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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS

2001-02

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Corrections and Courts (AC-CC)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

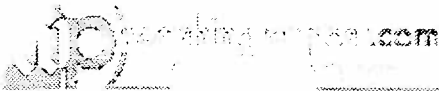
INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

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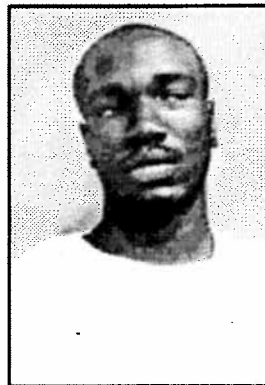
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Suspect's Probation Questioned

By Fredrick Kunkle and Mary Otto
Washington Post Staff Writers
Friday, November 3, 2000; Page B01



Police released a mug shot of Kofi Apea Orleans-Lindsay, who is being sought for questioning about the shooting death of an undercover officer last night in D.C. (Police photo)

The convicted drug dealer charged with killing an undercover Maryland state trooper violated probation dozens of times after his sentencing more than a year ago, but probation officials failed to file charges until after the fatal shooting, court records show.

As the search for the officer's killer entered a third fruitless day, hundreds of law enforcement officers gathered at a funeral home in Northeast Baltimore for a viewing for Trooper 1st Class Edward M. Toatley.

Their sorrow was mixed with solemn fury that the court system had dealt carelessly with Kofi Apea Orleans-Lindsay, a 23-year-old Montgomery County man charged with Toatley's slaying.

"The anger runs very deep," Trooper 1st Class Cynthia Brown said. "It's only a matter of time until that person will be brought to justice."

Orleans-Lindsay's record shows several arrests and two previous drug-dealing convictions, both for relatively small amounts of drugs.

In July of last year, a little more than a month after receiving probation instead of jail for his second drug-dealing conviction, Orleans-Lindsay failed to report to his probation officer, according to complaints filed Wednesday by his probation officer, Gisele Longchamp.

Orleans-Lindsay, a native of Ghana, missed seven subsequent

- News Home Page
- News Digest
- Nation
- World
- Metro
- Schools
- Crime
- Government
- Traffic
- Lottery
- Obituaries
- Religion
- Columnists
- The District
- Maryland
 - Schools
 - Crime
 - Government
 - Anne Arundel
 - Calvert
 - Charles
 - Frederick
 - Howard
 - Montgomery
 - Pr. George's
 - St. Mary's
 - 2000 Election
- Virginia
- Special Reports
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- From The Post
- **Manhunt Intensifies In Trooper's Death** (The Washington Post, Nov. 2, 2000)
 - **Md. Man Sought in Slaying of Trooper** (The Washington Post, Nov. 1, 2000)
 - **Victim Was 'The Best Of the Best'** (The Washington Post, Nov. 1, 2000)
 - **Md. Officer, Working Undercover, Shot in NE** (The Washington Post, Oct. 31, 2000)

- On the Web
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[Classifieds](#)
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[Archives](#)
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appointments with his probation officer, including a meeting scheduled for Sept. 21, according to officials and court documents. He also skipped drug tests 61 times; tested positive for drugs three times, including as recently as June 9; and failed to attend a substance-abuse treatment program, records show.

Orleans-Lindsay also is listed as having violated probation after his first drug-dealing conviction in April 1997. Despite his alleged pattern of violating probation, Longchamp did not advise the court or bring any charges until Wednesday. She would not comment, referring calls to superiors instead.

Leonard A. Sipes Jr., spokesman for the Maryland Department of Public Safety and Correctional Services, acknowledged the Parole and Probation division's lapses.

"We are deeply saddened by the death of Trooper Toatley and the fact that the suspected killer was under the supervision of the Maryland Division of Parole and Probation," Sipes said.

He said the person handling Orleans-Lindsay's case had been saddled with 200 offenders, twice the normal caseload. And he noted that Orleans-Lindsay tested negative for drugs 45 times and made contact with his probation officer 12 times.

The division, which has sought help from the General Assembly, plans to hire 44 new agents this year and 244 more over the next four years to reduce caseload ratios to 50-1.

"We recognize that the way we supervise offenders in the community must change, and we are embarked upon that plan," Sipes said.

As the justice system came under fire for the handling of Orleans-Lindsay's case, Montgomery County State's Attorney Douglas F. Gansler said that last year prosecutors fashioned what they believed was a fair plea bargain for a petty drug dealer with no record of violence.

Gansler said Orleans-Lindsay stayed clean between his last arrest, on Sept. 14, 1998, and his sentencing on June 3, 1999. Prosecutors agreed to seek no more than six years. They did not object when Circuit Court Judge William P. Turner suspended a 10-year sentence on one charge and a four-year sentence on another. The sentences could have been imposed if he was found guilty of violating probation, Gansler said.

"Who's to blame for this death? The defendant," Gansler said. "But where did the criminal justice system fail, if anywhere? By not [acting to revoke] this guy's probation."

Yesterday, mourners filed past the open coffin of the slain trooper, who was laid out in his dress uniform, holding his rosary. Paying his respects at a private ceremony, Gov. Parris N. Glendening pinned two new medals to Toatley's chest. One was

the Medal of Valor, the highest award a Maryland state trooper can receive.

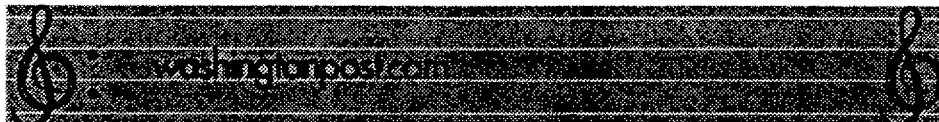
Witnessing the ceremony were Toatley's widow, Inez, and his 18-year-old son, Antoine; his 5-year-old son, Daniel; and his 18-month-old daughter, Taylor. The governor, speaking afterward, quietly recounted a conversation he had with Daniel after the boy asked, "Who shot my father?"

"I told him a very bad person did it," said Glendening, who appeared shaken. "I told him his father was a hero."

Col. David B. Mitchell, head of the Maryland State Police, said the most difficult moment was when Daniel wanted to give his father a kiss. The boy's mother lifted the child up, and the boy said, "Momma, Daddy's cold." Mitchell said the mother responded, "Your kiss has now warmed him up."

Staff writers Petula Dvorak and Phuong Ly and Metro researcher Bobbye Pratt contributed to this report.

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INCIDENT REPORT

- INSTRUCTIONS:**
1. Employee and/or immediate supervisor complete and forward within two working days.
 2. If incident involved physical injury to employee, complete section A only and attach DOA-6058 (Occupational Injury and Illness Report).
 3. Work-related automobile accidents are to be reported on the DOA-6496 (Vehicle Accident Report). A DOC Incident Report is not required.
 4. The supervisor should address checklist items on the reverse side of this form before submitting to the Regional Chief.

SECTION A

EMPLOYEE NAME [REDACTED]		AREA OR UNIT NUMBER 33104	HEADQUARTERS Holton Absconder Unit
NATURE OF INCIDENT <input type="checkbox"/> Physical Injury Only <input type="checkbox"/> Property Damage Only <input type="checkbox"/> Threats (verbal or physical) <input type="checkbox"/> Injury and Property Damage <input type="checkbox"/> Other-Specify Below			
DATE OF INCIDENT 11/6/00	TIME OF INCIDENT 2:00 P.M.	EXACT LOCATION OF INCIDENT [REDACTED] Milwaukee Wisconsin	
EMPLOYEE ON DUTY <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	REPORTED TO LAW ENFORCEMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
INCIDENT OCCURRED WHILE <input type="checkbox"/> Making Home Visit <input type="checkbox"/> In Office <input type="checkbox"/> Transporting Offender <input checked="" type="checkbox"/> Other - Specify Below		INCIDENT INVOLVED <input type="checkbox"/> Employee Only <input type="checkbox"/> Employee and Family Members - Specify Below <input checked="" type="checkbox"/> Other - Specify Below	

SECTION B


Please describe incident in detail. If "other" is checked above in any category, specify your answer below. If threat is checked above, report the exact wording of the threat and refer to #9 on the Supervisor's checklist. List property loss or damage. State name of person responsible for injury or loss (if known), and DOC number if applicable. State names of witnesses. Continue on separate sheet(s) if necessary.

Myself along with Agents [REDACTED] went to [REDACTED] to locate [REDACTED]. We were directed by Supv. [REDACTED] to do this. She said she had received a call from the offender's agent of record who said the offender was at the residence and was wanted for VOP and possibly Aggravated Battery. [REDACTED] and the officers went to the front door and the offender was identified by Milwaukee police officers. The offender then locked himself inside residence and would not allow officers to enter. Milwaukee police officers then called their supervisor for permission to enter residence. Lieut. [REDACTED] said that he would be coming out to the scene and to maintain presence outside of the residence. While we were waiting for Lieut. [REDACTED] offender had come out onto the porch. He at that time said that we had no business being at the residence. This information was relayed to us by the officers on the scene. Agents and officers informed the offender, [REDACTED] that there was a warrant for his arrest. He then said that his agent had just told him today to just come in to his office on Tuesday. We then informed him that his agent had changed his mind and that we needed him to come down and take care of this. He was on the balcony as we were speaking with him. At that time he said that we wanted to harm him. He also told us that he needed to take his meds. We assumed at this time that he meant psychotropic medication. We all told him that no one wanted to harm him and if he came down we would make sure that he was not harmed in any way. We continued to negotiate with him until the Milwaukee police lieutenant arrived on the scene.

At that time we informed [REDACTED] of what was happening and that the agent of record wanted the offender in custody. Offender kept on saying that there was no warrant for His arrest by his Agent. At this time Lieut. [REDACTED] informed him that there was an additional warrant from the Milwaukee Police Department. During Lieut. [REDACTED] conversation with the offender the offender said that he had no guns, but he wished he did because he would shoot us with them. Then he said that he had knives and other things in his residence and the officers would have to kill him. He had threatened the officers by saying that he would stab them in their eyes. At this Lieut. [REDACTED] directed Agent [REDACTED] and myself to move back to a different position but to stay around. We did so and moved to location where we could observe what was going on but still give the officers information as they needed it. During this time we called agent of record to inform him that Offender was at residence but was not cooperating with the Law Enforcement Officers. We had also informed him that offender was throwing objects over his balcony. He threw a chair and a shovel. During this time Agent [REDACTED] had asked the Agent of record if there was anything he knew about offender that would aid the Milwaukee Police Officers in apprehending Offender. Agent of record had no advice. Eventually, the Tactical Unit for the Milwaukee Police Department entered residence and placed offender into custody. Agent [REDACTED] and myself remained on the scene until we gave necessary information to Detectives. Lieut. [REDACTED] told us he appreciated our assistance. I called agent of record to inform him that offender was in custody. I was informed on 11/7/00 by Ofcr. [REDACTED] that the offender had been transported to the Mental Health Complex.

IN YOUR OPINION, WHAT COULD BE DONE TO PREVENT OTHER INCIDENTS OF THIS NATURE?

As agents in the absconder unit we will come across offenders that are dangerous. We need to have as much information regarding the offender and offender's state of mind. In the course of doing our duty we will come across offenders and others in the community who may attempt to conflict serious physical injury or death to us. For the safety of all absconder agents, we need to have a response equal force for our self-offenders. This means agents in the absconder unit should be armed with a firearm. It is also necessary to have more than two officers and two agents at a location at one time. This will reduce the risk of injury to agents.

TIME LOST TO DATE <i>none</i>	EMPLOYEE SIGNATURE 	DATE SIGNED <i>11/06/2020</i>
SUPERVISOR COMMENT(S) (Continue on back if needed)		
SUPERVISOR SIGNATURE		DATE SIGNED

DISTRIBUTION: Original + One Copy - Regional Chief; Copy - Supervisor; Copy - Employee

SUPERVISOR'S CHECKLIST

1. Have authorities been contacted?
2. Is medical attention needed?
3. Is emergency plan in place, if necessary?
4. Must employee's family be called? By whom?
5. Has Regional Chief been notified by supervisor?
6. Have media contacts been routed through Regional Chief?
7. Have employee's co-workers been briefed?
8. Has management notified regional staff?
9. Was the threat made in an attempt to coerce the staff person to take or not take an action?
10. Is an EAP referral appropriate?
11. Are employee accommodations needed, e.g., temporary assignment of office, charges filed with DA, restraining order, etc.?
12. Is critical incident debriefing necessary?
13. Is Occupational Injury and Illness Report (DOA-6058) filed?
14. Is Supervisor's Accident Analysis and Prevention Report / Safety Coordinator's Review (DOA-6437) filed?
15. Is Material Handling Injury Accident Analysis Report / Repetitive Motion Injury Accident Analysis Report (DOA-6436) necessary?
16. Is Vehicle Accident Report (DOA-6496) filed?

ADDITIONAL SUPERVISOR COMMENT(S)

INCIDENT REPORT

- INSTRUCTIONS:**
1. Employee and/or immediate supervisor complete and forward within two working days.
 2. If incident involved physical injury to employee, complete section A only and attach DOA-6058 (Occupational Injury and Illness Report).
 3. Work-related automobile accidents are to be reported on the DOA-6496 (Vehicle Accident Report). A DOC Incident Report is not required.
 4. The supervisor should address checklist items on the reverse side of this form before submitting to the Regional Chief.

SECTION A

EMPLOYEE NAME [REDACTED]		AREA OR UNIT NUMBER [REDACTED]	HEADQUARTERS Holton
NATURE OF INCIDENT <input type="checkbox"/> Physical Injury Only <input type="checkbox"/> Property Damage Only <input checked="" type="checkbox"/> Threats (verbal or physical) <input type="checkbox"/> Injury and Property Damage <input type="checkbox"/> Other-Specify Below			
DATE OF INCIDENT 1/19/01	TIME OF INCIDENT 1:18pm	EXACT LOCATION OF INCIDENT [REDACTED]	
EMPLOYEE ON DUTY <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	REPORTED TO LAW ENFORCEMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Milwaukee, WI	
INCIDENT OCCURRED WHILE <input checked="" type="checkbox"/> Making Home Visit <input type="checkbox"/> In Office <input type="checkbox"/> Transporting Offender <input type="checkbox"/> Other - Specify Below		INCIDENT INVOLVED <input checked="" type="checkbox"/> Employee Only <input type="checkbox"/> Employee and Family Members - Specify Below <input type="checkbox"/> Other - Specify Below	

SECTION B

Please describe incident in detail. If "other" is checked above in any category, specify your answer below. If threat is checked above, report the exact wording of the threat and refer to #9 on the Supervisor's checklist. List property loss or damage. State name of person responsible for injury or loss (if known), and DOC number if applicable. State names of witnesses. Continue on separate sheet(s) if necessary.

On Friday, 1/19/01, this agent, [REDACTED] went to [REDACTED] at 1:18pm to place [REDACTED] in custody on a VOP warrant for absconding. As we drove up to the house, agent [REDACTED] called the residence and asked for [REDACTED]. The person who answered the phone said he was [REDACTED] but passed the phone off to someone else when he realized that it was [REDACTED] on the other end. The person identified himself as [REDACTED]'s brother. He said [REDACTED] was home and we could come and pick him up right now. When we pulled up to the house the person who identified himself as the offender's brother was on the front porch talking to us on his cordless phone. He let us into the house and walked us into the kitchen where [REDACTED] was eating pork chops at the kitchen table. He was moving very slowly and appeared to be hung over. We told him that we were there to take him into custody because he had a warrant for not reporting to his agent. He said that he had been trying to call his agent but couldn't get a hold of her. He seemed agreeable to having to go into custody. His brother brought him a pair of shoes and a jacket. He put his shoes on and then stated that he had to go to the bathroom urgently. We agreed to let him go to the bathroom when it appeared that he would quit cooperating if we did not let him go.. Agent [REDACTED] went into the bathroom with him and the door was left partially open. This agent kept his foot against the door so that it could not be pushed shut all the way. The offender urinated and buckled up his pants at which time agent [REDACTED] informed the offender that he could wash his hands in the bathroom. The offender ignored this and said he would wash them out in the kitchen. As he stepped out of the bathroom this agent stepped back into the kitchen and went to the back door of the house as we believed that the offender ran out the back door on another occasion when we were there. He rinsed his hands off in the kitchen sink which was full of dirty dishes. He was taking an unusually long time rinsing his hands and both [REDACTED] and [REDACTED] gave him verbal commands to stop and step away from the sink. He stopped and began drying his hands on the sweatshirt that he was wearing. Both agents again told him to step away from the sink. He suddenly grabbed a steak knife and placed it to his throat. He also backed himself up against the wall and stated he would kill himself before going to jail. At this time [REDACTED] told him that we would leave and he would not have to go into custody. [REDACTED] stepped partially into the hall where he communicated to dispatch via radio to call 911 and have police dispatched to [REDACTED]. As [REDACTED] was talking to dispatch, this agent told the client to relax and we would leave. This agent told the offender to take the knife away from his throat and we would leave a card for him to call his agent later. [REDACTED] put a business card on the kitchen table which was between the offender and the agents at this time. At this point [REDACTED] and [REDACTED] walked through the house and out the front door. About 3 minutes later Milwaukee Police Officers arrived at the scene. They entered the house and apprehended [REDACTED] safely. He was placed in the DOC caged vehicle and transported to CJF by [REDACTED], [REDACTED] and [REDACTED]. [REDACTED] was in the back with the offender. The offender said that the police missed his crack pipe when they patted him down. He said it was in the coin pocket on his right side. This agent removed the crack pipe. At the CJF the offender said that he was still suicidal. [REDACTED] and [REDACTED] transported Mr. Jamerson to the Milwaukee County Mental Health Center. He was cleared by a counselor there and [REDACTED] transported him back to the CJF.

IN YOUR OPINION, WHAT COULD BE DONE TO PREVENT OTHER INCIDENTS OF THIS NATURE?
 If four agents would have been present we could have stood in front of the sink and the doors at the same time and make the offender go back into the bathroom to wash his hands.

TIME LOST TO DATE 1.00	EMPLOYEE SIGNATURE [REDACTED]	DATE SIGNED 1-22-01
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INCIDENT REPORT

- INSTRUCTIONS:**
1. Employee and/or immediate supervisor complete and forward within two working days.
 2. If incident involved physical injury to employee, complete section A only and attach DOA-6058 (Occupational Injury and Illness Report).
 3. Work-related automobile accidents are to be reported on the DOA-6496 (Vehicle Accident Report). A DOC Incident Report is not required.
 4. The supervisor should address checklist items on the reverse side of this form before submitting to the Regional Chief.

SECTION A		
EMPLOYEE NAME [REDACTED]	AREA OR UNIT NUMBER [REDACTED]	HEADQUARTERS Doc-Dcc-331-Milwaukee
NATURE OF INCIDENT <input type="checkbox"/> Physical Injury Only <input type="checkbox"/> Property Damage Only <input type="checkbox"/> Threats (verbal or physical) <input type="checkbox"/> Injury and Property Damage <input checked="" type="checkbox"/> Other-Specify Below		
DATE OF INCIDENT 1/26/2001	TIME OF INCIDENT 10:30 AM	EXACT LOCATION OF INCIDENT [REDACTED] Milwaukee WI
EMPLOYEE ON DUTY <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	REPORTED TO LAW ENFORCEMENT <input type="checkbox"/> Yes <input type="checkbox"/> No	
INCIDENT OCCURRED WHILE <input type="checkbox"/> Making Home Visit <input type="checkbox"/> In Office <input type="checkbox"/> Transporting Offender <input checked="" type="checkbox"/> Other - Specify Below		INCIDENT INVOLVED <input type="checkbox"/> Employee Only <input type="checkbox"/> Employee and Family Members - Specify Below <input type="checkbox"/> Other - Specify Below

SECTION B

Please describe incident in detail. If "other" is checked above in any category, specify your answer below. If threat is checked above, report the exact wording of the threat and refer to #9 on the Supervisor's checklist. List property loss or damage. State name of person responsible for injury or loss (if known), and DOC number if applicable. State names of witnesses. Continue on separate sheet(s) if necessary.

On 01/26/01 at approx. 10:30am agents of probation and parole absconder unit went to [REDACTED] to locate wanted felon VOP [REDACTED]. Agents immediately made contact with offender. We proceeded to have [REDACTED] get dressed. We asked him what he wanted to wear. We asked the offender where his clothing was and where we could locate the clothing, before giving the clothing over to [REDACTED] we made sure there was no contraband or weapons in the clothing. I asked [REDACTED] if he wanted to where socks? He replied yes and then proceeded to reach for his dresser drawer. I stopped him and told him if he wanted something out of the dresser drawer I would get it for him. He said that his socks were in the dresser drawer, so I proceeded to open up the dresser drawer to get [REDACTED] his socks. At this time I saw what appeared to be off pellet gun in the dresser drawer. We secured the pellet gun and [REDACTED] said that he had found the pellet gun and it was not his. The pellet gun looked very much like a real 9 mm and could be confused as a real 9 mm pistol..

IN YOUR OPINION, WHAT COULD BE DONE TO PREVENT OTHER INCIDENTS OF THIS NATURE?

In the course of our duty we come across offenders and others in the community who are armed. For the safety of all absconder agents, we need to have a response of equal force to that of our offender's. This means agents in the absconder unit should be armed for self defense and deterrence.

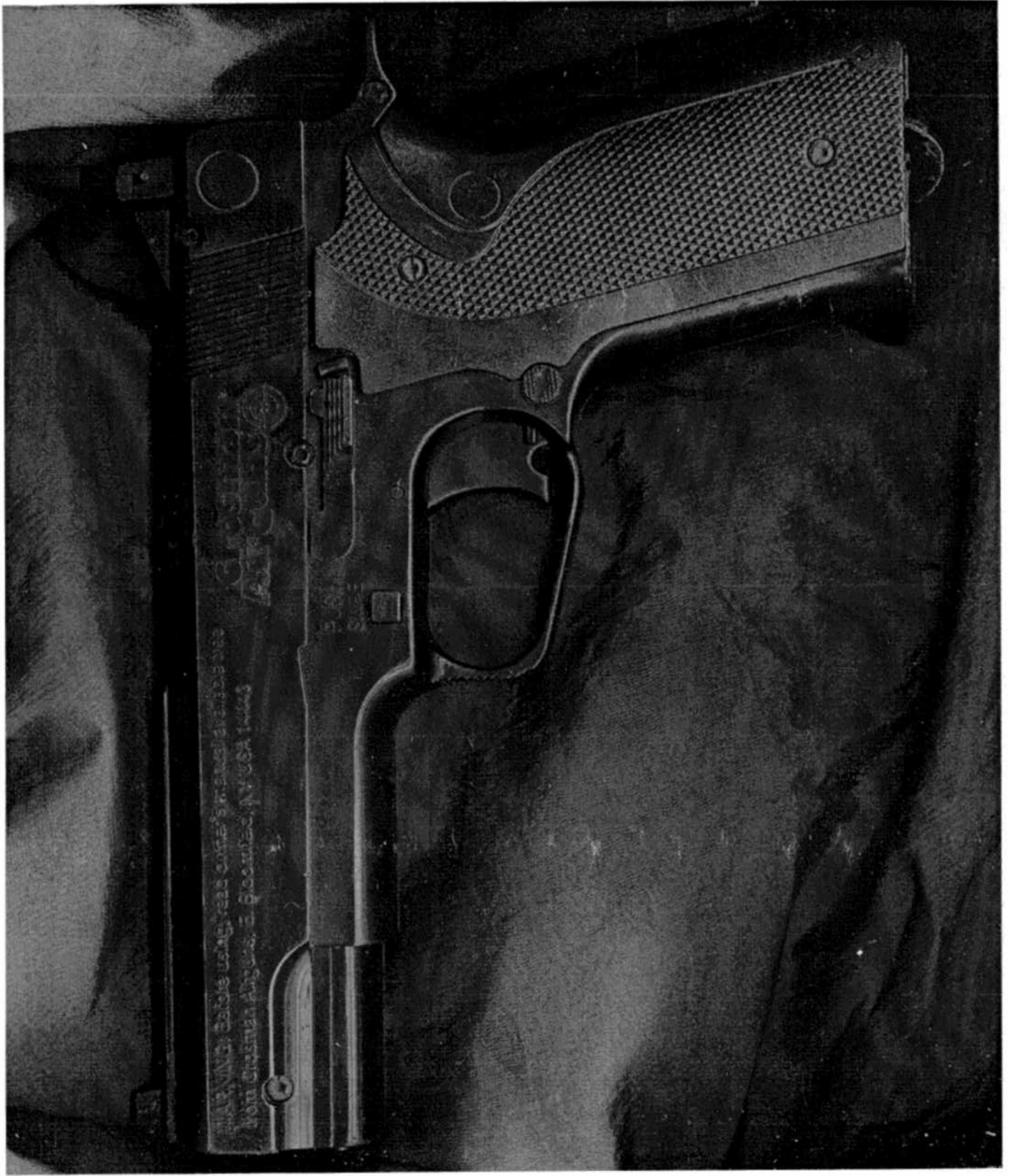
TIME LOST TO DATE	EMPLOYEE SIGNATURE [REDACTED]	DATE SIGNED 1/26/01
SUPERVISOR COMMENT(S) (Continue on back if needed)		
SUPERVISOR SIGNATURE		DATE SIGNED

DISTRIBUTION: Original + One Copy - Regional Chief; Copy - Supervisor; Copy - Employee

SUPERVISOR'S CHECKLIST

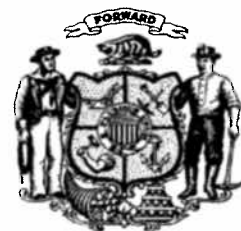
1. Have authorities been contacted?
2. Is medical attention needed?
3. Is emergency plan in place, if necessary?
4. Must employee's family be called? By whom?
5. Has Regional Chief been notified by supervisor?
6. Have media contacts been routed through Regional Chief?
7. Have employee's co-workers been briefed?
8. Has management notified regional staff?
9. Was the threat made in an attempt to coerce the staff person to take or not take an action?
10. Is an EAP referral appropriate?
11. Are employee accommodations needed, e.g., temporary assignment of office, charges filed with DA, restraining order, etc.?
12. Is critical incident debriefing necessary?
13. Is Occupational Injury and Illness Report (DOA-6058) filed?
14. Is Supervisor's Accident Analysis and Prevention Report / Safety Coordinator's Review (DOA-6437) filed?
15. Is Material Handling Injury Accident Analysis Report / Repetitive Motion Injury Accident Analysis Report (DOA-6436) necessary?
16. Is Vehicle Accident Report (DOA-6496) filed?

ADDITIONAL SUPERVISOR COMMENT(S)





WISCONSIN STATE LEGISLATURE



AB 203
folder

INCIDENT REPORT

- INSTRUCTIONS:**
1. Employee and/or immediate supervisor complete and forward within two working days.
 2. If incident involved physical injury to employee, complete section A only and attach DOA-6058 (Occupational Injury and Illness Report).
 3. Work-related automobile accidents are to be reported on the DOA-6496 (Vehicle Accident Report). A DOC Incident Report is not required.
 4. The supervisor should address checklist items on the reverse side of this form before submitting to the Regional Chief.

SECTION A		
EMPLOYEE NAME [REDACTED]	AREA OR UNIT NUMBER [REDACTED]	HEADQUARTERS Doc-Dcc [REDACTED] Milwaukee
NATURE OF INCIDENT <input type="checkbox"/> Physical Injury Only <input type="checkbox"/> Property Damage Only <input type="checkbox"/> Threats (verbal or physical) <input type="checkbox"/> Injury and Property Damage <input checked="" type="checkbox"/> Other-Specify Below		
DATE OF INCIDENT 3/29/2001	TIME OF INCIDENT 2:45 PM	EXACT LOCATION OF INCIDENT [REDACTED] Milwaukee WI
EMPLOYEE ON DUTY <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	REPORTED TO LAW ENFORCEMENT <input type="checkbox"/> Yes <input type="checkbox"/> No	
INCIDENT OCCURRED WHILE <input type="checkbox"/> Making Home Visit <input type="checkbox"/> In Office <input type="checkbox"/> Transporting Offender <input checked="" type="checkbox"/> Other - Specify Below	INCIDENT INVOLVED <input type="checkbox"/> Employee Only <input type="checkbox"/> Employee and Family Members - Specify Below <input type="checkbox"/> Other - Specify Below	

SECTION B

Please describe incident in detail. If "other" is checked above in any category, specify your answer below. If threat is checked above, report the exact wording of the threat and refer to #9 on the Supervisor's checklist. List property loss or damage. State name of person responsible for injury or loss (if known), and DOC number if applicable. State names of witnesses. Continue on separate sheet(s) if necessary.

On 3/29/01 at approx. 2:30 PM agents [REDACTED] and [REDACTED] of probation and parole absconder unit went to [REDACTED] in the city of Milwaukee WI, to locate a wanted on a misdemeanor VOP absconder [REDACTED]. Agents had a photograph identification of offender with them.

Agents were told by neighbors at [REDACTED] that they did not know the offender. They did say that they were waiting for a guy from next-door who was fixing their car to return shortly. Agents then took a position of surveillance in order to possibly observe if the person who was working on the car was in fact the wanted offender.

Above [REDACTED] agents, part away from the residents in a location that we could see the person who was working on their car return. When this person arrived, he was identified by agents [REDACTED] and [REDACTED] to be the offender. I was told that he went into the neighbors Actual address, by these agents. When the above named agents and myself arrived back at the residents. I was directed by the leading agents [REDACTED] to secure the front entrance. We then took up positions around the residence for our own safety, so as all possible exit's would be covered if offender were to exit the residents.

At approximately 2:45 PM at [REDACTED] I was at the front door, I could hear agents [REDACTED] and agents [REDACTED] instructing the offender to come out. At this point I saw the front door open at which point I identified myself as probation and parole agent. The offender proceeded to put his head down and lunged his body into mine, and then the Offender pushed me towards the railing, where after hitting the railing I was able to decentralize offender to a squatting position.

At this time agents [REDACTED] came to my assistance, during the altercation myself and agent [REDACTED] kept telling offender to stop resisting. [REDACTED] During the altercation offender ended up falling back onto me, placing me on the ground. The Offender continued to resist.

At one of point offender was able to stand up and tried to run, however I was tangled up in his clothing: And I was unable to let go of the offender. Once we reached the bottom of the steps, I was able to decentralize offender. At this point agents [REDACTED] place handcuffs on offender's wrists. (wrists)

Agent [REDACTED] and [REDACTED] agent [REDACTED] aided offender and came up the from [REDACTED] ground position to a vertical position.

At this point the neighbor lady came over to us and informed us that she had called the police to assist us. She had told me that they wanted to speak to me, I then informed them that offender was in custody currently, And the situation was under control.

IN YOUR OPINION, WHAT COULD BE DONE TO PREVENT OTHER INCIDENTS OF THIS NATURE?

INCIDENT REPORT

- INSTRUCTIONS:**
1. Employee and/or immediate supervisor complete and forward within two working days.
 2. If incident involved physical injury to employee, complete section A only and attach DOA-6058 (Occupational Injury and Illness Report).
 3. Work-related automobile accidents are to be reported on the DOA-6496 (Vehicle Accident Report). A DOC Incident Report is not required.
 4. The supervisor should address checklist items on the reverse side of this form before submitting to the Regional Chief.

SECTION A		AREA OR UNIT NUMBER	HEADQUARTERS
EMPLOYEE NAME ██████████		██████████	Holton
NATURE OF INCIDENT <input type="checkbox"/> Physical Injury Only <input type="checkbox"/> Property Damage Only <input type="checkbox"/> Threats (verbal or physical) <input type="checkbox"/> Injury and Property Damage <input checked="" type="checkbox"/> Other-Specify Below			
DATE OF INCIDENT 3/29/01	TIME OF INCIDENT 2:45pm	EXACT LOCATION OF INCIDENT ██████████ Milwaukee, WI	
EMPLOYEE ON DUTY <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	REPORTED TO LAW ENFORCEMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
INCIDENT OCCURRED WHILE <input type="checkbox"/> Making Home Visit <input type="checkbox"/> In Office <input type="checkbox"/> Transporting Offender <input checked="" type="checkbox"/> Other - Specify Below		INCIDENT INVOLVED <input type="checkbox"/> Employee Only <input type="checkbox"/> Employee and Family Members - Specify Below <input checked="" type="checkbox"/> Other - Specify Below	

SECTION B

Please describe incident in detail. If "other" is checked above in any category, specify your answer below. If threat is checked above, report the exact wording of the threat and refer to #9 on the Supervisor's checklist. List property loss or damage. State name of person responsible for injury or loss (if known), and DOC number if applicable. State names of witnesses. Continue on separate sheet(s) if necessary.

On 3/29/01, agents ██████████, and myself ██████████ were conducting surveillance at ██████████. At approximately 2:35p.m., the absconder unit witnessed known absconder ██████████ enter the residence of ██████████ in the city of Milwaukee. Agents were able to identify the offender from his booking photograph provided in the file. Agents waited several minutes for the offender to exit the residence, and when he did not, agents proceeded to the residence. Prior to going to the residence, I directed agent ██████████ to go the front door of the residence, and agent ██████████ and I would attempt to make contact at the back door. Agents ██████████ and myself knocked on the back door of the residence and asked a collateral to have ██████████ come to the door. Agent ██████████ was monitoring the front door. Agents were allowed to step into the back door entry way where both had a view of the residence, including the closet door and front door. At this point, the same collateral conceded that ██████████ was in the residence and pointed to the closet. Agent ██████████ verbalized in the direction of the closet for the offender to come out. At this time, both agents ██████████ and I observed ██████████ flee from the closet and exit the front door. ██████████ exited the front door, at which time I lost sight of him. Agent ██████████ went through the kitchen and living room out the front door behind ██████████. I proceeded out the back door and came around the side of the house to the front porch. As I came from the side of the residence, I observed agents ██████████ and ██████████ trying to secure the offender's arms, while continuously verbalizing to the offender to "stop resisting". At this time, I assisted both agents in an effort to put ██████████ into restraints. I took out my restraints and attempted to handcuff ██████████, at which time he actively resisted all agents. Agents then made the decision to disengage from the situation and let go of the offender. However, agent ██████████ was physically entangled in the offender's clothing, and therefore went down the front porch stairs with the offender. At the bottom of the stairs, agent ██████████ directed the offender to the ground. At this time, agents ██████████ and I re-engaged for the safety of agent ██████████, and after a brief struggle on the ground with ██████████ agents were able to secure ██████████'s hands and I was able to put one hand into handcuffs and agent ██████████ proceeded to handcuff the remaining hand. At this point, the offender stopped struggling and was helped to sit upright. Agents then proceeded to do a pat search and place him in the vehicle to be transported to the CJF. Agents then transported the offender to the CJF without further incident.

IN YOUR OPINION, WHAT COULD BE DONE TO PREVENT OTHER INCIDENTS OF THIS NATURE?
 Once the situation was at hand, it is my opinion all agents acted in an appropriate manner and did everything according to policy. I do think that agents would have been within their legal capacity to use O.C. spray at the time when they were attempting to put the offender in restraints and he began to resist.

TIME LOST TO DATE	EMPLOYEE SIGNATURE	DATE SIGNED
SUPERVISOR COMMENT(S) (Continue on back if needed)		
SUPERVISOR SIGNATURE		DATE SIGNED

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Use of Force Critique

On 3 - 29 - 01 at about 2:35pm, agents [REDACTED] and [REDACTED] were conducting surveillance at [REDACTED]. Location - City and County of Milwaukee. The agents did approach a collateral contact person at [REDACTED] place to ask if the person that the agents had a photograph of had been seen in the area. The contact stated that he did not know the person in the photograph, however; the agents had prior knowledge that the person wanted did worked on automobiles for a living, and there were cars in-between [REDACTED] and [REDACTED] north [REDACTED] with the hoods up. It appeared to them that someone had been working on them. The agents thought that to be strange, so they positioned themselves out front to observe. The agents then noticed a person leaving the area where the cars were located, and enter in to the [REDACTED] residence. Based on the booking photograph obtained by the agents, the agents had reason to believe that the person that entered the [REDACTED] residence was in fact the offender [REDACTED].

The agents then waited about 10 minutes for the offender to exit the residence, but he did not. The agents then made the decision to contact the person that resided at said residence. The agents decided that it would be best if someone covered the front door, and for the other two to cover the back door. The agents then made contact with the collateral contact, and were given permission to enter the residence. When agents [REDACTED] entered into the back door they asked the collateral contact if the person identified as the offender was in fact in the residence. The contact person then pointed towards the living room, which the agents had a clear view of. Agent [REDACTED] then loudly identified that they were representatives from the Department of Corrections - probation and parole, and that the offender should give up peacefully.

Agent [REDACTED] then observes the closet door in the living room open, and the offender appeared. The offender immediately ran out of the front door where he encountered agent [REDACTED]. Agent [REDACTED] stated that the offender saw him then lowered his head and ran directly towards him in an attempt to push the agent over the railing of the porch in which he was standing. Agent [REDACTED] after seeing the offender run towards the front door, ran directly through the house to aid his co-worker. Agent [REDACTED] ran around the house from the outside to do the same. While all three agents were engaged with the offender, they were verbalizing to the offender "stop resisting", and trying to secure his arms behind his back, however; the offender continued to fight with the agents. The agents were able to direct the offender down to a knee, but because the offender continued to escalate his behavior the decision was made to disengage, and let the offender go.

When agents [REDACTED] and [REDACTED] released the offender he started to run down the stairs, however, because of the dynamics of the situation, and the offender's ability to keep struggling agent [REDACTED] hand became entangled in the offender's clothing therefore removing his option to disengage. Agent [REDACTED] had no other choice but to follow the offender down the stairs.

At this point realizing the danger that agent [REDACTED] was in agent [REDACTED] and [REDACTED] made the decision to re-engage the offender at the bottom of the stairs. The offender continued to struggle with the agents, and the agents repeatedly asked the offender to stop resisting. All three agents were eventually able to decentralize the offender down to the ground. While on the ground the offender continued to fight with the agents. Agent [REDACTED] tried to administer the (Mandibular angle) pressure point technique, but it did not work on the offender. The agents continually told the offender to stop resisting and to put his hands behind his back. The offender continued to struggle with the agents until they were able to apply the mechanical restraints.

After the handcuffs were applied to the offender, he stopped struggling. The offender was asked if he was O.K. by the agents, and asked if he could get up from the ground with their help. The offender stated that he was OK, and that he could get up with their help. The offender was then escorted to the DCC transport van, and seat belted in.

WHAT WAS DONE WELL IN THIS INCIDENT?

The agents used the skills that they were taught in ACT. The way the agents continued to verbalize with the offender was outstanding. The agents realized that the offender was not going to stop resisting, and a attempt was made to disengage, however, after realizing that agent [REDACTED] was still in danger a quick decision was made by agents [REDACTED] and [REDACTED] to re-engage the offender. The decision to re-engage the offender at that point may have prevented agent [REDACTED] from sustaining more serious injuries from this encounter. Very good application of empty hand controls, and active counter measures in this very volatile situation.

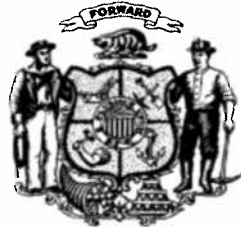
WHAT COULD HAVE BEEN DONE BETTER IN THIS INCIDENT?

After realizing that was the offender that entered into the residence, the agents should have contacted the supervisor and requested instructions on how to proceed. There was not enough back up to appropriately handle the situation.

[REDACTED]
ACT/OC Safety Training Coordinator
Region III
Milw. WI.
414-229-1724



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INCIDENT REPORT

AB 203 folder

- INSTRUCTIONS:**
1. Employee and/or immediate supervisor complete and forward within two working days.
 2. If incident involved physical injury to employee, complete section A only and attach DOA-6058 (Occupational Injury and Illness Report).
 3. Work-related automobile accidents are to be reported on the DOA-6496 (Vehicle Accident Report). A DOC Incident Report is not required.
 4. The supervisor should address checklist items on the reverse side of this form before submitting to the Regional Chief.

SECTION A		
EMPLOYEE NAME [REDACTED]	AREA OR UNIT NUMBER [REDACTED]	HEADQUARTERS Milwaukee
NATURE OF INCIDENT <input type="checkbox"/> Physical Injury Only <input type="checkbox"/> Property Damage Only <input type="checkbox"/> Threats (verbal or physical) <input checked="" type="checkbox"/> Injury and Property Damage <input type="checkbox"/> Other-Specify Below		
DATE OF INCIDENT 4/2/01	TIME OF INCIDENT 4:00 p.m.	EXACT LOCATION OF INCIDENT [REDACTED]
EMPLOYEE ON DUTY <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	REPORTED TO LAW ENFORCEMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Milwaukee, WI 53225
INCIDENT OCCURRED WHILE <input type="checkbox"/> Making Home Visit <input type="checkbox"/> In Office <input type="checkbox"/> Transporting Offender <input checked="" type="checkbox"/> Other - Specify Below		INCIDENT INVOLVED <input type="checkbox"/> Employee Only <input type="checkbox"/> Employee and Family Members - Specify Below <input type="checkbox"/> Other - Specify Below

SECTION B

Please describe incident in detail. If "other" is checked above in any category, specify your answer below. If threat is checked above, report the exact wording of the threat and refer to #9 on the Supervisor's checklist. List property loss or damage. State name of person responsible for injury or loss (if known), and DOC number if applicable. State names of witnesses. Continue on separate sheet(s) if necessary.

On this date, I was on duty in the Absconder Unit when we were called back to the office to pick up the file for an offender named [REDACTED] is 6'3" and weights 330 pounds. He is on supervision for Delivery of a Controlled Substance and was armed at the time of his original offense. Agent [REDACTED] found him at home when she called the last known address and we were assigned to go and place the offender into custody. After a review of the file it was felt that we should obtain the assistance of the Milwaukee Police Department to ensure that we would be able to control the situation. MPD was called and Agents [REDACTED], [REDACTED], and myself drove to the scene. When MPD arrived, I briefed the two officers and we went to the residence to make contact. I knocked on the door and the offender's mother answered the door. I asked her if [REDACTED] was home and she said yes. She motioned for us to come into the residence so I walked into the residence and moved to the left. Milwaukee Police Officer [REDACTED] walked in and moved to the right. The offender walked out of the back bedroom and asked what was going on. Officer [REDACTED] told the offender to stop and put his hands behind his back. He then reached out to grab the offender's arm. The offender pulled his arm away and began to move back towards the bathroom swing his arms to keep the officer from grabbing him. The offender went into the bathroom and tried to close the bathroom door. Officer [REDACTED] gave chase, drew his sidearm and wedged his foot in the door so that the offender couldn't get the door closed. I then assisted the officer by wedging my foot against the door and using my hands to push on the door to keep it open. Officer [REDACTED] was telling the offender to stop resisting. The offender continued to resist our attempts to get him under control and place him into custody. Officer [REDACTED] continued to verbalize to the offender to stop resisting. He then pulled out his OC spray, reached over the top of the door and discharged it towards the offender's face. Officer [REDACTED] then called for backup. The offender stated, "That shit doesn't effect me. I'm immune." He then stated that he had a gun and had it pointed towards his head. At this point I felt that my life was in danger and that I may suffer great bodily harm. I pulled out my OC Spray and asked Officer [REDACTED] if I should give the offender another dose of O.C. Spray. He shook his head yes so I reached around the side of the door and discharged it towards the offender's face in order to defend myself and to prevent great bodily harm to Officer [REDACTED] and myself. At this point I felt that I could not disengage from the situation because to do so would have placed Officer [REDACTED] in greater danger because his backup had not yet arrived. The offender continued to resist and we continued to hold the door open. The door then gave way and the offender tried to hold it in place. Officer [REDACTED] then pulled the door away and tried to persuade the offender to peacefully give himself up. Officer [REDACTED] backup arrived and approximately 5 officers from MPD entered the bathroom. Then I entered the bathroom to assist the officers. The offender began to actively resist his arrest and the officers attempted to physically subdue him. One of the officers administered a few hand strikes to the offender's face and the offender started to swing back. He struck one of the officers three times about the right side of his head. At this point I grabbed the offender by the wrist and told the officers that I have the offender by the wrist and I was not going to let go. One of the officers placed a cuff on the offender's wrist while the other officers tried to get the offender's other arm behind his back. They couldn't get his arm behind his back so one of the officers administered multiple knee strikes to the offenders head area in an attempt to get him to comply. They finally got the offender's other arm behind his back and placed another cuff on that hand and linked the two cuffs together with a third set. Once the offender's hands were cuffed, I released my hold on his wrist and disengaged allowing the officers to take complete control of the offender. The

offender continued to struggle so the officers decentralized him and placed him on the floor of the bathroom. They eventually brought the offender outside and placed him face down on the grass. I gave them my leg shackles and an officer applied them to the offender's legs. The offender was then transported by MPD to the hospital for medical clearance.

After the offender was removed from the scene, I assessed myself for any injuries I may have suffered as a result of this and found that my ankle hurt a little and that my right arm was hurting. I returned to the office and took a look at my arm. I noticed that I had a fairly large bruise forming on the back of the arm so I took a picture of it for future reference.

IN YOUR OPINION, WHAT COULD BE DONE TO PREVENT OTHER INCIDENTS OF THIS NATURE?

TIME LOST TO DATE

none

EMPLOYEE SIGNATURE

DATE SIGNED

4-3-01

SUPERVISOR COMMENT(S) (Continue on back if needed)

The agents acted professionally and appropriately. I don't believe that anything could have been done differently. They responded quickly and as they were trained in ACT/OC training.

SUPERVISOR SIGNATURE

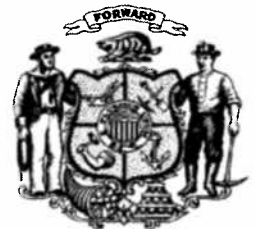
DATE SIGNED

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Justice arrived too late to stop woman's death

Man guilty of killing ex-girlfriend

By DAVID DOEGE of the Journal Sentinel staff

Last Updated: Jan. 6, 2002

The criminal justice system wasn't able to get Nicole Boone's ex-boyfriend for scaring her, but it got him for killing her.

And when Boone's ex finally owned up to beating her to death, the domestic violence case that might have kept her alive and him out of prison was eventually dropped.

In a plea agreement that prompted Jose Guillermo Santiago to plead no contest to killing Boone, prosecutors last week dropped charges they had filed against Santiago three months prior to the slaying.

Those charges also identified Boone as Santiago's victim in two earlier incidents, but since he never was arrested for them, he still was on the streets three months later, and killed her.

Boone's death was tragic in many ways.

She recognized that Santiago might be stalking her, so she and a friend devised an escape plan that they put in motion the night she died - but it couldn't save her.

She also had a mother who believed that Santiago was capable of homicide, but the mother couldn't get her daughter to listen.

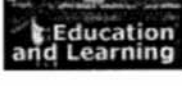
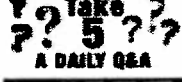
"I told Nicole that he was going to kill her," Patricia Scruggs recalled. "But she always would say, 'I can handle him.'"

Santiago, 30, pleaded no contest Wednesday to first-degree reckless homicide for the beating death of Boone, 27. She died Sept. 11 from

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savage head injuries.

Eluded authorities

Boone, a mother of two and a dialysis technician, might not have died that day if police had been able to track down Santiago, the father of one of her children, after a disturbance at her apartment on June 3.

That morning, according to a criminal complaint, Santiago came to her West Allis apartment to visit his son and became angry when he noticed on her telephone's caller ID that she had received a phone call from someone at 3 a.m. He grabbed her and began dragging her to a bedroom, but she was able to dial 911 and he left, according to the complaint.

That afternoon, after police had left, Santiago returned, according to the complaint, threw a barbecue grill through her patio door and climbed inside brandishing a knife and a pistol. Police were called, and again he fled.

The following week, Santiago remained at large, but he was charged in a criminal complaint and arrest warrant with disorderly conduct, disorderly conduct while armed, criminal damage to property and habitual criminality.

"I guess it wasn't a priority for the Police Department because it was just a broken window," Scruggs said last week.

Bobbie Groth, of the Milwaukee Women's Center, Inc., which counsels domestic violence victims, said more of an effort needs to be made to round up men at large with such charges.

"It needs to be treated the same as if it's a stranger assault," she said.

Not enough manpower

West Allis Police Captain Tom Kukowski insisted that domestic violence is a priority in his department, noting that his department brings more cases of that nature to the district attorney's office for review than any community in the county, other than Milwaukee. The issue that prevents police from tracking offenders down is manpower, he said.

"It's an unfortunate thing," Kukowski said. "We wish we could track down every one of them, but with the volume, we can't."

Dozens of such warrants are issued by the district attorney's office each week for the entire county.

"We do make attempts to find people immediately after an incident," Kukowski said. "If we could predict future behavior and which people are going to do something like this, then we would know which people we should focus on. But we can't."

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Kukowski added that his department also must rely on police departments from other jurisdictions to look for wanted people who live in their communities.

"We realize that they have their own priorities," he said.

Santiago also was being sought in a limited way by a probation/parole absconder unit because he was on parole at the time of the June incident - when he broke the window - for first-degree reckless injury and first-degree reckless endangerment. The unit visited Santiago's Milwaukee home and places he frequented without finding him, according to Dale Jellings of the state Department of Corrections.

If he had been found, Santiago was apt to be jailed not only for the pending charges, but for violating the terms of his parole. He also might have had his parole revoked and been sent back to prison.

Boone, meanwhile, didn't exactly help authorities find Santiago. She saw him on a number of occasions without turning him in, and she talked with him on the telephone.

"She was on the phone arguing with him the day he killed her," Scruggs said. "My very last words to her that day were to leave him alone because he was going to kill her."

Rescue plan

As time went by and Santiago remained at large, Boone and a friend formed a rescue plan in the event he came after her bent on violence. If she and her friend were together, they were to run in opposite directions and use their cellular phones to call for help.

On the night of Sept. 10, as she and the friend were walking from the parking lot of Boone's apartment complex to her apartment, they spotted Santiago. While the friend ran one way, Boone ran another way yelling, "No, God! No!"

"She was running on a zig-zag trying to get him off of her," the friend testified at a preliminary hearing in the homicide case, noting that Santiago was on Boone's heels and throwing punches at her head as they ran.

"She was continuing to say, 'No!' and then I turned and looked back again because I was still running and he punched her on the side of her head," the friend testified. "She fell and didn't scream anymore. She fell on her legs straight back."

As the friend frantically dialed 911, she watched Boone being beaten to death, her head slamming into a sidewalk with each blow.

"I wanted to help her," the woman said. "I was just afraid."

The woman added that the plan she and Boone formed specified that

she was not supposed to try to aid Boone.

"I was never supposed to help her because she said that we would both be dead then," the woman said.

Maggie Williams, another counselor at the Milwaukee Women's Center, said that her organization distributes "lethality questionnaires" to victims to determine whether a batterer might become a killer. Threats, the use of weapons, stalking, and the use of children for manipulation all are considered potential indicators.

"If there is a high degree of likelihood that the man might kill her, the woman needs to move very quickly," Williams said. "That means getting away from her house, her workplace, her school.

"We're talking about either the shelters or leaving town."

By the time police arrived at the beating scene, Boone was bleeding from her head and unconscious. When she arrived at Froedtert Memorial Lutheran Hospital a short time later, it was determined she had no brain activity. She was placed on life support and pronounced dead the next day.

Santiago was arrested the night of the beating. He has since had his parole revoked and faces up to 60 years in prison for killing Boone.

His sentencing, for first-degree reckless homicide, is scheduled for next month.

Appeared in the Milwaukee Journal Sentinel on Jan. 7, 2002.

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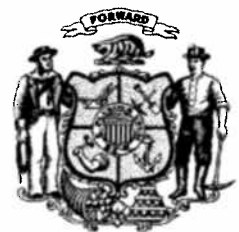
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UW-La Crosse considers guns for campus police

La Crosse — A University of Wisconsin-La Crosse task force will consider opinions from students and faculty before it decides whether campus police officers can carry guns.

Criminal activity in the past 18 months, including a stabbing near campus, prompted the safety discussions, said Scott Rohde, the university's campus security chief.

The task force will make a recommendation by the end of the school year.

The campus has seven full-time police officers and four part-time officers who wear bulletproof vests and carry pepper spray and batons.

Nine of the 13 UW system schools have armed officers.

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