



## 2003 ASSEMBLY BILL 766

January 27, 2004 - Introduced by Representatives J. WOOD, KREIBICH, PLOUFF, TOWNSEND, MUSSER, HINES, F. LASEE, VRAKAS, STONE, KERKMAN, BIES and OWENS, cosponsored by Senators SCHULTZ and ZIEN. Referred to Committee on Colleges and Universities.

1     **AN ACT to amend** 175.40 (5) (a) and 175.40 (5) (d) (intro.) of the statutes;  
2             **relating to:** authority of University of Wisconsin System police to make arrests  
3             off campus.

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### *Analysis by the Legislative Reference Bureau*

Current law grants the Board of Regents (board) of the University of Wisconsin (UW) System joint authority with local governments to exercise police power on the property of UW institutions. In exercising that power, UW police must cooperate with and be responsive to other local law enforcement agencies. In addition, under current law, if a law enforcement officer, including a UW police officer, has territorial jurisdiction that is wholly or partially within a county and the officer has authority to arrest a person within that jurisdiction, he or she may arrest a person anywhere in that county if: 1) the law enforcement agency employing the officer has adopted policies regarding investigations and arrests occurring in other jurisdictions; and 2) the county has a population of 500,000 or more (making Milwaukee County the only county to which this provision currently applies).

This bill authorizes UW police assigned to a given campus to make arrests anywhere in the county in which the UW campus is located if the board authorizes them to do so and adopts policies regarding investigations and arrests occurring off campus.

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For further information see the *state* 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.** 175.40 (5) (a) of the statutes is amended to read:

2           175.40 (5) (a) ~~For~~ If a University of Wisconsin System police officer has law  
3 enforcement responsibilities for a campus in a particular county, or, in the case of any  
4 county having a population of 500,000 or more, if any law enforcement officer has  
5 territorial jurisdiction that is wholly or partially within that county, and the officer  
6 has authority to arrest a person within the officer's territorial jurisdiction, the officer  
7 may arrest that person anywhere in the county.

8           **SECTION 2.** 175.40 (5) (b) of the statutes is renumbered 175.40 (5) (b) (intro.)  
9 and amended to read:

10           175.40 (5) (b) (intro.) A law enforcement officer specified in par. (a) has the  
11 additional arrest authority under this subsection only if the all of the following apply:

12           1. The officer's law enforcement agency has adopted policies under par. (d) and  
13 the officer complies with those policies.

14           **SECTION 3.** 175.40 (5) (b) 2. of the statutes is created to read:

15           175.40 (5) (b) 2. In the case of a University of Wisconsin System police officer,  
16 the board of regents of the University of Wisconsin System has authorized officers  
17 for the campus to which the officer is assigned to exercise that authority.

18           **SECTION 4.** 175.40 (5) (d) (intro.) of the statutes is amended to read:

19           175.40 (5) (d) (intro.) In order to allow its officers to exercise authority under  
20 par. (a), University of Wisconsin System police under s. 36.11 (2) and a law  
21 enforcement agency for a municipality or county must shall adopt and implement

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1 written policies regarding the arrest authority under this subsection, including at  
2 least all of the following:

3 (END)