



UW-Madison
Police Department
UNIVERSITY OF WISCONSIN-MADISON

June 1, 2018

Laurent Heller, Vice Chancellor for Finance and Administration
University of Wisconsin-Madison
161 Bascom Hall
Madison, WI 53706

Vice Chancellor Heller,

On May 31, 2017 UW Lake Safety Rescue 62, operated and crewed by UW Lake Safety employees, tragically struck and killed a 43-year-old windsurfer, Yu Chen, on Lake Mendota while returning to the launch facility following a call for service. The UW-Madison Police Department (UWPD) responded to assist the Dane County Sheriff's Office who, in accordance with Wisconsin State Statutes, is the designated law enforcement agency with primary criminal investigation/enforcement authority for Madison area lakes.

Per your request of June 14, 2017, UWPD subsequently conducted an administrative review of this incident to determine whether or not the UW Lake Safety employees involved followed UW Lake Safety policies, procedures, and training. To fulfill this request, UWPD reviewed all available information to include Human Resources records, operational deployment records, existing policy and procedure, any documentation as to training and certification, information compiled about the incident as described by those involved, and finally, the Dane County Sheriff's Office accident investigation reports/findings.

In addition to rendering a determination, based on our review, as to an adherence to existing UW Lake Safety policy and procedure, during the course of our administrative review the following areas emerged as deserving of more in-depth inquiry and exploration:

- Training and Qualification Program
- Operational Authority
- Documentation

Our review led us to research comparable water rescue operations across the country and gather resources that outline best practices and national standards. In so doing, we have identified several UW Lake Safety administrative, operational, and training issues, which are outlined in the attached report.¹ We offer for further consideration recommendations for each of the identified issues that we believe will enhance and improve UW Lake Safety operational readiness, and align the program with national standards and best practices.



KRISTEN ROMAN

Associate Vice Chancellor | Chief of Police

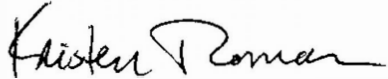
1429 Monroe Street | Madison, WI 53711 | Non-Emergency: (608) 264-2677 | uwpd.wisc.edu

Reaching HIGHER



Despite the tragic death of Mr. Chen on May 31, Madison area lakes remain safe – and that’s due, in part, to the presence of UW Lake Safety on the waters that border our campus. Their partnership with UWPD and other local first responders is critical and highly valued. Our hope is that the attached review, and our recommendations, will strengthen the organization’s lifesaving services to the students, staff, and guests who use Lake Mendota.

Sincerely,



Kristen Roman
Associate Vice Chancellor/Chief of Police

¹ An initial administrative review was submitted to the VCFA in draft form in August, 2017. The report remained in draft form until the criminal investigation conducted by Dane County Sheriff's Office was completed and reviewed by UWPD to further inform the final administrative report. The criminal investigation was completed in late 2017 and the UWPD administrative review was completed in June 2018 at which time the final report was submitted to the VCFA. During the interim, efforts to begin implementing the recommendations included in the report were set in motion.

UW Lake Safety Administrative Review

Training, Policy/Procedure, Operational Authority
Review and Recommendations

June 1, 2018



Prepared and submitted by:

University of Wisconsin – Madison Police Department

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Executive Summary

On May 31, 2017 a UW Lake Safety rescue watercraft known as Rescue 62, The Harvey C Black, was dispatched to a call for service near Governor's Island on the northern edge of Lake Mendota in Madison, WI. At the completion of the call for service, Rescue 62 headed for the launch facility located on the southeastern shore of Lake Mendota. Around 5:45 PM approximately one half mile from reaching its destination, Rescue 62-operated by a limited-term employee and additionally staffed with a full-time employee and a second limited-term employee –struck and killed a 43-year-old windsurfer. Rescue 62 boat crew conveyed the windsurfer to shore where they were met by law enforcement officers and medical personnel. The Dane County Sheriff's Office assumed responsibility for the investigation in accordance with the Wisconsin State Statutes.

On June 14, 2017, the Vice Chancellor for Finance and Administration (VCFA) requested that the University of Wisconsin – Madison Police Department (UWPD) conduct an administrative review of the incident to determine whether or not established policies, procedures, and training protocols were observed in this incident and to identify any areas for improvement in the interest of preventing future accidents. To fulfill this request, UWPD reviewed all available information to include Human Resource records, operational deployment records, policy and procedure, any documentation as to training and certification, and information compiled about the incident as described by those involved.

History and Organization of UW Lake Safety

The history of UW Lake Safety dates to 1908 when two UW students drowned in Lake Mendota. The University began a lake safety operation in 1909. Lake Safety as it's known today has been in existence since that time. The UW Lake Safety unit is operated by two full-time staff members, 15 seasonal, limited-term employees, and 8-10 student employees serving in the capacity of lifeguards at the Memorial Union. The lifeguards are also seasonal employees of UW Lake Safety.

The UW Lake Safety program owns and operates two different rescue watercraft. A 1970-built watercraft designed from the mold of a military (patrol boat-river) watercraft is the older model and is known as Rescue 61. Rescue 62 was acquired in 2003 and was custom built for water rescue by Canaveral Custom Boats. Both watercraft are housed at the UW Lake Safety Lifesaving Station located at the physical address of 144 E. Gilman St., Madison, WI. The station is also supported by a pan, tilt, zoom, video surveillance camera located on the top of a tower located at Helen C. White Library at 600 N. Park St., Madison, WI. An observation tower at the station provides an over watch of the lake by a staff member during times Lake Safety is in operation. The camera is operated by the employee assigned to watch tower duties. A schedule with dates and hours of operation is posted online. Approximately eighty percent of the surface area of Lake Mendota can be observed from the tower and by use of the camera system.

At the time of this incident, UW Lake Safety, directly supervised by two full time employees, an Environmental Health Specialist-Senior and an Environmental Health Specialist. The program fell under the control of Environment, Health and Safety (EH&S), managed by Director Paul Umbeck. EH&S is a department of Facilities Planning and Management (FP&M), managed by Interim Associate Vice Chancellor Margaret Tennessen. FP&M is under the umbrella of the UW VCFA.

During the course of this administrative review the following areas became focal points for broader investigation and examination:

Training and Qualification Program
Policy and Procedure
Deployment/Operational Requirements and Documentation

Point of Contact

Brent Plisch, Administrative Captain
UW-Madison Police Department
608-890-2730(office)
brent.plisch@wisc.edu

Administrative Review Outside Contacts and Interviews

- John Sandmeyer, Lieutenant and Neal Collins, Sergeant
 - San Diego Lifeguard Division, San Diego Fire and Rescue
- Dion Hatch, Supervisor, Lake Lifeguard and Major Boating Accident Investigator
 - Los Angeles County Parks, Lake Lifeguard Division
- Spencer Parker, Public Information Officer
 - Los Angeles County Fire Department-Lifeguard Training Division
- David Considine, Director, Boat Operations and Training (BOAT) Program
 - National Association of State Boating Law Administrators
- Tomas Sankey, Sergeant
 - Dane County Sheriff's Office Marine and Trail Enforcement Bureau
- Kristopher Low, Chief
 - Maple Bluff Fire Department

Resources Consulted and Documents Reviewed

- UW Life Saving Station Accident Review Investigation prepared by Director Paul Umbeck
- Personnel file for crew member at time of incident-Full Time Employee Supervisor-Environmental Health Specialist-Senior
- All relevant personnel files for involved employees

- Summaries of interviews conducted by UW FP&M Human Resources of employees on watercraft and in tower at time of incident
- University of Wisconsin – Madison Lake Safety website
- National Association for State Boating Law Administrators Training Program
- San Diego Fire-Rescue Lifeguard Service Field Training Guide-Level I Bay Boat Operations
- San Diego Fire-Rescue applicable rescue boat policies
- Dane County Sheriff's Office Report for incident 17-183337

Purpose and Scope

- The purpose of this review was to examine administrative procedures utilized by UW Lake Safety in training watercraft operators, deployment of UW Lake Safety watercraft, and policies related to the use of watercraft.
- The administrative review will focus on training, administrative process improvements, and deployment consideration improvements to improve safety in operations.
- This review will not focus on criminal investigation and was not conducted in a manner similar to a criminal investigation; rather administrative improvements to mitigate risk, reduce the likelihood of another tragedy, and improve the operational standards of UW Lake Safety.

Administrative Review Topics and Recommendations

On June 14, 2017, I was assigned to conduct an administrative review of UW Lake Safety by Chief Roman. On June 19, 2017 at about 7:00PM I received a document from EH&S Director Paul Umbeck titled, "UW Lifesaving Station Accident Investigation Review." I began review of this document with Detective Fernholz and began speaking with the resources listed above to acquire information about similar organizations that may provide comparable policies, procedures, training documents, and other administrative documents. I also contacted one of the supervisors for the Lake Safety program. This supervisor was in the water tower at the time of the incident. I did not conduct interviews with those on the watercraft at the time of the incident as to not interfere with the criminal investigation. I based my conclusions on their interviews with the Dane County Sheriff's Office and Human Resources.

Training and Qualification Program

I noted no written training program and at times ambiguous documentation about training conducted other than a statement indicating boat drivers were required to participate in a 3-5 year training program. Upon further examination of records maintained by one of the Lake Safety supervisors-Environmental Health Specialist, I noted training was documented in an access database housed at the UW Lake Safety Station but at times only listed as "training" with no information about the skills trained, time spent training, or the operator's proficiency post training. The

notations were in the operational deployment logs for UW Lake Safety and indicated a “run” by the boat was for training. The date, time, driver, and crew information was captured. The supervisor explained if no specific skills were listed, the training conducted could be described as “general boat training.” In some instances a specific type of training (i.e. approaches, figure eights, holding the line, etc.) were noted, but no record of the operator’s proficiency in these skills is noted. The supervisor informed me there was no formal training program for watercraft operators to ensure all operators received the same level of training or were trained in the same skill sets. Much of the training is taught by senior members of the unit with experience driving the watercraft and is done by “spoken word” as opposed to a formal documented training process. The supervisor stated the only required formal training is CPR/First Aid and an approved boater safety course for those persons required by state law to receive certification prior to boat operation (those born after January 1, 1989). During the review of personnel files, I noted the driver’s personnel file contained a WI Department of Natural Resources Boater Safety Certificate indicating he had completed this training as required by law.

The training period for UW Lake Safety described by the supervisor is a three-year process with evaluation done by the three main trainers at UW Lake Safety, the two full time supervisors and the senior employee for the unit. The supervisor told me the three discuss training progress and determine if a person is capable of moving forward with learning how to operate a boat and if they are not, they do not move into the second or subsequent years of training until they are ready. This is determined through conversation and there is no formal documentation of the training process or progress through the program. Through discussion with the supervisor, I found there was a great deal of weight placed on what is perceived to be “irreplaceable” knowledge provided to trainees by trainers who have served decades in their positions and have had family members serve previously. The training program relies on the decades of experience provided by those who have responded to calls, conducted previous training, and can provide trainees with real world knowledge of UW Lake Safety operations. The unwritten and informal training process produces an overdependence on experience instead of documented, standardized requirements based upon best practices, and quantifiable training goals.

The supervisor stated operators have the right to refuse to operate watercraft in circumstances in which they are not comfortable driving the watercraft and instructors would never place operators in a position to operate outside of their abilities. UW Lake Safety does not issue a qualification or certification indicating a person is trained to a standard to operate rescue watercraft and does not require any sort of annual re-qualification or testing for potentially perishable skills.

During the course of this review I asked the supervisor to show me training documented for the boat driver during the incident on May 31, 2017. Though not inclusive of all training completed, the supervisor showed me an access database containing documentation indicating the driver of the watercraft at the time of the accident had conducted training on both rescue watercraft. The supervisor told me the driver of the watercraft at the time of the accident had conducted two complete years of training, was in his third year of training, and had advanced through training to operate the main rescue watercraft on actual runs. According to Appendix BB in Director Umbeck’s report, since 2015 the driver at the time of the accident had successfully operated the watercraft as captain on approximately 140 runs, logging an estimated 50-70 hours of time operating

the boat. The watercraft operator at the time of the accident had been a crew member on the boat, aside from actually operating the boat, on 470 runs, logging between 200-235 hours of time as a crew member. These runs included rescues, assisting swimmers and boaters, watercraft maintenance/test runs, and training.

The supervisor told me that based on the training the instructors had provided to the driver at the time of the incident, he was following standard practice while returning to the station on May 31, 2017. The supervisor told me the speed of the watercraft based on his estimate was 25mph, well within the normal operating speed of the rescue boats in those conditions. Additionally, the supervisor stated from his vantage point he was able to see the rescue boat as it returned to station and the boat did not veer off course and appeared to be returning following the most direct route. He reported he did not observe the watercraft do anything out of the ordinary during the return trip to the station prior to colliding with the windsurfer. Additionally, according to reviewed interviews conducted by Human Resources, the two crew members reported similar observations of the driver's operation of the watercraft and did not report any behavior or activity outside of normal practice or the training he had received.

During the review of this incident I read through all reports provided to me by the Dane County Sheriff's Office. In the reports I read all personnel affiliated with UW Lake Safety indicated the driver was operating the watercraft in a safe manner and as he was trained. All provided similar accounts to the incident to the sheriff's office and these reports were consistent with the information provided to the Human Resources investigators.

Training and Qualification Program Recommendations

Issue: Unwritten, informal training program could produce inconsistency for trainees, lack of continuity between trainers, and no method to document training

Recommendation: Develop and implement training manual incorporating all recommended necessary skills based on best practices to safely operate watercraft in the UW Lake Safety operational environment, including trainer/trainee acknowledgement of learned skills in a tiered responsibility system

Responsible Party: UW Lake Safety with assistance from other agencies

Estimated Cost: Staff costs

Estimated Timeline: 6 months to completion of manual

Recommendation: All employees, not just those required by state law, attend approved Department of Natural Resources Boater Safety program to demonstrate knowledge in basic laws, regulations, and common boater language

Responsible Party: UW Lake Safety and Safety Department

Estimated Cost: \$29.50/person

Estimated Timeline: Three months maximum to complete

Issue: Absence of annual skills re-qualification or testing fails to recognize or correct the loss of potentially perishable skills

Recommendation: Conduct annual in-service training with Dane County Marine and Trail Enforcement Bureau and Madison Fire Department EMS/Scuba Unit including scenario-based exercises, practical skills testing and qualification, and interagency coordination drills

Responsible Party: UW Lake Safety, DCSO Marine Unit, UWPD, Madison Fire/Rescue

Estimated Cost: On-duty training time

Estimated Timeline: On-going annual recertification testing and training in spring-8 hours

Issue: Integration of training and deployment records database provides less clear information about what training is conducted on duty time post-initial training

Recommendation: Create separate training database with selectable fields indicating type of training, skills trained, and performance metrics to indicate ability to perform skills-separate from deployment database, utilized to document operational deployments.

Responsible Party: UW Lake Safety

Estimated Cost: Staff costs

Estimated Timeline: Completed in 6 months, continual monitoring and data input

Policy and Procedure

In order to evaluate the incident on May 31, 2017 from a policy and procedure viewpoint a review of the following appendices to the report prepared by Director Umbeck was conducted:

F-Position Description-Environmental Health Specialist (Full time employee-supervisor)

G-Position Description-Environmental Health Specialist Senior (Full time employee-supervisor)

H-Position Description-Lifesaving Station Operator-(Temporary employee)

J-Daily Operating Procedures

L-UW Rescue Boat Log

R-UW Lifesaving Station Daily Checklist

S-First-Aid Inventory List-Rescue Boats

T-Rescue Boat 62 Inventory

W-How to Record Daily Log Entries

X-How to Change the Online Flag

Y-How to Access the Lifeguard Calendar

Z-How to Tweet

I noted most of these documents to be procedures, “how-to’s,” checklists, and recommendation statements and not policy statements. In reviewing these documents, I noted most provided instruction on administrative tasks and very few, with the exception of appendix J focused on rescue boat operations. When speaking with the supervisor I asked if additional policies were available that may indicate operating standards for the unit including policies dictating when UW Lake Safety can be utilized, boat crew duties and responsibilities, policies about operational expectations, or other such policies. The supervisor stated much is left to operator discretion depending on their experience and comfort as the driver. The supervisor told me training is often focused on approaching situations calmly and slowly to ensure safety and those attributes of the driver dictate the situations they will respond to. The supervisor stated they had operating practices but no such policies to govern operations.

The appendices included in Director Umbeck’s report provide instruction on how to conduct certain activities but do not contain information or instruction on when or why activities are done and does not assign the described activity to an individual, position, or duty assignment post. In addition to lack of specific policy guidance provided, certain medical equipment items were listed as being available on each watercraft. These items included a C-spine stabilization board, stethoscope, blood pressure cuff, suction device, a pharyngeal airway kit, and snorkeling equipment. During a “ride-along” with a boat crew I addressed these items as I recognized them as items used for advanced medical response to or above the level of Emergency Medical Technicians (EMTs). The crew stated the items were on board the boats as previous law enforcement and fire department boats did not have room for the equipment and UW Lake Safety was the only available unit to provide those specific medical tools to other first responders during emergency situations. The crew stated they were not aware of times when these pieces of medical equipment had been used. They also stated they were not aware of situations when anyone would leave the rescue boats for the purposes of conducting rescues and would require the use of snorkeling equipment. However, these items remained on the boat for the purposes of conducting maintenance to the watercraft.

I did note several sections of Appendix J provided guidance and policy statements regarding opening the operation, closing the operation, working with other first responders, weather emergencies, and private watercraft salvage operations. In reading the document I noted direct guidance is given to operators and crew about their responsibilities and duties in certain circumstances. However, with the exception of private boat “salvage,” there is no information on rescue boat operations above checking for specific equipment and maintenance. Salvage in the UW Lake Safety operating procedures refers to the towing of disabled watercraft to shore and does not involve operations typically associated with recovery of sunken vessels.

Specifically related to Appendix J, I questioned the supervisor as to some of the language, meaning, and validity of such statements at the time of the incident under review as well as the listed revision date of “6-19-2017.” These statements include information on conducting personal activities at work, running errands, specific provisions for transportation of lifeguards for safety reasons, “times when work rules can be bent,” and expectations to be competent (not mandatory certification) in CPR and first aid. Though not directly related to the operation of rescue watercraft I requested additional information about these statements. The supervisor told me the policy had been re-written in approximately 2011, but some of the statements remained and were described as “legacy”

items placed in the policy by a previous supervisor. The supervisor recognized these and other statements in the “policy” to be troublesome but stated personal business detracting from work time and other items mentioned in the policy were not occurring at the station. The supervisor said all lifeguards were trained and understood safety protocols and procedures and were offered the same safety service. The supervisor also said certifications in first aid and CPR were requirements within the past 4-5 years even if not dictated by policy. The supervisor also addressed the date and stated the “Daily Operating Procedures,” when printed, automatically updates to the date the document is opened and printed. The supervisor provided me a copy of the document as it was in 2011 before he updated it. Tracked changes and notes confirm the policy was updated from a previous version in 2011.

I asked the supervisor specifically about the crew duties when on a rescue call. The supervisor stated it was normal practice while driving to a call location for all crew members and captain of the watercraft to be looking forward and to the sides of the boat to locate the situation to which the crew is responding. After the call is completed, it is standard practice to return to the station. When returning to station, it was not standard practice to have multiple persons seated near the front or cockpit area of the watercraft other than the captain of the boat. According to the supervisor’s recollection of the event, as well as those interviewed by Human Resources regarding the incident, the crew was engaged in a call prior to the collision with the windsurfer, had completed that call, and was returning to the station using the most direct route. During the Human Resources review, the temporary employee crew member provided a diagram of where all parties on the boat were seated at the time of the incident and his description followed what the supervisor described as their standard practice for operation when returning to the station.

Policy and Procedure Recommendations

Issue:	Unwritten policies and procedures could produce uncertainty, unclear expectations, lack of accountability where employees do not have a written resource to consult in decision making
Recommendation:	Develop, train, test, and implement policies applicable to the lake safety station, and procedures for safe watercraft operation, lifeguard duty station, and deployment operations utilizing nationally recognized standards, best practices, other agency’s policy, and University Office of Legal Affairs guidance
Responsible Party:	UW Lake Safety, EH&S, UWPD, UW Legal
Estimated Cost:	Staff time
Estimated Timeline:	1 year
Recommendation:	Contract/Employ services of third party watercraft safety and accrediting organization to conduct policy creation, review, practical training, and accreditation services for entire UW Lake Safety unit
Responsible Party:	UW Lake Safety, EH&S, UWPD
Estimated Cost:	\$10,000-\$34,0000 dependent upon type of training and accreditation services requested on a tri-annual basis

Estimated Timeline: Up to 2 years for complete accreditation and training services

Operational Authority and Documentation

During this review it was difficult to determine whether or not policy was followed in an operational setting as there are little to no written policies governing the activities the crew engaged in the day of the incident. The crew had responded to a call for service, dispatched by the 911 center via phone to UW Lake Safety. UW Lake Safety employees responded with Rescue 62. The supervisor informed me it would be standard practice for all persons on the boat to be looking in a forward direction to help identify the area of concern, call location, and/or victim in the water. While this is not in a written policy, it is practice on rescue calls. While returning from a call for service, as was the case May 31, 2017, it would not be common practice to have additional persons aside from the boat operator focused forward toward the bow of the boat as the crew had already addressed the emergency to which they had been dispatched. Crew members facing rearward or aft on the watercraft while returning to the station would not be outside of standard practice as there is no policy indicating other actions should have been taken. Evaluation of whether policies were followed in this situation is difficult given the absence of written policies and thus the need to rely on interviews indicating an action, activity, or protocol was or was not common practice. This information provided to me was consistent with information provided to the sheriff's office during their investigation and is documented in the reports.

Given the complexity of activities engaged in by first responders (police, fire, emergency medical services), it is understandable that no two situations are alike. A police officer may respond to hundreds of theft calls in one year, but the circumstances of those calls are different each time. A firefighter may respond to hundreds of household fire alarms, but each may have a different cause and level of severity. Medics may respond to car accidents daily, but the mechanism and severity of injury leads to different patient treatment in each instance. While this quandary is common place in emergency responder professions, it should not inhibit the creation of general policies with "should," "shall," "must," "recommended," and "required" statements governing the activities engaged in by first responders. Standard practices can be adopted into policy statements conforming to best practices and industry standards to ensure mechanisms are in place to ensure safety, rapid response, and operational needs are met while still allowing for discretion in a dynamic environment when appropriate.

Deployment operations should be governed by policy as mentioned above, and driven by formal agreements for services with those customers requesting services or agencies with legal jurisdiction. UW Lake Safety does not have written agreements with organizations such as Hoofer's Sailing Club, Outdoor UW (the Wisconsin Union), or private rental businesses. Additionally, the law enforcement jurisdiction with primary enforcement authority on Lake Mendota does not have a formal memorandum of understanding with UW Lake Safety requesting services or assistance. There has been no formal agreement with the Madison Fire Department regarding the medical first response platform and delivery method provided by UW Lake Safety. While these agreements are not mandated by law, and UW-Madison may provide safety services at its discretion, these

agreements would support the operational authority of UW Lake Safety and more clearly outline respective roles, responsibilities, and expectations. UW Lake Safety is not using any type of liability waiver for private boat salvage (towing) operations, but allows watercraft operators to refuse operations in certain non-life threatening circumstances. Having formal documentation, agreements, liability waivers, and expectations between a variety of stakeholders, partners, and customers clearly established in writing would provide UW Lake Safety with justification and jurisdictional authority for assigned activities and would bolster the validity of well written policy and procedures.

Operational Authority and Documentation Recommendations

Issue:	Absence of UW Lake Safety mission, goals, objectives, and scope of authority for actions when engaged in first responder-type activity
Recommendation:	Enter into a memorandum of understanding with Dane County Sheriff's Office providing rescue jurisdiction, responsibilities, and expectations for rescue calls, proper handling of law enforcement related matters, and training agreements aligning with the unit's mission statement, goals, and objectives.
Responsible Party:	UW Lake Safety, Office of Legal Affairs, UWPD, DCSO
Estimated Cost:	Staff costs
Estimated Timeline:	6 months to 1 year
Recommendation:	Develop and maintain a unit mission statement, work unit goals, and objectives in a strategic planning framework consistent with parent organization standards. Align mission, goals, and objectives with first responder partnerships and expectations.
Responsible Party:	UW Lake Safety, Office of Legal Affairs, UWPD, DCSO, MFD
Estimated Cost:	Staff costs
Estimated Timeline:	6 months
Issue:	No written agreements including expectations, services provided, and requirements of all parties not available for UW owned rental facilities.
Recommendation:	Complete written agreement with Outdoor UW and Hooper's Sailing Club to document expectations, responsibilities, procedures, and communication.
Responsible Party:	UW Lake Safety, Office of Legal Affairs, UWPD, Hoopers, Wisconsin Union
Estimated Cost:	Staff costs
Estimated Timeline:	6 months to 1 year

Issue: Pre-planned medical response contingencies with primary medical first responder agencies not in place.

Recommendation: Enter into a memorandum of understanding with Madison Fire Department providing rescue jurisdiction, responsibilities, and expectations for rescue calls, sharing of policy and procedure, and training agreements.

Responsible Party: UW Lake Safety, Office of Legal Affairs, UWPD

Estimated Cost: Staff costs

Estimated Timeline: 6 months to 1 year

Issue: First responder communication capabilities on UW Lake Safety boats not currently available.

Recommendation: Utilize network and infrastructure already in place at UWPD to access Computer Aided Dispatch, radio networks, and call documentation methods.

Responsible Party: UW Lake Safety, UWPD

Estimated Cost: Up to \$11,000 per watercraft

Estimated Timeline: 6 months to 1 year

Recommendation: Conduct Incident Command System training at 100, 200, and 300 levels for all employees of UW Lake Safety to provide knowledge of Incident Command Structure, response, and organizational structure of incidents.

Responsible Party: UW Lake Safety, UWPD

Estimated Cost: 100 and 200 level courses free, 300 level course for supervisors \$200

Estimated Timeline: 6 months to 1 year

Conclusion

I was able to conduct a review of the Dane County Sheriff's Office reports detailing their investigation into this incident. I noted all four personnel employed by UW Lake Safety and involved in this incident provided information as part of the investigation and that information was consistent with information shared with their employer during the internal investigation. Alcohol, drugs, or negligent behavior such as utilizing cell phones, listening to music, or other reckless behaviors were not described as being present during the time of the incident. There are differing opinions regarding the exact location of the incident as well as the direction of approach of the windsurfer, but all accounts are consistent and individual perspectives did not change from interview to interview. Inconsistencies in individual perspectives during a traumatic event are not uncommon and do not indicate attempts at deception. All employees were described as being compliant with the investigation and provided information or complied with the requests of the sheriff's office.

During the course of this administrative review I had the opportunity to review deployment records of the UW Lake Safety unit, which are well maintained and documented in multiple forms, including tower log entries and computer-generated documents with measurable statistics and quantifiable data at both individual and unit levels. This information, when viewed in the context of the implied public safety and rescue mission of UW Lake Safety, along with their informal partnership and relationship with the Dane County Sheriff's Office Marine and Trail Bureau clearly demonstrates the need for and life-saving benefits of the UW Lake Safety program.

In examining statistics and performance metrics utilized to document operational activities, it is apparent UW Lake Safety is being utilized for life safety issues in the capacity of a first responder organization. Between 2012 and 2016 UW Lake Safety responded to an average of 277 calls for service requiring either a water rescue defined as boater or swimmer was unable to return to shore without assistance, or an assist, defined as a watercraft is able to return, but to improve safety or speed of returning to shore, UW Lake Safety assisted the watercraft in some way. The lowest year for calls in this measured period included 175 such calls, while the highest year recorded 372 calls for service. During the same time period, UW Lake Safety was dispatched directly by the Dane County 911 Center 106 times for emergency situations, while privately owned watercraft called UW Lake Safety directly 135 times to provide assistance in just three years between 2014 and 2016. These numbers, due to a variety of reasons may actually be lower than normal during the measured time period. Due to a reconstruction project (lowest measured year with just 175 calls) fewer users of UW affiliated services were on the water.

In addition to being active and taking a proactive approach to documenting their operational deployments, UW Lake Safety was described as "partners on the water" by Dane County Sheriff Marine Unit Sergeant Tom Sankey. Sankey told me that his unit would be unable to respond to the volume of calls on Lake Mendota for rescue services and many of those calls come from UW owned watercraft and rental watercraft leased by UW. Sankey informed me his staff views UW Lake Safety as first responders and there is an expectation they are trained as first responders, document their training as first responders, and respond as first responders would. Sankey did not have exact numbers on responses to calls where his unit partnered with UW Lake Safety but he described them as well trained, competent boat operators, who are professional and do their jobs well.

Another local agency contacted was the Maple Bluff Fire Department (MBFD). I spoke with Chief Kristopher Loy who indicated he has had the opportunity to work with UW Lake Safety on a number of occasions throughout his years of experience at MBFD. He described his agency's interaction with the UW Lake Safety members as follows: "Very positive. Nothing but positive interactions with them as a first responder resource." He told me his department responds to between six and 12 calls per year with UW Lake Safety and went on to say, "They are a stop gap because we, Madison Fire [Department], and the sheriff's office [Dane County Sheriff's Office] can't get there in a timely fashion in emergencies. When they're available, we know they are there as a resource. They provide well trained people on a boat with resources to help save lives." Chief Loy described UW Lake Safety as a very necessary resource on a lake with very few immediate resources available. He stated as a partner in providing first responder services to the lake, he would have the expectation they are trained in basic skills such as radio communication and, "at a bare minimum," the Wisconsin Department of Natural Resources Boat Safety program.

In addition to reviewing documents provided through Human Resources records and the report provided by Director Umbeck I also reviewed training programs, written policies, and spoke with training division personnel from several agencies operating similar units. The organizations included public safety run lifeguard, boat patrol, and water rescue and recovery operations. All of the programs I contacted include, at least in part, watercraft operations for rescue purposes. The various operations include Los Angeles County Fire Department Lifeguard Division, Los Angeles County Lake Lifeguard Division, and San Diego Fire-Rescue Lifeguard Services. Though much larger operations in scale, all have applicable policies, training programs, and other forms of documentation, which would be useful references to UW Madison Lake Safety to enhance and improve operational readiness.

In conducting reviews of other organization's policies I noted most organizations utilized a training program, policy, and procedures structured in a manner similar to their parent public safety agencies. Several accrediting bodies exist in the United States and can build customized programs based on a specific unit mission. A combination of the accreditation process and development of policies based on public safety best practices for rescue operations is a feasible option to help improve the validity and capability of the UW Lake Safety program. Members of the public using waterways adjacent to UW-Madison as well as the tens of thousands of students, faculty, staff, and visitors accessing the lake through University of Wisconsin-Madison programs would benefit from a transformation of UW Lake Safety to align with national standards and best practices based on tested and reliable policies in use at similar organizations.