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👉 (FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Judiciary, Corrections and Privacy...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (July 2012)

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 641

Relating to: authority for an off-duty peace officer to act outside his or her territorial jurisdiction.

By Senators Lazich, Carpenter and Roessler; cosponsored by Representatives Krusick, Gundrum, Stone, Ainsworth, Bies, Hahn, Jeskewitz, Lehman, LeMahieu, Musser, Nass, Owens, Sinicki, Zepnick, Friske, Mursau and Kaufert.

March 20, 2006 Referred to Committee on Judiciary, Corrections and Privacy.

April 6, 2006 **PUBLIC HEARING HELD**

Present: (5) Senators Zien, Roessler, Grothman, Taylor and Risser.

Absent: (0) None.

Appearances For

- Mary Lazich — Sen., 28th Senate District
- Dean Collins, Brookfield
- Peggy Krusick — Rep., 7th Assembly District
- Gary Hamblin — Dane County Sheriff

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Mark Gundrum — Rep., 84th Assembly District
- William Ward, Milwaukee — Milwaukee Police Association
- Bradley Debraska, Milwaukee — Milwaukee Police Association
- Jason Johns — WI Alliance of Cities

Registrations Against

- None.

April 12, 2006 **EXECUTIVE SESSION HELD**

Present: (5) Senators Zien, Roessler, Grothman, Taylor and
Risser.
Absent: (0) None.

Moved by Senator Roessler, seconded by Senator Zien that **Senate
Amendment 1** be recommended for introduction and adoption.

Ayes: (4) Senators Zien, Roessler, Taylor and Risser.
Noes: (1) Senator Grothman.

INTRODUCTION AND ADOPTION OF SENATE
AMENDMENT 1 RECOMMENDED, Ayes 4, Noes 1

Moved by Senator Roessler, seconded by Senator Zien that **Senate
Bill 641** be recommended for passage as amended.

Ayes: (4) Senators Zien, Roessler, Grothman and
Taylor.
Noes: (1) Senator Risser.

PASSAGE AS AMENDED RECOMMENDED, Ayes 4, Noes 1

Kimber Liedl
Committee Clerk

Vote Record Committee on Judiciary, Corrections and Privacy

Date: 4/12/06
 Moved by: Roessler Seconded by: Zien

AB ~~_____~~ SB 641 Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt 1 _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

- Be recommended for:
- Passage Adoption Confirmation Concurrence Indefinite Postponement
 - Introduction Rejection Tabling Nonconcurrency

Committee Member	Aye	No	Absent	Not Voting
Senator David Zien, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Glenn Grothman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Lena Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Fred Risser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>4</u>	<u>1</u>	_____	_____

Vote Record

Committee on Judiciary, Corrections and Privacy

Date: _____
 Moved by: Roessler Seconded by: Zien

AB ~~_____~~ SB 641 Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt _____
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 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

- Be recommended for:
- Passage Adoption Confirmation Concurrence Indefinite Postponement
 - Introduction Rejection Tabling Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator David Zien, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Glenn Grothman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Lena Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Fred Risser	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>4</u>	<u>1</u>	_____	_____





Mary Lazich

Wisconsin State Senator
Senate District 28

**Senate Committee on Judiciary, Corrections and Privacy
Testimony Senate Bill 641
April 6, 2006**

Good Afternoon Committee Chair Zien and committee members. Thank you for the opportunity to provide testimony to the Senate Committee on Judiciary, Corrections and Privacy about Senate Bill 641.

Currently, we allow on-duty police officers to make arrests and assist in emergencies outside their jurisdiction; however, we do not allow the same authority to off-duty police officers. Providing off-duty officers the same authority as on-duty officers provides law enforcement an additional means to serve the public preventing crime and saving lives.

Police officers are empowered to uphold all of the laws of the state of Wisconsin. It makes perfect sense that off-duty officers should be allowed to take appropriate police measures in the state of Wisconsin in the event of a serious emergency or a threat of bodily harm or death.

Senate Bill 641 is a common sense approach to policing that was brought to attention by law enforcement. This bill allows an off-duty police officer to make arrests or provide assistance during emergencies outside his or her jurisdiction in Wisconsin. The officer must be involved in conduct that he or she would be authorized to do in his or her jurisdiction. The officer would be allowed to respond to emergencies that present a serious threat of death or bodily harm. The off-duty officer could take action outside his or her jurisdiction on



Testimony for Senate Bill 641

April 6, 2006

Page Two

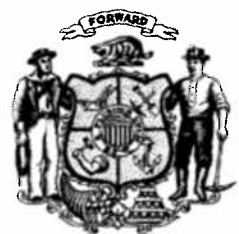
condition that the officer's supervising agency has adopted rules or policies giving the officer authority to act outside the officer's jurisdiction.

Senate Bill 641 provides that an off-duty officer performing duties outside the officer's jurisdiction is eligible for worker's compensation and duty disability benefits. The state provides liability for lawsuits, damages, and the payment of benefits that are the result of the officer's actions outside the officer's jurisdiction. This protection from liability is necessary so that off-duty officers can take appropriate police action to protect the public without fear that their actions could affect their families' economic future.

I ask your support for Senate Bill 641. The Wisconsin Chiefs of Police Association, the Milwaukee Police Association, the City of Milwaukee Police Department and the Wisconsin Alliance of Cities endorse the bill. Senate Bill 641 provides a more effective use of law enforcement throughout Wisconsin, and provides greater protection for Wisconsin citizens.



WISCONSIN STATE LEGISLATURE



COPY

August 3, 2004,

Re: Arrest Authority of Off-Duty Law Enforcement Officers Outside Their
Employing Jurisdictions

Dear Waukesha County State Legislators:

On behalf of the Waukesha County Chiefs of Police Association, I wish to thank all of you for your attendance at our June 9, 2004, meeting to discuss items of law enforcement interest. We deeply appreciate the opportunity for a frank exchange of views on matters affecting law enforcement within our respective communities and throughout the entire State.

As a result of our discussion, and at your request, I am writing this letter to explain a lacuna in the law of arrest in Wisconsin. Simply put, an off-duty officer outside of his employing jurisdiction has no statutory authority to make an arrest even if people are being murdered in front of him or her. I pointed out this anomaly in a previous letter to you dated June 11, 2003 (copy attached). However, no legislative action was ever taken on this matter.

Wis. Stat. 175.40 (6) grants arrest authority to officers outside of their employing jurisdictions but only when "*The officer is on duty and on official business.*" Under those specific circumstances, the officer may make an arrest for acts that the officer reasonably believes constitute a felony or for an "emergency situation that poses a significant threat to life or of bodily harm." Under those same circumstances, the statute states that the off-duty officer making an arrest outside his employing jurisdiction "is considered to be acting in an official capacity." Unfortunately, if an officer is off-duty and outside his own jurisdiction, he has no more arrest authority than any other member of the public. Any civil lawsuit filed against the off-duty officer would be defended not by his employing jurisdiction but by the officer personally. Hence, an off-duty officer trying to arrest a deranged gunman or a terrorist would place his family's current and future economic security in grave jeopardy.

June 9 was, I later realized, a rather auspicious date. We held our meeting with you on June 9. I was ordained a Roman Catholic deacon on June 9. Mike and Mary Caliva were married on June 9 and celebrated their 20th wedding anniversary the very same day we held our meeting at the Elm Grove Police Department. Let me tell you something about Mike and Mary Caliva that might help to focus on the subject of this letter.

Page 2

Wis. Stat. 175.40 (6)

August 3, 2004

On Saturday, June 12, 2004, at 11:23 a.m., I was off duty and getting out of my car in the Walgreen's parking lot at N. 76 & W. Center Street in Milwaukee when I distinctly heard three gunshots. As a police officer of 35 years experience, I immediately ran across the street to ascertain the exact location of the shots. Upon running across the intersection, I observed a suspect running from the cigarette shop on the corner and another male lying on the ground. The suspect ignored my repeated commands to stop and fled on foot with me in foot pursuit. Since the suspect had a sufficient lead on me, he was able to run through several alleys before making his escape in a waiting auto driven by an accomplice. My only other option was to shoot him as a fleeing, dangerous felon. As I was chasing him on foot through the alleys, I gave serious thought to shooting this armed robber. However, I did not shoot him. Upon my return to the cigarette shop, I found the male store clerk still on the ground outside the front door. I held his hand and tried to get him to speak but he could only gasp. The paramedics arrived soon after and worked on him for about ten minutes before I watched him die lying face up on the pavement. I later learned that this cigarette store clerk was named Michael Caliva, age 42 and the father of two children. He was murdered by two gunshot wounds in his back.

That same evening, I met Mike's widow, Mary, and told her about her husband's last few moments on this earth. It was then that I learned that June 9 was not only the day we held our meeting together in Elm Grove, it was also Mike and Mary Caliva's 20th wedding anniversary (and the 20th anniversary of my ordination). I also learned that the day Mike was shot was his last day working his part-time job at the cigarette shop. The next evening, June 13th, Mike's murderer and the accomplices committed another armed robbery at the Taco Bell at 1940 S. 14 Street in Milwaukee. As of the date of this letter, the murderer and the accomplices are still at large.

I have shared this tragedy with you in the hope that you will understand the need for a change in the statutes that will better protect the public regardless of officers' off-duty status or jurisdictional boundaries. In this case, an off-duty Brookfield police officer (myself) who lives in Milwaukee pursued a suspect who committed an armed robbery and murder of a Greenfield resident from a store on the boundary between Milwaukee and Wauwatosa. Since criminals are obviously no respecters of jurisdictional boundaries, I submit that public safety and sound public policy require the deletion of the 'on-duty' and on official business' clause found at Wis. Stat. 175.40 (6)(a)1.

Page 3
Wis. Stat. 175.40 (6)
August 3, 2004

COPY

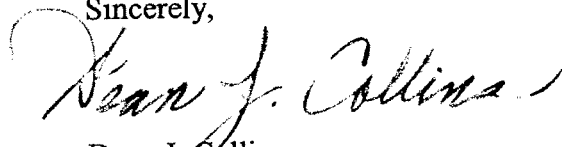
As mentioned previously, as I am running up the alley chasing the suspect I am (in milliseconds) weighing the legalities and consequences of shooting this fleeing felon in the back in order to apprehend him. Because of my last year's letter to you, I was acutely aware that any action I took off duty and outside my jurisdiction would be solely as a private citizen. Hence, under current State law my governmental employer would be under no obligation to defend my actions. Therefore, any civil lawsuit against me by the suspect or his estate would put my family's financial security at serious peril. My house, my savings, my daughters' college funds, my pension, and the rest of my assets would all be vulnerable. I would also be responsible for all the substantial costs of my legal defense for an inquest, a State wrongful death suit, and any Federal civil rights lawsuit.

The public policy question is crystal clear: when the armed robbers or the terrorists are firing high-powered bullets at our parents, spouses, or our children, do we want trained, but off-duty law enforcement officers from another jurisdiction to intervene? Or do we prefer to let the bullets strike whomever they will and allow the guilty to flee unimpeded rather than grant expanded arrest powers to off-duty officers?

Attached to this letter is proposed language which would address this problem. Your kind attention to this matter would be most appreciated.

Should you wish to discuss this matter further, please feel free to contact me at (262) 787-3567.

Sincerely,



Dean J. Collins
Assistant Chief of Police

Attachments (2)

Cc: Waukesha Co. Chiefs of Police Assoc.
Wisconsin Chiefs of Police Assoc.
Milwaukee Co. Chiefs of Police Assoc.

Gunman shoots three, then kills self at mall

ST. PETERSBURG, Fla. (AP) – A gunman fatally shot two people and wounded a third inside a Radio Shack store at a St. Petersburg strip mall Thursday night, then shot himself to death, police said.

A store employee and a customer died during surgery at Bayfront Medical Center, police said. Police did not identify the gunman, but police spokesman George Kajtsa said the man “had some mental issues, according to his family.”

11-19-04 Freeman

Gunman wounds six as shoppers duck for cover in Tacoma mall

Suspect surrenders, has extensive criminal history



Associated Press

TACOMA, Wash. (AP) - A gunman opened fire inside a busy shopping mall Sunday, wounding at least six people and taking three others hostage in a music store before he surrendered to a SWAT team, authorities said.

Witnesses described seeing a clean-cut man walking backward through the mall, firing a rifle. At least six people were injured, one critically, as shoppers and store clerks scrambled for cover.

Dominick Maldonado, 20, of Tacoma was booked into the Pierce County Jail on six counts of assault and three counts of kidnapping, according to jail records reported by The Seattle Times and the Tacoma News Tribune. He was being held on \$450,000 bail.

Court records show he has an extensive juvenile criminal history dating back to 1998. He has been convicted of burglary, theft and possession of burglary tools and he had been ordered not to possess any weapons, the Times reported.

The suspect came out of the Sam Goody music store without a gun and surrendered to the SWAT team, Tacoma police spokesman Mark Fulghum said. He said police were

interviewing the victims and the three hostages - two men and a woman - to determine what happened during the nearly four hours he was inside.

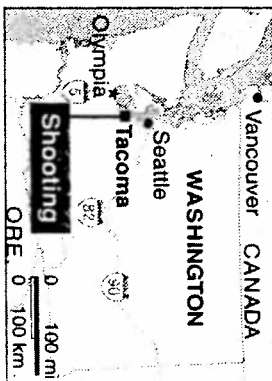
While the suspect was in the music store, employee Joe Hudson was able to pick up a phone call from The Associated Press and say he and others had been taken hostage.

Susan Serveau said she also called her daughter, Kathy Rig-gans, 24, a manager at Sam Goody, as soon as she heard about the shooting.

"She was upset and scared. She was crying," Serveau said, standing in a parking lot near the mall. Inside the mall, Stacy Wilson, 29,

Mall shooting

A gunman opened fire inside a shopping mall in Tacoma, Wash., on Sunday, wounding at least six people and taking three others hostage in a music store before he surrendered.



SOURCE: ESRI AP

heard a popping noise and turned around.

"I saw the gunman randomly shooting. I ran with a group of women to Victoria's Secret," Wilson said. She said they crouched behind a wall in the store.

J.S. not ready for a flu pandemic

Experts say nation needs to do more to prepare for a "right chance of" an "unthinkable" pandemic.

SHINGTON (AP) - The U.S. is prepared for the next flu pandemic, lacking the manufacturing capacity to provide 300 million doses of a vaccine for



"We are not as prepared as we need to be. ... We will not have enough for everyone."

- Mike Leavitt, secretary of the U.S. Department of Health and Human Services, speaking of the inability to provide enough bird flu vaccine

people died. The current flu virus strain appeared in people in 2003. More than 150 million

IN BRIEF

Camden, N.J., ranks as most dangerous city

CAMDEN, N.J. (AP) - For the second year in a row, this destitute city has been named the nation's most dangerous, according to a company's annual ranking based on crime statistics.

Last year, the distinction seemed to hurt city boosters' feelings more than it harmed revitalization efforts. This time, city leaders are offended by the ranking, calling it unfair.

The city took the top spot last year from Detroit, which remained No. 2 in the most dangerous city rankings, to be

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Updated: February 13th, 2005 09:47:59 PM

Gunman Opens Fire at Mall in Upstate New York One Person Wounded

MICHAEL HILL Associated Press Writer

KINGSTON, N.Y. (AP) - A lone gunman opened fire with an assault rifle Sunday inside a crowded mall in upstate New York, wounding one person before running out of ammunition and being subdued by employees, authorities said.

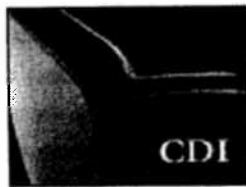


AP Photo/Poughkeepsie Journal, Kathy McLaughlin
Police officers walk from one of the entrances to the Hudson Valley Mall in Kingston, N.Y., after a shooting inside the mall Sunday, Feb. 13, 2005.

The gunman began shooting inside the Hudson Valley Mall shortly after 3 p.m. in Kingston, nearly 90 miles north of New York City.

The 24-year-old gunman went into a Best Buy store and started firing. When he ran out of ammunition, he was captured by mall employees, police said.

Police did not identify the suspect. State police Capt. Wayne Olson said investigators did not know the exact number of shots fired.



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December 10, 2004

After a Concert Shooting, a 'Who' but Not a 'Why'

By RICK LYMAN



COLUMBUS, Ohio, Dec. 9 - Nathan M. Gale, who stormed onstage at a nightclub Wednesday night and killed four people, including a popular heavy-metal guitarist, before being gunned down by a police officer, had a history of minor run-ins with the law.

But Mr. Gale, a physically imposing day laborer and former marine, did not have a record of violence, and the police were still searching Thursday for what led to the carnage.

Some of the people who had been in the crowd of about 250 at the club, the Alrosa Villa on Columbus's north side, said that as Mr. Gale, 25, began to shoot Darrell Abbott, the lead guitarist for the band Damageplan, he yelled angrily about the breakup of Mr. Abbott's previous band, Pantera.

But the police said they were still interviewing audience members and were uncertain whether it was Mr. Gale or someone else in the crowd who had shouted this out.

It was also unclear whether anything more than coincidence was at play in the timing of the shooting. Mr. Abbott, a well-known figure in the national heavy-metal scene, was killed exactly 24 years to the night after the shooting of John Lennon on the Upper West Side of New York.

The police said they were chasing down tips that Mr. Gale had been acquainted with at least some of the band's members.

"Without a note, it's possible that we'll never know why he did it," said Sgt. Brent Mull, a spokesman for the Columbus police.

Damageplan was just minutes into its set at 10:20 p.m. when, audience members said, Mr. Gale, wearing a Columbus Blue Jackets hockey jersey over a hooded sweatshirt, leapt onstage. Brandishing a 9-millimeter Beretta, the police said, he fired point-blank at Mr. Abbott. He continued to shoot as he and the guitarist fell to the floor, witnesses said, eventually hitting him several times.

When someone intervened, Mr. Gale shot him, too, witnesses said, and then fired at the audience.

Three other people were killed: Erin Halk, 29, a heavy-metal fan who worked at the club; Nathan Bray, 23, a Damageplan fan from nearby Grove City; and Jeff Thompson, 40, an employee of the band, the police said.

Chaos erupted when the shooting began, and many people suffered minor injuries in the rush to escape.

A Columbus police officer, James D. Niggemeyer, 31, was patrolling nearby. By the time Officer Niggemeyer came into the club, the police said, Mr. Gale had jumped from the stage and taken a



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Last modified Saturday, July 17, 2004 10:40 PM PDT

20 Years later, San Ysidro McDonald's massacre remembered

By: JESSICA GRESKO - Associated Press



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SAN DIEGO -- In the summer of 1984, a celebratory California was in the headlines. In San Francisco, the Democratic National Convention was under way. In Los Angeles, organizers were making last minute preparations for the Olympics.

Then on the afternoon of July 18, the small San Diego community of San Ysidro grabbed the spotlight for a very different reason.



When it matters to North County, trust your North County Times

★ On that day 20 years ago, an unemployed security guard, James Oliver Huberty, walked into a McDonald's in San Ysidro, just north of the U.S.-Mexico border, and began shooting. Armed with three guns, he killed 21 people, including five children and six teenagers, and wounded 19 before he was shot and killed by a police sniper.

At the time, his 77-minute rampage was the largest single-day, single-gunman massacre in U.S. history.

The shooting left gaps in families and shocked a nation that hadn't seen such violence on a large scale. The day changed how police respond to tragedy and awakened officers to the possibility of mass murder.

"It was new then, as flying an airplane into the World Trade Center was new in 2001," said Chuck Foster, the police sniper who ultimately ended the rampage. "All of the responders -- the police officers, the firefighters, the paramedics -- weren't foreseeing the scope of this killing spree."

It had been almost two decades since the nation had seen anything comparable -- the 1966 shooting spree from atop a tower at the University of Texas in Austin, when architecture student Charles Joseph Whitman killed 14 and wounded 31.

Huberty's rampage at San Ysidro convulsed the country. Politicians used the incident to lobby for



Arts & Entertainment Magazine

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Are our children terrorist targets?

- Irwin Redlener
Sunday, January 2, 2005

Are U.S. children potential terror targets? While such a notion is almost impossible to contemplate, evidence increasingly suggests that U.S. intelligence efforts must be alert to this horrific possibility and that schools and first-responders should have appropriate emergency plans.

Eternal Sunshine of the Spotless Mind

FOCUS FEATURES



Last September, a suspected Iraqi insurgent with potential al Qaeda ties was found with a computer disk containing detailed information about the layouts and emergency plans of schools in California, Florida, Georgia, New Jersey and Oregon. This discovery came only weeks after terrorists targeted a Russian school, killing 186 children in Beslan, a strategically unimportant town hundreds of miles south of Moscow.

It is painfully clear that the Beslan school was not a random target. The explicit intent of the terrorists was to endanger the greatest number of children, and that's precisely what happened. Bombs were rigged to maximize casualties, shooters used children as human shields and suicide bombers placed themselves near as many terrified young people as possible.

★ Could there be a connection between the attack in Beslan and the discovery of information on U.S. schools in the possession of an Iraqi insurgent? The quite probable answer is yes, and the link is al Qaeda. Although the attack in Beslan was carried out by an ultra-extremist Chechen separatist group, active participation of "outsiders" with connections to al Qaeda was clearly established.

What is it about al Qaeda's involvement that should demand a special focus on the targeting of U.S. children as an explicit strategy? A review of information gathered in the last few years provides significant warning that children have long been considered fair game by al Qaeda. In November 2002, for instance, it was reported that the same al Qaeda group responsible for the deadly nightclub attack killing nearly 200 people in Bali also had plans to strike U.S. and western students attending international schools in Indonesia. This plot was uncovered not long after intelligence agencies intercepted a plot to attack an American school in Singapore in late 2001.

At work here seems to be the fulfillment of an al Qaeda manifesto discovered in Afghanistan after Sept. 11, 2001, and having distinct roots in a long-standing commitment to retribution for alleged U.S. and western policies blamed for the deaths of millions in Arab and Muslim nations. In the manifesto, al Qaeda spokesperson and adviser to Osama bin Laden, Sulieman Abu Gheith, declares: "We have not reached parity with [America]. We have the right to kill 4 million Americans, 2 million of them children, and to exile twice as many and wound and cripple hundreds of thousands." The diatribe continues, alluding to the "right" to use chemical and biological weapons.

What can be done? Internationally, attacks directed at children must elicit universal and total condemnation by all communities in every nation. In particular, the people responsible for crimes against children must be labeled as murderers by the political and religious leaders of Arabs and Muslims, with the goal of marginalizing those who seek refuge in quasi-religious or political rationales. Outrage should not be expressed by America and its western allies alone.

In the United States, responding to terrorism directed at children must be a central part of national and state preparedness planning. This means marshalling and coordinating intelligence resources and carefully rethinking safety and security plans for schools and other facilities where children congregate.

For schools, basic preparations should include detailed response and evacuation plans that are coordinated with local law enforcement and other first responders. Communications systems are also necessary, along with contingency provisions, should it ever be necessary for students and school personnel to remain in a facility for extended periods. In California, Rep. Tom Lantos, D-San Mateo, secured a grant from the Department of Education to strengthen primary- and secondary-school emergency response, train school personnel, students and parents in emergency procedures and strengthen coordination between school officials and first-responders and health and mental-health agencies. This should be followed by a national effort for all schools.

Finally, in thinking about the medical and emotional needs of children exposed to terrorism, children cannot be simply considered "little adults." Training and resources for first-responders -- fire, police and medical professionals -- must address the specific needs of children, particularly so in the event of a chemical, radiological or biological attack.

This must be of the highest priority for the nation. We never want to have to look back at a possible future catastrophe thinking we were sufficiently warned, yet failed to do all we could to protect our children.

Irwin Redlener, M.D., is associate dean at Columbia University's Mailman School of Public Health, director of its National Center for Disaster Preparedness and president of the Children's Health Fund.

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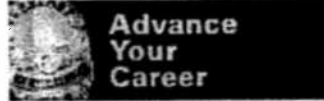
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Updated: February 16th, 2005 11:28:20 AM

CIA, FBI Warn Panel on Top Threats to U.S.

KATHERINE SHRADER
Associated Press

WASHINGTON (AP) – Groups associated with al-Qaida are at the top of the list of threats to the United States, leading government intelligence officials said Wednesday, saying Iran has emerged as the top threat to American interests in the Middle East.

Despite gains made against al-Qaida, CIA Director Porter Goss, in an unusually blunt statement before the mostly secretive Senate Intelligence Committee, said the terror group is intent on finding ways to circumvent U.S. security enhancements to attack the homeland.



“It may be only a matter of time before al-Qaida or other groups attempt to use chemical, biological, radiological or nuclear weapons. We must focus on that,” Goss said.



FBI Director Robert Mueller said he worries about a true sleeper operative whom he contended has been in place for years to launch an attack inside the United States. “I remain very concerned about what we are not seeing,” he said in his prepared remarks.

Mueller, Goss and other intelligence leaders provided these and other assessments at the annual briefing of threats from around the globe.

The head of the Defense Intelligence Agency, Vice Adm. Lowell Jacoby, painted Iran as a leading threat to U.S. interests in the Middle East.

In his prepared testimony, Jacoby said he believes that Iran will continue its support for terrorism and aid for insurgents in Iraq.

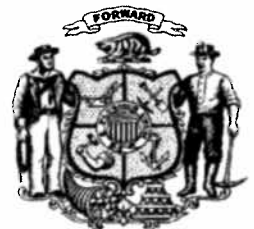
He said the country's long-term goal is to expel the United States from the region, and noted that political reform movements there have lost momentum.

In related developments:

- Defense Secretary Donald H. Rumsfeld also sent out a warning, telling the



WISCONSIN STATE LEGISLATURE



Senate Bill 641... relating to: authority for an off-duty peace officer to act outside his or her territorial jurisdiction. (FE)

BILL SPONSORS	Authored by Senators Lazich , Carpenter and Roessler . Coauthored by Representatives Krusick , Gundrum , Stone , Ainsworth , Bies , Hahn , Jeskewitz , Lehman , LeMahieu , Musser , Nass , Owens , Sinicki , Zepnick , Friske , Mursau and Kaufert .
BILL HISTORY	Senate Bill 641 was introduced February 28, 2006 and referred to the Senate Committee on Judiciary, Corrections and Privacy. A public hearing was held on April 6, 2006, and executive session was held on April 12, 2006 where the bill passed 4-1 (No: Risser)
COMPANION BILL HISTORY	A public hearing on AB 1033 was held by the Assembly Judiciary Committee on February 20, 2006. Executive action was taken on February 28, 2006 where the bill passed 8-0. AB 1033 passed the Assembly on March 7, 2006 with a voice vote. Concurrence was recommended 4-1 (No: Risser) on April 12, 2006 by the Senate Committee on Judiciary, Corrections and Privacy.
LRB ANALYSIS	<p>Current Law: Under current law, a peace officer while on duty and on official business, may make an arrest or provide aid or assistance outside his or her territorial jurisdiction but within the state if all of the following conditions are met: 1) the officer's action would be authorized if done in his or her own jurisdiction; 2) the officer is responding to an emergency situation, which poses a significant threat of death or bodily harm, or the officer is responding to activity that constitutes a felony; and 3) the officer's supervising agency has adopted policies authorizing the officer to act outside his or her jurisdiction, and the officer's actions are in compliance with the policies. Also under current law, a peace officer is immune from civil or criminal liability for acts done in the course of his or her official duty, including acts that meet the above criteria and are committed outside the officer's territorial jurisdiction but within the state.</p> <p>Proposed Changes: This bill provides that an off-duty peace officer may make an arrest or provide aid or assistance outside his or her territorial jurisdiction but within the state if conditions similar to those for an on-duty officer acting outside his or her jurisdiction are met. The officer must be engaging in conduct that would be authorized if done in his or her own jurisdiction. The officer may act in response to an emergency that poses a significant threat of death or bodily harm, but may not act solely in response to commission of a felony. Finally, an off-duty officer may only act outside his or her jurisdiction if the officer's supervising agency has adopted policies authorizing action by off-duty officers outside their jurisdiction and if the officer's acts are in compliance with those policies.</p> <p>The bill grants a peace officer civil and criminal immunity for acts authorized by the bill that are committed while the officer is off duty and out of his or her jurisdiction but in the state. The bill further provides that an off-duty officer acting outside his or her jurisdiction and in accordance with authority provided in the bill is eligible for worker's compensation benefits, and in general is considered to be performing his or her duty and engaging in his or her occupation so as to be eligible</p>

	<p>for duty disability benefits. Finally, the bill makes the state, rather than the officer's employer, financially liable for defending against lawsuits, paying damages, and paying worker's compensation benefits arising out of an act committed by an off-duty officer acting outside his or her jurisdiction and in accordance with the authority provided under the bill.</p> <p>Major Impact: SB 641 allows an off-duty police officer acting outside of the officer's jurisdiction to act as an agent of the state, helping to improve the safety of Wisconsin citizens.</p>
FISCAL EFFECT	The Dept. of Justice cites indeterminate costs due to legal services they would provide when a lawsuit is brought against an off-duty officer.
SUPPORT	<p>The following persons appeared in favor of this bill:</p> <ol style="list-style-type: none"> 1. Senator Mary Lazich 2. Representative Peggy Krusick 3. Gary Hamblin, Dane County Sheriff 4. Dean Collins, Brookfield <p>The following persons registered in favor of this bill:</p> <ol style="list-style-type: none"> 1. Representative Mark Gundrum 2. William Ward, Milwaukee Police Association 3. Bradley Debraska, Milwaukee Police Association 4. Jason Johns, Wisconsin Alliance of Cities <p>The following organizations registered their support for the bill with the State Ethics Board, but did not testify or register at the public hearing:</p> <ol style="list-style-type: none"> 1. None
OPPOSITION	<p>The following people testified in opposition to this bill:</p> <ol style="list-style-type: none"> 1. None <p>The following people registered in opposition to this bill:</p> <ol style="list-style-type: none"> 1. None <p>The following organizations registered their opposition to the bill with the State Ethics Board, but did not testify or register at the public hearing:</p> <ol style="list-style-type: none"> 1. None
NEUTRAL	<p>The following organization(s) appeared or registered for information only:</p> <ol style="list-style-type: none"> 1. None <p>The following organization registered their intention to lobby with the State Ethics Board but did not take a position on the bill:</p> <ol style="list-style-type: none"> 1. None
CONTACT	Kimber Liedl, Committee Clerk, Senate Committee on Judiciary, Corrections & Privacy
DATE	April 25, 2006