

1991 Assembly Bill 145

Date of enactment: **March 27, 1992**

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1991 WISCONSIN ACT 135

AN ACT to create 175.40 (1) (bn) and 175.40 (5) of the statutes, **relating to:** arrests in populous counties.

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

SECTION 1. 175.40 (1) (bn) of the statutes is created to read:

175.40 (1) (bn) "Law enforcement officer" has the meaning specified in s. 165.85 (2) (c).

SECTION 2. 175.40 (5) of the statutes is created to read:

175.40 (5) (a) For any county having a population of 500,000 or more, if any law enforcement officer has territorial jurisdiction that is wholly or partially within that county and has authority to arrest a person within the officer's territorial jurisdiction, the officer may arrest that person anywhere in the county.

(b) A law enforcement officer specified in par. (a) has the additional arrest authority under this subsection only if the officer's law enforcement agency has adopted policies under par. (d) and the officer complies with those policies.

(c) A law enforcement agency in the jurisdiction where a person is arrested under par. (a) is immune from

liability for the acts or omissions of any officer of a different law enforcement agency exercising authority under par. (a).

(d) In order to allow its officers to exercise authority under par. (a), a law enforcement agency for a municipality or county must adopt and implement written policies regarding the arrest authority under this subsection, including at least all of the following:

1. Investigations conducted in another jurisdiction.
2. Arrests made in another jurisdiction if the crime is observed by a law enforcement officer.
3. Arrests made in another jurisdiction if the crime is not observed by a law enforcement officer.
4. Notification to and cooperation with the law enforcement agency of another jurisdiction regarding investigations conducted and arrests made in the other jurisdiction.

(e) The authority under this subsection is in addition to any other arrest authority, including authority granted under any charter.
