

**CHAPTER XIV**  
**POLICE DEPARTMENT**

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**14.01 ORGANIZATION OF POLICE DEPARTMENT.** There is established within the Town of Beloit a Police Department which shall consist of a Chief of Police and such other officers as from time to time may be appointed by the Town Board.

**14.02 POWERS OF POLICE OFFICERS.** Each officer of the Department shall possess the powers conferred by Wisconsin State Statute and shall preserve the public peace and enforce the laws of the State of Wisconsin and the ordinances of the Town of Beloit subject to the orders, rules and regulations of the Chief of Police.

**14.03 DISCIPLINARY ACTIONS.**

1. The provisions of [Section 62.13 \(5\)](#), of Wis. Stats., and all actions amendatory thereto so far as the same are applicable are hereby incorporated herein.
2. The Chiefs of the Police and Fire Departments respectively shall have the right to summarily suspend or remove any subordinate who is on a probationary status without the necessity of granting said subordinate a hearing.
3. The Police Chief may, at the request of a subordinate or of his/her own accord, or at the direction of the Town Administrator, cause for a hearing of disciplinary action to be undertaken before the Town's Police & Fire Disciplinary Review Committee established under Section 2.29 of this Code of Ordinance.
4. [Chapter 164](#), Wis. Stats., "Law Enforcement Officers' Bill of Rights", is recognized and incorporated herein.

**14.04 APPOINTMENTS, SUSPENSION AND REMOVAL.** All members of the Police Department, including the Chief, shall be appointed, promoted, suspended, dismissed or reduced in rank pursuant to Sections [60.57](#) and [62.13](#), Wis. Stats.

**14.05 LIEUTENANT.** There may be a Lieutenant of the Department who shall assume the powers and duties of the Chief in his/her absence.

**14.06 SERGEANT.** There may be a Sergeant of the Department who shall be the superior officer to all subordinate members and support staff other than the Chief and the Lieutenant. The Sergeant shall assume the powers and duties of the Chief in the absence of the Chief and Lieutenant.

**14.07 COMPENSATION AND BENEFITS.**

1. Compensation, benefits and conditions of employment for the Chief of Police and all members of the Police Department shall be as determined by the Town Board from time to time.
2. Contracts. Notwithstanding Subsection (1) hereof, the Town Board may enter into employment contracts with the Chief of Police and other members of the Police Department with regard to compensation, benefits and conditions of employment.

**14.08 RULES AND POLICIES.** The Chief of Police shall establish and promulgate Rules of Conduct, Directives and Policies and Procedures and prescribe such duties for individual members as he/she may deem necessary for the effective and efficient command and operation of the Department; provided no such Rules of Conduct, Directive or Police Procedure duties or assignment shall be in conflict with the statutes, ordinances and approved Town personnel rules and regulations.

**14.09 PERSONNEL RECORDS AND PERFORMANCE EVALUATIONS.** The Chief of Police shall cause to be maintained adequate personnel records of employment, assignment, promotions, attendance, performance and training for all members of the Department. The Chief of Police shall also comply with all provisions of the Law Enforcement Standards Board regarding background investigations. The Chief of Police shall keep himself/herself adequately informed of the activities of the Department and be assured that the duties of his/her subordinates are properly discharged. The Chief of Police shall formulate procedures for recognizing outstanding performance by Department members; for investigating complaints of misconduct by any Department member; and for taking appropriate disciplinary action subject to the provisions of the applicable statutes, Rules of the Department and the jurisdiction of the Town Board.

**14.10 CIVILIANS TO ASSIST.** It shall be the duty of all persons in the Town of Beloit, when called upon by any law enforcement officer, to promptly aid and assist him/her in the execution of his/her duties.

**14.11 DISPOSAL GUIDELINES FOR CERTAIN TYPES OF PROPERTY IN POSSESSION OF THE POLICE DEPARTMENT.**

1. Definitions.

- a. Abandoned/Found/Unclaimed. Any property reported to the Department as abandoned either on public or private property, where the owner is unknown or may be known, but cannot immediately receive the property.
- b. Safekeeping. Property that is placed in the custody of the Police Department on a temporary basis to facilitate the safety of officers and citizens and the owner of the property.
- c. Evidence. Any item received by the department which may be necessary to assist in the prosecution of a criminal or ordinance violation.

2. Disposal of Property.

- a. Any property listed above in 14.11 (1)(a) and (1)(b) may be disposed of after thirty (30) days in accordance with [Section 66.0139](#), Wis. Stats., if the following criteria are met by the Police Department:
  - i. Any known owner of the property is duly notified in writing that their property is in the custody of the Police Department and will be disposed of unless claimed.
  - ii. The property has been determined not to be connected to any criminal offense.
- b. Any evidence as defined above in 14.11 (1)(c) will be disposed of per [Section 968.20](#), Wis. Stats.:
  - i. An investigation will be conducted to the status of the underlying case.
    - A. If the case has been adjudicated in Municipal Court, the property control officer will determine whether to destroy or discard the item, retain the item, or return the item to its owner.

- B. If the case had been adjudicated in State or Federal Court, the property control officer will consult with the prosecutor (if possible) to determine whether to destroy or discard the items, retain the item, or return the item to its owner.
  - ii. Biological evidence is referenced in [Section 968.205](#), Wis. Stats. Due to the diverse retention schedule, these types of evidence will only be destroyed with the permission of the District Attorney or his/her designee.
  - iii. Disposal of controlled substance will only be done with the approval of the Chief of Police. This disposal will be done as directed by the Chief with a minimum of two (2) supervisors present.
- 3. Means of Disposal.
  - a. Destroy or discard the property if it is of negligible value. The method of destruction will be determined by the Chief based upon the item to be destroyed.
  - b. Sell the property at police auction. All proceeds to be deposited into the Town's general fund. Firearms and ammunition will be disposed of in accordance with [Section 968.20](#), Wis. Stats;
  - c. Retain property for use by the Town.
- 4. Records. All correspondence records of disposal shall be kept on file at the police department for a period of not less than two (2) years in accordance with [Section 66.0139\(2\)](#), Wis. Stats.