

2013 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB409)

Received: 1/29/2014 Received By: chanaman
 Wanted: As time permits Same as LRB:
 For: Garey Bies (608) 266-5350 By/Representing: Cory Bruce
 May Contact: Drafter: chanaman
 Subject: Criminal Law - law enforcement Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: Rep.Bies@legis.wisconsin.gov
 Carbon copy (CC) to: melissa.schmidt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Protocol for deaths involving officers; milwaukee subject; two investigators; victim rights

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 1/29/2014	csicilia 1/29/2014	jfrantze 1/29/2014	_____			
/P1	chanaman 1/31/2014	csicilia 1/31/2014	jmurphy 1/31/2014	_____	mbarman 1/31/2014		
/P2	chanaman 2/6/2014	csicilia 2/6/2014		_____	mbarman 1/31/2014		
/P3	chanaman	csicilia	rschlue	_____	srose		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	2/10/2014	2/10/2014	2/10/2014	_____	2/6/2014		
/1				_____	sbasford	sbasford	
				_____	2/10/2014	2/10/2014	

FE Sent For:

<END>

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/P1	chanaman 1/31/2014	csicilia 1/31/2014	jmurphy 1/31/2014	_____	mbarman 1/31/2014		
/P2	chanaman 2/6/2014	csicilia 2/6/2014		_____	mbarman 1/31/2014		
/P3			jmurphy	_____	srose		

Handwritten notes:
 1 gjs 2/10/14
 S 2/16/14

Vers. Drafted

Reviewed

Typed
2/6/2014

Proofed

Submitted
2/6/2014

Jacketed

Required

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/?	chanaman 1/29/2014	csicilia 1/29/2014	jfrantze 1/29/2014	_____			
/P1	chanaman 1/31/2014	csicilia 1/31/2014	jmurphy 1/31/2014	_____	mbarman 1/31/2014		
/P2				_____	mbarman 1/31/2014		

P3 cjs 2/6/14

jm + JB 2/6

FE Sent For:

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/?	chanaman 1/29/2014	csicilia 1/29/2014	jfrantze 1/29/2014	_____			
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/P1				_____	lparisi 1/29/2014		
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p2 cjs 1/31
14
[Signature]
1/31

FE Sent For:

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/?	chanaman	Pl gjs 1/29/14					

FE Sent For:

<END>

Hanaman, Cathlene

From: Bruce, Cory
Sent: Wednesday, January 29, 2014 11:34 AM
To: Hanaman, Cathlene; Schmidt, Melissa
Subject: FW: changes to 409

Hi,

✓ We have more changes for AB 409! We talked with the Chiefs on Monday and I think this is going to be pretty close to a final version. Once we get the draft back we'll share it with them for any additional tweaks, but hopefully they'll be minor. ;)

Changes to the ASA

✓ Page 2 - lines 4-7 - Remove Milwaukee Exemption (Melissa can you give me a call on this? I just want to clarify something)

Page 2 lines 10 -12:

✓ 2 investigators from outside agency, with one being the lead investigator.

Note - we'd like them to continue to be able to use DCI in DOJ, but we're not sure if we need to explicitly say that in the draft because they would be covered under the "two investigators from an outside agency". Is this correct?

✓ Page 2 lines 13-16:

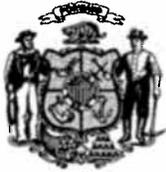
We'd like them to use a crash reconstruction team, which can include the State Patrol . However, we'd like to give the state patrol an exemption from having to be from an outside agency, because they are set up regionally and according to DOT: " As for placing geographical limitations on the responding team, this isn't really workable, as the TRU staff officially operate out of the same office. Moreover, we wouldn't want to create any artificial barriers to deployment. If there's an event that requires TRU resources, it's more logical to be able to deploy whomever is in close proximity to the incident. A timely response is crucial to preserve evidence and avoid further traffic issues (delays, secondary crashes, etc.)."

✓ Page 2 lines 22-24: Remove the 30 days timeline and instead say "to be done expeditiously" or something similar

Page 3 lines 5-9 (which we amended at DOJ's request), but we'd like to further clarify that victim witness coordinators (or whoever is currently responsible) for giving the victim's family the information would do so in these instances as well. We think that's the victim witness coordinators, but if you aren't sure, I can talk to the counties about it.

Please let me know if you have any questions.

Thanks again,
Cory



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBs0238/1
CMH:cjs&sac:jm

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stays

50254/PI

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 409**

January 22, 2014 – Offered by Representative BIES.

Repeal

1 **AN ACT to create** 175.47 and 950.08 (2c) of the statutes; **relating to:**
2 investigation of deaths involving a law enforcement officer.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 175.47 of the statutes is created to read:

4 **175.47 Review of deaths involving officers.** (1) In this section:

5 (a) “Law enforcement agency” has the meaning given in s. 165.83 (1) (b).

6 (b) “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).

7 (c) “Officer-involved death” means a death of an individual that results directly
8 from an action or an omission of a law enforcement officer while the law enforcement
9 officer is on duty or while the law enforcement officer is off duty but performing
10 activities that are consistent with his or her law enforcement duties.

X 1 (2) (a) Except as provided in par. (b), ^Eeach law enforcement agency shall have
2 a written policy regarding the investigation of officer-involved deaths that involve
3 a law enforcement officer employed by the law enforcement agency.

X 4 (b) Paragraph (a) does not apply to a law enforcement agency in a city of the
5 1st class if the city maintains a policy that is substantially similar and no less
6 rigorous than the "Critical Use of Force Incidents" policy that is in effect on the
7 effective date of this paragraph [LRB inserts date].

X 8 (3) (a) Each policy under sub. (2) (a) must require an investigation conducted
9 by one of the following:

- INS 2-9
- 10 1. A law enforcement agency that is located in a county that is not the county
 - 11 in which the officer-involved death occurred.
 - 12 2. The division of criminal investigation in the department of justice.

KEEP "by" 13 (b) If the officer-involved death being investigated is traffic-related, the policy
14 under sub. (2) (a) must require the investigation to use a crash reconstruction unit
15 from a law enforcement agency that does not employ a law enforcement officer
16 involved in the officer-involved death being investigated.

17 (c) Each policy under sub. (2) (a) may allow an internal investigation into the
18 officer-involved death if the internal investigation does not interfere with the
19 investigation conducted under par. (a).

20 (4) Compensation for participation in an investigation under sub. (3) (a) may
21 be determined in a manner consistent with mutual aid agreements under s. 175.46.

22 (5) The agency ^{or division} conducting the investigation under sub. (3) (a) shall
23 within 30 days, unless the district attorney of the county in which the
24 officer-involved death occurred grants an extension of up to 15 additional days,
25 provide a complete report to the district attorney of the county in which the

in an expeditious manner

1 officer-involved death occurred. Except as provided in this subsection, the agency
2 or division conducting the investigation shall keep confidential any material and
3 information related to the officer-involved death and the investigation.

4 **SECTION 2.** 950.08 (2c) of the statutes is created to read:

5 950.08 (2c) DUTIES OF DEPARTMENT; INFORMATION FOR VICTIMS OF
6 OFFICER-INVOLVED DEATHS. The department shall provide a victim of an
7 officer-involved death, as defined in s. 175.47 (1) (c), information about the process
8 by which he or she may file a complaint under s. 968.02 or 968.26 (2) and about the
9 process of an inquest under s. 979.05.

10 **SECTION 3. Initial applicability.**

11 (1) This act first applies to officer-involved deaths occurring on the effective
12 date of this subsection.

13 (END)

WNS
3-7

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0254/plins
CMH:.....

1

Insert 2-9

2

not

at least two investigators, one of whom is the lead investigator and neither of
whom is employed by ~~the~~ law enforcement agency that employs a law enforcement
officer involved in the officer-involved death.

5

6

Insert 2-13

7

not

unless a law enforcement officer involved in the officer-involved death is a
member of the state traffic patrol or a state motor vehicle inspector,

8



**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 409**

January 23, 2014 - Offered by Representative BIES.

*Throw bill section number*

1
2
3
4
5
6
7
8

At the locations indicated, amend the substitute amendment as follows:

1. Page 3, line 4: delete lines 4 to 9 and substitute:

SECTION 2d. 950.04 (1v) (do) of the statutes is created to read:

950.04 (1v) (do) To be informed about the process by which he or she may file a complaint under s. 968.02 or 968.26 (2) and about the process of an inquest under s. 979.05 if he or she is the victim of an officer-involved death, as defined in s. 175.47

(1) (c)

(END)

*IWS
3-4*

Hanaman, Cathlene

- LEOS to provide info

From: Bruce, Cory
Sent: Thursday, January 30, 2014 8:48 AM
To: Hanaman, Cathlene; Schmidt, Melissa
Subject: RE: changes to 409

- exempt state patrol

- DA public record if jiscaped

Cathlene,

Thanks for the draft. There are some other changes and I'm still waiting to hear back from the law enforcement groups about what they'd recommend. I hope it's substantially similar! One thing I did catch was we amended the sub to remove Section 3 at the request of DOJ and added the language under section 2 instead. So we'd like to remove section 3 again.

Also, Garey would like to add (and I'm not sure where this fits in) something to the effect of "when a DA declares the action taken was justifiable, the lead agency shall make available the report of the incident under the provisions of the open record laws under (state statute?).

I thought I'd get you these changes for now. But I anticipate others.

-----Original Message-----

From: Hanaman, Cathlene
Sent: Wednesday, January 29, 2014 2:20 PM
To: Bruce, Cory; Schmidt, Melissa
Subject: RE: changes to 409

Okay, it's off to editing. Both of you should receive a copy this afternoon (probably before 5, but I cannot guarantee that as there is quite a queue this time of the session-- I can guarantee only today). I think I got everything, but I made it a /p draft in case I missed something and because Cory hints at additional tweaks.

I deleted that pesky cross-reference in sub. (4), but changes can be made there too.

-----Original Message-----

From: Bruce, Cory
Sent: Wednesday, January 29, 2014 11:34 AM
To: Hanaman, Cathlene; Schmidt, Melissa
Subject: FW: changes to 409

Hi,

We have more changes for AB 409! We talked with the Chiefs on Monday and I think this is going to be pretty close to a final version. Once we get the draft back we'll share it with them for any additional tweaks, but hopefully they'll be minor. ;)

Changes to the ASA

Page 2 - lines 4-7 - Remove Milwaukee Exemption (Melissa can you give me a call on this? I just want to clarify something)

Page 2 lines 10 -12:

2 investigators from outside agency, with one being the lead investigator.

Note - we'd like them to continue to be able to use DCI in DOJ, but we're not sure if we need to explicitly say that in the draft because they would be covered under the "two investigators from an outside agency". Is this correct?

Page 2 lines 13-16:

We'd like them to use a crash reconstruction team, which can include the State Patrol . However, we'd like to give the state patrol an exemption from having to be from an outside agency, because they are set up regionally and according to DOT: " As for placing geographical limitations on the responding team, this isn't really workable, as the TRU staff officially operate out of the same office. Moreover, we wouldn't want to create any artificial barriers to deployment. If there's an event that requires TRU resources, it's more logical to be able to deploy whomever is in close proximity to the incident. A timely response is crucial to preserve evidence and avoid further traffic issues (delays, secondary crashes, etc.)."

Page 2 lines 22-24: Remove the 30 days timeline and instead say "to be done expeditiously" or something similar

Page 3 lines 5-9 (which we amended at DOJ's request), but we'd like to further clarify that victim witness coordinators (or whoever is currently responsible) for giving the victim's family the information would do so in these instances as well. We think that's the victim witness coordinators, but if you aren't sure, I can talk to the counties about it.

Please let me know if you have any questions.

Thanks again,
Cory

Exempt 19.75 miles
- DA determines action justifiable
~~Victim clarity request~~
Acd



State of Wisconsin
2013 - 2014 LEGISLATURE



P2

LRBs0254/P1
CMH:cjs&sac:jf

today of course

stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT
TO ASSEMBLY BILL 409

SN

repen cat

1 AN ACT to create 175.47, 950.04 (1v) (do) and 950.08 (2c) of the statutes; relating
2 to: investigation of death involving a law enforcement officer.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 175.47 of the statutes is created to read:

4 **175.47 Review of deaths involving officers.** (1) In this section:

5 (a) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

6 (b) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

7 (c) "Officer-involved death" means a death of an individual that results directly
8 from an action or an omission of a law enforcement officer while the law enforcement
9 officer is on duty or while the law enforcement officer is off duty but performing
10 activities that are consistent with his or her law enforcement duties.

1 (2) Each law enforcement agency shall have a written policy regarding the
2 investigation of officer-involved deaths that involve a law enforcement officer
3 employed by the law enforcement agency.

4 (3) (a) Each policy under sub. (2) must require an investigation conducted by
5 at least two investigators, one of whom is the lead investigator and neither of whom
6 is employed by the a law enforcement agency that employs a law enforcement officer
7 involved in the officer-involved death.

8 (b) If the officer-involved death being investigated is traffic-related, unless a
9 law enforcement officer involved in the officer-involved death is a member of the
10 state traffic patrol or a state motor vehicle inspector, the policy under sub. (2) must
11 require the investigation to use a crash reconstruction unit from a law enforcement
12 agency that does not employ a law enforcement officer involved in the
13 officer-involved death being investigated. *WS 2-13*

14 (c) Each policy under sub. (2) may allow an internal investigation into the
15 officer-involved death if the internal investigation does not interfere with the
16 investigation conducted under par. (a).

17 (4) Compensation for participation in an investigation under sub. (3) (a) may
18 be determined in a manner consistent with mutual aid agreements.

19 (5) ^(a) ~~The agency~~ ^{investigators} conducting the investigation under sub. (3) (a) shall, in an
20 expeditious manner, provide a complete report to the district attorney of the county
21 in which the officer-involved death occurred. ^{(b) i.} Except as provided in this subsection,
22 ~~the agency conducting the investigation~~ ^{be kept} shall ~~keep~~ confidential any material and
23 information related to the officer-involved death and the investigation.

24 SECTION 2. 950.04 (1v) (do) of the statutes is created to read: ✓

*14 24
2-24*

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0254/P2ins
CMH:cjs&sac:jf

1 W04 Insert 2-13

2 ↗ except that a policy for law enforcement agency that is a state law enforcement
3 agency may allow ^{an} ~~the~~ investigation to use a crash reconstruction unit from ~~that~~ state
4 law enforcement agency a law enforcement officer employed by the same
5 involving that state law enforcement agency

6 Insert 2-24

7 2. Unless the district attorney finds the action of the law enforcement officer
8 involved in the officer-involved death to be a justifiable action, the report provided
9 to the district attorney under par. (a) is not subject to inspection or copying under s.
10 19.35 (1). ✓

****NOTE: I don't know if the DA affirmatively finds an action "justifiable" so I am not sure how to discern the time when the report becomes a public record and, if new evidence becomes available, a DA could prosecute later, but I think you've considered these issues. Please review this language carefully to ensure it does what you intend. ✓

11
12 Insert 3-11 ✓

13 SECTION 1. 950.08 (2g) (h) of the statutes is created to read:

14 950.08 (2g) (h) If the victim is a victim of an officer-involved death, as defined
15 in s. 175.47, information about the process by which he or she may file a complaint
16 under s. 968.02 or 968.26 (2) and about the process of an inquest under s. 979.05.

(1)(c)

Hanaman, Cathlene

From: Bruce, Cory
Sent: Thursday, February 06, 2014 9:41 AM
To: Schmidt, Melissa; Hanaman, Cathlene
Subject: AB 409 - Drafting instructions

Hi,
I think we're almost there and I think I mean it this time!

Page 1, line 10: can we change "consistent with" to "within the scope of"

Page 2, line 6: we need to take out the "a" after the

Page 2: take out lines 23-24

Page 3: lines 1-4. We'd like to change this. After reading Melissa's recent email and talking through it, we don't think we captured the intent of what we're going for. We don't want to make it more difficult for folks to get the report. So at the end of the day, what we want to achieve is that once the DA makes a determination that the actions were justifiable, that the law enforcement agency responsible for the investigation would make the report public, minus anything that under law can be redacted (juvenile information, SS numbers, etc.).

Also, with respect to this, instead of saying "justifiable" can we say something like "If the District Attorney determines there exists no basis to prosecute the law enforcement officer involved in the officer-involved death, the report shall be released by the law enforcement agency responsible for investigating the incident"

Let me know if you have any questions.

Thanks,
Cory

Hanaman, Cathlene

To: Bruce, Cory; Schmidt, Melissa
Subject: RE: AB 409 - Drafting instructions

Page 2, line 6—I think you want to delete the “the” instead of the “a” because more than one agency could be involved. But that is a nice typo!

I know you’re already aware of this, but I’m not sure there is a moment when the DA makes a determination that there is no basis. The DA may decide to prosecute years from now if new evidence comes to light. Maybe for OIDs, it’s different and DAs make some discernible, affirmative determination, but I don’t think there is a statute requiring that. Per your request, I included the language because, with it, maybe DAs will make a determination for the sake of public knowledge, but I don’t think it can be binding.

Expect it shortly.

From: Bruce, Cory
Sent: Thursday, February 06, 2014 9:41 AM
To: Schmidt, Melissa; Hanaman, Cathlene
Subject: AB 409 - Drafting instructions

Hi,
I think we’re almost there and I think I mean it this time!

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Let me know if you have any questions.

Thanks,
Cory



this am y possible

stay c

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT ,
TO ASSEMBLY BILL 409**

*AV
billiard*

reg cat

1 **AN ACT to create** 175.47, 950.04 (1v) (do) and 950.08 (2g) (h) of the statutes;
2 **relating to:** investigation of a death involving a law enforcement officer.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 175.47 of the statutes is created to read:

4 **175.47 Review of deaths involving officers.** (1) In this section:

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6 (b) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

7 (c) "Officer-involved death" means a death of an individual that results directly

8 from an action or an omission of a law enforcement officer while the law enforcement

9 officer is on duty or while the law enforcement officer is off duty but performing

10

activities that are consistent with his or her law enforcement duties.

within the scope of

1 (2) Each law enforcement agency shall have a written policy regarding the
2 investigation of officer-involved deaths that involve a law enforcement officer
3 employed by the law enforcement agency.

4 (3) (a) Each policy under sub. (2) must require an investigation conducted by
5 at least two investigators, one of whom is the lead investigator and neither of whom
6 is employed by the a law enforcement agency that employs a law enforcement officer
7 involved in the officer-involved death.

8 (b) If the officer-involved death being investigated is traffic-related, the policy
9 under sub. (2) must require the investigation to use a crash reconstruction unit from
10 a law enforcement agency that does not employ a law enforcement officer involved
11 in the officer-involved death being investigated, except that a policy for a state law
12 enforcement agency may allow an investigation involving a law enforcement officer
13 employed by that state law enforcement agency to use a crash reconstruction unit
14 from the same state law enforcement agency.

15 (c) Each policy under sub. (2) may allow an internal investigation into the
16 officer-involved death if the internal investigation does not interfere with the
17 investigation conducted under par. (a).

18 (4) Compensation for participation in an investigation under sub. (3) (a) may
19 be determined in a manner consistent with mutual aid agreements.

20 (5) (a) The investigators conducting the investigation under sub. (3) (a) shall,
21 in an expeditious manner, provide a complete report to the district attorney of the
22 county in which the officer-involved death occurred.

23 (b) 1. Except as provided in this subsection, any material and information
24 related to the officer-involved death and the investigation shall be kept confidential.

2 Unless the district attorney finds the action of the law enforcement officer

determines there is no basis to prosecute

involved in the officer-involved death to be a justifiable action, the report provided

to the district attorney under par. (a) is not subject to inspection or copying under s. 19.35(1). *keep comma*

*****NOTE: I don't know if the DA affirmatively finds an action "justifiable" so I am not sure how to discern the time when the report becomes a public record and, if new evidence becomes available, a DA could prosecute later, but I think you've considered these issues. Please review this language carefully to ensure it does what you intend.*

SECTION 2. 950.04 (1v) (do) of the statutes is created to read:

950.04 (1v) (do) To be informed about the process by which he or she may file a complaint under s. 968.02 or 968.26 (2) and about the process of an inquest under s. 979.05 if he or she is the victim of an officer-involved death, as defined in s. 175.47 (1) (c).

SECTION 3. 950.08 (2g) (h) of the statutes is created to read:

950.08 (2g) (h) If the victim is a victim of an officer-involved death, as defined in s. 175.47 (1) (c), information about the process by which he or she may file a complaint under s. 968.02 or 968.26 (2) and about the process of an inquest under s. 979.05.

SECTION 4. Initial applicability.

(1) This act first applies to officer-involved deaths occurring on the effective date of this subsection.

(END)

~~the district attorney~~ the investigators conducting the investigation under sub. (3) (a) shall ~~be~~ ~~the district attorney~~ release the report

20
91



Today
a.m.

Stays



~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY SUBSTITUTE AMENDMENT,
TO ASSEMBLY BILL 409

no changes

again eat

1 AN ACT *to create* 175.47, 950.04 (1v) (do) and 950.08 (2g) (h) of the statutes;
2 relating to: investigation of a death involving a law enforcement officer.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 175.47 of the statutes is created to read:
4 **175.47 Review of deaths involving officers.** (1) In this section:
5 (a) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).
6 (b) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).
7 (c) "Officer-involved death" means a death of an individual that results directly
8 from an action or an omission of a law enforcement officer while the law enforcement
9 officer is on duty or while the law enforcement officer is off duty but performing
10 activities that are within the scope of his or her law enforcement duties.



1 (2) Each law enforcement agency shall have a written policy regarding the
2 investigation of officer-involved deaths that involve a law enforcement officer
3 employed by the law enforcement agency.

4 (3) (a) Each policy under sub. (2) must require an investigation conducted by
5 at least two investigators, one of whom is the lead investigator and neither of whom
6 is employed by a law enforcement agency that employs a law enforcement officer
7 involved in the officer-involved death.

8 (b) If the officer-involved death being investigated is traffic-related, the policy
9 under sub. (2) must require the investigation to use a crash reconstruction unit from
10 a law enforcement agency that does not employ a law enforcement officer involved
11 in the officer-involved death being investigated, except that a policy for a state law
12 enforcement agency may allow an investigation involving a law enforcement officer
13 employed by that state law enforcement agency to use a crash reconstruction unit
14 from the same state law enforcement agency.

15 (c) Each policy under sub. (2) may allow an internal investigation into the
16 officer-involved death if the internal investigation does not interfere with the
17 investigation conducted under par. (a).

18 (4) Compensation for participation in an investigation under sub. (3) (a) may
19 be determined in a manner consistent with mutual aid agreements.

20 (5) (a) The investigators conducting the investigation under sub. (3) (a) shall,
21 in an expeditious manner, provide a complete report to the district attorney of the
22 county in which the officer-involved death occurred.

23 (b) If the district attorney determines there is no basis to prosecute the law
24 enforcement officer involved in the officer-involved death, the investigators
25 conducting the investigation under sub. (3) (a) shall release the report.

