



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-0330/1  
CMH:amn&wlj

## 2017 ASSEMBLY BILL 189

March 28, 2017 - Introduced by Representatives SANFELIPPO, JACQUE, ANDERSON, BORN, R. BROOKS, HORLACHER, JAGLER, KREMER, MACCO, MURSAU, NOVAK, RIPP, ROHRKASTE, SCHRAA, SKOWRONSKI, SPIROS, THIESFELDT, TITTL, TRANEL, TUSLER, WEATHERSTON, KRUG and VANDERMEER, cosponsored by Senators VUKMIR and WANGGAARD. Referred to Committee on Local Government.

1     **AN ACT** *to repeal* 165.986 (6); *to renumber and amend* 165.986 (1), 165.986  
2           (2) and 165.986 (4); *to amend* 20.455 (2) (kb), 165.986 (title), 165.986 (3) and  
3           165.986 (5); and *to create* 165.986 (1c), 165.986 (2) (a) and (c) and 165.986 (4m)  
4           of the statutes; **relating to:** grants for beat patrol and specialized officers.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the Department of Justice awards grants to cities to pay for uniformed beat patrol law enforcement officers. This bill makes the following changes to the grant program: allows villages, town, and counties, not just cities, to apply; eliminates the cap of \$150,000 per grant; eliminates the requirement that DOJ award the grant to the applicants with the highest rates of violent crime; allows grant recipients to use grant funds to pay for law enforcement officers whose primary duties relate to achieving a law enforcement or public safety goal; and requires annual applications. Also, under the bill, a grant recipient that applies for an additional grant must provide a statement to DOJ regarding its progress using the grant money in achieving goals for which the previous grant was awarded.

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

5           **SECTION 1.** 20.455 (2) (kb) of the statutes is amended to read:

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1           20.455 (2) (kb) *Law enforcement officer supplement grants.* The amounts in the  
2 schedule to provide grants for uniformed law enforcement officers under s. 165.986.  
3 All moneys transferred from the appropriation account under s. 20.505 (1) (id) 3.  
4 shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
5 unencumbered balance on June 30 of each year shall be transferred to the  
6 appropriation account under s. 20.505 (1) (id).

7           **SECTION 2.** 165.986 (title) of the statutes is amended to read:

8           **165.986** (title) **Beat patrol and specialized officers; grant program.**

9           **SECTION 3.** 165.986 (1) of the statutes is renumbered 165.986 (1m) and  
10 amended to read:

11           165.986 (1m) The department of justice shall provide grants from the  
12 appropriation under s. 20.455 (2) (kb) to cities political subdivisions to employ  
13 additional uniformed law enforcement officers whose primary duty is beat  
14 patrolling. ~~A city is eligible for a grant under this section in fiscal year 1994-95 if~~  
15 ~~the city has a population of 25,000 or more or specialized law enforcement officers.~~  
16 A city political subdivision may receive a grant for a calendar year if ~~the city~~ it applies  
17 for a grant before September 1 of the preceding calendar year. ~~Grants shall be~~  
18 ~~awarded to the 10 eligible cities submitting an application for a grant that have the~~  
19 ~~highest rates of violent crime index offenses in the most recent full calendar year for~~  
20 ~~which data is available under the uniform crime reporting system of the federal~~  
21 ~~bureau of investigation.~~

22           **SECTION 4.** 165.986 (1c) of the statutes is created to read:

23           165.986 (1c) In this section:

24           (a) "Political subdivision" means a city, village, town, or county.

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1 (b) "Specialized law enforcement officer" means a law enforcement officer  
2 whose primary duties and assignments relate to achieving a law enforcement or  
3 public safety goal that is identified by a political subdivision under sub. (2) (a).

4 **SECTION 5.** 165.986 (2) of the statutes is renumbered 165.986 (2) (intro.) and  
5 amended to read:

6 165.986 (2) (intro.) A city political subdivision applying to the department of  
7 justice for a grant under this section shall ~~include a~~ submit to the department of  
8 justice all of the following:

9 (b) A proposed plan of expenditure of the grant moneys that sets forth a  
10 strategy for applying the grant moneys toward the goals identified in par. (a).

11 **(2m)** The grant moneys that a city political subdivision receives under this  
12 section may be used for salary and fringe benefits only. Except as provided in sub.  
13 (3), the positions for which funding is sought must be created on or after April 21,  
14 1994, ~~and result in a net increase in the number of uniformed law enforcement~~  
15 ~~officers assigned to beat patrol duties.~~ The department may issue a grant in 2 annual  
16 payments, with the 2nd payment contingent upon the grant recipient's progress in  
17 meeting its goals reported in sub. (4m).

18 **SECTION 6.** 165.986 (2) (a) and (c) of the statutes are created to read:

19 165.986 (2) (a) Defined goals toward which the grant funds will be applied,  
20 using data that identify specific problems and that may be used as a measurement  
21 of progress toward the identified goals. If grant funds will be used for salary and  
22 fringe benefits of a specialized law enforcement officer, a description of the officer's  
23 duties and their relation to the goals identified in this paragraph.

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1 (c) If the applicant has received a previous grant under this section, a statement  
2 of its progress in reducing crime or achieving other goals related to the purposes for  
3 which it received the grant.

4 **SECTION 7.** 165.986 (3) of the statutes is amended to read:

5 165.986 (3) During the first 6 months of the first year of a grant, a city political  
6 subdivision may, with the approval of the department, use part of the grant for the  
7 payment of salary and fringe benefits for overtime provided by uniformed law  
8 enforcement officers whose primary duty is beat patrolling or by specialized law  
9 enforcement officers. A city political subdivision may submit a request to the  
10 department for a 3-month extension of the use of the grant for the payment of  
11 overtime costs. To be eligible to use part of the first year's grant for overtime costs,  
12 the city political subdivision shall provide the department with all of the following:

13 (a) The reasons why uniformed law enforcement officers assigned to beat patrol  
14 duties or specialized law enforcement officers need to work overtime.

15 (b) The status of the hiring and training of new uniformed law enforcement  
16 officers who will have beat patrol duties or of specialized law enforcement officers.

17 (c) Documentation that a sufficient amount of the grant for the first year will  
18 be available, during the period remaining after the payment of overtime costs, to pay  
19 the salary and fringe benefits of the same number of uniformed officers whose  
20 primary duty is beat patrolling or of specialized law enforcement officers that the  
21 grant originally planned to pay.

22 **SECTION 8.** 165.986 (4) of the statutes is renumbered 165.986 (4) (a) and  
23 amended to read:

24 165.986 (4) (a) The department shall develop criteria which, notwithstanding  
25 s. 227.10 (1), need not be promulgated as rules under ch. 227, for use in determining

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1 the amount to ~~grant award to cities~~ political subdivisions under this section. The  
2 department may not award an annual grant in excess of \$150,000 to any city. The  
3 criteria shall include, for each applicant, the rates of violent crime index offenses in  
4 the most recent full calendar year for which data are available under the uniform  
5 crime reporting system of the federal bureau of investigation and, if applicable, the  
6 applicant's success in using previous grants to reduce crime or achieve other goals  
7 set by the department. The criteria may also include the rates of nonviolent crime  
8 in the political subdivision.

9 (b) The department shall review ~~any application and plan submitted under~~  
10 ~~sub. (2) to determine if that~~ each application and, plan, and statement of progress  
11 submitted under sub. (2) (c) or (4m) meet the requirements of this section.

12 (c) The grant that a city political subdivision receives under this section must  
13 result in a net increase in the number of uniformed law enforcement officers assigned  
14 to beat patrol duties or the number of specialized law enforcement officers and may  
15 not supplant existing local resources. The political subdivision may not reduce its  
16 expenditures as a result of receiving the grant.

17 **SECTION 9.** 165.986 (4m) of the statutes is created to read:

18 165.986 (4m) A political subdivision that receives a grant under this section  
19 shall submit, annually, or as requested by the department, a progress report that  
20 includes all of the following:

21 (a) For each law enforcement officer whose position is funded wholly or in part  
22 by the grant, an activity report that includes proactive measures the officer has  
23 taken to achieve the goals identified in the grant application.

24 (b) Crime reporting information that compares rates of crime in the political  
25 subdivision at the time it received a grant and at the end of the reporting period.

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1 (c) Other information requested by the department that demonstrates the  
2 efficacy of the grant in reducing crime or achieving other goals identified by the  
3 political subdivision or by the department.

4 **SECTION 10.** 165.986 (5) of the statutes is amended to read:

5 165.986 (5) ~~A city may receive a grant for 3 consecutive years without~~  
6 ~~submitting a new application each year.~~ For each year that a city political  
7 subdivision receives a grant, the city political subdivision shall provide matching  
8 funds of at least 25 percent of the amount of the grant.

9 **SECTION 11.** 165.986 (6) of the statutes is repealed.

10 (END)