

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 303.00.05	<b>Page</b> 1 of 4
	<b>Original Effective Date:</b> 01/19/18	<b>New Effective Date:</b> 07/25/22
	<b>Supersedes:</b> 303.00.05	<b>Dated:</b> 02/22/21
	<b>Administrator's Approval:</b> Sarah Cooper, Administrator - 7/15/22	
<b>Required Posting or Restricted:</b>		
<input type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
<b>Chapter:</b> 303 Discipline		
<b>Subject:</b> Law Enforcement Referrals		

**POLICY**

The Division of Adult Institutions shall document and track all contacts with Law Enforcement agencies

**REFERENCES**

Wisconsin Statutes s. 940.225 – Sexual Assault

Wisconsin Statutes s. 940.20 – Battery: Special Circumstances

Wisconsin Statutes s. 946.43 – Assaults by Prisoners

Wisconsin Administrative Code Ch. DOC 303 – Rules of Department of Corrections

Executive Directive 16 – Fraternalization Policy

Executive Directive 72 – Sexual Abuse and Sexual Harassment in Confinement (PREA)

DAI Policy 300.00.70 – Assaults by Inmates, Reporting and Tracking

DAI Policy 300.00.71 – Reporting Serious Incidents, Events of Special Interests and Legislative Inquiries

DAI Policy 306.00.14 – Protection, Gathering and Preservation of Evidence

DAI Policy 306.00.15 – Inmate Investigations

DAI Policy 309.39.02 – Telephone Monitoring System – Access and Management

**DEFINITIONS, ACRONYMS AND FORMS**

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-2466 – Incident Report

DOC-2466B – Incident Information

LE – Law Enforcement

**PROCEDURE****I. LE Referrals**

A. The Warden/designee shall refer the following to LE:

1. Battery by prisoner in accordance with Wisconsin Statutes s. 940.20.
2. Allegations of sexual abuse or sexual harassment as defined by ED 72 that involve potentially criminal behavior.
3. Sexual assault per Wisconsin Statutes s. 940.225.

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4. Death within the facility.
5. Escape or attempted escape from custody.
6. Taking a hostage.
7. Introduction of illegal drugs into the facility.

B. The Warden/designee may refer the following to LE:

1. Assaults by prisoners in accordance with Wisconsin Statutes s. 946.43 and 303.11.
2. Threats to a person within or outside of the facility.
3. Stalking.
4. Continued disruptive conduct by an inmate.
5. Participating in a disturbance.
6. Possession, manufacture or use of weapons.
7. Possession of illegal drugs in the facility.
8. Possession of significant contraband in the facility.
9. Any other incident deemed appropriate.

## II. Documentation of LE Referrals

A. The Warden/designee shall establish procedures to document and enter the incident and referral to LE in the DAI SharePoint application.

B. Documentation shall include:

1. Date/Time of incident.
2. Name of inmate(s) involved.
3. Inmate DOC number(s).
4. Name of staff involved.
5. Type of incident.
6. Name of staff member making LE contact.
7. Name of LE personnel contacted.
8. Date/Time of contact.

## III. Documentation of LE Requests for Information

A. The Warden/designee shall establish procedures to document and enter requests for information from LE in the DAI SharePoint application.

B. Documentation shall include:

1. Date and time of information request.
2. Name of agency requesting the information.
3. Name of staff member within the agency requesting the information.
4. Reason for request.
5. Name of inmate(s) involved.
6. Inmate DOC number(s).
7. DAI staff member approving the request for information.
8. Duration of request, if ongoing such as mail monitor or phone monitor.
9. Item(s) and/or information provided.

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#### **IV. LE Information Tracking System**

- A. DAI shall utilize a SharePoint application to enter and track LE referrals and requests for information.
- B. Warden/designee shall provide the names of staff to DAI who require permissions to enter or modify data into the LE Information Tracking System.
- C. Data shall be entered within two working days of the initial referral or request for information.
- D. All data fields shall be completed. Staff may check multiple boxes, if applicable.
- E. All staff/inmates involved in an incident shall be recorded.

#### **V. Updating LE Information Tracking System**

- A. Facility staff shall record the following updates in the Updates/Additional comments section of the LE Information Tracking System within two working days of each contact with LE concerning the incident:
  - 1. Date of contact.
  - 2. Type of contact:
    - a. Phone.
    - b. In-person.
    - c. Mail correspondence.
    - d. E-mail correspondence.
  - 3. Name of LE contact.
  - 4. Date LE at facility, if applicable.
  - 5. List of any requested documentation or evidence.
  - 6. Notification of future LE contacts or possible resolution to referral.
- B. **Closing out LE Referral in Tracking System**
  - 1. Facility staff shall record information indicating the referred incident investigation has been concluded by LE.
  - 2. Information to be included in the tracking system:
    - a. Date of contact.
    - b. Name of person making contact.
    - c. If there were any charges referred for prosecution.
    - d. Name of staff member who received information.
    - e. Name of staff member recording information.

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
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<b>New Effective Date:</b> 00/00/00	<b>Supersedes Number:</b>	<b>Dated:</b>
<b>Chapter:</b> 303 Discipline		
<b>Subject:</b> Law Enforcement Referrals		
<b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b>		

**REFERENCES**

**DEFINITIONS, ACRONYMS AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
    - 1.
      - a.
  - B.
  - C.
- II.
  - A.
  - B.
  - C.