

DECISIONMAKING MATRIX FOR LAW ENFORCEMENT OFFICERS

INSTRUCTIONS FOR USING THE PROXY IN ARREST AND DETAIN DECISIONS:

1. Ask three questions of arrested person (see attached proxy worksheet).
2. Officers verify data by using a criminal history check, CCAP, jail records.
3. Officers complete proxy and derive a score that equates to low, medium or high risk.
4. Officers respond to arrested person in consideration of derived risk level (see below).

Proxy Not required	Proxy Required
<ul style="list-style-type: none"> • Uniformed Traffic Citations (Non-Criminal) • Non-Criminal ordinance citations (Underage Drinking) • No action taken by law enforcement 	<ol style="list-style-type: none"> 1. Ordinance citation that would otherwise be criminal (Disorderly conduct; retail theft etcetera.) 2. All criminal arrests to include traffic citations. 3. Referral of charges to the D.A. to include C/A) <ul style="list-style-type: none"> • Extenuating circumstances when a proxy might not be done even if required: <ul style="list-style-type: none"> • Uncooperative Individuals • Technology issues (can't verify CCAP records because of poor signal) still complete Proxy based on self-report. Note issues in report. • CCAP verification could be done with communication center or once you arrive at the jail. • Major incident including multiple arrests in an emergency mode. Note issue in report. This should be exception not the rule.

Offenses – ALWAYS arrest	When do to release after making arrest
<ol style="list-style-type: none"> 1. Domestic related violations (Mandatory arrest guidelines) 2. Crimes against person (Battery, sexual assault, use of a weapon etc.) 3. Most Felony violations 4. Crimes of terrorism 	<ol style="list-style-type: none"> 1. Preamble for forfeiture and misdemeanor bail: "All persons arrested for a violation of a state or municipal forfeiture shall be released from custody without a cash bond if either of the following exists": <ol style="list-style-type: none"> a. They have a valid Wisconsin driver's license or can show sufficient evidence of ties to the community. b. The arresting officer is otherwise satisfied that the accused will make future court appearances 2. Low risk score based on the Proxy with no other extenuating circumstances.

When do we ALWAYS – Arrest, Arrest and hold on BOND, HOLD until next court date
<ol style="list-style-type: none"> 1. Most Felony violations 2. Domestic Abuse related violations 3. Preamble for forfeiture and misdemeanor bail: "All persons arrested for a misdemeanor, including a misdemeanor traffic offense, shall be released from custody without a cash bond unless any of the follow exist" <ol style="list-style-type: none"> a. The accused does not have proper identification b. The accused appears to represent a danger of harm to himself or herself, another person or property. c. The accused cannot show sufficient evidence of ties to the community. d. The accused has previously failed to appear in court or failed to respond to a citation. • e. Arrest or further detention is necessary to carry out legitimate investigative action in accordance with law enforcement agency policy.

**SUGGESTED OFFICER RESPONSE FOR ARRESTEES WITH
LOW, MEDIUM AND HIGH RISK PROXY SCORES:**

RISK LEVEL	VIOLATIONS/CRIMINAL BEHAVIOR/CRITERIA TO CONSIDER	SUGGESTED RESPONSE
LOW RISK	<p>Ordinance violations that would otherwise be criminal (disorderly conduct; retail theft)</p> <p>All criminal arrests</p>	<ul style="list-style-type: none"> ✓ Cite and release ✓ No arrest required based on facts of case ✓ Referral to District Attorney, if appropriate ✓ Referral to Probation and Parole Agent if appropriate ✓ Issue a criminal ordinance citation ✓ Arrest and order in to court ✓ Arrest and print & release from jail
MEDIUM RISK	<ul style="list-style-type: none"> ✓ They have a valid Wisconsin driver's license or can show sufficient evidence of ties to the community. ✓ The arresting officer is otherwise satisfied that the accused will make future court appearances. 	<ul style="list-style-type: none"> ✓ No arrest required based on facts of case ✓ Issue a criminal ordinance citation ✓ Arrest and order into court ✓ Arrest and print & release ✓ Arrest and hold for bond
HIGH RISK	<ul style="list-style-type: none"> ✓ Most Felony violations ✓ Domestic Abuse related violations ✓ The accused does not have proper identification ✓ The accused appears to represent a danger of harm to himself or herself, another person or property ✓ The accused cannot show sufficient evidence of ties to the community. ✓ The accused has previously failed to appear in court or failed to respond to a citation. ✓ Arrest or further detention is necessary to carry out legitimate investigative action in accordance with law enforcement agency policy. 	<ul style="list-style-type: none"> ✓ Arrest and hold in jail until next available court date ✓ Arrest and print & release ✓ Refer to the District Attorney's Office for charging consideration.