

State of Misconsin 1997 - 1998 LEGISLATURE

## **1997 ASSEMBLY BILL 639**

- December 2, 1997 Introduced by Representatives Johnsrud, Musser, Hasenohrl, Schneider, Turner, Duff, R. Young, Goetsch, Olsen, Plouff, Zukowski, Seratti, Hutchison, Ryba, Kaufert, Freese, Huebsch, Meyer, Ourada, Skindrud, Gard, Robson, Gronemus, Dobyns, Riley, Hanson, Baumgart, Linton, J. Lehman, Powers, Kedzie, Ainsworth, Harsdorf, Sykora, Owens, Klusman, Lorge, Nass, M. Lehman, Schafer, Ward, Hoven, Walker, Gunderson, Albers, Underheim, Porter, Kreibich, R. Potter, Steinbrink, Kreuser, Handrick, Grothman, Boyle, Reynolds, Krusick, Baldwin, Murat, F. Lasee, Ziegelbauer, Jensen, Otte and Lazich, cosponsored by Senators Moen, Jauch, Drzewiecki, A. Lasee, Farrow, Roessler, Risser, Ellis, Rude, Breske, Cowles, Zien, Adelman, Huelsman and Wineke. Referred to Committee on Criminal Justice and Corrections.
- 1 AN ACT to create 164.055 of the statutes; relating to: prohibiting requirements
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- that law enforcement officers meet arrest, citation or other quotas in the
- 3 enforcement of state and local laws.

## Analysis by the Legislative Reference Bureau

Current law provides certain rights to law enforcement officers, such as the right to engage in political activity when not on duty or not otherwise acting in an official capacity and, when being interrogated as part of a disciplinary investigation, the right to be informed of the nature of the investigation and to have a representative present during the investigation. These rights may not be abridged by a collective bargaining agreement, and a law enforcement officer may not be discharged, disciplined, demoted or otherwise discriminated against in regard to employment because he or she exercises any of his or her rights.

This bill provides law enforcement officers with the right to be free from meeting certain quotas relating to law enforcement. Specifically, the bill specifies that a law enforcement officer employed by the state or by a city, village, town or county may not be required to do any of the following: 1) issue a specific number or a minimum or maximum number of citations, complaints or warning notices during any specified time period; 2) stop a specific number or a minimum or maximum number of persons or vehicles during any specified time period for the purpose of preventing or detecting violations of any law or ordinance or enforcing any law or ordinance; or 3) make a specific number or a minimum or maximum number of arrests during any specified time period. As under current law, this right may not be abridged by a collective bargaining agreement, and a law enforcement officer may not be discharged, disciplined, demoted or otherwise discriminated against in regard to employment because he or she refuses to meet a quota prohibited under the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 164.055 of the statutes is created to read:

164.055 Quotas relating to the enforcement of laws prohibited. No law
enforcement officer may be directly or indirectly required to do any of the following:
(1) Issue a specific number or a minimum or maximum number of situations.

- 4 (1) Issue a specific number, or a minimum or maximum number, of citations,
  5 complaints or warning notices during any specified time period.
- 6 (2) Stop a specific number, or a minimum or maximum number, of persons
  7 during any specified time period for the purpose of preventing or detecting violations
  8 of any law or ordinance or enforcing any law or ordinance.
- 9 (3) Stop or inspect a specific number, or a minimum or maximum number, of
  10 vehicles during any specified time period for the purpose of preventing or detecting
  11 violations of any law or ordinance or enforcing any law or ordinance.
- 12 (4) Make a specific number, or a minimum or maximum number, of arrests13 during any specified time period.
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(END)