

OFFICE OF THE SHERIFF



MILWAUKEE COUNTY

SHERIFF DENITA R. BALL

**MEMORANDUM OF UNDERSTANDING REGARDING THE EXTERNAL
INVESTIGATION BY THE WAUKESHA COUNTY SHERIFF'S OFFICE OF IN-
CUSTODY DEATHS IN MILWAUKEE COUNTY**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is entered into on the date set forth below, by and between the Milwaukee County Sheriff's Office, by the Sheriff of Milwaukee County (herein, "MCSO"), and the Waukesha County Sheriff's Office, by the Sheriff of Waukesha County (herein, "WKSO"), for and in consideration of the mutual covenants and agreements as set forth herein. MCSO and WKSO may be referred to collectively herein as the "Parties."

1. **PURPOSE.** The purpose of the MOU is to memorialize WKSO's agreement to act as the lead agency in the investigation of the death of any individual that occurs while such individual is in the custody of MCSO (herein, "In-Custody Death") and to outline the general responsibilities of the Parties relative to the investigation of an In-Custody Death (herein, the "External Investigation").
2. **WKSO AS LEAD INVESTIGATORY AGENCY.** The WKSO agrees to serve as the lead agency in the External Investigation of any In-Custody Death, as requested by MCSO.
3. **GENERAL PROCEDURE AND PARTIES' RESPECTIVE OBLIGATIONS.** Subject to the discretion of MCSO as set forth in Section 4 herein, in the event of an In-Custody Death, the Parties will comply with all statutory requirements under Wisconsin Statute § 175.47 and the following general procedure and obligations:
 - MCSO will make a written request to WKSO to conduct an External Investigation.
 - MCSO will assign an MSCO Incident Commander to act as a liaison with WKSO regarding the External Investigation.
 - The External Investigation will be conducted by at least two investigators, one of whom is the lead investigator and neither of whom is employed by Milwaukee County.

- If the In-Custody Death is traffic-related, the External Investigation must use a crash reconstruction unit coordinated by WKS0.
- MCS0 will make available to WKS0 any MCS0 department personnel required for the External Investigation.
- MCS0 will make available to WKS0 as soon as practicable all documents, reports, video, computer-aided dispatch reports, etc. relating to the In-Custody Death.
- MCS0 will make available to WKS0 the use of space and equipment as needed for the External Investigation.
- MCS0 supervisor at the scene of the In-Custody Death will attempt to obtain a public safety statement from any involved Milwaukee County law enforcement officer or jail officer.
- MCS0 shall immediately secure the scene of the In-Custody Death including the preservation of the integrity of the scene, its content, any potential evidence, controlling access to the scene, and the identification and separation of witnesses.
- At the scene of the In-Custody Death, MCS0 shall establish an inner (evidence) perimeter as well as an outer (control) perimeter.
- At the scene of the In-Custody Death, MCS0 shall control access to the inner (evidence) perimeter and limit entry only to personnel with a valid investigative purpose as authorized by the Incident Commander or by WKS0.
- MCS0 shall create a written log as quickly as possible to identify all persons entering the inner perimeter of the scene, the time of their entry and exit, and the reason for entry.
- MCS0 will provide to WKS0 in a timely manner any new, follow-up or updated information regarding the In-Custody Death.
- WKS0 shall have the discretion to request the use of any MCS0 investigators to assist in the investigation or any other agency as WKS0 deems necessary.
- WKS0 shall in an expeditious manner prepare a written report after completion of its External Investigation (the "Report").
- WKS0 shall provide the Report to the Milwaukee County District Attorney, who has charging authority regarding the In-Custody Death.
- WKS0 shall retain a copy of the Report for a period of at least seven years.
- Should the Milwaukee County District Attorney determine there is no basis to charge any law enforcement officer, correctional officer, or medical staff in connection with the In-Custody Death, the WKS0 investigators conducting the External Investigation shall release the Report

as required under Wisconsin Statute § 175.47(5)(b), except that the WKS0 investigators shall, before releasing the Report, redact any information that would not be subject to disclosure pursuant to a request under Wis. Stat. § 19.35 (1) (a).

4. **DISCRETION TO REFER INVESTIGATION TO MAIT TEAM.** Nothing in this MOU requires or is intended to require that WKS0 act as the lead agency to conduct an investigation of an In-Custody Death. Rather, at its sole discretion, MCSO may request that the Milwaukee Area Investigative Team (MAIT) act as the sole lead, external investigator of an In-Custody Death or request that the MAIT team and WKS0 act jointly.
5. **TERMINATION.** Either party, upon thirty (30) days written notice to the other party, may terminate the MOU, except that, if such notice of termination is served during the pendency of an External Investigation, termination shall not be effective until five (5) business days after the WKS0 has provided the Report to the Milwaukee District Attorney as required herein.
6. **EFFECTIVE DATE.** Upon execution by both parties, the MOU shall be effective immediately and until such time as either party terminates the MOU pursuant to Section 5.

Denita R. Ball, Sheriff

4/23/2023

Denita R. Ball, Sheriff
Milwaukee County

Date

Eric Severson

4/27/2023

Eric Severson, Sheriff
Waukesha County

Date

Certificate Of Completion

Envelope Id: DD0C9F205B1544978D54B44FA1106681	Status: Completed
Subject: Please Sign the attached MOU	
Source Envelope:	
Document Pages: 3	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Pat Carravetta
Time Zone: (UTC-06:00) Central Time (US & Canada)	633 W. Wisconsin Ave.
	Suite 901
	Milwaukee, WI 53203
	patricia.carravetta@milwaukeecountywi.gov
	IP Address: 204.194.251.3


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4/19/2023 12:31:23 PM	patricia.carravetta@milwaukeecountywi.gov	

Signer Events

Signature	Timestamp
Denita R. Ball, Sheriff denita.ball@milwaukeecountywi.gov MCSO - Sheriff MCSO Security Level: Email, Account Authentication (None)	Sent: 4/19/2023 12:33:58 PM Viewed: 4/23/2023 6:24:03 PM Signed: 4/23/2023 6:24:32 PM
Signature Adoption: Pre-selected Style Using IP Address: 174.192.128.73 Signed using mobile	

Electronic Record and Signature Disclosure:
Accepted: 2/1/2019 11:12:33 AM
ID: 4c64eb1d-5f47-4c1b-b718-cb296d6a1d05

Eric Severson eseverson@waukeshacounty.gov Sheriff Waukesha County Sheriff's Office Security Level: Email, Account Authentication (None)		Sent: 4/23/2023 6:24:33 PM Viewed: 4/27/2023 11:24:54 AM Signed: 4/27/2023 11:25:17 AM
Signature Adoption: Drawn on Device Using IP Address: 205.213.17.14 Signed using mobile		

Electronic Record and Signature Disclosure:
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In Person Signer Events **Signature** **Timestamp**

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Amy Tesch ATesch@waukeshacounty.gov Security Level: Email, Account Authentication (None)	<div style="border: 2px solid blue; padding: 5px; display: inline-block; font-weight: bold; color: blue;">COPIED</div>	Sent: 4/27/2023 11:25:18 AM Viewed: 4/27/2023 11:44:46 AM
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	4/27/2023 11:25:17 AM
Completed	Security Checked	4/27/2023 11:25:18 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

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How to contact Wisconsin Milwaukee County:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

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To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at plee@milwcnty.com and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

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To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to plee@milwcnty.com and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">• Allow per session cookies• Users accessing the internet behind a Proxy Server must enable HTTP

1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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