



## Council Agenda Item

Meeting Date: 05/06/2025

Agenda Item: SRO Contract

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### BACKGROUND

(Enter the who, what when, where, why)

On April 9, 2025 Chief Meyer received a memo from Superintendent Pate-Hefty stating that the School District would be ending the existing SRO (School Resource Officer) agreement, unless changes to the SRO contract red-lined by Pate-Hefty were made immediately.

In response to that, Council directed staff to send a 120-day SRO agreement extension to the Whitewater Unified School District Board in an effort to provide time to reach a mutual agreement on updated content of the agreement. The extension along with a letter from Chief Meyer dated April 17, 2025 were sent to the School District on April 21, 2025 so that it could be considered at the April 28, 2025 School Board meeting.

On April 28, 2025 Superintendent Pate-Hefty wrote an email stating the following:

*"The Whitewater School Board voted this evening to initiate a bidding process for a new MOU for the SRO to begin 7/1/2025. We will be preparing the bid, which you are welcome to submit, in the coming weeks. We have determined the exact content of the bid and MOU. We will provide the update via a formal bidding process soon. The new bid will require the following:*

- 1) The SRO time off time be covered by the entity bidding.*
- 2) The SRO must follow the Board Policy requiring that parents be contacted before an investigation that is not initiated by the school. (unless exigent circumstances exist that can be shared with the administration and documentation provided.)*
- 3) The district will communicate directly with the SRO for daily activities, not dispatch."*

In light of this decision, the current SRO agreement will expire on June 30, 2025.

#### Position of the Police Department:

In the strongest terms possible, we believe it is in the best interest of student safety for the Whitewater Police Department to continue to maintain an SRO in the Whitewater Unified School District. At its core, the relationship created between a Police Department and School District through an SRO needs to be a partnership, rather than a transactional service created by a bidding process. The bidding process described by Superintendent Pate-Hefty leaves no room for dialogue about the identified issues, but mandates that bidding agencies must agree to the terms outlined.

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For those reasons, we believe the best course of action is to move forward with continued efforts to come to terms with an updated SRO agreement, taking the feedback of the School Board into consideration.

The included redline version of the SRO contract addresses the School Board concerns listed by Superintendent Pate-Hefty in the following ways:

- 1) **SRO time off covered by entity bidding**: This is addressed through a transition to a per diem fee structure rather than the current percentage-based fee. As such, the School District would not be required to pay for SRO services on days when the SRO is not present in the schools.

During the 2024-25 school year, the SRO was not been present in the schools for the number of days listed below for the associated reasons:

Full days absent:

8 – Training (NASRO Basic SRO, mass casualty, sexual assault investigation training)

12 – Sick leave, bereavement, vacation

5 – Covering Patrol staffing and assisting with special assignments (search warrants, trafficking op)

Partial days absent (not physically present during a portion of the day, but available as needed):

3 – Court

8 – Training (legal update, search warrant response training, range & bloodborne pathogens, etc.)

2 – Sick leave, vacation

1 – Covering patrol staffing

Admittedly, this is more SRO absence from the schools than we like to see during a typical school year, and is not representative of the norm. However, when the SRO is not physically present in the schools, officers are always available to assist as needed. Ultimately, our goal is to add a second SRO in the schools ensuring SRO coverage lapses do not occur.

- 2) **Parental Contact before Investigations**: This is addressed to the best of our ability by stating that parents will be notified prior to interviewing students at school when feasible, which is the vast majority of incidents. We feel strongly that the SRO must first follow state law as interpreted by the Walworth County District Attorney, and secondarily will follow School Board policy. Ultimately, it is our position, and the position of the District Attorney, that the School Board may not dictate the manner in which the Police Department conducts investigations.

A recent investigation involved reported possession and distribution of child sexual assault material (CSAM) on a student's cell phone, which reportedly depicted a fellow student. The investigation was not initiated by the school. In that situation, the SRO and a detective spoke with the student alleged to have the CSAM material, seized the student's cell phone to stop further spread of the content, and interviewed the student prior to contacting a parent. This is one example of a situation where our practice was at odds with the School Board's policy to contact parents prior to investigating.

We've worked with the Walworth County District Attorney and are confident that our actions in these situations are legal. We also believe they are in the best interest of the victim and the

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integrity of the investigation. Given the opportunity, we would welcome further discussion with the School Board, School Board counsel, and District Attorney, to ensure we arrive at a consensus on the issue.

- 3) **District Communication Directly with SRO:** This is addressed by accepting that School District administrators generally prefer to communicate directly with the SRO while the SRO is in the administrator's building. However, for SRO related needs that occur while the SRO is not in the administrator's building, we ask that requests to be made through dispatch. This ensures the most efficient and timely response, ensures proper documentation and logging of calls, and ensures all police department staff are aware of SRO activities in the event assistance from additional officers is needed quickly.

One of the worst things that could happen is if School District personnel attempt to contact the SRO on his/her cell phone for a potentially serious or rapidly evolving incident that could become dangerous, and the call goes unanswered. Cell reception can be spotty, and at times phones get set down or misplaced. Calls to dispatch ensure the call is received, ensure the proper resources are allocated to an incident immediately, ensure student safety, and help remove liability from School District staff.

In April, 2025, a disorderly male approached students making comments about them and making them uncomfortable. One of the Police Department staff members was contacted by phone, and he was off-duty at the time. That employee then had to contact dispatch to have an officer respond and relay information to the best of his knowledge. That inefficiency and time loss is what the requested procedure of contacting dispatcher helps avoid.

We believe the attached redline SRO agreement addresses the concerns of the School Board and recommend that Council direct staff to send the redline MOU to the School Board for their review and consideration.

#### **Additional Information about the School Resource Officer position:**

##### **What is a School Resource Officer?**

The SRO is a sworn law enforcement officer designated to focus on school-related law enforcement matters, enhance school safety, and serve as resource for both faculty and students.

##### **Can you walk us through how the SRO is selected and trained, and what makes Whitewater's approach unique?**

Our SRO is selected based on the consideration of the individual's law enforcement experience, student engagement skills, as well as commitment to school and youth safety. In Whitewater, SRO candidates are interviewed by a combination of Police Department supervisory staff as well as School District administrators. We emphasize community relationship-building, and select officers who want to be a positive part of the school climate, and not just respond to incidents as-needed. Upon selection, the SRO is provided significant specialized training, including the week-long NASRO (National Association of School Resource Officers) training, which emphasizes de-escalation, trauma-informed approaches, adolescent brain development, and legal parameters for policing in schools.

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**How do you see the relationship between the SRO and the students? What have you observed first-hand?**

The relationship that's been fostered is foundational. Students know our SRO by name, and are willing to approach him with major concerns, but also for general support. The SRO regularly participates in lunchroom conversations, after-school events, and informal check-ins that build trust. There have been numerous occasions where students have turned to the SRO with concerns they were uncomfortable sharing with others.

**What specific steps has the Police Department already taken to address the concerns raised by the School District?**

The Police Department has taken all feedback about the SRO seriously, including seeking out opportunities for additional training and coaching. Additionally, we have worked to improve the SRO agreement to address concerns raised by the School Board. The updates include a per-diem billing structure, ensuring the District only pays for days where SRO service is provided. Communication with the district is also further clarified and explained. We've also proposed language that recognizes the District's policy on parental notification while reaffirming that criminal investigations must follow state law and prosecutorial guidance. We are requesting additional input from the School Board to further improve the SRO agreement.

**How does the revised agreement reflect feedback from the School Board and Superintendent?**

It directly incorporates their three primary concerns: billing for absences, communication protocol, and interview practices. We clarified coverage and accountability; we added language acknowledging their notification policy; and we built in the option for termination with or without cause.

**If there's concern about absences, what's the plan going forward to ensure better coverage?**

With the successful passage of the public safety referendum, we now have funding to support a second SRO position. This will improve coverage, allow for rotation during leave, and provide backup during training or court dates—even if the district chooses not to adopt the second SRO formally, we can designate one internally to provide support as needed.

**Can you speak to how the recent public safety referendum supports the SRO program, including future expansion?**

The referendum provides staffing flexibility that lets us assign resources more strategically. It positions us to fund an additional SRO, respond more quickly to school needs, and enhance safety infrastructure. It was passed with strong public support, reinforcing that the community values visible, proactive safety in our schools.

**Even when the SRO isn't physically in a school building, what resources or systems are in place to keep students safe?**

We have patrol officers available for rapid response, and a direct line of communication through dispatch. Additionally, all officers are trained to address active threats or emergencies in the schools. The Police Department has prioritized preparation for major incidents by training Police Department staff in active threat response, providing training for School District staff, and incorporating a grid mapping system of all District buildings available in dispatch and in all squad cars.

**Have we provided additional school safety training or support beyond the SRO role?**

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Yes, we have offered active threat training to District staff, provided building safety assessments, and staff support for safety drills. We have continually emphasized the importance of these types of training to the Superintendent. The Police Department has expressed a desire to provide active threat training on a continual three-year cycle shown below:

- Year 1: Classroom training and mental preparation for staff
- Year 2: Small-scale training modules for staff working on run/hide/fight scenarios
- Year 3: Full-scale active threat scenario incorporating staff, law enforcement, Fire/EMS

In 2025, have planned to provide the “Year 2” run/hide/fight module training in September. We are always willing to partner on safety preparedness.

**Have you made direct efforts to meet with the school leadership or the Board to talk through these issues?**

Yes. I’ve met with the Superintendent on multiple occasions and offered to present to the School Board, or meet with the Board President, to discuss concerns with the SRO program as well as to discuss my belief that a second school resource officer was needed in the District.

**What do you want parents and students to know about the value of having a local officer in the schools every day?**

The relationships built by our SRO are simply invaluable. The SRO isn’t just security – they’re part of the school family. They build trust, offer early intervention, build student confidence, and serve as a visible deterrent to criminal activity. The SRO in your school knows this community, knows your kids, and knows your context. That is irreplaceable.

**Why is it important for school staff to contact dispatch when they need an SRO, and what should parents and the public understand about how privacy is protected in that process?**

Routing calls to dispatch ensure the phone call isn’t missed, ensure the proper resources are allocated to an incident immediately, ensure student safety, and help remove liability from School District staff by avoiding delays in a critical incident. As a parent myself, I understand the importance of privacy for our students, and the concerns parents may have. However, our dispatchers do not put sensitive personally identifiable information out over the radio, as there is no need to do that. That type of sensitive information is reserved for our records management system, which is highly scrutinized and redacted appropriately when we receive open records requests.

**How does the legal authority governing police investigations differ from School Board policy, and can you describe the rare circumstances in which these might come into conflict?**

Law enforcement is ultimately governed by State Law, not School Board policy. While we respect the District’s protocols, investigative obligations – especially in cases involving serious offenses – must follow legal procedures to ensure evidence is obtained and preserved, and to ensure civil rights are protected. Tension arises only when a policy presumes authority to delay or deny/restrict a lawful investigation. It should be noted that I understand we are not infallible, and laws are ever-changing. With that in mind, I have proactively communicated with the Walworth County District Attorney to make sure our procedures were lawful and proper. As we move forward, I believe involvement from both the District Attorney, City Attorney, and School Board counsel in reviewing the SRO contract would be appropriate, and would promote a well-crafted agreement, and avoid future conflict.

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**In your experience, what proportion of SRO-related incidents actually involve this kind of friction – where state law prosecutorial guidance, and school policy aren’t aligned? How do you typically navigate that professionally and responsibly?**

This kind of conflict is rare – I would estimate well under 5% of cases. In the cases where it has occurred, our SRO has worked with Police Department supervision, and has communicated directly with Building Administrators or the Superintendent to come to a resolution. At times this has also included outreach to the District Attorney for a final decision on how to best move forward. Our goal is always to coordinate productively with the School District, while prioritizing student safety and investigative integrity.

**How are interpersonal or disciplinary issues with the SRO handled?**

We take concerns seriously, and address them promptly. Any reported concerns regarding the SRO are directed to the Detective Lieutenant who directly supervises the SRO. The Detective Lieutenant is supervised by the Administrative Captain, who is supervised by the Police Chief. In cases where significant concerns are received, the Administrative Captain and Police Chief will be involved as well. As with any employee, if a complaint or concern is legitimate, we address the situation with a potential range of follow-through including coaching and counseling, training, letters of reprimand, suspension, and up to and including termination. In the most serious cases involving suspension or termination of a sworn officer, the Police Chief and Police and Fire Commission have specific purview of those disciplinary procedures as outlined in Wisconsin State Statute 62.13.

**How is the SRO evaluated?**

The Detective Lieutenant conducts both a mid-year and annual evaluation of the SRO. Prior to these evaluations, the Detective Lieutenant requests specific feedback from all School District building administrators regarding the performance of the SRO. That feedback is incorporated into the SRO evaluation, with any positive outcomes or required improvement being documented and addressed. This process assists in guiding ongoing assignment decisions.

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PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS
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(Dates, committees, action taken)
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04/15/2025: Council directed staff to send 120-day SRO agreement extension to School Board for consideration.
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FINANCIAL IMPACT
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(If none, state N/A)
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N/A
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STAFF RECOMMENDATION
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N/A
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ATTACHMENT(S) INCLUDED
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(If none, state N/A)
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| <ol style="list-style-type: none"><li>1. 120-day SRO Contract extension</li><li>2. 4/17/2025 Letter from Chief Meyer</li><li>3. 4/28/25 Email from Superintendent Pate-Hefty</li><li>4. Updated redline version of SRO Contract for WWUSD School Board consideration</li><li>5. 4/3/25 Email from Walworth County DA Zeke Wiedenfeld</li></ol> |
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