



**EXECUTIVE ORDER #111**

**Relating to Directing State-Managed Law Enforcement to Review and Update Use of Force Policies**

**WHEREAS**, our state and our country have promised fairness, justice, and equity, and we will continue working each and every day to keep that promise;

**WHEREAS**, many Wisconsinites have expressed justified and shared frustration and anger about systemic injustices in our justice system, including calling for reforms to reduce the number of officer-involved deaths;

**WHEREAS**, the United States leads the developed world in officer-involved deaths, with more than 1,000 Americans fatally shot by police in 2020;

**WHEREAS**, in August, 2020, I issued Executive Order #84, calling the Wisconsin State Legislature into a Special Session on issues of policing accountability and transparency – provisions also included in my 2021-23 biennial budget – and the Legislature has yet to take up the measures; and

**WHEREAS**, ensuring law enforcement use of force policies reflect community expectations is a first step toward accountability and transparency;

**WHEREAS**, the people of Wisconsin demand prompt action after years of societal inaction;

**WHEREAS**, the agencies and state-managed law enforcement covered under this order desire to continue having strong records in positive policing and to lead on these issues by setting the standard and raising the bar for policing in Wisconsin; and

**WHEREAS**, I encourage all law enforcement to adopt and commit to the stated principles stated below.

**NOW, THEREFORE, I, TONY EVERS**, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and Laws of this State, direct the following:

1. Definitions:

- a. “State-managed law enforcement” means the Department of Natural Resources Division of Public Safety and Resource Protection, the Wisconsin State Capitol Police, and the Wisconsin State Patrol.

- b. "State law enforcement officer" refers to any individual working for state-managed law enforcement who is empowered to use force and exercise police powers in the exercise of their duties.
    - c. "Deadly force" is force that a state law enforcement officer knows or should know creates a substantial risk of causing death or great bodily harm.
    - d. "Force" means any physical or mechanical intervention used by a state law enforcement officer to defend, control, overpower, restrain, or overcome the resistance of an individual.
2. State-managed law enforcement shall continue to lead on this issue and update their policies and training to align with the following principles:
  - a. The primary duty of all law enforcement is to preserve the life of all individuals;
  - b. Deadly force may be used only as a last resort when a state law enforcement officer reasonably believes all other options have been exhausted or would be ineffective;
  - c. State law enforcement officers shall use skills and tactics, including de-escalation tactics, that minimize the likelihood that force will become necessary;
  - d. If state law enforcement officers must use force, they shall identify and use the least amount of force reasonably necessary;
  - e. Except in those instances where deadly force may be used, state law enforcement officers may not use a chokehold or any other technique involving the use of an arm or other firm object to apply pressure against a person's windpipe or front of the neck for the purpose of controlling the person's movement; and
  - f. State law enforcement officers shall take reasonable action to intervene to prevent or stop excessive force by another employee or officer.
3. All state-managed law enforcement shall provide in their use of force policy the following:
  - a. The instances in which a use of force must be reported;
  - b. How to report a use of force; and
  - c. A requirement that state law enforcement officers who engage in or observe a reportable use of force report it.
4. No individual employed by a state-managed law enforcement agency may be discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or otherwise discriminated against in regard to employment, or threatened with any such treatment, because they did any of the following:
  - a. Reported, or is believed to have reported, any violation of a policy described in Section 2 of this Order;
  - b. Initiated, participated in, or testified in, or is believed to have initiated, participated in, or testified in, any action or proceeding regarding a violation of a policy described in Section 2 of this Order;

- c. Provided any information, or is believed to have provided any information, about a violation of a policy described in Section 2 of this Order; or
  - d. Took any steps in compliance with the policy described in Section 2(f) of this Order.
5. Each state-managed law enforcement agency covered by this Order shall establish a timeline for completion of policy revisions and updates and completion of training that is expeditious while considering necessary steps of safe and thorough implementation, subject to any changes in state or federal law or policy. Each state-managed law enforcement agency shall make its use of force policy publicly available on a website maintained by the agency.
  6. Nothing in this Order shall be construed as precluding a state law enforcement officer from providing mutual assistance to another law enforcement agency under Section 66.0313 of the Wisconsin Statutes.



**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused the Great seal of the State of Wisconsin to be affixed. Done at the Executive Residence in the Village of Maple Bluff this twenty-first day of April in the year of two thousand twenty-one.

A handwritten signature in black ink that reads 'Tony Evers'.

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TONY EVERS  
Governor

By the Governor:

A handwritten signature in blue ink that reads 'Douglas La Follette'.

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DOUGLAS LA FOLLETTE  
Secretary of State