

Assembly Hearing Slip

(Please print plainly)

Date: 3/13/99

Bill No. HR 119

Or Subject Good

(Name) DeWayne Johnson

(Street Address or Route Number)

(City & ZIP Code)

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3-17-99

Bill No. 119

Or Subject

(Name) JOHN STRESE

(Street Address or Route Number)

(City & ZIP Code)

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3/17/99

Bill No. AR 119

Or Subject

(Name) Casey Perry

(Street Address or Route Number)

(City & ZIP Code)

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3-17-99

Bill No. AB 119

Of
Subject: _____

(Name) Bill Ward

1840 N. FARWELL AVE #400

(Street Address or Route Number)

MILWAUKEE, WI 53202

(City & Zip Code)

MILWAUKEE POLICE ASSOCIATION
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: MARCH 17 1999

Bill No. 119

Of
Subject: _____

(Name) Robert Hillman

8110 STATE ST.

(Street Address or Route Number)

MILWAUKEE WI 53233

(City & Zip Code)

MILWAUKEE BEAUTY SHOPPER ASSOC.
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 03/17/99

Bill No. AB 119

Of
Subject: _____

(Name) Steven C. Werner

340 Coyle

(Street Address or Route Number)

MADISON, WI.

(City & Zip Code)

WISCONSIN PROF POLICE ASSOC.
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3/17/99

Bill No. AB 119

Of
Subject: _____

Bob Younc
(Name)

4802 Shoberan Ave.
(Street Address or Route Number)

Madison WI 53707
(City & Zip Code)

DOT
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3-17-99

Bill No. AB 119

Of
Subject: _____

William E. Giesed
(Name)

749 W. STATE ST. - Rm 708
(Street Address or Route Number)

MILWAUKEE, WI 53201
(City & Zip Code)

MILWAUKEE POLICE DEPT
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3-17-99

Bill No. AB-119

Of
Subject: _____

Commander Dean J. Collins
(Name)

Box 531
(Street Address or Route Number)

Milwaukee, WI 53201-05
(City & Zip Code)

Milwaukee Police Dept
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: MARCH 17, 1999

Bill No. AB119

OR
Subject _____

GARY J. MURKREE - Police Chief
(Name)

5300 N. MELBOROUGH DR.
(Street Address or Route Number)

WHITEFISH BAY, VT 53217
(City & Zip Code)

WCPA - WHITEFISH BAY PD.
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702

Assembly Hearing Slip

(Please print plainly)

Date: _____

Bill No. AA17

OR
Subject QUART BELL

ORVILLE QUAMME
(Name)

411 S. CEDAR AVE
(Street Address or Route Number)

JEFFERSON VT. 53579
(City & Zip Code)

WADSWORTH STATE SLOTTERS
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3/17/99

Bill No. AB119

OR
Subject PREA/B.T.M.

Dennis Boyer
(Name)

2033 Erickson Dr
(Street Address or Route Number)

Madison 53717
(City & Zip Code)

APSCHE
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702

Assembly Hearing Slip

(Please print plainly)

Date: 03-17-99

Bill No. AB119

Of Subject: CITIZEN Q UORA BILL

(Name) Steven J. LeLinski

(Street Address or Route Number) 1890 N FARKWELL AVE SUITE 400

(City & Zip Code) MILWAUKEE WI 53202

(Representing) MILWAUKEE POLICE ASSOCIATION

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: March 17, 1999

Bill No. AB 119

Of Subject: LAW ENFORCEMENT QUOTA BILL

(Name) Chief Doug Pitt

(Street Address or Route Number) 117 Spring Street

(City & Zip Code) Oregon WI 53575

(Representing) Wisconsin Chiefs of Police Assoc.

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: MARCH 17, 99

Bill No. AB 119

Of Subject:

(Name) STEPHEN FITZGERALD

(Street Address or Route Number) 141 MAID ST

(City & Zip Code) JUNEAU WI 53039

(Representing) BADGE STATE SHERIFF

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3/11/99
Bill No. AB 119
Or
Subject

(Name) Gail Sumi
(Street Address or Route Number) 4 N. Mil. Ln.
(City & Zip Code) Madison, WI 53701
(Representing) Wis. Alliance of Cities

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3/17/99
Bill No. A 119
Or
Subject

(Name) Kathy Bull
(Street Address or Route Number) 202 State St
(City & Zip Code) Madison 53703
(Representing) League of WI Municipalities

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3.17.99
Bill No. AB 119
Or
Subject

(Name) SEN. Fitzgerald
(Street Address or Route Number) 15th Senate District
(City & Zip Code)
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

DID NOT TESTIMONY

Assembly Hearing Slip

(Please print plainly)

Date: 3/17/99

Bill No. AB119

Or Subject Police Quotas

(Name) DEXTRA HADNOT

200 E. WELLS ROOM 606

(Street Address or Route Number)

MILWAUKEE WI 53202

(City & zip code)

City of Milwaukee

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3-17-99

Bill No. AB119

Or Subject "quotas"

(Name) Charles Ahmuth

202 E. Buffalo

(Street Address or Route Number)

MILWAUKEE WI 53202

(City & zip code)

City of Wisconsin

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

MINIMUM SALARY \$30,000 PER YEAR PER \$30,000 PER YEAR
PAY FIRST PERIOD

ASK IF HE ANTICIPATES THE
STATE PATROL WILL INSTITUTE
QUOTAS IN THE FUTURE.
If so, why oppose the bill?

~~REMEMBER TO BRING UP THE BILL~~

1 CITATION / HALF HOUR

- ON ROLL CALL BOARD
- GET THIS FROM BILL WARD

MAKE DEPUTY SHERIFF → CHANGE
IN EVALUATION OF DEPUTIES
- ~~OTHER~~ RESULTS? SUCCESS?



Police Department

Arthur L. Jones
Chief of Police

March 24, 1999

Representative Jeff Stone
Chair of Assembly Highway Safety Committee
State Capitol, Room 306-North
Box 8953
Madison, WI 53708-8953

Dear Representative Stone:

RE: 1999 ASSEMBLY BILL 119 RELATING TO LAW ENFORCEMENT OFFICERS QUOTAS

Please be advised that I do not support AB-119 as it relates to prohibiting requirements that law enforcement officers meet citation quotas in the enforcement of state and local traffic laws.

The Milwaukee Police Department philosophy is that every sworn member of the Department will vigorously enforce all the laws of the U.S. and the state of Wisconsin and ordinances of the city of Milwaukee that impact the quality of life in our city. In order to make the city of Milwaukee one of the safest cities in the U.S., we must be able to assign officers to tasks with the expectation of them to produce positive results whether it be issuing citations, arrest, or a warning. The Milwaukee Police Department adopted a firm approach for policing the city of Milwaukee that we hold our officers responsible for working 8 hour days, but more importantly, to build a partnership with the citizens we serve.

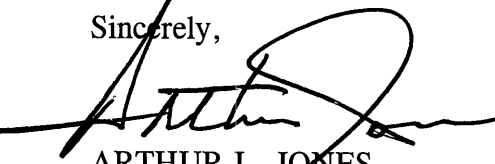
In our city we have reduced crime and traffic accidents, and we would like to continue to take the necessary enforcement action so that the problems don't reoccur.

We ask that you (representatives) continue working cooperatively with us in enhancing the vitality of Milwaukee.

If enacted, I foresee no fiscal impact upon our Department. I do foresee a serious operational impact, as this bill would effectively prohibit police managers from requiring subordinates to enforce traffic regulations.

Should you have any questions regarding my position on this matter, please feel free to contact Lieutenant James Galezewski of the Research and Development Section (935-7825).

Sincerely,



ARTHUR L. JONES
CHIEF OF POLICE

ALJ:vs

Executive Director
Jan Steinbergs



Wisconsin Troopers' Association, Inc.

P.O. Box 769 • East Troy, WI 53120
1-800-232-1392

TO: Chairman Jeff Stone, and
All members of the Assembly Committee on Highway Safety

FR: Casey Perry, President
Wisconsin Troopers' Association

DA: March 17, 1999

RE: Assembly Bill 119 – Prohibiting Quotas

On behalf of the Wisconsin Troopers' Association, I respectfully request your support for Assembly Bill 119 (AB 119), which prohibits the use of quotas. This bill was recently introduced by Representative DuWayne Johnsrud.

The legislation is modeled after the law in neighboring states of Minnesota, Iowa, and Michigan, each of which prohibits quotas. Such legislation enhances a law enforcement officer's ability to do his/her job, and it improves a law enforcement supervisor's ability to effectively evaluate all areas contributing to an officer's job performance.

Quotas should be prohibited for several reasons:

- **Quotas are not a good measure of a law enforcement officer's performance.** Law enforcement is more than writing tickets. It is education, assistance, traffic control, accident and crime prevention, investigation and reporting. Integrity, leadership, and the ability to promote public safety can not be measured by simply looking at the number of tickets an officer produces.
- **Quotas promote the view that law enforcement exists solely as a means to raise revenues.** That hurts Wisconsin's image as a tourism state. It detracts from traffic enforcement's true purpose of promoting and ensuring public safety.
- **Quotas hinder the judicial process.** Quotas hurt the case for prosecution. Defense attorneys may successfully use the existence of a quota to defeat the prosecution's case.
- **Quotas misdirect limited resources.** Requiring officers to fill ticket quotas is a waste of limited resources and defies common sense – an obstacle to public safety.

For these reasons, I ask your support of this legislation. If you have any questions, please do not hesitate to contact the Wisconsin Troopers Association office at 800-232-1392, or our legislative counsel, Martin Schreiber & Associates, at 608-259-1212.



Proud Member of the National Troopers Coalition



NORTH CENTRAL WISCONSIN CHIEFS OF POLICE ASSOCIATION

ADAMS

ANTIGO

BIRNAMWOOD

COLBY

CRANDON

EDGAR

EVEREST METRO

GREENWOOD

LOYAL

MEDFORD

MOSINEE

MARSHFIELD

MERRILL

MINOCQUA

NEILLSVILLE

NEKOOSA

PARK FALLS

PHILLIPS

PITTSVILLE

PLOVER

PORT EDWARDS

RHINELANDER

RIB LAKE

ROTHSCHILD

STEVENS POINT

WAUSAU

WISCONSIN RAPIDS

March 25, 1999

Representative Jeff Stone
Room 306 North
State Capitol
P.O. Box 8953
Madison, WI 53708-8953

Representative Stone;

At the March 24th meeting of the North Central Wisconsin Chiefs of Police Association, AB 119 (the Quota Bill) was discussed. As a result of that meeting, I was directed to inform you of our Association's opposition to this bill.

As Law Enforcement Administrators, our local citizens expect us to respond to traffic enforcement needs in our jurisdiction. This legislation would prohibit us from responding to citizen traffic safety concerns. Under this legislation, could I direct my officers into an area of traffic concern and have them enforce the law without being in violation of the law myself? Most of the citizens in our area have performance standards that they must meet on the job. We would be hard pressed to explain to them that Law Enforcement Officers should not have to meet any performance standards. I am sure that every Union in the state, not just Law Enforcement Unions, would stand behind legislation to prohibit all performance standards from all professions.

The State of Wisconsin itself awards grants for programs such as *Safe and Sober*, or *Pedestrian Safety* which require us to track the number of traffic enforcement contacts made while working under those funds. Would this legislation prohibit me from complying with the requirements of these state grants?

As Law Enforcement Administrators, we need to be able to hold our officers accountable for their workday and the tax dollars they are paid. Taxpayers should also be able to expect that we, as administrators, are responding to their concerns in the area of traffic safety. As an Association, we feel that AB 119 is poor legislation that does nothing to enhance the safety of the Public we all serve.

Thank you,

Chief Bill Brandt
Secretary, N.C.W.C.P.A.

cc: Governor Tommy Thompson



Milwaukee Deputy Sheriffs' Association

Safety Building, 821 West State Street, Milwaukee, Wisconsin 53233 • (414) 276-5222 • Fax (414) 276-5295

President:
ROBERT HILLMAN

Vice-President:
BOB KRAUS

Secretary:
DEBORAH ROBERSON

Treasurer:
JON NILSEN

Business Agent:
GERALD RIEDER

To: All Wisconsin Legislators
From: Robert Hillman
Date: Wednesday, March 17, 1999
Re: **Please Support Assembly Bill 119**
The Elimination of Quotas by Law Enforcement Agencies

On behalf of the Milwaukee Deputy Sheriff's Association, I urge legislators to please support passage of Assembly Bill 119 - relating to the elimination of quotas by law enforcement agencies. The Milwaukee Deputy Sheriff's Association and many other law enforcement organizations have worked together with Representative Johnsrud to create a legislative proposal that will improve law enforcement employment and promotion policies.

Further, it is our belief that the elimination of quotas by law enforcement agencies could serve to improve public relations between these departments and the communities they serve. The position that law enforcement agencies must issue a predetermined number of traffic citations within a specific period of time, only exacerbates the negative stereotypes associated with law enforcement.

Law enforcement is much more than issuing traffic citations. Law enforcement officers work to protect communities from crime and assist individuals in times of need. We need to ask ourselves how we view an officer of the law. Would you rather that officer keep his or her job based on the number of traffic citations they have written in the course of a day? Or, should we instead judge an officer's ability based on his or her contribution to protect and serve a community? Quotas never have been, nor will they ever be, a fitting measure of a law enforcement officer's performance.

On behalf of the Milwaukee Deputy Sheriff's Association, I urge committee members to support passage of Assembly Bill 119 - The Elimination of Quotas in Wisconsin.

Thank you.

WISCONSIN COUNTY POLICE ASSOCIATION LTD.

President

Leigh M. Wille
E12963 Hwy 78
Merrimac WI 53561

Vice President

Stephen Meitner
11 Seneca Court
Appleton WI 54911

Legislative Comm. Chairman

Eugene Robinson
733 State Street
Jefferson WI 53549



Secretary

Teri L. Wegner
1429 Lakeview Dr.
Fort Atkinson WI 53538

Treasurer

Richard Schevers
2107 E. Main Street
Kaukauna WI 54130

Admin Assistant

Dale M. Noack
PO Box 11
Oconto Falls WI 54154

Lobbyist

Broydrick & Associates
44 E. Mifflin St., Suite #404
Madison WI 53073

To: Representative Jeff Stone, Chair
Members of the Committee on Highway Safety
From: John Strese
Wisconsin County Police Association
Date: Wednesday, March 17, 1999
Re: **Testimony to Support AB 119**
Elimination of Quotas by Law Enforcement Agencies

On behalf of the Wisconsin County Police Association, I am testifying in favor of Assembly Bill 119, which would eliminate requirements that law enforcement officers meet citation quotas in the enforcement of state and local traffic laws.

The Wisconsin County Police Association, established in 1947, represents over 1,100 deputies, communication dispatchers and county jailers throughout Wisconsin.

Our Association has been working with Representative Johnsrud and several other law enforcement agencies on this important piece of legislation that we believe will improve law enforcement employment and promotion practices.

If you were to ask a random number of citizens across the state if they believe traffic citation quotas exist in law enforcement - I expect they would tell you yes. Further, if you were to ask them what they think of quotas - I expect the same citizens, as most would, to tell you that they are unfair and should be abolished.

Quotas have always been perceived as a stigma on law enforcement procedures by the public at large. Today we have an opportunity to abolish this practice and bring a little more respect to our profession.

We need to ask ourselves how Wisconsin law enforcement officers should be judged. Would you rather that officer keep his or her job based on the number of traffic citations they have written in the course of a day? Or, should we instead judge an officer's ability based on his or her contribution to protect and serve a community?

Quotas never have been, nor will they ever be, a fitting measure of a law enforcement officer's performance.

On behalf of the Wisconsin County Police Association, I urge members of this committee to support passage of Assembly Bill 119.

Directors

Director At Large
Robert Wierenga
N5532 Johnson Road
Delavan WI 53115

District 1
John Strese
N7112 CTH-P
Watertown WI 53094

District 2
Sandra Foote
W3865 Evergreen
Malone WI 53049

District 3
John Cmeyla
620 Juneau Street
Kewaunee WI 54216

District 4
Robert Lyon
603 SW Ceresco
Berlin WI 54923

District 5
Rusty Frisk
416 E. Main
Sparta WI 54656

District 6
Robert Sorenson
716 W. Haven
Chippewa Falls WI 54729

District 7
James Counter
3842 Pineview Dr
Rhineland WI 54501

District 8
Sandra Burdick
217 S. St. Marie Street
Barron WI 54812

Quotas Should Be Prohibited:

Why you should support 1999 Assembly Bill 119

⇒ Quotas Interfere with Public Safety

Law enforcement officers are highly trained in effective principles of law enforcement. They need the discretion to make common sense decisions based on that training for the good of public safety. Law enforcement should not have to compromise that intelligence and be required to meet a quota. It is a disservice to public safety in Wisconsin.

⇒ A Quota is an Unfair, Ineffective, Impractical Measure of Performance

Law enforcement is more than writing tickets. It is education, assistance, traffic control, accident and crime prevention, investigation and reporting. Integrity, leadership, and the ability to promote public safety can not be measured by simply looking at the number of tickets an officer produces. A quota undermines other areas of a law enforcement officer's duties, and essentially a law enforcement officer's total performance. An officer should never have to choose between **doing** his/her job to the best of his/her ability and **keeping** his/her job.

⇒ Quotas Strain Image of Law Enforcement

Quotas promote the view that law enforcement exists solely as a means to raise revenue. That hurts Wisconsin's image as a tourism state. It detracts from traffic enforcement's true purpose of promoting and ensuring public safety. No one should feel that they may be next on the hit list of an officer who is forced to issue a ticket to meet a quota to save his/her job.

⇒ Quotas Hinder the Judicial Process

Quotas hurt the case for prosecution. Defense attorneys may successfully use the existence of a quota to defeat the prosecution's case. The intentions and integrity of a law enforcement officer forced to work under a quota system can be more readily questioned.

⇒ Quotas Misdirect Limited Resources

Requiring law enforcement officers to fill ticket quotas is a waste of limited resources and defies common sense. The additional emphasis on meeting a quota detracts attention from other responsibilities of law enforcement officers – time and attention of an officer may be misdirected toward filling a quota over other important safety matters.

IOWA

321.488 - 321.493

MOTOR VEHICLES AND LAW OF ROAD

321.482 regardless of the disposition of the charge upon which the person was cited. Venue shall be in the county where the defendant was to appear or in the county where the person resides.

An appearance in response to such citation may be made either in person or by counsel.

321.488 Procedure not exclusive. The foregoing provisions of this chapter shall govern all peace officers in making arrests without a warrant for violations of this chapter for offenses committed in their presence, but the procedure prescribed herein shall not be exclusive of any other method prescribed by law for the arrest and prosecution of a person.

321.489 Record inadmissible in a civil action. No record of the conviction of any person for any violation of this chapter shall be admissible as evidence in any court in any civil action.

321.490 Conviction not to affect credibility. The conviction of a person upon a charge of violating any provision of this chapter or other traffic regulation less than a felony shall not affect or impair the credibility of such person as a witness in any civil or criminal proceeding.

>321.491 Convictions and recommendations for suspension to be reported. [HF 2421.66, 78GA-2] Every district judge, district associate judge, and judicial magistrate shall keep a full record of every case in which a person is charged with any violation of this chapter or of any other law regulating the operation of vehicles on highways.

Within ten days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this chapter or other law regulating the operation of vehicles on highways every magistrate of the court or clerk of the court of record in which the conviction occurred or bail was forfeited shall prepare and immediately forward to the department an abstract of the record of the case. The abstract must be certified by the person preparing it to be true and correct.

The abstract must be made upon a form furnished by the department or by copying a uniform citation and complaint or by using an electronic process which accurately reproduces or forms a durable medium for accurately and legibly reproducing an unaltered image or reproduction of the citation, and

must include the name and address of the party charged, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, or whether the bail was forfeited, the amount of the fine or forfeiture, and any court recommendation, if any, that the person's motor vehicle license be suspended. The department shall consider and act upon the recommendation.

Every clerk of a court of record shall also forward a like report to the department upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

The failure, refusal, or neglect of an officer to comply with the requirements of this section shall constitute misconduct in office and shall be ground for removal from office.

All abstracts received by the department under this section shall be open to public inspection during reasonable business hours.

321.492 Peace officers' authority. Any peace officer is authorized to stop any vehicle to require exhibition of the driver's motor vehicle license, to serve a summons or memorandum of traffic violation, to inspect the condition of the vehicle, to inspect the vehicle with reference to size, weight, cargo, load, block bills of lading or other manifest of employment, tires and safety equipment, or to inspect the registration certificate, the compensation certificate, travel order, or permit of the vehicle.

All peace officers as defined in section 801.4, subsection 7, paragraphs "a", "b", "c", and "n" may, having reasonable grounds that equipment violations exist, conduct spot inspections.

The department may designate employees under the supervision of the department's administrator of motor vehicles to conduct spot inspections.

Referred to in section(s) 321.238

>321.492A Quotas on citations prohibited. [SF 2080.25, 78GA-2] A political subdivision or agency of the state shall not order, mandate, require, or in any other manner, directly or indirectly, suggest to a peace officer employed by the political subdivision or agency that the peace officer shall issue a certain number of traffic citations, police citations, memorandums of traffic violations, or memorandums of faulty equipment on a daily, weekly, monthly, quarterly, or yearly basis

CIVIL LIABILITY

>321.493 Liability for damages. [HF 504, 78GA-1] 1. In all cases where damage is done by any motor

169.985 Traffic citation quota prohibited

A law enforcement agency may not order, mandate, require, or suggest to a peace officer a quota for the issuance of traffic citations on a daily, weekly, monthly, quarterly, or yearly basis.

HISTORY:

1990 c 482 s 3

on the card or certificate, and that the company, if the person fails to appear in court at the time of a scheduled informal or formal hearing or to pay any fine or costs imposed pursuant to section 907, will pay any fine, costs, or bond for forfeiture imposed on the person in a total amount not to exceed \$200.00. (MCL § 257.749.)

History:

Pub Acts 1949, No. 300, Ch. VI, § 749, as added by Pub Acts 1978, No. 610, eff. March 30, 1978, by § 4 of August 1, 1978, amended by Pub Acts 1984, No. 331, and of December 26, 1984.

Editor's notes:

Pub Acts 1978, No. 510, § 3, eff. March 30, 1978, by § 4 of August 1, 1978, provides:

"Section 3. Section 4a of chapter 1 of the Revised Statutes of 1946, being section 34a of the Michigan Compiled Laws (MSA § 21214) applies to violations of Act No. 300 of the Public Acts of 1949, as amended, being sections 257.1 to 257.923 of the Michigan Compiled Laws (MSA §§ 21801-21823), or a local ordinance substantially corresponding thereto, which occurred before the effective date of this amendatory act and which would otherwise be designated as civil infractions upon the effective date of this amendatory act."

Statutory references:

Sections 301, 311, 311a, 737, 737c, 728a, 749, 747 and 907, above referred to, are §§ 9.2301, 9.2011(i), 9.2437, 9.2437(a), 9.2428(i), 9.2442, 9.2447 and 9.907.

Textbooks:

Mich Pl & Pr (2d Ed) § 134.145.

§ 9.2450. Issuance of citations; number as factor in evaluation of police officer's performance; performance evaluation system; applicability to penalties section; fees prohibited; misconduct; removal from office.

Sec. 760. (1) A police officer shall not be required to issue a certain number of citations for violations of this act or of local ordinances substantially corresponding to provisions of this act, including parking or standing violations, unless the issuance of citations is a part of a police officer's performance evaluation system and the issuance of citations is not given any greater consideration than any other factor in the evaluation of a police officer's performance. In the absence of a police officer's performance evaluation system, the issuance of citations shall not be given any greater consideration than any other factor in the evaluation of a police officer's performance. Section 901 does not apply to a violation of this subsection.

(2) A police officer shall not be entitled to any fees for issuing a citation. A police officer, judge, district court magistrate, or other person employed by the state or by a local governmental unit who violates section 749 or this subsection is guilty of misconduct in office and subject to removal from office. (MCL § 257.760.)

History:

Pub Acts 1949, No. 300, Ch. VI, § 760, as added by Pub Acts 1978, No. 610, eff. March 30, 1978, by § 4 of August 1, 1978, amended by Pub Acts 1984, No. 331, and of December 26, 1984.

§ 9.2501. Registration taxes on vehicles; schedules; computation; exemption from ad valorem taxes on vehicles in stock or bond; increase and disposition of certain fees; definitions.

Sec. 801. (1) The secretary of state shall collect the following taxes at the time of registering a vehicle, which shall exempt the vehicle from all other state and local taxation, except the fees and taxes provided by law to be paid by certain carriers operating motor vehicles and trailers under the motor carrier act, Act No. 254 of the Public Acts of 1933, being sections 476.1 to 479.43 of the Michigan Compiled Laws; the taxes imposed by the motor carrier fuel tax act, Act No. 119 of the Public Acts of 1980, being sections 207.211 to 207.235 of the Michigan Compiled Laws; a fee or fees imposed pursuant to the local road improvements and operations revenue act, Act No. 237 of the Public Acts of 1987, being sections 247.521 to 247.525 of the Michigan Compiled Laws; and except as otherwise provided by this act:

(a) For a motor vehicle, including a motor home, except as otherwise provided, and a pickup truck or van, which pickup truck or van weighs not more than 5,000 pounds and is not taxed under subdivision (n), except as otherwise provided, according to the following schedule of empty weights:

Table with 2 columns: Empty weights and Fee. Rows include 0 to 3,000 pounds (\$23.00), 3,001 to 3,500 pounds (\$28.00), 3,501 to 4,000 pounds (\$33.00), 4,001 to 4,500 pounds (\$37.00), 4,501 to 5,000 pounds (\$43.00), 5,001 to 5,500 pounds (\$47.00), 5,501 to 6,000 pounds (\$52.00), 6,001 to 6,500 pounds (\$57.00), 6,501 to 7,000 pounds (\$62.00), 7,001 to 7,500 pounds (\$67.00), 7,501 to 8,000 pounds (\$71.00), 8,001 to 8,500 pounds (\$76.00).

Statutory references:

Sections 749 and 901, above referred to, are §§ 9.2449 and 9.2601.

CHAPTER VII

REGISTRATION FEES

§ 9.2501. Registration taxes on vehicles; schedules; computation; exemption from ad valorem taxes on vehicles in stock or bond; increase and disposition of certain fees; definitions.

Sec. 801. (1) The secretary of state shall collect the following taxes at the time of registering a vehicle, which shall exempt the vehicle from all other state and local taxation, except the fees and taxes provided by law to be paid by certain carriers operating motor vehicles and trailers under the motor carrier act, Act No. 254 of the Public Acts of 1933, being sections 476.1 to 479.43 of the Michigan Compiled Laws; the taxes imposed by the motor carrier fuel tax act, Act No. 119 of the Public Acts of 1980, being sections 207.211 to 207.235 of the Michigan Compiled Laws; a fee or fees imposed pursuant to the local road improvements and operations revenue act, Act No. 237 of the Public Acts of 1987, being sections 247.521 to 247.525 of the Michigan Compiled Laws; and except as otherwise provided by this act:

(a) For a motor vehicle, including a motor home, except as otherwise provided, and a pickup truck or van, which pickup truck or van weighs not more than 5,000 pounds and is not taxed under subdivision (n), except as otherwise provided, according to the following schedule of empty weights:

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Michigan

DOT TESTIMONY @ ASSEMBLY
HIGHWAY SAFETY COMMITTEE HEARING
WEDNESDAY MARCH 17, 1999
CAPTAIN ROBERT YOUNG

AB119

GOOD MORNING LADIES AND GENTLEMEN. MY NAME IS BOB YOUNG, I AM A CAPTAIN WITH THE WISCONSIN STATE PATROL. I AM HERE TODAY TO PRESENT COMMENTS ON BEHALF OF OUR ADMINISTRATOR, DAVID SCHUMACHER, WHO IS UNABLE TO ATTEND TODAY. HE IS OUT OF TOWN ON BUSINESS.

WE ARE VERY CONCERNED WITH THE EFFECTS OF AB119. THIS BILL IMPLIES OFFICERS ISSUE CITATIONS FOR REASONS OTHER THAN THE PROBABLE CAUSE OF A VIOLATION. IT HINDERS THE ABILITY OF MANAGEMENT TO HOLD THE OFFICERS ACCOUNTABLE FOR THEIR ACTION OR LACK OF ACTION. THE VERY ACCOUNTABILITY OF PUBLIC OFFICIALS WE HAVE ALL HEARD IS DESIRED BY THE TAXPAYERS.

A TROOPER AND INSPECTORS POSITION DESCRIPTION INCLUDES PROACTIVE "...ENFORCEMENT OF STATE TRAFFIC AND CRIMINAL LAWS AND ADMINISTRATIVE RULES... WITH PRIMARY EMPHASIS ON HIGHWAY SAFETY ...TAKING PROPER ENFORCEMENT ACTION FOR TRAFFIC VIOLATIONS/CRIMES OBSERVED, INCLUDING THE ISSUANCE OF WARNING, CITATIONS OR THE EFFECTING OF AN ARREST". ENFORCEMENT IS A LEGAL OBLIGATION OF ALL LAW ENFORCEMENT OFFICERS IN THIS STATE.

STATE PATROL TROOPERS AND INSPECTORS DO FAR MORE THAN WRITE TRAFFIC CITATIONS. IN FACT ONLY ABOUT 24% OF THE TRAFFIC CONTACTS MADE ARE CITATIONS. WE EMPHASIZE ASSISTING MOTORISTS IN NEED OF HELP, CRASH INVESTIGATION, WARNINGS, MOTOR CARRIER ENFORCEMENT AND INSPECTIONS, DRUG INTERDICTION, ROAD RAGE, AND ASSISTANCE TO COUNTY AND MUNICIPAL

LAW ENFORCEMENT AGENCIES. PUBLIC EDUCATION IS ALSO EMPHASIZED TO ASSIST THE CITIZENS TO KNOW WHAT THE LAW IS SO THEY CAN COMPLY.

MOST TROOPERS AND INSPECTORS ARE VERY DILIGENT ABOUT THEIR ACTIONS AND ACTIVITIES. WE HAVE A SMALL PERCENTAGE OF PERSONNEL WHO ARE LESS VIGIL THAN THE MAJORITY. EVERY OCCUPATION HAS THEM. WE ARE NO DIFFERENT IN THAT RESPECT.

AB119 RESTRICTS A MANAGERS ABILITY TO ADDRESS THE SMALL PERCENTAGE OF OFFICERS WHOSE PERFORMANCE IS LESS THAN DESIREABLE. IF WE HAVE A TROOPER OR INSPECTOR WHO SPENDS AN ENTIRE SHIFT AND MAKES NO STOPS, INVESTIGATES NO CRASHES AND CANNOT DOCUMENT ANY ACTIVITY, OF COURSE WE ASK WHY. WE ASK THE INDIVIDUAL TO EXPLAIN HOW THEY CAN JUSTIFY NO ACTIVITY FOR AN ENTIRE SHIFT, WEEK OR WHATEVER PERIOD IN QUESTION. WE WOULD BE IRRESPONSIBLE AS MANAGERS IF WE DID NOT.

THE STATE PATROL DOES NOT HAVE A QUOTA. WE DO MONITOR PERFORMANCE AND ASK QUESTIONS WHEN THERE ARE UNUSUALLY LOW PERFORMANCE LEVELS. MANY TIMES THESE ARE EASILY EXPLAINED BY THE INDIVIDUAL WHO MAY HAVE BEEN OCCUPIED WITH OTHER DUTIES.

THE USE OF THE WORD QUOTA IN REFERENCE TO LAW ENFORCEMENT IS SENSATIONAL. THIS IS A TERM UTILIZED WHEN AN INDIVIDUAL CANNOT EXPLAIN THE LACK OF PERFORMANCE. IT IMMEDIATELY GETS THE ATTENTION OF THE UNION, THE PUBLIC AND THE MEDIA.

THE STATE PATROL IS VERY CONCERNED ABOUT ENFORCEMENT ACTION THAT MAY BE TAKEN WITHOUT PROBABLE CAUSE. WE HAVE NEVER ENCOURAGED OR CONDONED THAT ACTION. WE CAREFULLY MONITOR THE COURT SYSTEM FOR ANY LACK OF CREDIBILITY THE TROOPERS AND INSPECTORS WOULD SUFFER IF PROBABLE CAUSE WAS NOT BEING UTILIZED. DISTRICT ATTORNEYS WOULD BE REFUSING PROSECUTION OF CASES. CITIZENS WOULD BE CHALLENGING CITATIONS AND WOULD BE FOUND

NOT GUILTY ON A REGULAR BASIS IF THAT WERE OCCURRING. THIS IS SIMPLY NOT THE CASE. THE ARRESTING OFFICER IS BUT ONE STEP IN THE JUDICIAL SYSTEM. THE CHECKS AND BALANCES OF THE SYSTEM INDICATE CITATIONS ARE NOT BEING ISSUED IMPROPERLY.

ANY ALLEGATION THE STATE PATROL HAS A QUOTA SYSTEM IS BASED ON MISINFORMATION. THAT IS SIMPLY NOT THE WAY WE DO BUSINESS. WE DO EXPECT A TROOPER OR INSPECTOR TO DO A DAYS WORK FOR A DAYS PAY. THAT DOES INCLUDE THE ENFORCEMENT OF THE LAW.

THE QUESTION MAY BE ASKED, IF YOU DO NOT HAVE A QUOTA, WHAT DIFFERENCE DOES IT MAKE IF THIS BILL IS PASSED. THE PASSAGE OF THIS BILL WILL LIMIT MANAGEMENT'S RIGHT AND DUTY TO MANAGE THE ORGANIZATION AND THE PEOPLE WORKING FOR THE STATE PATROL. IT WILL MAKE THE LOWER LEVEL PERFORMERS MORE DIFFICULT TO SUPERVISE. IT WILL FURTHER INSULATE THE POOR PERFORMER FROM PERFORMANCE MEASURES, WHICH WE HAVE ALL HEARD THE PUBLIC ASKING FOR IN REGARD TO PUBLIC EMPLOYEE ACCOUNTABILITY. IN STATES WHERE SIMILAR LEGISLATION HAS BEEN PASSED, LOWER PERFORMERS START BY CHALLENGING THEIR SUPERVISORS REFERRING TO THE LEGISLATION AND INDICATING ANY INQUIRY REGARDING THE QUANTITY OF THEIR WORK PERFORMANCE IS IN VIOLATION OF THE QUOTA LAW.

OUR MISSION IS TO ENHANCE A SAFE TRANSPORTATION SYSTEM FOR ALL WISCONSIN CITIZENS AND VISITORS THROUGH THE PROVISION OF PROFESSIONAL, COMPETENT AND COMPASSIONATE LAW ENFORCEMENT SERVICES. THE STATE PATROL HAS MINIMAL RESOURCES TO EFFECT TRAFFIC SAFETY. THE PASSAGE OF THIS BILL COULD HAVE A NEGATIVE EFFECT ON HIGHWAY SAFETY AND THE ARREST OF THOSE INVOLVED IN CRIMINAL ACTIVITY THAT MAY OTHERWISE BE STOPPED BY TROOPERS AND INSPECTORS ENFORCING TRAFFIC LAWS.

NO ONE WANTS TO BE STOPPED BY A LAW ENFORCEMENT OFFICER. BUT IF A WARNING OR CITATION STOPS US FROM DOING THINGS THAT PUT SAFETY AT RISK, WE ALL BENEFIT. TRAFFIC LAW ENFORCEMENT IS ONE OF THE MOST EFFECTIVE WAYS TO REDUCE TRAFFIC CRASHES, INJURIES AND DEATH. IT IS ALSO ONE OF THE MOST EFFECTIVE WAYS TO REDUCE CRIMINAL ACTIVITY. MOST CRIMINALS UTILIZE THE STREETS AND HIGHWAYS FOR TRAVEL TO AND FROM THEIR ACTIVITY. AGGRESSIVE TRAFFIC ENFORCEMENT HAS BEEN PROVEN TO BE AN EFFECTIVE PREVENTATIVE MEASURE.

THE STATE PATROL IS ALSO INVOLVED IN THE INSPECTION OF SEVERAL TYPES OF VEHICLES TO BE SURE THEY ARE PROPERLY EQUIPPED WITH SAFETY EQUIPMENT TO BE ON THE HIGHWAY. THESE INCLUDE COMMERCIAL MOTOR VEHICLES, AMBULANCES, SCHOOL BUSES AND SPECIALIZED MEDICAL TRANSPORT VEHICLES. THE SAFETY OF THE MOTORING PUBLIC, SICK AND INJURED PERSONS AND OUR CHILDREN ARE DIRECTLY RELATED TO THE PROPER AND TIMELY INSPECTION OF THESE VEHICLES. DO WE WANT TO RISK THE REDUCTION IN THE NUMBER OR TIMELINESS OF THESE INSPECTIONS WHICH CAN HAVE SUCH A DEVASTATING EFFECT? I DO NOT THINK SO.

THE STATE PATROL AND THE WISCONSIN DEPARTMENT OF TRANSPORTATION ARE OPPOSED TO AB119. FROM A HIGHWAY SAFETY, CRIMINAL LAW ENFORCEMENT AND ACCOUNTABILITY TO THE TAXPAYER STANDPOINT - THE STATE OF WISCONSIN CANNOT AFFORD TO ERODE THE PROACTIVE EFFECT OF LAW ENFORCEMENT.

I WOULD BE HAPPY TO RESPOND TO ANY QUESTIONS THAT YOU MAY HAVE AT THIS TIME.

Wisconsin Chiefs of Police Association, Inc.

116 Humphrey Circle So., Shawano, Wisconsin 54166

Telephone: (715) 524-8283

Fax: (715) 524-8280

JOSEPHS. COUGHLIN
President
Chippewa Falls

DAVID L. TELLOCK
1st Vice President
De Pere

HANS W. LUX, JR.
2nd Vice President
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RICHARD W. MYERS
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Treasurer
Port Washington

Established



1907

COMMITTEE ON HIGHWAY SAFETY

Chairperson - Rep. Stone

OPPOSITION TO AB 119 – QUOTA BILL

Dear Chairperson Stone and Committee Members:

On behalf of the Wisconsin Police Chiefs Association (WCPA), an organization representing the interests of 600 law enforcement agencies in the State of Wisconsin I speak on behalf of our membership in fervent opposition to AB119, commonly referred to as the quota bill.

AB119 should not become law because the very essence of the bill is a management rights issue and a matter of local control. This bill offends the hard-working officer and coddles the malcontent officer. It intrinsically provides a safeguard for officers who are marginal performers who show for duty and provide virtually no level of performance during their shift. The very concept of a quota suggests nothing more than a proportional share or contribution that is expected of each and every officer while on duty. Quota is not a dirty word but in most instances it is a measure of performance standards within an agency and on a particular shift. Every officer is expected to carry their load during their shift and every officer is expected to follow orders directing them to enforce traffic laws.

It should be no surprise to this Committee that opinions vary regarding many bills that subsequently become law. You shouldn't be surprised that officers have similar opinions about many traffic laws and in some cases, officers who are unable to separate their personal opinion regarding a traffic law are ordered to enforce the very law they don't agree with. If police officers and sheriff deputies don't enforce the myriad of traffic laws enacted every year who do you expect will enforce these laws? This 94th session has already proposed two dozen different traffic laws. How in good conscience can one pass

92nd Annual Conference

a law and on the back end not require enforcement? AB119 wouldn't allow a chief or sheriff to request an officer to write one ticket during their shift.

In terms of traffic enforcement throughout the state it is incumbent to acquiesce and acknowledge the wisdom and authority of local law enforcement in meeting the safety needs of their respective communities.

AB119 would virtually bring to an end millions of dollars in Federal and State grants for local highway safety initiatives. Municipalities throughout this State have come to rely on this funding source for programs to decrease drunk driving and other traffic-related contributors to death and injury. WAVE Enforcement, EZ Zones and Safe & Sober Campaigns would no longer be available to Wisconsin law enforcement agencies because the enforcement component of these programs would not be allowed if AB119 were to become law.

AB119 would make a great deal of sense if it were written in a manner intended to correct the original objection to ticket quotas. The original objection to issuing a specific number of traffic tickets was loosely connected to promotional opportunities within an agency. It is time this issue be revisited and addressed at an agency level rather than impose a law on every law enforcement agency in this State.

In summary, CEO's from major corporations frequently appeal to our lawmakers for tax reform and issues germane to the continued health and vitality of operating a business in this State. You have listened to these appeals and acted appropriately. In our case you are hearing from the Police Chiefs in the State of Wisconsin appealing for the health and vitality of our businesses. It simply is not good business to pass traffic laws and next pass a law that prevents law enforcement business managers from enforcing these laws meant to prevent death and injury and increase safety. Thank you.

Chief Gary J. Mikulec

WCPA –Legislative Co-Chair

Police Chief Village of Whitefish Bay

MAASSJ HERC
LIST: MANNID HERC
 MFLOREY EMX - *DOTMAIL/DPB1/DOTMEF
 JSNITH12 EMX - *DOTMAIL/DPB1/DOTJES
 CKARSTEN EMX - *DOTMAIL/DPB1/DOTCAK
FROM: DHUGHES EMX
DATE: 12/22/97 15:55
SUBJECT: RE: Quota Bill Inquiry

I do not think this is a problem vis-a-vis BOTS-funded programs.

Yes, we do ask law enforcement agencies who receive federal safety funds in a variety of program activities (e.g. SpeedWaves, Youth Alcohol Party Patrols, Cops-in-Shops, bike enforcement, saturation patrols, ped safety, CARE, Corridor Safety) to provide us with a year-end activity report that, among other things, includes a report of the number of written contacts (i.e. citations or warnings) per 45 minutes of hours worked in the program.

Other performance measures that we typically ask for include the total hours worked in the program, the number of officers who received special training (e.g. OPUE, SFST), and the percentage change in the targeted crash types. The value of these performance measures is that they provide clear, objective, measurable evidence that the contracting agency did do what they were contracted to do -- in other words, they ensure accountability.

Simply put: BOTS does not require a specified number of arrests for traffic violations as a prerequisite for qualifying for federal safety grant funds.

Also: Beginning with FFY97, BOTS no longer requires the contracting law enforcement agency to report the activity levels (e.g. citations or warnings) for each individual officer involved in the program.

There is no way that the performance measures employed as a routine accountability elements of our agreements with local enforcement agencies could or should be construed to constitute an agency-level quota system as a prerequisite for receiving federal safety grant funds, nor as an officer-specific quota system.

From: MAASSEN, JOE
To: DOTMAIL/DPB1/DOTCAK; DOTMAIL/DPB1/DOTDJH; DOTMAIL/SEC1/DOTGEX;
 DOTMAIL/DPB1/DOTNEE
Subject: Quota Bill Inquiry
Date: Monday, December 22, 1997 10:44AM

Date: 12/22/97
From: Joe Maassen
To: Dennis Hughes
cc: Gene Kussart
 William Singletary
 Carol Karsten
 Martha Florey
Subject: Quota Bill Inquiry

MAASSJ - HERC
 DHUGHES - EMX
 GKUSSART - EMX
 SINGLW - HERC
 CKARSTEN - EMX
 MFLOREY - EMX

 -

Dennis, as you may be aware, Rep. Johnsrud has introduced a bill that would prohibit quotas in arrest, criminal investigations, and stops. Gene and DSP have been talking with him about alternative language.

Sean Haas, legislative council attorney, called me this morning seeking some information. A legislator who supports this bill has heard from one of his police chiefs that if this bill passes it could jeopardize some highway safety

grant
s with DOT because those grants require specific numbers of arrests, stops
etc.

I indicated I wasn't aware of any stringent requirements in our grants, but
I'm

only familiar with a limited number of the grants. Can you coordinate
with
Carol and Martha and see if BOTS has any grant programs where police could
not
get grant money if the police were prohibited from requiring specific
numbers

o
f arrests etc.



Police Department

Arthur L. Jones
Chief of Police

March 17, 1999

Rep. Jeff Stone
State Capitol, Room 306-North
Box 8953
Madison, WI 53708-8953

RE: OPPOSITION TO AB-119

Dear Representative Stone:

I am appearing today in opposition to 1999 AB-119 on behalf of the chief of the Milwaukee Police Department, Chief Arthur L. Jones. It is the position of my chief that this bill is detrimental to sound public policy and contrary to effective law enforcement.

The Milwaukee Police Department recognizes traffic enforcement as an integral part of its law enforcement responsibilities. Nonetheless, traffic enforcement is essential in its own right to protect lives, safety, and property within our communities. Our Department has embarked on a program of consistent traffic enforcement which has paid tremendous dividends. In 1997, the city of Milwaukee recorded the lowest number of traffic fatalities since statistics began in 1922. This saving of life was the direct result of officers throughout our Department vigorously enforcing the traffic laws. In that same year, traffic crashes decreased by 420 from the previous year due to the consistent enforcement efforts of our officers.

Traffic enforcement is a responsibility that falls on all of our officers. Yet AB-119 would allow some officers to escape doing their fair share while their brother and sister officers carry the enforcement load for them. This law would, in effect, create 'drone officers' who could sit back and refuse to do the work the taxpayers pay them to perform. The net result would be a decrease traffic enforcement and an increase in traffic injuries and fatalities. For this reason alone, AB-119 is bad public policy.

Traffic enforcement also has an impact on crime control. Law enforcement professionals have long understood that traffic enforcement is a key crime fighting strategy. Traffic stops regularly result in the arrest of persons wanted on warrants as well as the seizure of drugs, weapons, stolen property, and even corpses. AB-119 would severely cripple law enforcement in Wisconsin by decreasing one of the most effective means of combatting crime since no chief or sheriff would be legally able to order his subordinates to stop even one vehicle.

Page 2
1999 AB-119
March 17, 1999

AB-119 would also have a negative impact on Federal and State highway safety grants received by the City of Milwaukee. These grants range from \$3,000 from WISDOT to \$476,575 from the National Highway Traffic Safety Administration. As with any management tool, the success or failure of these grants and highway safety programs (Aggressive Driving, Speed Waves, CARE, Safe & Sober, etc.) is outcome-based. Grants are generally awarded with an evaluation component to determine the effectiveness of the program's strategy which is measured in part by empirical data, including enforcement data. In fact, State and Federal grantor agencies specify in some contracts that a particular enforcement strategy shall generate an average of one contact every 30 or 45 minutes. The use of outcome-based measurements assures the grantors that the contract requirements are being fulfilled and that the data generated will ultimately reduce traffic deaths and crashes. AB-119 would close the door on traffic safety grants (and the beneficial knowledge they generate) throughout Wisconsin.

Every law enforcement officer takes an oath to uphold the Constitutions of the United States and the State of Wisconsin and to enforce all of the laws. This is a solemn duty that we take most seriously. However, AB-119 would emasculate that oath by preventing law enforcement managers from exacting the proper performance of duty. AB-119 would make a mockery of the oath since no officer could be compelled to enforce the very laws he or she swore to enforce!

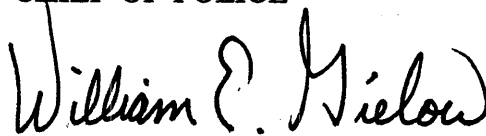
I also submit to you that if AB-119 passes, it will be prejudicial to good order and seriously erode the discipline so necessary to a quasi-military organization. It clearly prohibits law enforcement managers from requiring their personnel to perform a vital duty to protect the life and safety of the community. I further submit that AB-119 would foster serious morale problems since the vast majority of hard-working officers would rightly resent the few officers who might refuse to perform their fair share of traffic enforcement duties. The diligent officers would rightly experience a high degree of frustration when command officers would be prevented from requiring a few officers to do the job they are being paid to do. Ultimately, the results of AB-119 would develop into a festering boil within every law enforcement agency in Wisconsin. AB-119 is patently unfair to the majority of hard-working officers throughout this State since it allows for the creation of 'drone officers' who will be held to a lower professional standard of performance. This would certainly affect morale and efficiency in an adverse manner.

Page 3
1999 AB-119
March 17, 1999

For all the reasons cited above, I strongly urge you not to take any action which might allow AB-119 to become law.

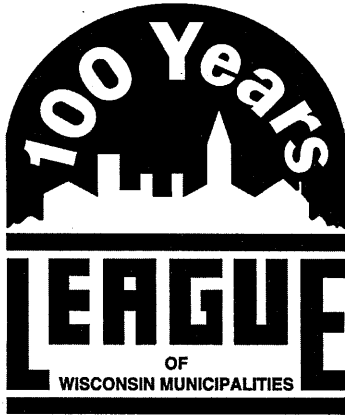
Sincerely,

ARTHUR L. JONES
CHIEF OF POLICE

A handwritten signature in black ink that reads "William E. Gielow". The signature is written in a cursive style with a large, prominent 'W' and 'G'.

William E. Gielow
Deputy Chief of Police

ALJ:WEG:DJC



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2nd Vice President
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Village President
Kewaskum
Past President
Michael Miller
Mayor, West Bend

To: Members of the Assembly Highway Safety Committee
From: Dan Thompson, Executive Director *Dan*
Date: March 16, 1999
Re: Assembly Bill 119 — Prohibiting Police Quotas

The League of Wisconsin Municipalities opposes Assembly Bill 119, relating to prohibiting citation or arrest quotas.

Local officials oppose this bill because it prohibits municipalities from requiring law enforcement officers to issue a specific number of citations, complaints or warning notices, or make a certain number of arrests, during a specified time period. Current trends in government management include benchmarking as a tool. One performance measure used by many communities is the number of tickets issued, but also the number of citizen contacts made. The League is concerned that limiting the ability of municipal employers to use this criteria would eliminate an effective standard for measuring police performance.

For this reason, we urge you to vote against A.B. 119. Thank you for your consideration.

VERONA POLICE DEPARTMENT

111 Lincoln Street
P.O. Box 930188
Verona, Wisconsin 53593-0188

(608) 845-7623
FAX (608) 845-8613

EDWARD E. MOFFETT
Chief of Police

March 17, 1999

Representative Jeff Stone
Room 306 North
State Capitol
P.O. Box 8953
Madison, WI 53708-8953

Dear Representative Stone:

I am writing today regarding AB 119, referred to as the "police quota" bill. It is my understanding this morning you will hold a hearing on this bill.

I must go on record opposing this legislation. I opposed a similar bill last year when it was introduced as AB 639 as well. In support of my opposition, I agree - there ought not be a quota requirement in the decision-making process in traffic enforcement activities. There ought not be a relationship to an officer's ability to be promoted or be considered for job assignments - based on the number of citations he or she issues. And, an officer's overall job performance must not be solely based on the number of traffic citations issued.

In your consideration of AB-119, your committee must realize the role of a municipal police officer across Wisconsin is far greater than just traffic enforcement. Perhaps that is why the Wisconsin Troopers Association appear as the primary advocate for this legislation - as the Wisconsin State Patrol is a largely a traffic patrol organization.

As agencies move toward community policing in our state, the relationship between the police and its community has never been stronger. There are partnerships that now exist - between the officers assigned to a neighborhood and the residents who live there. There is a greater understanding of an officer's role, as he or she works with the neighborhood to make it a safer place to live and raise a family.

Why then am I discussing Community Policing, and how does it relate to the quota bill? When we conduct outreach activities in our neighborhoods, universally, the single main concern of the residents is traffic, especially the speed of traffic - and those concerns outweigh property and other minor criminal activity.

Rep. Jeff Stone - Page 2

The Verona Police Department is an accredited law enforcement agency, meeting compliance with 354 national standards relating to police operations. Our officers have broad discretion relating to traffic enforcement decisions. They are professionals and care deeply about the community they serve. We evaluate our employees as professionals, not as traffic ticket generators.

If the quota bill is successful in creating legislation relating to the issuance of traffic citations, it clearly weakens a department's role in effectively controlling problems throughout our various neighborhoods. I can envision those who are cited for their unacceptable driving behavior, will try to redirect their personal driving responsibility - to that of the department as writing too many tickets contrary to the emotional perception and components of this bill.

In closing, if the labor relations between the Wisconsin Troopers and the Division of State Patrol require legislative attention, then place it in the labor relations arena. There are over 12,000 law enforcement officers in this state, working in some 623 agencies. This bill will have a negative impact on the majority, if not all of those agencies.

I am sorry I can not appear to offer my comments in person. If you have any questions, please contact me at 608-845-8507.

Sincerely,



Edward E. Moffett
Chief of Police

cc: Senator Jon Erpenback
Representative Rick Skinrud
Wisconsin Chiefs of Police Association

Wisconsin Chiefs of Police Association, Inc.

116 Humphrey Circle So., Shawano, Wisconsin 54166

Telephone: (715) 524-8283

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1907

March 15, 1999

Representative Jeff Stone
Room 306 North
State Capitol
P.O. Box 8953
Madison, WI 53708-8953

Re: Assembly Bill 119

Dear Representative Stone:

First let me introduce myself, I have been a law enforcement officer for 24 years and the Chief of Police for the Oregon Police Department since 1985. I am a past president of the Wisconsin Chiefs of Police Association, and also currently co-chair the Wisconsin Chiefs of Police Association's Legislative Committee. I was involved in discussions, hearings, and represented the Wisconsin Chiefs of Police Association's position reference the quota bill during the past legislative session.

It has come to my attention that Assembly Bill 119, commonly referred to as the quota bill, is scheduled for a hearing before the Committee on Highway Safety on March 17, 1999.

I am writing you to bring to your attention my concern and opposition to Assembly Bill 119. This proposed legislation if passed will have a negative impact on every law enforcement administrator in the State of Wisconsin. Every law enforcement administrator has the responsibility to ensure that our law enforcement employees are productive and carry out their responsibilities they are sworn to uphold. To manage our employees productivity, we provide our employees with performance appraisals and performance standards. The guidance provided to law enforcement employees through the performance appraisal system assists them to ascertain what is required of them to meet the department standards. Thus assisting the department to meet the expectations of the citizens we serve. It is essential for every successful business to be allowed to provide their employees with achievable performance standards and provide guidance for their employees through a well defined fair performance appraisal system.

92nd Annual Conference

During discussions reference this issue last session, proponents of this bill use the terms performance standards and quotas as if they are the same thing, they are not the same thing. Performance standards help to provide a poorly performing employee with a clear and concise acceptable level of performance. If this bill was to become law, a law enforcement administrator's hands would be effectively hand cuffed in managing a poorly performing employee.

The Wisconsin Chiefs of Police Association's Board of Directors and the Legislative Committee voted to oppose AB 119 at their Mid-Winter Training Conference in February 1999. The Wisconsin Chiefs of Police Association represents 400 municipal police administrators throughout the state.

I respectfully, and strongly urge you and the other members of the Committee on Highway Safety vote not to move this bill out of committee. Please help all law enforcement administrators maintain our ability to hold law enforcement officers accountable for their overall performance on behalf of the citizens we serve.

Respectfully,



Douglas H. Pettit
WCPA - Legislative Committee Co-Chair
Oregon Police Department Chief

**SAUK COUNTY
POLICE CHIEFS' ASSOCIATION**

Post Office Box 510
Lake Delton, Wisconsin 53940
Phone 608-254-7571 Fax 608-254-4651

March 12, 1999

Assemblyman Jeff Stone
Chairperson, Assembly Highway Safety Committee
Room 306 North
State Capitol
Post Office Box 8953
Madison, Wisconsin 53708-8953

RE: Assembly Bill 119

Dear Assemblyman Stone:

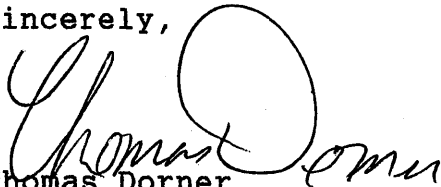
At our last meeting, we were informed that a public hearing is scheduled for March 17, 1999 regarding AB 119, commonly referred to as the "Quota Bill". Please be advised that the Sauk County police chiefs and representatives from the Sauk County Sheriff's Department are strongly oppose AB 119.

As AB 119 is currently written, it would severely diminish law enforcement administrator's ability to direct the work output of police officers. It would be extremely difficult if not impossible to discipline officers who for whatever reason decided not to perform self-initiated law enforcement duties, such as traffic accident reduction efforts.

It is puzzling to our association why the Assembly would think that this potential law is good public policy. We can understand the concern if they felt that there were law enforcement agencies in Wisconsin that had a quota system requiring that a certain number of traffic citations be issued, however no one in our association could think of any. Also, why would law makers want a law on the books that supports police officers not doing the job they are hired to do?

AB 119 would be bad public policy and is not needed. We ask you to oppose this bill. Thank you for your time.

Sincerely,



Thomas Dorner
Chief of Police
Lake Delton Police Department

von Briesen, Purtell & Roper, s.c.
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March 9, 1998

COPY

VIA FACSIMILE (608) 835-5625

Chief Doug Pettit
WCPA Legislative Co-Chair
c/o Oregon Police Department
117 Spring Street
Oregon, WI 53575-1494

Re: AB 639

Dear Chief Pettit:

You have asked for my legal opinion as legal counsel for the WCPA concerning the impact of AB 639 on the ability of police chiefs in the State of Wisconsin to effectively manage their police departments. In my opinion, passage of AB 639, in any of its versions, would have a significant adverse effect on management of law enforcement, and undermine the ability of police chiefs to enhance public safety and provide effective law enforcement services.

The first legal issue is really one of definition. In the debate over racial affirmative action, for example, "quotas" are bad, but "goals" are good. Similarly in this debate, "quotas" (defined as arbitrary numbers set by police chiefs to force their employees to generate speeding ticket revenues for the municipality) are bad, but "reasonable production goals" (defined as performance levels that most officers are routinely able to achieve, but some officers can't or won't) are good.

This distinction is important because arbitrary quotas (as defined above) are already effectively prohibited. Under § 62.13(5) of the Wisconsin Statutes (and under Chapter 59.21 as it applies to county law enforcement officers), no employee may be disciplined unless the Seven Tests of just cause are met. Test #2 allows the employer to enforce only those rules which are considered reasonable in the eyes of the local Police and Fire Commission, and Test #6 requires that rules be enforced evenly and fairly among all employees. Thus, where a police chief establishes an arbitrary "quota" with no relationship to the performance of other officers, the Police and Fire Commission is already charged with the responsibility to weigh the reasonableness of the chief's expectations, as well as to ensure that those expectations are applied fairly to all similarly situated officers.

Chief Doug Pettit
March 9, 1998
Page 2

On the other hand, local Police and Fire Commissions are also presently allowed to enforce reasonable production goals. In one case I handled recently, the Police and Fire Commission fairly and effectively balanced the legitimate interests of employees and those of the police chief. There, the chief proved that all other officers on the department working the same shift, and the same days of the week, over several years, were able to generate 3 or 4 times as many officer-initiated citizen contacts (tickets, warnings, etc.) than one other officer. That officer was then directed to try and reach the performance levels of his fellow officers, while steps were taken to relieve that officer of other duties which might interfere with his efforts. Finally, an opportunity was provided for the employee to explain any mitigating factors which prevented him from performing at the same level as his fellow workers. After a brief improvement, the officer went right back to his old habits. Simply put, this employee refused to engage in active traffic enforcement. Under AB 639, the police chief would have been powerless to address this serious problem.

Some officers simply do not want to write tickets to their friends and neighbors, especially in smaller communities. Other officers are just "marking time" until they retire. However, state and federal law enforcement agencies have repeatedly studied this area and cite active traffic enforcement as an important part of creating safer communities. A reputation for aggressive traffic enforcement means that traffic in the community slows down; the criminal element knows to avoid those communities (where the likelihood of a routine traffic stop is higher); and most important, routine traffic stops are major source of leads to solve other unrelated crimes. Contraband, stolen property, and other evidence is commonly found during these stops. These important societal interests must outweigh the interests of those few weak performers in the law enforcement field who want to preserve their jobs.

Most law enforcement officers in this state are excellent workers, and do not need supervisors or others to watch over them and encourage them to engage in officer-initiated activities. Unfortunately, some officers already need such direction. If AB 639 is passed, there will be more officers who feel they can refrain from performance of officer-initiated traffic activity, because they know their supervisors will be powerless to demand more production from them in this important aspect of their job.

Motorists do not need the passage of AB 639. Bad tickets can be challenged in court. Good, productive officers don't need it either. Only poor performers would benefit from its protections. Unfortunately, police chiefs and the communities they serve would be harmed by it because of the reduced ability to demand performance from subordinates in this key component of law enforcement.

It has been suggested that language in the bill which provides that it will not be construed to supersede the duty of a law enforcement officer to maintain public order, preserve the peace, etc., somehow cures the dangers of this bill. I disagree. First, such language is likely to be construed very narrowly by the courts, especially where the basic language of the bill contains such strong prohibitions. If it is construed narrowly, AB 639 would impose a much greater burden on police chiefs to justify their expectations of employees than presently exists under § 62.13(5). Alternatively, if this exception is construed broadly, this bill merely would restate existing law, since the Police and Fire commission already has the ability to balance the interests of employees against the reasonable expectations of their superiors.

Chief Doug Pettit
March 9, 1998
Page 3

Finally, it has been suggested that quotas are a poor supervisory tool, and that "periodic and random observations of an officer's performance by a supervisor and . . . periodic paging by dispatchers to determine whether the officer is in his or her patrol car" are effective means of supervision. Such a suggestion is simply unrealistic. All law enforcement officers work unsupervised in their squad cars for the vast majority of their shift. My experience with disciplinary matters shows that weaker officers in departments know exactly how to avoid detection by supervision. In most smaller departments, supervisors must manage their shift, plus perform significant amounts of patrol duties themselves, in addition to the other administrative responsibilities they have. To attempt to "babysit" weak performers as suggested by some is not practical.

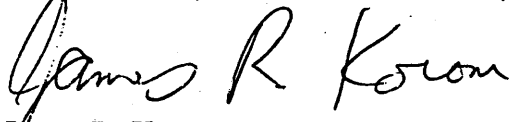
Rather, the one reliable measure of whether officers in the department are actively performing the traffic enforcement aspects of their job is to analyze the numbers of citations, warnings, and other officer-initiated contacts those officers may have. Police and Fire Commissions already have the authority to require, on a local level, that supervision establish performance levels that are reasonably based, as demonstrated by other officers on similar shifts and on similar days of the week, under existing law. AB 639 would merely add a new layer of regulation solely to protect those officers who choose not to follow the reasonable expectations set for them. This loss of local control is unwarranted.

In conclusion, AB 639 is not a traffic bill at all. It is merely a bill designed to limit the ability of management to set expectations for employees, and to enforce those expectations. From a legal point of view, it would be preferable to keep the existing protections in place, and not impose this additional prohibition on supervision. The ability to effectively supervise those officers who choose not to engage in active traffic enforcement at the same levels as their counterparts on the department would be severely undermined.

If you have any further questions, please contact me at your convenience.

Very truly yours,

von BRIESEN, PURTELL & ROPER, s.c.



James R. Korom

JRK:blm

S:\CASES\KURKI\WCPA\AB639



DuWayne Johnsrud

State Representative

MEMO

DATE: MARCH 23, 1999

TO: MEMBERS, COMMITTEE ON HIGHWAY SAFETY

FROM: REPRESENTATIVE DUWAYNE JOHNSRUD

RE: ASSEMBLY BILL 119 – PROHIBITING LAW
ENFORCEMENT QUOTAS

Attached to this memo is a copy of a letter from the Chiefs of Police to members of the state senate relating to their reasons for opposition to last session's quota bill. They do, however, indicate they would support a "...true quota prohibition meaning a specific number of tickets written in a specific time frame."

I have also attached a copy of 1999 Assembly Bill 119. The language of the bill reads as follows "...no state agency or political subdivision of this state may require a law enforcement officer to issue a specific number of citations, complaints or warnings notices during any specific time period..."

It is clear to me that, by statements made in their own letter, the Chiefs of Police Association should support AB 119.

Please contact me if you have questions or would like to discuss this issue further.

Wisconsin Chiefs of Police Association, Inc.

116 Humphrey Circle So., Shawano, Wisconsin 54166

Telephone (715) 526-5097

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Established



1907

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March 16, 1998

Dear Senator:

The Wisconsin Chiefs of Police Association opposes Assembly Bill 639 and Substitute Amendment 1 as well. Our opposition centers on three issues.

First, having this Bill appear in Chapter 164 Police Officer Bill of Rights sets a dangerous precedent for two reasons. Currently the Police Officer Bill of Rights does not include the State Law Enforcement Officers. This would extend segments of the Bill of Rights to those groups. Second it sends a message that any labor issue could be brought to the legislature for resolution instead of using the current systems designed to resolve grievance or performance matters. This is why the Chiefs think the Bill should be placed in Chapter 349 of the State Statutes which deal with traffic.

Second, the Chiefs would support a true quota prohibition meaning a specific number of tickets written in a specific time frame. However, this Bill goes far beyond that and threatens our ability to set reasonable performance standards and jeopardizes our ability to receive Federal or State grants for traffic enforcement.

Third, this Bill removes local control of law enforcement agencies. It does so by placing restrictions on job assignments. Additionally, it removes from the Chief the age old proven crime and problem deterrent of directed patrol. Finally this Bill is an affront to community policing which in Wisconsin and nationally is the leading edge approach to crime reduction.

We have heard legislators say that other states have similar laws. Those states do not place the law in a Bill of Rights. They target more specifically the State Patrol and they are very clearly aimed at traffic citations not broad based performance issues. What is or is not good in other states is not necessarily needed or good for Wisconsin.

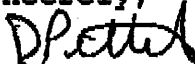
90th Annual Conference

Assembly Bill 639
Page 2
March 16, 1998

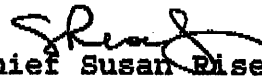
We have attached to this letter two documents. One document that offers an alternative to the current amendment which we are willing to change if necessary and secondly, a document from the legal advisor to the Chiefs regarding certain aspects of Assembly Bill 639.

As always we are ready to assist in drafting language that would garner greater consensus. When AB 639 comes to the floor in the Assembly, we ask you to vote it down.

Sincerely,



Chief Doug Pettit
WCPA Co-Chair
Legislative Committee



Chief Susan Eising
WCPA Co-Chair
Legislative Committee

attachments