



MICHAEL SCHRAA

STATE REPRESENTATIVE • 53RD ASSEMBLY DISTRICT

P.O. Box 8953
Madison, WI 53708

Office: (608) 267-7990
Toll-Free: (608) 534-0053
Rep.Schraa@legis.wi.gov

Testimony on AB 671

Thank you Chairman Kleefisch, Vice Chair Kremer, and members of the committee for giving me the opportunity to provide testimony on this legislation dealing with the use of drones while committing a crime.

Senator Gudex and I introduced this legislation as a companion bill to AB 670. The intent is to discourage the use of drones in the commission of a crime. We believe this legislation, combined with AB 670, will help our correctional officers do their jobs more safely and effectively.

This bill enhances existing criminal penalties for crimes if a drone is used as a part of that crime. Under the bill, if the crime is a misdemeanor but not a Class A misdemeanor, the person is subject to a maximum fine of \$10,000, and a maximum term of imprisonment of one year in county jail. If the crime is a Class A misdemeanor, the person is guilty of a felony and subject to a \$10,000 fine and up to two years in prison. If the crime is a felony, the maximum fine for the crime is increased by up to \$5,000 and the maximum term of imprisonment for the crime is increased by up to five years. This penalty enhancement will serve multiple purposes. First, the enhancement will serve to deter other would-be criminals from committing the same crime. Second, giving longer punishments helps to keep the criminals incarcerated and therefore, away from the public.

As the use of drone technology increases, the resourcefulness of criminals also increases. We have all seen recently that Amazon has been conducting testing with drone technology to help deliver their packages. There have been examples we found that include drug dealers who are now using drones to deliver their products to drug users. Criminals will find ways to use technology to their advantage and AB 671 will send a strong message to those individuals.

Fiscal Estimate Narratives

DA 1/21/2016

LRB Number	15-3906/1	Introduction Number	AB-0671	Estimate Type	Original
Description Using a drone to commit a crime and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under this bill, if a drone is used to commit a crime, the person is subject to increased penalties. If the offense is a misdemeanor, but not a Class A misdemeanor, the person is subject to a maximum fine of \$10,000 and a maximum jail term of one year. If the crime is a Class A misdemeanor, the person is guilty of a felony and subject to a \$10,000 fine and up to two years in prison. If the crime is a felony, the fine is increased by up to \$5,000 and the maximum prison term is increased by up to five years.

Prosecutors believe this could have a fiscal impact on their offices because many defendants will request a jury trial if they are facing a felony conviction. Jury trials are very time-consuming. Because there are no data regarding the potential number of violations of this bill, a fiscal estimate is indeterminate.

Long-Range Fiscal Implications

Prosecutors believe there could be a long-term fiscal impact on their offices; however, due to a lack of data regarding potential violations of this bill, a long-term fiscal estimate is indeterminate.



State Senator
Rick Gudex

District 18

January 28, 2016

To: The Assembly Committee on Criminal Justice and Public Safety
From: Sen. Rick Gudex
Re: Assembly Bills 671 & 670

Mr. Chairman, members of the committee, thank you for hearing our bills today and for allowing me to speak on their behalf.

As many of you may know, drones are becoming one of the most popular devices for people to own. While they have entertainment value, they also have the capacity to be used to commit evil crimes that affect the safety and security within our communities and critical infrastructures.

Assembly Bill (AB) 670 will make it clear that the use of drones around prisons is prohibited, and it is coupled with granting local authorities the ability to establish no-fly zones tailored to their needs. This bill **does not require** local authorities to establish “no-drone-zones”, and the intent is to address the growing public safety concern stemming from drones.

Why is this bill necessary? AB 670 was brought forward at the request of our Correctional Officers as a security enhancement tool. What happened at the correctional facility in Mansfield, OH, which was referenced in the co-sponsorship memo, is a very possible scenario our Correctional Officers (CO's) can be faced with without the proper legal deterrents in place. We cannot allow our CO's to remain vulnerable. With that said, we also made sure to respect personal property owners' rights in accordance with FAA rules. Additionally, we have provided an exemption for the authorized use of drones (i.e. contractors and surveyors) when express permission is granted by property owners.

AB 671 is a compliment to AB 670 because it enhances our criminal penalty standards across the misdemeanor and felony spectrums for illegal drone usage, and increases the previous Class A misdemeanor penalties to felonious. This penalty enhancement will serve multiple purposes. First, the enhancement will serve to deter other would-be criminals from committing the same crime. Second, giving longer punishments helps to keep the criminals incarcerated and therefore, away from the public. I believe that drones can provide the vehicle for a new level of drug activity in our communities, and we need to respond by providing our prosecutors with an enhanced criminal code to enforce. I would like to add that AB 671 is not an excessive penalty enhancement since §939.645 was referenced, which has a history of justifiable use.

Thank you.