

CHAPTER 164

LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS

164.01 Definition.
 164.015 Engaging in political activity.
 164.02 Interrogation.

164.03 Recrimination.
 164.04 Rights not to be diminished.
 164.05 Applicability.

164.01 Definition. In this chapter "law enforcement officer" has the meaning designated in s. 165.85 (2) (c).

History: 1979 c. 351; 1979 c. 361 s. 71.

164.015 Engaging in political activity. No law enforcement officer may be prohibited from engaging in political activity when not on duty or not otherwise acting in an official capacity, or be denied the right to refrain from engaging in political activity.

History: 1979 c. 351; 1979 c. 361 s. 71.

164.02 Interrogation. (1) If a law enforcement officer is under investigation and is subjected to interrogation for any reason which could lead to disciplinary action, demotion, dismissal or criminal charges, the interrogation shall comply with the following requirements:

(a) The law enforcement officer under investigation shall be informed of the nature of the investigation prior to any interrogation.

(b) At the request of any law enforcement officer under interrogation, he or she may be represented by a representative of his or her choice who, at the discretion of the officer, may be present at all times during the interrogation.

(2) Evidence obtained during the course of any interrogation not conducted in accordance with sub. (1) may not be

utilized in any subsequent disciplinary proceeding against the law enforcement officer.

History: 1979 c. 351; 1979 c. 361 s. 71.

164.03 Recrimination. No law enforcement officer 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, by reason of the exercise of the rights under this chapter.

History: 1979 c. 351; 1979 c. 361 s. 71.

164.04 Rights not to be diminished. The rights under this chapter shall not be diminished or abridged by any ordinance or provision of any collective bargaining agreement. These rights may be supplemented and expanded by ordinance or collective bargaining agreement in any manner not inconsistent with this chapter.

History: 1979 c. 351; 1979 c. 361 s. 71.

164.05 Applicability. This chapter applies only to law enforcement officers employed by 1st class cities or counties having a population of 500,000 or more.

History: 1979 c. 351; 1979 c. 361 s. 71; 1985 a. 148.