

11. Public Criticism

Members of the Department shall not publicly criticize the operations or personnel of the Department if such criticism clearly undermines the discipline, morale or general efficiency of the Department.

The Department recognizes that its members retain rights to expression and freedom of speech granted by the Constitution, whether on- or off-duty; however, these rights do not allow for conduct which is disruptive to the function of the public's business. Generally, conduct prohibited by this regulation includes critical public statements or overt actions regarding specific employees, orders, or operations, and includes abusive or deliberately constructed false criticism.

12. Use of Force

It is the policy of this Department that officers, while in the performance of legal duties, shall always employ force in a manner that is objectively reasonable based on the totality of the circumstances, Graham v. Connor, 490 U.S. 386 (1989). The reasonableness test is an objective one and must be judged from the perspective of a reasonable officer at the scene. Members of the Department shall act at all times within the standards for use of force established in the Use of Force procedures.

Recognizing our legal and moral obligation to use force wisely and judiciously, it is the policy of this Department that deadly force will never be resorted to unless an officer reasonably believes that a lesser degree of force would be insufficient to defend the life of another, one's self, or in limited situations, to apprehend a dangerous felon, or control an animal.

The use of force by police must be consistent with Department training, reported in a timely fashion, and subject to review for consistency with State of Wisconsin standards. The members of MPD, as guardians to our community, understand and expect the scrutiny that can result from use of force applications. MPD will take affirmative steps to review, assess, and inform constituents about the outcomes from use of force incidents and will continue to educate our community about the parameters and appropriateness pertaining to use of force decision making.

13. Duty to Intercede

Any officer present and observing another officer using excessive force, or engaged in unlawful conduct, or in violation of the Madison Police Department's Code of Conduct has an affirmative obligation to intercede and report.

14. Vehicle Operation

Members of the Department shall at all times operate city vehicles with due regard for the safety of all persons. When operating under emergency conditions, officers shall carefully balance the risks involved against the public interests, recognizing always that the exemptions provided by law to authorized emergency vehicles do not protect an operator from the consequences of reckless disregard for the safety of others.