%	0	0.00%
Back Pain (Non-Traumatic)	5	1.00%	9	1.86%	7	1.35%
Breathing Problem	43	8.60%	34	7.04%	33	6.36%
Burns/Explosion	0	0.00%	1	0.21%	1	0.19%
Carbon Monoxide/Hazmat/Inhalation/CBRN	6	1.20%	3	0.62%	13	2.50%
Cardiac Arrest/Death	8	1.60%	6	1.24%	7	1.35%
Chest Pain (Non-Traumatic)	25	5.00%	32	6.63%	13	2.50%
Choking	3	0.60%	7	1.45%	4	0.77%
Convulsions/Seizure	8	1.60%	8	1.66%	14	2.70%
Diabetic Problem	8	1.60%	9	1.86%	9	1.73%
Drowning/Diving/SCUBA Accident	1	0.20%	1	0.21%	0	0.00%
Electrocution/Lightning	1	0.20%	0	0.00%	0	0.00%
Eye Problem/Injury	2	0.40%	0	0.00%	0	0.00%
Falls	92	18.40%	103	21.33%	82	15.80%
Fire	32	6.40%	15	3.11%	40	7.71%
Headache	5	1.00%	3	0.62%	2	0.39%
Heart Problems/AICD	8	1.60%	11	2.28%	13	2.50%
Heat/Cold Exposure	0	0.00%	1	0.21%	0	0.00%
Hemorrhage/Laceration	15	3.00%	17	3.52%	11	2.12%
Industrial Accident/Inaccessible Incident/Other						
Entrapments (Non-Vehicle)	0	0.00%	0	0.00%	1	0.19%
Medical Alarm	0	0.00%	0	0.00%	0	0.00%
No Other Appropriate Choice	3	0.60%	2	0.41%	5	0.96%
Overdose/Poisoning/Ingestion	10	2.00%	11	2.28%	7	1.35%
Pregnancy/Childbirth/Miscarriage	1	0.20%	0	0.00%	1	0.19%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	6	1.20%	11	2.28%	4	0.77%
Sick Person	73	14.60%	67	13.87%	69	13.29%
Stab/Gunshot Wound/Penetrating Trauma	1	0.20%	0	0.00%	0	0.00%
Standby	2	0.40%	0	0.00%	7	1.35%
Stroke/CVA	11	2.20%	12	2.48%	10	1.93%
Traffic/Transportation Incident	31	6.20%	34	7.04%	87	16.76%
Transfer/Interfacility/Palliative Care	0	0.00%	2	0.41%	2	0.39%
Traumatic Injury	11	2.20%	15	3.11%	5	0.96%
Unconscious/Fainting/Near-Fainting	64	12.80%	52	10.77%	56	10.79%
Unknown Problem/Person Down	0	0.00%	3	1.07%	3	0.35%
Well Person Check	1	0.20%	0	0.00%	0	0.00%
Total	500		483		519	

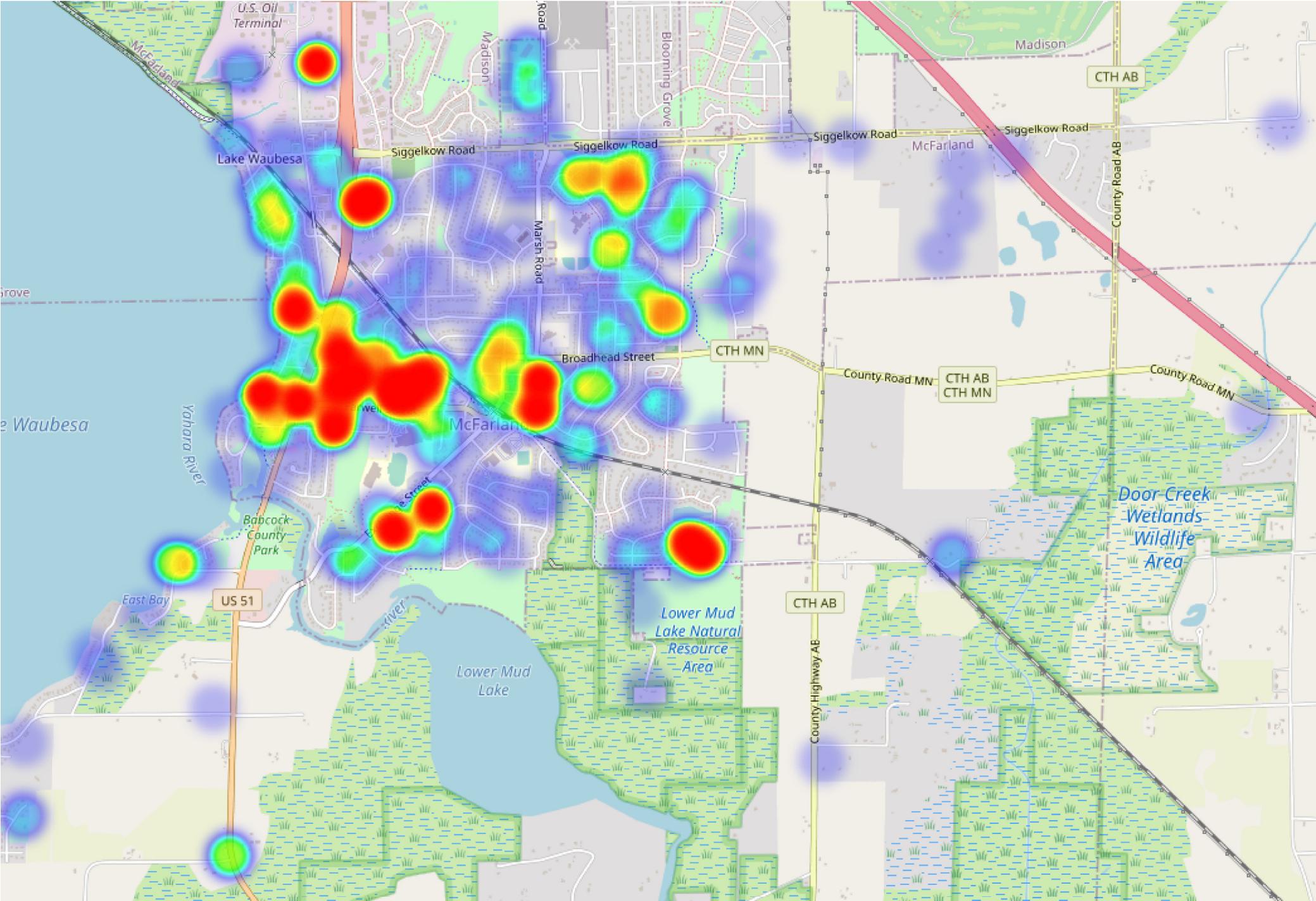
Medical Incidents YTD 2020



Medical Incidents YTD 2020



Medical Incidents YTD 2020



McFarland Fire & Rescue Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {07/01/2020} and {07/31/2020}

Incident Type	07/01/2020	07/01/2019	07/01/2018	07/01/2017
	to	to	to	to
	07/31/2020	07/31/2019	07/31/2018	07/31/2017
111 Building fire	0	1	3	1
112 Fires in structure other than in a building	0	0	1	0
113 Cooking fire, confined to container	0	0	1	2
131 Passenger vehicle fire	0	0	0	1
142 Brush or brush-and-grass mixture fire	2	0	0	0
151 Outside rubbish, trash or waste fire	0	1	0	0
154 Dumpster or other outside trash receptacle fire	0	0	0	1
300 Rescue, EMS incident, other	0	1	0	0
311 Medical assist, assist EMS crew	9	9	10	14
322 Motor vehicle accident with injuries	3	0	1	2
323 Motor vehicle/pedestrian accident (MV Ped)	0	0	1	0
324 Motor Vehicle Accident with no injuries	0	0	0	1
342 Search for person in water	0	1	0	0
350 Extrication, rescue, Other	0	0	0	1
353 Removal of victim(s) from stalled elevator	0	0	1	0
365 Watercraft rescue	0	0	0	1
411 Gasoline or other flammable liquid spill	0	0	0	1
412 Gas leak (natural gas or LPG)	2	1	1	1
424 Carbon monoxide incident	2	1	2	0
440 Electrical wiring/equipment problem, Other	0	0	0	3
444 Power line down	0	1	0	1
445 Arcing, shorted electrical equipment	2	0	0	1
463 Vehicle accident, general cleanup	1	1	2	1
542 Animal rescue	1	0	0	0
550 Public service assistance, Other	0	0	0	1
551 Assist police or other governmental agency	0	0	0	1
553 Public service	1	1	0	0
561 Unauthorized burning	0	0	0	1
571 Cover assignment, standby, moveup	0	1	2	1
600 Good intent call, Other	0	0	0	3
611 Dispatched & cancelled en route	0	3	4	4
6111Cancelled en route - Auto Aid Fire	4	0	0	0
622 No Incident found on arrival at dispatch address	2	0	0	0
631 Authorized controlled burning	0	2	0	0
651 Smoke scare, odor of smoke	0	0	1	1
671 HazMat release investigation w/no HazMat	0	0	1	0
731 Sprinkler activation due to malfunction	0	1	1	0
733 Smoke detector activation due to malfunction	0	3	1	0
735 Alarm system sounded due to malfunction	2	0	1	0
736 CO detector activation due to malfunction	0	0	1	0
743 Smoke detector activation, no fire - unintentional	1	0	1	1
744 Detector activation, no fire - unintentional	1	1	0	0

McFarland Fire & Rescue Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {07/01/2020} and {07/31/2020}

Incident Type	07/01/2020	07/01/2019	07/01/2018	07/01/2017
	to	to	to	to
	07/31/2020	07/31/2019	07/31/2018	07/31/2017
745 Alarm system activation, no fire - unintentional	1	1	1	1
746 Carbon monoxide detector activation, no CO	0	1	0	0
815 Severe weather or natural disaster standby	0	0	0	1
Totals	<u>34</u>	<u>31</u>	<u>37</u>	<u>47</u>

McFarland Fire & Rescue Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {01/01/2020} and {07/31/2020}

Incident Type	01/01/2020	01/01/2019	01/01/2018	01/01/2017
	to	to	to	to
	07/31/2020	07/31/2019	07/31/2018	07/31/2017
111 Building fire	11	13	11	6
112 Fires in structure other than in a building	0	0	1	1
113 Cooking fire, confined to container	2	2	2	4
115 Incinerator overload or malfunction, fire confined	0	1	0	0
118 Trash or rubbish fire, contained	1	0	0	1
131 Passenger vehicle fire	2	0	2	2
134 Water vehicle fire	0	0	0	1
140 Natural vegetation fire, Other	0	0	1	0
142 Brush or brush-and-grass mixture fire	4	0	0	1
150 Outside rubbish fire, Other	0	0	1	0
151 Outside rubbish, trash or waste fire	0	2	0	0
154 Dumpster or other outside trash receptacle fire	0	1	0	3
160 Special outside fire, Other	0	0	1	0
162 Outside equipment fire	0	1	0	0
171 Cultivated grain or crop fire	0	0	1	0
223 Air or gas rupture of pressure or process vessel	0	1	0	0
251 Excessive heat, scorch burns with no ignition	0	0	0	1
300 Rescue, EMS incident, other	0	1	0	0
311 Medical assist, assist EMS crew	70	78	66	72
322 Motor vehicle accident with injuries	9	15	16	12
323 Motor vehicle/pedestrian accident (MV Ped)	0	0	1	0
324 Motor Vehicle Accident with no injuries	2	2	6	3
331 Lock-in (if lock out , use 511)	0	0	0	2
341 Search for person on land	0	1	0	0
342 Search for person in water	0	1	0	0
350 Extrication, rescue, Other	0	0	0	2
351 Extrication of victim(s) from building/structure	0	1	0	0
352 Extrication of victim(s) from vehicle	1	1	0	1
353 Removal of victim(s) from stalled elevator	0	0	2	1
357 Extrication of victim(s) from machinery	0	0	1	0
361 Swimming/recreational water areas rescue	1	1	0	0
363 Swift water rescue	0	1	0	0
365 Watercraft rescue	1	1	1	1
381 Rescue or EMS standby	0	0	0	1
411 Gasoline or other flammable liquid spill	3	2	3	3
412 Gas leak (natural gas or LPG)	2	4	3	4
413 Oil or other combustible liquid spill	0	1	0	1
420 Toxic condition, Other	0	0	1	0
421 Chemical hazard (no spill or leak)	1	0	0	0
424 Carbon monoxide incident	2	2	4	3
440 Electrical wiring/equipment problem, Other	0	0	0	5
442 Overheated motor	1	0	1	0

McFarland Fire & Rescue Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {01/01/2020} and {07/31/2020}

Incident Type	01/01/2020	01/01/2019	01/01/2018	01/01/2017
	to	to	to	to
	07/31/2020	07/31/2019	07/31/2018	07/31/2017
444 Power line down	1	1	3	3
445 Arcing, shorted electrical equipment	4	3	1	4
451 Biological hazard, confirmed or suspected	0	0	0	1
463 Vehicle accident, general cleanup	1	3	3	5
500 Service Call, other	0	0	1	0
510 Person in distress, Other	0	0	1	1
521 Water evacuation	0	1	0	0
522 Water or steam leak	1	2	1	2
531 Smoke or odor removal	2	0	1	1
542 Animal rescue	1	0	0	1
550 Public service assistance, Other	0	0	0	1
551 Assist police or other governmental agency	0	1	0	2
553 Public service	5	5	0	0
555 Defective elevator, no occupants	1	0	0	0
561 Unauthorized burning	5	0	3	1
571 Cover assignment, standby, moveup	1	6	3	1
600 Good intent call, Other	0	0	3	6
611 Dispatched & cancelled en route	23	30	30	30
6111Cancelled en route - Auto Aid Fire	7	0	0	0
6113Dispatched & cancelled en route - Mutual Aid	1	0	0	0
621 Wrong location	0	1	0	0
622 No Incident found on arrival at dispatch address	5	3	0	1
631 Authorized controlled burning	0	5	5	2
650 Steam, Other gas mistaken for smoke, Other	0	0	0	1
651 Smoke scare, odor of smoke	0	4	5	2
652 Steam, vapor, fog or dust thought to be smoke	1	0	0	1
661 EMS call, party transported by non-fire agency	0	0	0	1
671 HazMat release investigation w/no HazMat	0	2	2	1
700 False alarm or false call, Other	0	0	2	0
710 Malicious, mischievous false call, Other	0	0	1	0
711 Municipal alarm system, malicious false alarm	0	1	0	0
713 Telephone, malicious false alarm	0	1	0	0
714 Central station, malicious false alarm	0	1	3	0
731 Sprinkler activation due to malfunction	0	4	2	0
733 Smoke detector activation due to malfunction	1	7	3	0
735 Alarm system sounded due to malfunction	5	3	2	3
736 CO detector activation due to malfunction	2	6	3	4
740 Unintentional transmission of alarm, Other	0	0	3	2
741 Sprinkler activation, no fire - unintentional	1	1	0	0
743 Smoke detector activation, no fire - unintentional	3	2	3	4
744 Detector activation, no fire - unintentional	1	2	1	0
745 Alarm system activation, no fire - unintentional	10	4	6	7

McFarland Fire & Rescue Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {01/01/2020} and {07/31/2020}

Incident Type	01/01/2020 to 07/31/2020	01/01/2019 to 07/31/2019	01/01/2018 to 07/31/2018	01/01/2017 to 07/31/2017
746 Carbon monoxide detector activation, no CO	1	7	4	4
812 Flood assessment	0	0	1	0
815 Severe weather or natural disaster standby	0	0	0	2
Totals	<u>196</u>	<u>239</u>	<u>221</u>	<u>225</u>

MCFARLAND POLICE DEPARTMENT



July 2020 Monthly Report

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JULY 2020 MONTHLY REPORT

Introductory Information

As with the past few month's reports, this one will be somewhat streamlined as compared to the typical monthly report. Department heads have been providing Village Administration with more detailed information, and in turn they have been releasing that information to the public jointly rather than through individual Department reports. As is the case with most Village departments, our operations continue to be altered in response to the COVID-19 pandemic. Across the board, operations have been adjusted to provide for the greatest degree of isolation and the least amount of personal contact.

All extra, special event and special assignment related activities have been either suspended, reduced or greatly modified to prevent personal contact to every degree possible. All training has been suspended and/or cancelled. Outreach programming (Bike Rodeo, summer programming) has been in most cases cancelled. We are attempting to conduct some programs online, such as Coffee with a Cop and other programs that are still in the creation stage. Vital outreach contact with our at-risk populations is limited to phone, video, or other means than personal contact.

Our administrative offices remain staffed, however closed indefinitely. For the most part, absent select governmental meetings, the Municipal Center is completely closed to the public.

Staffing Report

- The department will continue to operate under a split-platoon schedule through the end of August and will then likely resume normal scheduling as of Sept. 1st.

We will continue to monitor COVID metrics as they apply to the advancement of the Forward Dane Plan, and if necessary, make scheduling decisions and adjustments as needed.

- Additionally, we continue to operate two officers short, and likely will be in that position for several months due to two long-term medical leaves. At one point in July, we were operating four officers short. In addition to the two aforementioned leaves, there was another short-term injury related leave and another short-term illness.

Equipment Report

- All our new squad cars are now in service.

Training Report

- Officers were required to participate in online/video training on the following topics:
 - Duty to Intercede
 - Interacting with Pressurized People
- The department and our training consortium continue to explore and evaluate additional implicit bias related trainings for staff.
- Sgt. Maurer conducted a use of force policy refresher for all staff, with a pinpoint focus on the longstanding State of Wisconsin prohibition on the utilization of chokeholds and strangleholds.
- Officers will undergo in-person handgun qualification at the end of August.

Other Information

- The Department is generally providing all the services it would normally provide, with the following exceptions. Traffic enforcement is currently limited mainly to roadway safety violations such as speeding, reckless driving behavior, OMVWI, etc. Low-level calls for service are handled by phone, and without person-to-person contact whenever possible. Officers likely will respond, but not engage in medical calls unless necessary, such as with a combative patient. In-person community events have been suspended. Community outreach programming, such as Are You OK? and COAT have been modified to be conducted in manner that excludes personal contact. In an effort to remain engaged with the community, new outreach programming has been implemented, such as an online Coffee with a Cop event, online storybook readings, and an online bedtime story program. The administrative office remains closed, thus in-person services such as fingerprinting, and in-person bill payment have been suspended. However, alternative means have been identified to meet the community's needs in these areas. As we advance through the phases of Forward Dane, these service adjustments will begin to revert back to normal.
- The department has completed the process of evaluating and comparing our current practices and policies with various action-step documents that have been presented to law enforcement, including both a local resolution and the 8CANTWAIT document. This report will be available for public viewing on our website soon.
- The Department and Village have signed on to the Community Restorative Court Program and will be rolling it out to staff soon. We intend to empower staff to forward candidates through the program if they meet the program and department requirements as set forth in our related directive. There will be supervisory oversight, however we feel it's important for officers to have significant say in the decision in order to promote program buy-in.



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, August 12, 2020

SECTION: Business

DEPARTMENT: Administration

CONTACT: Craig Sherven, Police Chief

AGENDA ITEM: Conduct hearing on the recommendation from Chief Sherven to deny the issuance of an operator's license for Aaron Nash for the period ending June 30, 2021.

PREVIOUS ACTION:

On March 11, 2020 the Public Safety Committee conducted a hearing on the recommendation from Chief Sherven to deny issuance of an operator's license to Aaron Nash for the period ending June 30, 2020. On March 23, 2020 the Village Board discussed the recommendation from the Public Safety Committee and Chief Sherven for denial. The Board discussed the recommendation at great length, and ultimately voted to deny the issuance of an operator's license for Aaron Nash for the period ending June 30, 2020. They did however provide Mr. Nash that the operator's license approval policy states that approval of an application may be considered if the applicant provides the PSC substantial evidence in the form of credible documentation of rehabilitation, and that there would be nothing to preclude him from applying again in the new license year with such documentation for reconsideration.

On July 8, 2020, the Public Safety Committee conducted a hearing on the recommendation from Chief Sherven to deny issuance of an operator's license to Aaron Nash for the period ending June 30, 2021. The Committee voted to table the discussion to the next meeting to allow Mr. Nash the opportunity to provide information from an AODA counselor. This item is the continuation of the hearing and discussion from the July 8, 2020 meeting.

Mr. Nash has provided a copy of his AODA Discharge Summary. This documentation has been marked as Exhibit D and will be provided to committee members separately from the agenda packet.

ISSUE SUMMARY:

Chief Sherven has reviewed the operator's license application from Aaron Nash and based on the Village's Operator License Approval policy has recommended denial. Attached is Chief Sherven's letter outlining his reasoning for recommending denial. Pursuant to Village policy, the application has been referred to the Public Safety Committee for further review and a recommendation to the Village Board. This item is to conduct a hearing on the issuance of the license. Once the hearing is concluded the Public Safety Committee will move on to the next agenda item to make their official recommendation to the Village Board.

FINANCIAL/BUDGET IMPACT:

N/A



VILLAGE PLAN REFERENCE:

Village Operator's License Review Policy

ORDINANCE REFERENCE:

Village Ordinance 11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Chief Sherven has recommended denial of the operator's license for Aaron Nash.

ATTACHMENTS:

1. Exhibit A
2. Exhibit B
3. Exhibit C
4. Operator License Policy Version - UPDATE - 04.13.2020



Operator's License

To Serve Fermented Malt Beverages and Intoxicating Liquors

License Type:

New Renewal

To Be Issued:

As soon as approved OR At the beginning of the next license year (July 1)

Fees:

1 year License - \$35

1 year License + Provisional* - \$50

Duplicate License - \$5/each – Number Requested: _____

*Provisional Licenses are only issued between May 1 and June 30 and cover a new applicant until the beginning of the new license year (July 1)

This application must be completed in its entirety or it will be rejected as incomplete. This application will also be rejected for any omissions. The fee is not refundable should this application be rejected or denied. For rejected applications should the applicant wish to reapply, the applicant will be required to complete a new application at an additional fee of \$35.00.

The Village of McFarland Operator License Approval Policy can be found on the Village website at <https://www.mcfarland.wi.us/licensepermits> under Alcohol Beverage Licenses for Operators.

Applicant Information			
Place of Employment: Spartan Bowl			
Last Name: Wash	First Name: Aaron	Middle Initial: T.	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
Home Address:		City, State and Zip Code:	
[Redacted]			
Date of Birth:		Social Security Number:	
[Redacted]			
Wisconsin Driver License/ID:		E-mail address:	
[Redacted]			
Home/Cell Phone Number:		Work Phone Number:	
[Redacted]			

Notification
Provide the e-mail address we should use for notification when the license is ready: [Redacted]

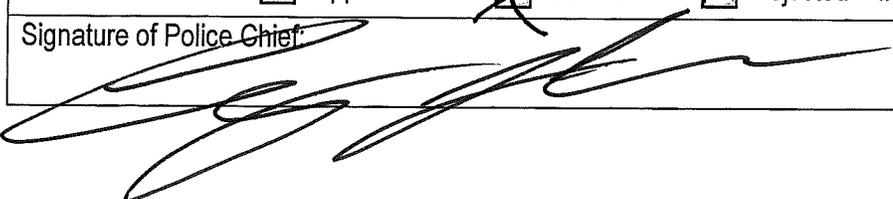
Prior Residences	
Within the past five years, have you lived at any address other than the one listed above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> no	
If yes, please list all additional addresses. Attach additional pages, if necessary	
Address, including City and State	Dates
[Redacted]	[Redacted]

Questionnaire	Additional Information
1. Have you completed a WI-approved Responsible Beverage Server Course? <input checked="" type="checkbox"/> - Yes <input type="checkbox"/> - No	If yes, when and where: <i>2016 online</i>
2. Have you held an Operator's License within the last 2 years? <input checked="" type="checkbox"/> - Yes <input type="checkbox"/> - No	If yes, when and where: <i>2016 - Current straighten</i>
3. Have you ever had a license to serve alcohol beverages suspended or revoked, or surrendered the license in lieu of suspension or revocation? <input type="checkbox"/> - Yes <input checked="" type="checkbox"/> - No	If yes, when and where:
4. Have you ever been convicted of a felony substantially related* to the licensed activity? <input checked="" type="checkbox"/> - Yes <input type="checkbox"/> - No	If yes, please complete Appendix A
5. Have you been arrested for and/or convicted of violating any law or ordinance in the last 10 years substantially related* to the license activity? <input checked="" type="checkbox"/> - Yes <input type="checkbox"/> - No	If yes, please complete Appendix A
6. Do you have any pending charges, including criminal and ordinance violations substantially related* to the license activity? <input type="checkbox"/> - Yes <input checked="" type="checkbox"/> - No	If yes, please complete Appendix A

*Examples of "substantially related" might include, but are not limited to: underage drinking, OWI/DUI, selling to a minor, overserving, etc.

Required Documentation
If the application is a renewal application, no additional documentation is required.
If the application is a new application, one of the following must be provided: <input type="checkbox"/> - A copy of the certificate indicating completion of a Wisconsin-approved Responsible Beverage Server Course, valid within the two years prior to the date of this application
OR
<input checked="" type="checkbox"/> - A copy of an Operator's license from a Wisconsin municipality, valid within the two years prior to the date of this application

Certification	
I hereby apply for a license to serve Fermented Malt Beverages and Intoxicating Liquors, subject to the limitations imposed by Chapter 125 of the Wisconsin Statutes, Chapter 11 of the McFarland Municipal Code and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations Federal, State or Local, affecting the sale of such beverages and liquors if a license is granted to me.	
I certify that I am the applicant in the foregoing application and any attachments thereto, that I have read and made complete answers to each question, and that my answers in each instance are true and correct.	
Signature of Applicant: 	Date: <i>5/18/2020</i>

FOR OFFICE USE ONLY	
RECOMMENDATION FROM MCFARLAND POLICE DEPARTMENT <input type="checkbox"/> - Approved <input checked="" type="checkbox"/> - Denied <input type="checkbox"/> - Rejected - Incomplete Application	
Signature of Police Chief: 	Date: <i>06-10-20</i>



Operator's License – Appendix A
Arrest and Conviction Record

Appendix A only needs to be completed if an applicant answered "Yes" to questions 4, 5, and/or 6 on the Operator's License Application.

Any omissions from this Appendix will result in the rejection of the Operator's License Application. The fee is not refundable should this application be rejected. For rejected applications should the applicant wish to reapply, the applicant will be required to complete a new application at an additional fee of \$35.00.

The following websites, provided as a courtesy, may provide information on your records:
<https://recordcheck.doj.wi.gov/> <https://wcca.wicourts.gov/> <https://www.dmv.us.org>

Date of Arrest	Date of Conviction	Specific Offense	Name and Location of Court	Describe the nature and circumstances of the offense	Were you consuming alcohol or drugs at the time of the incident?	Did the incident occur in or around a facility that serves alcohol?	Were alcohol or drugs involved in the incident in any way?
5/3/17	5/3/17	OWI	Rock County	1st Offense OWI	<input checked="" type="checkbox"/> - Yes <input type="checkbox"/> - No	<input checked="" type="checkbox"/> - Yes <input type="checkbox"/> - No	<input checked="" type="checkbox"/> - Yes <input type="checkbox"/> - No
10/25/18	10/25/18	Sell to Underage	Stoughton WI	Underage Compliance Check 5 (for list)	<input type="checkbox"/> - Yes <input checked="" type="checkbox"/> - No	<input checked="" type="checkbox"/> - Yes <input type="checkbox"/> - No	<input checked="" type="checkbox"/> - Yes <input type="checkbox"/> - No
					<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No
					<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No
					<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No
					<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No
					<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No
					<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No	<input type="checkbox"/> - Yes <input type="checkbox"/> - No

You may submit evidence of rehabilitation and fitness to perform the licensed activity.

**City of Stoughton
Operator's License**

License No: OP 2018 101

WHEREAS, the local governing body of the City of Stoughton, County of Dane, Wisconsin, has, upon application duly made, granted and authorized the issuance of an "Operator's" License to:

Aaron Nash



AND WHEREAS, the said applicant has paid to the Treasurer the sum of \$50.00 for a one year; \$75.00 for a two year license, \$75.00 as required by the Municipality ordinances and has complied with all requirements

NOW THEREFORE, An "Operator's" License, pursuant to Sections 125.32(2) and 126.68(2) of the Wisconsin Statutes, and local ordinances, is hereby issued to said applicant,

for the period from 7/01/2018 to 6/30/2020.

Given under my hand and the Great Seal of the City of Stoughton, County of Dane, this 14th day of June, 2018.



Holly Licht

**City of Stoughton
Operator's License**

License No: OP 2018 101

License Fee: \$75.00

WHEREAS, the local governing body of the City of Stoughton, County of Dane, Wisconsin, has, upon application duly made, granted and authorized the issuance of an "Operator's" License to:

Aaron Nash

AND WHEREAS, the said applicant has paid to the Treasurer the sum of \$50.00 for a one year; \$75.00 for a two year license, \$75.00 as required by the Municipality ordinances and has complied with all requirements necessary for obtaining a license;

NOW THEREFORE, An "Operator's" License, pursuant to Sections 125.32(2) and 126.68(2) of the Wisconsin Statutes, and local ordinances, is hereby issued to said applicant,

for the period from 7/01/2018 to 6/30/2020.

Given under my hand and the Great Seal of the City of Stoughton, County of Dane, this 14th day of June, 2018.



Holly Licht



444 Grand Canyon Dr.
Madison, WI 53719
Phone: (608) 831-2185
Fax: (608) 833-8650
www.kpmwi.com

Re: Aaron Nash – General Manager, Spartan Bowl

To Whom It May Concern:

Aaron Nash worked for Viking Lanes, our bowling center in Stoughton, for the last two years.

When the general manager position opened up at Spartan Bowl, I immediately thought of Aaron as someone who had the ability to fill the role. Over the last few years, he has gained the necessary knowledge in all areas of our business: bartending, cooking, bowling and machine maintenance. He has also shown growth in his personality, his professionalism and his understanding of the laws that govern the bar/restaurant industry.

We are very excited about the remodeling that is currently in progress at Spartan Bowl, and we need a great person and manager to keep the business on its upward trend, someone who will give their all to both the business and the community. I have no doubt that Aaron fits that bill!

If anyone should have any questions about Aaron or Spartan Bowl in general, please feel free to contact me at the number below.

Thank you,

A handwritten signature in black ink, appearing to read "Robert Bloxham". The signature is fluid and cursive, written over a white background.

Robert Bloxham
Regional Supervisor
King Pin Management
608.228.6930



1410 Hwy 51 PO Box 89
Stoughton, WI 53589
(608) 873-5959
www.vikinglanes.com

Re: Aaron Nash – General Manager, Spartan Bowl

To Whom It May Concern:

Before recently being promoted as general manager of Spartan Bowl, Aaron Nash worked for me at Viking Lanes for two years.

Over the last year in particular, I have seen Aaron evolve as both a person and an employee. He truly cares about the well-being of the customers and of the business. Throughout his employment, Aaron took the initiative to learn all facets of the business: bowling, machine maintenance, cooking and bartending. Additionally, he truly cares about the well-being of the customers and of the business.

Though I had to lose a great employee at Viking Lanes, I can wholeheartedly say that Spartan Bowl has gained a very valuable new team member in Aaron Nash, and I see him having nothing but success there.

Sincerely,

Ken Kladder
General Manager
Viking Lanes

VICTIM IMPACT PANEL REGISTRATION FORM

V5

Date: 12/10/19 Referred by: IDP
Name: Aaron Nash DOB 12/14/95
Phone Number [redacted] Requested date for VIP: 12/21/19

Reviewed with caller

- Any problems reading/writing: Y (N) Problem: _____
- Payment of \$50.00 cash only is expected at time of program. No cash refunds will be given. A voucher will be issued if you are unable to complete the program.
- Location and time of program: Mercy Center.
Registration 9:30-10:00am
- No one will be admitted after the program begins.
- No cell phones or pagers allowed.
- Program to fulfill Driver's Safety Plan requirements of anyone convicted of an OWI.
- Please bring photo identification.

Client acknowledgments

- I acknowledge that I have no problems reading or writing.
- I understand that if I am suspected of alcohol use, staff at Mercyhealth Behavioral Health will request a Breathalyzer. If it is positive, I acknowledge that I will be asked to leave the program. If intoxicated I will not be allowed to drive and the police will be contacted if I attempt to drive.
- I understand that it will be my responsibility to be prompt when returning from a break or lunch. I know the program is time limited and if I return late, I will not be allowed to complete the program.
- I understand that all cell phones and pagers are prohibited.
- I agree to be courteous during the presentation and will not talk to others or sleep during the presentations. If this becomes an issue, I will be requested to leave by Staff.

I am aware that I am responsible for providing verification to IDP of attendance. Mercyhealth Behavioral Health will not issue copies. They can be mailed to IDP PO Box 1649 Janesville, WI 53547-1649.

[Signature] 12-21-19
Client's Signature Date

Amy Allen
Witness

AARON NASH attended the Victim Impact Panel on 12/21/19
Client's Name Date

and is paid in full/Attendance # 7728

[Signature]
Staff Signature

VILLAGE OF
McFarland

www.mcfarland.wi.us | 5915 Milwaukee St, McFarland, WI 53558 | 608.838.3153

COPY

June 11, 2020

Aaron Nash


Dear Mr. Nash,

Your application for a provisional alcohol operator's license and an alcohol operator's license for the period through June 30, 2021 was received. A review of your application, criminal history, and arrest records, as maintained by the State of Wisconsin, has resulted in a recommendation from Police Chief Craig Sherven for denial pursuant to the Village's operator license approval policy. Attached is a copy of Chief Sherven's memo to the Public Safety Committee.

You have 30 days from receipt of this letter to exercise your right to request a hearing before the Public Safety Committee to discuss the matter. If a hearing is requested, the Public Safety Committee will review your record, along with the recommendation from Chief Sherven and you will have the opportunity to provide the Committee with substantial evidence in the form of credible documentation of rehabilitation. Attached is section 5 of the operator's license approval policy which outlines the process and acceptable forms of credible documentation. Please be advised the hearing will be held as part of a public meeting.

Please contact me directly at 608-838-3153 or via email at cassandra.suettinger@mcfarland.wi.us to request a hearing before the Public Safety Committee.

Sincerely,



Cassandra Suettinger
Clerk/Treasurer



Village of McFarland Police Department

5915 Milwaukee St. • P.O. Box 110 • McFarland, WI 53558 • 608/838-3151 • Fax 608/838-7954

Craig J. Sherven • Chief of Police

DATE: June 10, 2020

TO: Public Safety Committee

FROM: Craig J. Sherven, Chief of Police

REFERENCE: Alcohol Operators License for Aaron Nash

On this date I reviewed a new application for an Alcohol Operator’s License submitted by the above applicant. Having completed my review of his application, my recommendation is that of denial.

I base my decision on the following section of Village Ordinance and the McFarland Alcohol Licensure Policy:

1. Village Ordinance 11-74 (c) (3), Guideline 3 (a) and (b), which state, in part:

An application may be denied based upon the applicant's arrest and conviction record if the applicant has been convicted of a felony (unless duly pardoned) or if the applicant has habitually been a law offender.

Provided the circumstances substantially relate to the circumstances of the job, any person who has been convicted of or has a current charge pending, for two (2) or more offenses, arising out of separate incidents, within the last five (5) years immediately preceding the license application in the following subcategories does not qualify for an operator’s license:

(a) Alcohol beverage offenses (under Wis. Stat. Ch. 125 or McFarland Ordinance Ch. 11 - excluding administrative violations such as “failure to post license under glass”).

(b) Operating a motor vehicle with a prohibited alcohol concentration (PAC) in excess of .08% by weight.

Mr. Nash's pertinent records show:

- a conviction for Operating with a Prohibited Alcohol Concentration on June 17, 2017.
- A conviction for serving alcohol to minors in August of 2019.

Both convictions are substantially related to the licensed activity and are within the five-year period preceding the date of application. Thus, Pursuant to Village Ordinance Mr. Nash is disqualified under this section as a habitual law offender.

The ability to use sound judgement in the personal use of alcohol, as well as the service of alcohol to others, are critical skills for an individual entrusted with the responsibility of serving and overseeing the service of alcohol. Convictions and charges of these types bring the applicant's ability to exercise those skills into serious question, and thus are substantially related to the licensed activity.

Respectfully,

Craig J. Sherven

Craig J. Sherven
Chief of Police

Operator License Approval Policy – Approved 04/13/2020

SECTION 1: Policy Purpose

In order to provide for an effective and consistent system of alcohol licensing that protects the public safety and is applied in a uniform and equitable manner, the Village Board has adopted the following written policy to govern the granting of operators' licenses pursuant to Chapter 125 of the Wisconsin Statutes, and Chapter 11, Article II of the Village ordinances.

SECTION 2: Acknowledgment of Duties.

The Village of McFarland acknowledges and recognizes the responsibility operators have to keep the public safe in their duties. An operator's license will enable operators to sell beer or liquor on a Class A premise (alcohol is carried off the premise. Examples include: a gas station, liquor store, or grocery store.) or a Class B premise (alcohol consumed on the property such as a tavern or bar). A liquor license holder, an agent, or a licensed operator must be on the premises at all times the business is open and alcohol is being sold. The licensed operator is in charge of the premise, and has certain responsibilities that include, but are not limited to:

- A. Preventing the sale of alcohol to minors. The legal drinking age is 21, and sales of alcohol to underage patrons is prohibited.
- B. Prohibiting the service or sale of alcohol to a person who is intoxicated. Operator's are legally entitled, and required, to refuse to serve any person whom they feel has had too much to drink.
- C. Ensuring open intoxicants do not leave the property.
- D. Class "B" premises must be closed between 2:00 am and 6:00 am Mon-Friday, and 2:30 am and 6:00 am Sat. & Sun (there are no closing hours on January 1). Everyone except employees on duty must be out of the store or bar by closing time. Private parties, friends or spouses are not allowed to stay on the premises while staff completes cleaning duties.
- E. Class "A" premises may not sell fermented malt beverages and intoxicating liquors between the hours of 9:00 p.m. and 6:00 a.m.

SECTION 3: Process.

- A. The Clerk's office shall take the application and fee. The office shall do an initial review of the application to ensure the application is complete pursuant to the requirements in 11-71(1)-(12) of the Village Code of ordinances. A notary is available in the Village's administration office if required. The fee collected is non-refundable. Incomplete applications will not be accepted.
- B. The Police Department will conduct a records check, including criminal and traffic, of all applicants for operators' licenses. If necessary, the records check may include an interview with the applicant or contact with other jurisdictions or third parties to verify or investigate information obtained in the records check. Applications with missing information or incomplete information regarding arrests or convictions shall be rejected. Rejected applications shall be re-assessed the application fee.

- C. The Chief of Police, or the Police Chief's designee, shall provide a recommendation for approval or denial using the criteria listed in section 4.
- D. All recommendations for approval will be routed back to the administration office to be issued by the Clerk.
- E. All recommendations for denial will be referred to the Public Safety Committee. The Clerk shall forward the license application and any related materials to the Committee. The Clerk shall provide notice to the applicant in writing that he or she should appear before the Committee for individual review of the application. The Public Safety Committee shall provide a review of the application as listed in Section 5.
- F. The committee shall, after interview of the applicant, make a recommendation to either grant or deny an operator's license to the Village Board.
- G. The Village Board shall review the application and recommendation from the Public Safety Committee and make a final determination of granting or denying the license.
- H. If the application is denied by the Village Board, the Village Clerk shall, in writing, inform the applicant of the denial, the reasons therefore, and provide an opportunity for the applicant to request a reconsideration of the application by the Village Board.
- I. If the application is denied again, the Village Clerk shall notify the applicant in writing of the reasons therefor. An applicant who is denied any license may apply to the Circuit Court pursuant to WI Statutes 125.12(2)(D).

SECTION 4: Criteria for Denial

The Chief of Police, or designee, shall provide a review of the criminal history of the applicant, and refer any of the following to the Public Safety Committee for further review and possible recommendation for denial. Due to the discretionary nature of the alcohol beverage license process, it is not possible to state every circumstance that may result in denial of a license application and what circumstances will result in approval of a license application. However, it is possible to enumerate what the PSC will consider in making its recommendation and what circumstances are more likely to result in a denial of a license application. It is also important to note denying an operator's license does not prohibit the employee from serving/selling alcohol; however, it does require that they serve/sell with a licensed operator on the premise.

Guideline 1: 11-74 (c) (1): Arrest and conviction record of the applicant, subject to the limitations imposed by Wis. Stats. §§ 111.321, 111.322, and 111.335, and Wis. Stats. § 125.12(1)(b).

- a) Convictions of two or more misdemeanor crimes in a five year period preceding the date of application.

- b) Conviction of one misdemeanor crime in combination with four ordinance violations egregious traffic violations of public safety concern in the five year period preceding the date of application.

Guideline 2: 11-74 (c) (2): If a licensee is convicted of an offense substantially related to the licensed activity.

Provided the circumstances of the offense substantially relate to the circumstances of the job or licensed activity, any person who has been convicted of or has a current charge pending, for (1) or more offenses within the last five (5) years or for two (2) or more offenses, arising out of separate incidents, within the last ten (10) years in the following subcategories, does not qualify for an operator's license:

- (a) Violent crimes against the person of another, including but not limited to battery, disorderly conduct, sexual assault, injury by negligent use of a vehicle, intimidation of victim or witness.
- (b) Crimes involving cooperation (or lack thereof) with law enforcement officials, including but not limited to, resisting or obstructing a police officer, bribery of public officers/employees, eluding police, bail jumping, hit and run, perjury, or acts/threats of terrorism.
- (c) Manufacturing, distributing, delivering a controlled substance or a controlled substance analog; maintaining a drug trafficking place; possessing with intent to manufacture, distribute, or deliver a controlled substance or a controlled substance analog. Sec. 111.335(1)(cs), Wis. Stats.

Guideline 3: 11-74 (c) (3): An application may be denied based upon the applicant's arrest and conviction record if the applicant has been convicted of a felony (unless duly pardoned) or if the applicant has habitually been a law offender.

Provided the circumstances substantially relate to the circumstances of the job, any person who has been convicted of or has a current charge pending, for two (2) or more offenses, arising out of separate incidents, within the last five (5) years immediately preceding the license application in the following subcategories does not qualify for an operator's license:

- (a) Alcohol beverage offenses (under Wis. Stat. Ch. 125 or McFarland Ordinance Ch. 11 - excluding administrative violations such as "failure to post license under glass").
- (b) Operating a motor vehicle with a prohibited alcohol concentration (PAC) in excess of .08% by weight.
- (c) Open intoxicants in public places or in a motor vehicle.

- (d) Possessing a controlled substance, controlled substance analog without a valid prescription, or possessing drug paraphernalia.
- (e) Operating a motor vehicle while under the influence of intoxicants or drugs.
- (f) Disorderly conduct, criminal damage to property, solicitation of prostitution or other prostitution related offenses, wherein the offense involves an incident at a place that is, or should have been licensed under Wis. Stat. Ch. 125.

Additionally, because a license is a privilege, the issuance of which is a right granted solely to the Village Board, the Village Board reserves the right to consider the severity, and facts and circumstances of the offense when making the determination to grant, deny or not renew a license. Further, the Village Board, at its discretion, may, based upon an arrest or conviction record of two or more offenses that are substantially related to the licensed activity within the five years immediately preceding, act to suspend such license for a period of one year or more.

Section 5: Public Safety Committee Review of Applications.

The Public Safety Committee shall be responsible for conducting further review of operator's license applications that have criteria from Section 4 as recommended for denial. The committee shall be expected to thoroughly and conscientiously review license applications and consistently apply pertinent laws and ordinances.

The Public Safety Committee may recommend approval of an operator's license application if the applicant presents the PSC with substantial evidence in the form of credible documentation of rehabilitation. Such evidence could include letters of recommendation from Alcohol and Other Drug ("AODA") counselors, probation agents, or other relevant service providers, other professional counselors, certificates and/or letters confirming satisfactory completion of an AODA or other relevant counseling program. Any such letters shall be on the letterhead of the agency offering the recommendation in order for the letter to be considered credible evidence of rehabilitation.

Pursuant to Wis. Stats. § 111.335(4)(d), competent evidence of rehabilitation and fitness to perform the licensed activity may be established by production of any of the following:

- (a) The individual's most recent certified copy of a federal department of defense form DD-214 showing the person's honorable discharge, or separation under honorable conditions, from the U.S. armed forces for military service rendered following conviction for any offense that would otherwise disqualify the individual from the license sought, except that the discharge form is not competent evidence of sufficient rehabilitation and fitness to perform the licensed activity if the individual was convicted of any misdemeanor or felony subsequent to the date of the honorable discharge or separation from military service.
- (b) A copy of the local, state, or federal release document; and either a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or other evidence that at least one year has elapsed since release

from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

In addition to the documentary evidence that may be provided above to show sufficient rehabilitation and fitness to perform the licensed activity, the Committee shall consider any of the following evidence presented by the applicant:

- (a) Evidence of the nature and seriousness of any offense of which he or she was convicted.
- (b) Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- (c) The age of the individual at the time the offense was committed.
- (d) The length of time that has elapsed since the offense was committed.
- (e) Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- (f) All other relevant evidence of rehabilitation and present fitness presented.

The Committee shall decide how much weight and credibility to assign to any evidence of rehabilitation, including but not limited to, whether a record is certified, whether evidence has been corroborated or verified, documentary proof of completion of any counseling or other relevant treatment, and the credibility of statements by the applicant or any witness. In determining the credibility of any statement made by the applicant or any witness, the Committee should consider, among other things, the reasonableness of the statement, possible motives for providing false statements or withholding information, the applicant or witness's conduct and demeanor, the clearness or lack of clearness of the statement, and the cooperation of the applicant or witness in answering any questions posed by the Committee or Village Staff.

For license renewals, a previous determination by the Committee that an applicant has been rehabilitated from certain offenses carries forward; however, these offenses may be re-considered if the applicant has also committed a new offense substantially related to the licensed activity during the current license period.

The Committee shall state reasons for approval or denial for the record.

Possible outcomes include but are not limited to:

1. Recommend approval of the license based on the applicant providing credible evidence of rehabilitation
2. Recommend conditional approval of the license based on the applicant providing substantial, credible evidence of rehabilitation with the following conditions:

- a. There be no more subsequent substantially related offenses for the remainder of the licensing period.
 - b. The applicant be required to pay \$15 dollars, to submit to quarterly background checks to ensure compliance.
3. Recommend application be tabled for a period of XX days. Committee will re-review application at that time. Applicant should be prepared to provide substantial evidence of rehabilitation.
4. Recommend application be denied based on violation of guideline (insert relevant guideline and corresponding ordinance reference).
5. If the applicant fails to appear: recommend the application be placed on file without prejudice (meaning the application can be brought back at any time before the expiration of the license period)



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, August 12, 2020

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer

AGENDA ITEM: Discussion and recommendation on the operator's license for Aaron Nash for the period ending June 30, 2021.

PREVIOUS ACTION:

ISSUE SUMMARY:

This item is the second part of the license hearing process. After conducting the hearing on the recommendation for denial of the license, the Public Safety Committee will make an official recommendation to the Village Board on an operator's license for Aaron Nash.

Pursuant to section 5 of the Village Operator's License approval policy the Committee may only recommend approval of an operator's license application if the applicant presents the PSC with substantial evidence in the form of credible documentation of rehabilitation. The committee shall state reasons for approval or denial for the record.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

Village Operator's License Review Policy

ORDINANCE REFERENCE:

11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

The Public Safety Committee will make a recommendation to Village Board based on the hearing held in the previous item. The committee shall state reasons for approval or denial for the record.

ATTACHMENTS:

None





PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, August 12, 2020

SECTION: Business

DEPARTMENT: Police

CONTACT:

AGENDA ITEM: Presentation of Police Department analysis report of current procedures and directives as compared to action steps relating to police reform being discussed nationally.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

The Police Department has conducted a comparison of its current operating practices and directives with the action items requested in the #8CANTWAIT campaign and local resolution 2020-14.

The department now wishes to share a report of its findings with the committee.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

This is an advisory/informational item only, no recommendation necessary.

ATTACHMENTS:

1. June 2020 Action Step Compliance Report (Aug 4)

McFarland Police Department Action Step Response Report



June 2020

McFarland Police Department
Authored by: Craig J. Sherven, Chief of Police



McFarland Police Department Action Step Response Report

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McFarland Police Department Action Step Response Report

Introduction

In response to the tragic death of Mr. George Floyd, many major American cities experienced widespread civil unrest, including numerous protests and demonstration activity. Most, if not all the demonstrations, were organized with the intent being non-violent in nature. Unfortunately, some demonstrations turned violent resulting in arson, vandalism, looting, shootings and reckless driving.

Demonstrators, local organizations and citizens alike have issued a variety of demands of law enforcement agencies in an effort to reform police use of force tactics and community policing strategies, and to bring change to the criminal justice system.

This report is prepared with the intent to inform the McFarland Community of this department's response, and to the degree possible, alignment with these local and nationwide action step demands relating to policing in America.

It is released with the intent to enhance the high level of confidence the community has in its police department, and to continue to promote the cooperative relationship the community and the department have shared and enjoyed for many years.

The department remains committed to providing the highest quality of police services possible for all.

McFarland Police Department Action Step Response Report

The #8CantWait Campaign

The #8CantWait campaign is presented by the police reform group known as Campaign Zero. The #8CantWait policies are based on studies that examined the relationship between use of force policies and fatal encounters between citizens and the police among the nation's law enforcement agencies.

In 2016, a study compiled use of force policies from the nation's 100 largest municipal law enforcement agencies in the United States. Among those agencies to which records requests were sent, 94 departments submitted use of force policies.

The #8CantWait campaign demands that all law enforcement agencies adopt 8 specific policies intended to reduce the number of people killed by the police. The 8 policies were identified as particularly relevant to decisions about how and when officers can use force.

McFarland Police Department Action Step Response Report

The #8CantWait Campaign Policy Recommendations

The following are the #8CantWait policies exactly as listed on the Campaign Zero website:

1) Requires exhaust all alternatives before shooting.

- Require officers to exhaust all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force.

2) Require Use of Force Continuum.

- Establish a Force Continuum that restricts the most severe types of force to the most extreme situations and creates clear policy restrictions on the use of each police weapon and tactic.

3) Ban Chokeholds and Strangleholds.

- Allowing officers to choke or strangle civilians results in the unnecessary death or serious injury of civilians. Both chokeholds and all other neck restraints must be banned in all cases.

4) Require warning before shooting.

- Require officers to give a verbal warning in all situations before using deadly force.

5) Ban shooting at moving vehicles.

- Ban officers from shooting at moving vehicles in all cases, which is regarded as a particularly dangerous and ineffective tactic. While some departments may restrict shooting at vehicles to particular situations, these loopholes allow for police to continue killing in situations that are all too common. 62 people were killed by police last year in these situations. This must be categorically banned.

6) Require de-escalation.

- Require officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force.

7) Duty to Intervene.

- Require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.

8) Require Comprehensive reporting.

- Require officers to report each time they use force or threaten to use force against civilians. Comprehensive reporting includes requiring officers to report whenever they point a firearm at someone, in addition to all other types of force.

McFarland Police Department Action Step Response Report

Comparison of the #8CantWait Recommendations and current McFarland Police Department Directives, and resulting action steps

Requires exhaust all alternatives before shooting

1

Require officers to exhaust all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force.

MPD Directive #101 (Use of Force) defines the justification for deadly force as “the immediate threat of death or great bodily harm” and that it is “to be used only as a last resort”. It further states “Officers shall use only that level of force that appears reasonably necessary to effectively bring an incident under control, overcome resistance, maintain control, while minimizing injuries and protecting the lives of the officer or another”.

Further, it states “This Department adopts the system of Defensive and Arrest Tactics (commonly referred to as DAT or DAAT), techniques and mechanics sanctioned by the Wisconsin Law Enforcement Standards Board. The system is also referred to in the Wisconsin Administrative Code. It incorporates a force option continuum which provides general guidelines that define the degree and type of force to be used, specifies intervention options or modes (with tactics available in each mode, and specific techniques applicable within each of those tactics), employing a system of escalation of force, using verbal presence, dialog, empty hand control, intermediate weapons, and deadly force”.

MPD Directive 101.1 (Use of Force Core Principles) states “The preservation of human life is of the highest priority in the core values and mission of the McFarland Police Department”.

Determination

The department is, and has been, in alignment with this action item. Current directives require adherence to the Use of Force Continuum prescribed by the State of Wisconsin, which provides restriction on what level of force (and any corresponding weapon) can be used in a given situation. Further, directives clearly articulate that officers are prohibited from resorting immediately to deadly force options unless very specific, life-threatening conditions exist and that the preservation of human life is of the highest priority. Use of force guidelines are developed by the State of Wisconsin and law enforcement officers are bound to adhere to them.

Steps Taken

None.

2 **Require Use of Force Continuum**

Establish a Force Continuum that restricts the most severe types of force to the most extreme situations and creates clear policy restrictions on the use of each police weapon and tactic

MPD Directive #101 (Use of Force) states “This Department adopts the system of Defensive and Arrest Tactics (commonly referred to as DAT or DAAT), techniques and mechanics sanctioned by the Wisconsin Law Enforcement Standards Board. The system is also referred to in the Wisconsin Administrative Code. It incorporates a force option continuum which provides general guidelines that define the degree and type of force to be used, specifies intervention options or modes (with tactics available in each mode, and specific techniques applicable within each of those tactics), employing a system of escalation of force, using verbal presence, dialog, empty hand control, intermediate weapons, and deadly force”.

In section III, the applicability of the directive and its requirements is clearly placed upon all officers of the department.

Determination

The department is, and has been, in alignment with this action item. Current directives require adherence to the Use of Force Continuum prescribed by the State of Wisconsin, which provides restriction on what level of force (and any corresponding weapon) can be used in a given situation. Use of force guidelines are developed by the State of Wisconsin and law enforcement officers are bound to adhere to them.

Steps Taken

None.

3

Ban Chokeholds and Strangleholds

Allowing officers to choke or strangle civilians results in the unnecessary death or serious injury of civilians. Both chokeholds and all other neck restraints must be banned in all cases.

MPD Directive #101 (Use of Force) dictates that officers are required to follow the provisions of the State of Wisconsin prescribed Use of Force Continuum and related training and are only allowed to utilize tactics techniques approved therein. The only exception to this is in a deadly force situation, wherein an officer may use any means necessary in the preservation of human life. The State of Wisconsin does not train or allow the use of chokeholds or strangleholds, thus officers are by directive prohibited from using them outside of a deadly force situation.

Determination

The department is, and has been, in alignment with this action item. Current directives require adherence to the Use of Force Continuum prescribed by the State of Wisconsin, which provides restriction on what level of force (and any corresponding weapon) can be used in a given situation.

Steps Taken

The Chief of Police has ordered slight revision to this directive. While the directive by inference prohibits the use of these techniques, language is being added that speaks directly to these particular tactics and the fact that they are prohibited.

4

Require Warning Before Shooting

Require officers to give a verbal warning in all situations before using deadly force.

MPD Directive #101 (Use of Force) states “Where feasible, before using deadly force, officers shall identify themselves and state an intent to shoot or use other deadly force”.

Determination

The department is in alignment with this action item to every degree that it can be. Identifying as a police officer and providing warning prior to shooting or engaging in deadly force is a regular part of firearms training, and officers are trained to do so in every situation possible. However, it would be impossible and frankly detrimental to public safety, and the safety of the officer, to expect that a warning can be given in all situations.

Example: an officer encounters a suspect who is actively threatening an individual with a deadly weapon. The provision of a warning prior to taking action may likely cause the death of the person being threatened.

Example: an officer encounters an individual, at close range, who is armed with a firearm or edged weapon. The individual points the weapon at the officer. In the next moment, either the officer or the suspect will be injured or killed. The ability to provide a warning is not present in this situation.

Steps Taken

The Chief of Police has ordered review of the portion of the directive that states “where feasible”. While current directives cover the topic of providing a warning prior to shooting, the language will be further examined to possibly provide a more in-depth definition of what “where feasible” means.

Ban Shooting at Moving Vehicles

5

Ban officers from shooting at moving vehicles in all cases, which is regarded as a particularly dangerous and ineffective tactic. While some departments may restrict shooting at vehicles to particular situations, these loopholes allow for police to continue killing in situations that are all too common. 62 people were killed by police last year in these situations. This must be categorically banned.

MPD Directive #101 (Use of Force) states “Officers should not discharge a weapon at or from a moving vehicle except as the ultimate measure of self-defense or defense of another”.

Determination

The department is in alignment with this action item to every extent that it can be. The unfortunate reality is that motor vehicles can be and are used as instruments of deadly force against officers and the public. Officers across the country are subjected to situations in which their vehicles are rammed by suspect vehicles or suspects attempting to run over an officer, or citizens, with their vehicle. This is absolutely a deadly force situation and issuing a blanket prohibition against this practice is simply unrealistic.

Likewise, and although admittedly rare, there are situations in which an officer’s only option to save the lives of others may be to fire or return fire from a moving vehicle.

That said, I do believe the language contained in current policy can be enhanced somewhat. See below.

Steps Taken

The Chief of Police has ordered review of the portion of the directive that states “except as the ultimate measure of self-defense or defense of another”. While this language is intended to refer to deadly force situations, and the department trains in that manner, possibly removing the above line altogether and simply replacing it with “deadly force situation” may make sense.

6

Require De-Escalation

Require officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force.

MPD Directive #101.1 (Use of Force Core Principles) states “When the safety and wellbeing of the Officer(s) and public is not jeopardized, the totality of the circumstances permit and sufficient time exists, Officers shall consider and attempt to utilize de-escalation tactics or alternative solutions in order to minimize as best they can the need for the use of force”.

Determination

In 2016, the department created directive 101.1 (Use of Force Core Concepts) and 101.2 (Alternatives to Force, De-Escalation, Disengagement). These directives were created to compliment existing directive 101 (Use of Force), and to clearly outline the department’s core principles relating to the use of force and the preservation of human life.

While these core concepts were not new and already existed in every aspect of how the department hires, trains and conducts business, prior to 2016 they were not clearly articulated in writing and as such we desired to pledge, in writing, the continuation of our longstanding practices and commitment to the protection of the community.

At that same time, while the concepts of de-escalation were not new to law enforcement, the Chiefs of our five-agency training consortium (McFarland, Verona, Oregon, Stoughton and Monona) engaged our training staff to dramatically increase and interweave the concepts of de-escalation into all aspects of our training.

The training staff responded very positively to that direction and has exceeded our expectations in their success in the inclusion of de-escalation concepts in our training programs.

Steps Taken

This action step is more than adequately covered in existing practice and directive. No further action required.

7

Duty to Intervene

Require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.

Determination

Duty to Intervene concepts and related legal requirements are trained in Wisconsin Police Academies and are reinforced through individual departmental training efforts. In reviewing MPD directive language relating to the subject, it is spoken of in various areas of the manual, but not to the level of clarity and obviousness desired.

Steps Taken

The Chief of Police has ordered Duty to Intervene language be rewritten to be made clearer and more obvious in its application to use of force in the department directive manual. Language requiring officers to report inappropriate, unnecessary or excessive force will also be explored. This is being undertaken at this time.

Additionally, the department recently provided refresher training to MPD staff specific to the topic of duty to intervene. All department staff were required to participate in the training.

Require Comprehensive Reporting

8

Require officers to report each time they use force or threaten to use force against civilians. Comprehensive reporting includes requiring officers to report whenever they point a firearm at someone, in addition to all other types of force.

MPD Directive #101 (Use of Force) states- “An initial Use of Force Report Form shall be completed by the officer(s) involved and submitted to Department administration in the event of any use of force that rises above the level of handcuffing. This form will be reviewed in a timely fashion by Department Administration and is intended to aid Department Administration in determining the appropriateness of the force used. The reviewing supervisor will forward an initial finding to the Chief of Police or his/her designee, who will determine whether further investigation is warranted”.

All reported uses of force are reviewed by the Department to determine whether: Department rules, policy and procedures were followed; the relevant policy was clearly understandable and effective to cover the situation; department training requires revision.

Further, specific uses of force that require reporting include: a weapon is discharged outside the firing range; use of force results in death, injury or property damage; a device intended to be less lethal is used on a person; as part of an officer’s use of force, a weapon is drawn or displayed (including, but not limited to, the pointing of a weapon at another person); force is used which is higher or more serious on the force option continuum than presence and dialog (including, but not limited to, empty hand control, Taser, and O.C.(oleoresin capsicum).

Determination

Uses of force are reviewed for appropriateness by specially trained supervisors.

Steps Taken

Current directives adequately satisfy this action step. No further action is warranted.

McFarland Police Department Action Step Response Report

RESOLUTION 2020-14: A RESOLUTION TO ADVANCE RACIAL EQUITY, SOCIAL JUSTICE, DIVERSITY, AND INCLUSION WITHIN THE VILLAGE OF MCFARLAND

On June 22, 2020, in collaboration with a group of McFarland citizens, the Village Board of McFarland passed Resolution 2020-14. This resolution is the final product of efforts initiated and brought forth by the group of citizens, and subsequent collaboration with Village Administration and Village Department Heads.

Through passage of the resolution, the Village committed to addressing the following action steps:

- 1) Engage the Village Board, McFarland Municipal Court, and McFarland Police Department to partner and join in the County's Community Restorative Court program and developing policies to refer all eligible cases to the program;
- 2) Create a diversity and inclusion committee or special committee;
- 3) Annual review of committee appointments in order to appoint members of the Community of all demographics and increase education in order to engage communities of color to participate on Village boards, commissions, and committees;
- 4) Require and fund training for all Village Employees to participate at least annually in State and/or Nationally recognized, accredited, and/or professional training in racial equity, social justice, diversity, and inclusion within the Village;
- 5) Reviews of police training and use of force policies to ensure consistency with State law and/or other nationally accredited groups as might be applicable;
- 6) Continue to publish current use of force policies for the McFarland Police Department on the Village website and encourage diversity within the membership of the Police and Fire Commission;

- 7) Work with the Library to increase programming, resources and discussions about cultural awareness;
- 8) Work jointly with the School Board for the School District of McFarland on diversity and equity initiatives;
- 9) Publish an annual report regarding the initiatives the Village of McFarland is taking in order to support anti-racist policies and activities in the Community as well as progress on advancing action steps of this resolution;
- 10) Review policies that create systemic barriers to diverse participation in committees; and
- 11) Affirm a commitment to equity.

McFarland Police Department Action Step Response Report

Comparison of the Resolution 2020-14 Recommendations and current McFarland Police Department Directives, and resulting action steps

1

Engage the Village Board, McFarland Municipal Court, and McFarland Police Department to partner and join in the County's Community Restorative Court program and developing policies to refer all eligible cases to the program.

Steps Taken

On Monday, July 27, 2020 the Village Board and Police Department officially joined the Community Restorative Court Program by signing the Memorandum of Understanding.

2

Create a diversity and inclusion committee or special committee.

Steps Taken

While this is not within the authority or responsibility of the Police Department, the department is supportive of the concept and has pledged to assist however it can, including representation on the committee.

3

Annual review of committee appointments in order to appoint members of the Community of all demographics and increase education in order to engage communities of color to participate on Village boards, commissions, and committees.

Steps Taken

While this is not within the authority or responsibility of the Police Department, the department is supportive of the concept and has pledged to assist however it can.

4

Require and fund training for all Village Employees to participate at least annually in State and/or Nationally recognized, accredited, and/or professional training in racial equity, social justice, diversity, and inclusion within the Village.

Steps Taken

The department is supportive of this action step. While these topics have been addressed to some degree through previous training, it welcomes any additional related training the Village would offer. Additionally, efforts are in process to introduce more related training through our training consortium partners, independent of Village sponsored offerings.

5

Reviews of police training and use of force policies to ensure consistency with State law and/or other nationally accredited groups as might be applicable.

Steps Taken

Departmental directives pertaining to use of force have been posted on the PD website for quite some time and have been available for review by anyone wishing to do so. Training records are monitored by the State of Wisconsin for compliance with the requirements of the Training and Standards Board. Officers that do not complete training requirements are subject to decertification. Nonetheless, the department is supportive of this action step. Greater clarity is necessary however to determine who or what body will have the authority and responsibility, and equally as important the requisite expertise and knowledge to conduct such a review.

6

Continue to publish current use of force policies for the McFarland Police Department on the Village website and encourage diversity within the membership of the Police and Fire Commission.

Steps Taken

Departmental directives pertaining to use of force have been posted on the PD website for quite some time and have been available for review by anyone wishing to do so. While the department is supportive of diversity within the membership of the Police and Fire Commission, appointments to that commission are not made by the department.

7

Work with the Library to increase programming, resources and discussions about cultural awareness.

Steps Taken

The department is supportive of these concepts however does not have the authority to implement them.

8

Work jointly with the School Board for the School District of McFarland on diversity and equity initiatives.

Steps Taken

The department is supportive of these concepts and pledges to assist in any way possible.

9

Publish an annual report regarding the initiatives the Village of McFarland is taking in order to support anti-racist policies and activities in the Community as well as progress on advancing action steps of this resolution.

Steps Taken

The department is supportive of these concepts and pledges to provide participative information as needed.

10

Review policies that create systemic barriers to diverse participation in committees

Steps Taken

While the department does not recruit or appoint committee members, it is supportive of the concept and encourages diversity on committees.

11

Affirm a commitment to equity.

Steps Taken

The department is supportive of and dedicated and committed to equity.

McFarland Police Department Action Step Response Report

Additional References and Resources

The 2016 Use of Force Workgroup Report

In February of 2016, the Use of Force Workgroup consisting of the United Way and leaders of law enforcement and the African American community, publicly released the findings of its 8-month study on law enforcement practices in Dane County.

The McFarland Police Department, as a principal member of the Dane County Chiefs of Police Association, applauds the efforts and difficult work undertaken by the task force in the creation of the report. One unfortunate deficiency in the report is that Dane County law enforcement agencies were never asked whether they were possibly practicing many of the recommendations already, which was largely the reality. The McFarland Police Department, like several others in Dane County, had integrated many if not all of the recommended practices well prior to the study.

The report and McFarland PD's analysis and comparison can be found on the police website, and viewed by [clicking here](#).

The 2015 Special Community/Police Task Force Recommendations

In 2014 and 2015, there were several high-profile police officer-involved fatal shootings in the United States. Citizens within some of these communities, including Madison, protested these incidents. Additionally, across the country people have questioned the District Attorneys' decisions not to file charges against the officers in these cases. Without coming together and engaging in dialogue the tensions, misunderstandings and mistrust will only grow. Therefore debating, discussing, learning, collaborating and understanding the situation is the best way forward for enhancing the lives of everyone in Dane County. The report can be found on the McFarland Police website, and viewed by [clicking here](#).

McFarland Police Department Core Use of Force Directives

Related directives can be found and viewed on the McFarland Police website by [clicking here](#).

Video: Understanding Police Use of Force

This video was created by the University of Wisconsin, Madison Law School. It is an excellent resource in understanding police use of deadly force, the legalities surrounding it, and how deadly force incidents are investigated. The video can be found and viewed on the McFarland Police website, and viewed by [clicking here](#).

You and the Law: A guide for interacting with McFarland Police Officers

The McFarland Police Department is committed to promoting the best possible results in every contact with the public. An element critical to this commitment is working with a public that has a firm understanding of their rights and responsibilities under the law. As such, this publication is intended to outline those rights and responsibilities. When in contact with the police, there are some things you should do, some things you must do, and other things you cannot do. For this reason, the McFarland Police Department provides this information to you. The guide can be found and viewed on the McFarland Police website, and viewed by [clicking here](#).

McFarland Police Department Use of Force Statistics

Department policy requires officers to complete a use of force supplementary report any time force above that of simple handcuffing is implemented. This form is submitted to a department supervisor who has been specially trained in use of force investigation. The supervisor reviews all reports, video and audio evidence available and forwards a determination to the Chief of Police as to whether the level of force used was appropriate. All reports relating to the implementation of force are saved and tracked by department administration. Special attention is paid to the frequency with which force is used by each officer, as well as any other patterns that may be evident.

In keeping with the McFarland Police Department's desire to be as transparent as possible with the community, this statistical information related to the use of force is provided to the public for their review and can be viewed by [clicking here](#).

McFarland Police Department Action Step Response Report

Conclusion

As the contents of this report clearly demonstrate, the McFarland Police Department is in almost every possible way aligned with the tenets of the #8CantWait, Resolution 2020-14, and the 2016 Use of Force Workgroup recommendations.

The department, as indicated throughout the report, will be looking at modifying select directive language excerpts to more clearly align with current practice.

The department looks forward to participating in continuing discussions relating to racial equity.



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, August 12, 2020

SECTION: Business

DEPARTMENT: Police

CONTACT:

AGENDA ITEM: Discussion and possible referral to Public Works Committee relating to a request to reduce the speed limit from 25 to 15 mph on Bremer Rd.

PREVIOUS ACTION:

ISSUE SUMMARY:

A citizen request has been made to lower the speed limit on Bremer Rd. from 25 to 15 mph. A recent speed/volume study was conducted in response to that request, a summary of which is included.

FINANCIAL/BUDGET IMPACT:

None

VILLAGE PLAN REFERENCE:

none

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Review and recommendation to the Village Board regarding the committee's decision.

ATTACHMENTS:

1. Bremer Road 2020 - Speed Data Analysis
2. Lake Edge Comparison 15 MPH Zone

SPEED DATA ANALYSIS

Location



Bremer Road 2020
Latitude: 38.861231
Longitude: -95.741185



Analysis Time Period



Start	End
6/17/2020 12:01 AM	6/24/2020 12:01 AM

Vehicles Analyzed



3,956

Speed Limit



25

85th Percentile Speed



28

Average Speed



24

99th Percentile Speed



34

Slowest Speed



7

{0} {1} Pace Speed



20-29

Fastest Speed



66

5700 Block Bremer Road
 15 MPH Speed Zone
 July 19, 2020 to July 29, 2020
SPEED DATA ANALYSIS

Location



Latitude: 38.861231
 Longitude: -95.741185



Analysis Time Period



Start	End
7/19/2020	7/29/2020
1:05 PM	1:00 PM

Vehicles Analyzed



928

Speed Limit



15

85th Percentile Speed



28

Average Speed



23

99th Percentile Speed



35

Slowest Speed



6

{0} {1} Pace Speed



20-29

Fastest Speed



40



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, August 12, 2020

SECTION: Business

DEPARTMENT: Police

CONTACT:

AGENDA ITEM: Discussion and possible referral to the Public Works Committee regarding a request to change parking on Overlook Dr. from the west side of the road to the east side.

PREVIOUS ACTION:

ISSUE SUMMARY:

A citizen request has been made to remove all parking from the west side of the street to the east side of the street on Overlook Dr.

FINANCIAL/BUDGET IMPACT:

None

VILLAGE PLAN REFERENCE:

None

ORDINANCE REFERENCE:

None

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Review and recommendation to the Village Board as to the committee's decision.

ATTACHMENTS:

None