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(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2005-06

(session year)

### Assembly

(Assembly, Senate or Joint)

### Committee on Corrections and the Courts...

#### 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**

## Assembly

### Record of Committee Proceedings

#### **Committee on Corrections and the Courts**

##### **Assembly Bill 216**

Relating to: collection of data concerning motor vehicle stops, law enforcement training standards, and granting rule-making authority.

By Representatives Bies, Berceau, Colon, Grigsby, Hines, Lehman, Molepske, Pocan and Van Roy.

March 16, 2005      Referred to Committee on Corrections and the Courts.

September 7, 2005      **PUBLIC HEARING HELD**

Present:    (10)    Representatives Bies, Gundrum, Underheim, Owens,  
Suder, LeMahieu, Pope-Roberts, Wasserman, Seidel,  
Parisi.

Absent:    (0)    None.

##### Appearances For

- Representative Garey Bies – 1<sup>st</sup> Assembly District
- State Bar of Wisconsin

##### Appearances Against

- Badger State Sheriffs Association

##### Appearances for Information Only

- Milwaukee Police Department

##### Registrations For

- Wisconsin Department of Transportation
- State Bar of Wisconsin Legislature
- Wisconsin Troopers Association
- State Farm Insurance

##### Registrations Against

- Wisconsin Counties Association
- Wisconsin Chiefs of Police Association

May 4, 2006

Failed to pass pursuant to Senate Joint Resolution 1.

Andrew Nowlan  
Committee Clerk



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## MEMORANDUM

TO: Honorable Members of the Assembly Committee on Corrections and the Courts

FROM: Sarah Diedrick-Kasdorf, Senior Legislative Associate 

DATE: September 7, 2005

SUBJECT: Opposition to Assembly Bill 216

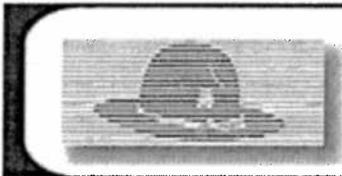
The Wisconsin Counties Association (WCA) opposes Assembly Bill 216 relating to the collection of data concerning motor vehicle stops. Under the bill, law enforcement agencies will be required to collect the following information concerning motor vehicle stops made on or after January 1, 2007: 1) the name, address, sex and race of the operator and each occupant of the motor vehicle; 2) the reason for the motor vehicle stop; 3) the make, model and year of the motor vehicle; 4) the date, time and location of the motor vehicle stop; 5) whether or not a law enforcement officer conducted a search of the motor vehicle, the operator, or any occupant and if so, whether the search was with consent or by other means; and 6) the name and badge number of the officer making the motor vehicle stop.

According to the Department of Transportation, there are over 1,000,000 traffic citations issued annually. On average, citations are issued once for every three or four motor vehicle stops. Therefore, utilizing as an average one citation for every four stops, implementing the provisions included in Assembly Bill 216 will generate over 4 million reports to the Department of Justice annually. This means law enforcement officers at the local level will be required to generate 3 million additional reports on an annual basis. This is a significant unfunded mandate on local law enforcement agencies.

We agree that the issue of profiling is important and most assuredly warrants attention. However, implementation of the provisions included in this bill can only be accomplished at great financial expense to counties and public safety expense to our citizens. At a time when counties are significantly reducing services due to the implementation of levy limits, the state ought not to be placing additional requirements on local governments and their employees.

Thank you for considering our comments.





## Wisconsin Troopers' Association

Casey Perry – Executive Director

Glen Jones – President

2099 Ironwood Drive, Green Bay, Wisconsin 54304-1972

Phone: (Toll Free: 1-800-232-1392) Fax: (Toll Free: 1-800-232-1392)

<http://www.wi-troopers.org/>

To: Chairman Garey Bies, Members  
Assembly Committee on Corrections and the Courts

Fr: Casey Perry, Executive Director  
Wisconsin Troopers Association

Da: September 7, 2005

Re: Support for AB 216

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Good morning Chairman Bies and members of the Assembly Committee on Corrections and the Courts. Thank you for this opportunity to submit testimony on behalf of the Wisconsin Troopers Association (WTA). The WTA enthusiastically supports AB 216, legislation that will require law enforcement officers to collect additional information during routine traffic stops and provide training for those officers.

AB 216 is significant legislation as it will aim to address concerns of profiling during motor vehicle stops. The WTA understands these concerns, and embraces this legislation not only as a means to help deal with these concerns, but also as a means for our officers to continue efforts to curb highway deaths.

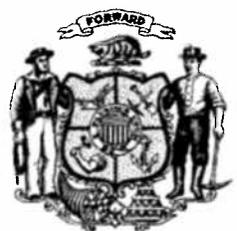
The WTA expects the highest ethical standards of its state law enforcement officers. For this reason, we support data collection and training of officers relating to cultural diversity and sensitivity toward racial and ethnic differences. It is unacceptable for officers to profile based on any factors, including race, sex, age or violation. Our purpose is to enforce the law equally and treat all citizens as equal.

AB 216 is also an important highway safety initiative. Under this bill, our officers will be able to analyze this data to study driver behavior and crash statistics, particularly to study areas of high crash ratings. For example, if a state roadway has a high or low crash area, one can correlate the effect law enforcement may have had in reducing crashes by its presence in that area. This will improve our ability to identify problematic areas on Wisconsin's roadways and also focus our limited resources in areas of greatest need.

On behalf of the Wisconsin Troopers Association, I ask your support of AB 216. This valuable legislation will not only ease the concerns of profiling, but it will enhance our mission of highway safety as it relates to data collection. Thank you.



# WISCONSIN STATE LEGISLATURE





**Written Testimony of Representative Garey Bies  
Assembly Committee on Corrections and the Courts  
Assembly Bill 216 – Collection of Data Concerning Motor Vehicle Stops**

Good morning fellow committee members, I appreciate the opportunity to submit my testimony in support of Assembly Bill 216, relating to the collection of data concerning motor vehicle stops.

I have introduced AB 216 in response to the concerns of my fellow Representatives from the Milwaukee area. I believe the issue may be of importance in large population areas where there is a diverse population. This legislation would evaluate what is happening on the streets in regards to motor vehicle stops.

Do I believe this bill will answer the questions concerning racial profiling in Milwaukee? I have my doubts. I feel it will show that we are dealing with the “One Percenters” that exist in any organization and that the other 99% of law enforcement are good people who do a difficult job in very difficult situations. It is the actions of the 1% that give the bad name to all the rest.

I believe this bill will vindicate the outstanding 99% and put the spot light on the problem employees. To solve the 1% problem we need to change the attitude of the chiefs and other supervisors who allow the improper behavior to persist. Police officers are people who are trying to do a good job in a difficult world that continues to be more difficult as each day passes. If only we could give police officers the ability to be mind readers!

The best police officers can do is to use the tools available to them as prescribed by the courts. We will never know how much crime was prevented by good aggressive patrol but if we keep officers from doing a good job, we all suffer the effects of poor patrol practices. It is my hope this bill will bring balance to the issue and stop what abuse of power exists.

Lastly, do we need this legislation in all Wisconsin Counties? No. This issue is not relevant in Rusk, Vernon, Florence, Sawyer or Door Counties.

Thank you and I'd be happy to answer any questions that you may have.

*First for Wisconsin!*



FOR \_\_\_\_\_

**Urgent**

DATE \_\_\_\_\_ TIME \_\_\_\_\_ A.M.  
P.M.

**While You Were Out**

M Molepske

OF \_\_\_\_\_

PHONE \_\_\_\_\_

AREA CODE	NUMBER	EXTENSION
TELEPHONED		PLEASE CALL
CAME TO SEE YOU		WILL CALL AGAIN
RETURNED YOUR CALL		WANTS TO SEE YOU

MESSAGE \_\_\_\_\_

*Sunset provision* *A15 216*

*- Molepske*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SIGNED

 9711



How to keep info that is not open to public record separate?

LeMaire

↳ How do the Badger Sheriffs suggest we address the issue?

↳ Amend to limit areas.

↳ Fund a study to review issue

- State bar mentioned "study after study" showing a problem.

state  
13<sup>th</sup> Public Trust & Conf in the  
Justice System

Milwaukee

30% population black

55% citations for blacks

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\$ in fed laws budget for this?

Self-fulfilling prophecy so to speak. Higher violent crime in certain communities that were high minority districts. Those communities requested greater police presence which leads to greater police involvement. Greater involvement has now led to charges of racial profiling.

↳ include officer id in data of traffic stops.