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Testimony on Senate Bill 471 and Assembly Bill 332

Senate Committee on Judiciary and Public Safety

Thursday, October 28, 2021

Chairman Wanggaard and members,

I'd like to thank you for holding a hearing on Senate Bill 471 and Assembly 332, which would require law enforcement officers to complete a certain amount of training hours in crisis intervention training.

Earlier this session, the report of the Speaker's Task Force Subcommittee on Law Enforcement Policies and Standards was released that summarized the activities and topics of consensus identified through multiple meetings and discussions. As co-chair of the subcommittee, I am incredibly proud of the bipartisan work we've done to have the hard conversations that will make a difference in the lives of people of color in Wisconsin. As we all know, these issues can be incredibly polarizing, yet we have succeeded in bringing the community and law enforcement voices to the table finding consensus where available and moving forward together.

One of the items that the subcommittee brought forth was the need for law enforcement officers to complete a specified number of hours of crisis management training.

For context, officers in Wisconsin are already taught crisis management as part of the 720-hour academy curriculum with more than twenty hours that are utilized to teach officers how to deal with individuals with mental illness or individuals who are experiencing a mental crisis. Furthermore, state law requires that law enforcement officers annually complete 24 hours of recertification training. Beyond certain statutory requirements for handgun and police pursuit training, each law enforcement agency may determine the remaining content for its officers' recertification training.

Senate Bill 471/Assembly Bill 332 supplements current recertification language and would require each law enforcement officer in the state to complete at least four hours of crisis management training every two years, which will be counted towards the officer's annual 24 hour training requirement. We as a subcommittee believe an essential element of crisis management training is to provide specialized and comprehensive training to officers who respond to incidents involving a person with a mental illness.

When law enforcement officers participate in standardized training with qualified and effective trainers, they are better able to understand mental illnesses and the impact on individuals, families, and communities. Through effective training, officers can learn to identify signs and symptoms of mental illness, and how to utilize a range of stabilization and de-escalation techniques, disposition options, community resources, and legal issues.

In closing, I want to thank my task force co-chair, Representative Stubbs, for her work developing these recommendations and members of the task force for their valued input. While there is more work to be done, this and the other task force bills before you today are a great step forward in addressing racial disparities in Wisconsin.



WISCONSIN STATE REPRESENTATIVE

Shelia Stubbs

77TH ASSEMBLY DISTRICT

Thursday October 28th, 2021

**Assembly Bill 332/Senate Bill 471; Relating to: crisis training for law enforcement officers.
Assembly Bill 333/ Senate Bill 475; Relating to: crisis program enhancement grants.**

Assembly Committee on Criminal Justice and Public Safety

Good morning Chairman Waangard and members of the committee,

Thank you for the opportunity to testify on Senate Bill 471/Assembly Bill 332 and Senate Bill 475/Assembly Bill 333, which would mandate and fund crisis intervention training for law enforcement officers. This legislation arose from a recommendation by the Speaker's Taskforce on Racial Disparities Subcommittee on Law Enforcement Policies and Standards. This committee came to consensus on a variety of law enforcement reforms, and was comprised of leaders in the community, experts in law enforcement, and leaders in the faith community.

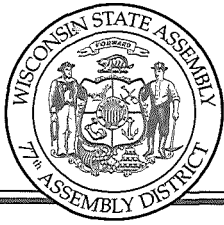
Senate Bill 471/Assembly Bill 332 would mandate that officers receive 4 hours of training on crisis intervention in order to receive recertification. These 4 hours would be a part of the 24 hours of annual training necessary for officer recertification. Under current law, there is no mandated amount of recertification training towards crisis intervention.

During our Taskforce conversations, it was clear that officers play a vital role for crisis intervention. If an officer is not trained in handling moments of crisis, these moments can spiral into a longstanding negative outcome for the community and for the officer. In order for an officer to continue on in their profession, it must be reiterated at every recertification that crisis management is important, and that calm reasoned approaches lead to positive outcomes.

Senate Bill 475/Assembly Bill 333 would expand a Department of Health Services grant program to ensure that crisis management training for officers can be funded. This critical training

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WISCONSIN STATE REPRESENTATIVE
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requires resources, and this bill will open up the resources necessary to enhance their crisis management program. Each agency that is awarded under this grant program must match their award by at least 25%, and no single program can receive more than \$100,000.

Crisis management and training is critical, effective, and necessary for law enforcement. These bills mandate this training for recertification, and diverts resources to ensure that agencies are equipped to enhance their crisis management training accordingly. Our communities deserve officers that can handle crisis with sound and reasonable judgment. Officers are often thrown into complicated and critical situations, but this training will ensure that these situations do not impact individuals, families, or communities down the line.

Thank you again members of the committee for considering my testimony today. I ask that you will support this legislation to improve the training of law enforcement officers, and to fund their training accordingly.

STANDING COMMITTEES:
Natural Resources & Energy, Chair
Transportation & Local Government, Vice-Chair

ROBERT L. COWLES

Wisconsin State Senator
2nd Senate District

JOINT COMMITTEES:
Audit Committee, Co-Chair

Testimony on 2021 SB 471 and AB 332

Senator Robert Cowles

Senate Committee on Judiciary and Public Safety

October 28th, 2021

Thank you, Chairman Wanggaard and Committee Members, for holding a hearing and allowing me to submit testimony on 2021 Senate Bill 471 and Assembly Bill 332. This bill requires law enforcement officers to engage in at least four hours of crisis training every two-years as part of their annual recertification process.

Under current law, out of the 720 hours of required training for initial certification, law enforcement officer candidates must have at least 20 hours of mental health training. However, officers are not required to undergo mental health or crisis training as part of their annual training in the recertification process. A 2016 survey by the Council of State Governments found nearly half of respondent states had in-service, or ongoing mental health or crisis training requirements. This bill seeks to bring Wisconsin in-line with other states who have already taken this step and adopted in-service training standards related to crisis intervention.

Of the persons who were fatally shot by police in 2018, it's believed by experts that about 25% of those killed were shown to have mental illnesses. People with untreated mental illnesses are sixteen times more likely to be killed during a police encounter than other civilians. Further, it's estimated that as many as one in ten police encounters involve individuals suffering from a mental health crisis. Proper crisis training, conducted both in the academy and on an ongoing basis, can help to prepare officers for these all too frequent instances.

Crisis intervention training doesn't just result in better outcomes for those suffering a mental health crisis, but it can help to identify those that should be diverted to mental health services which reduces costs over booking the individual in a jail. In Detroit, for example, jailing an inmate with a mental illness costs \$31,000 per year while community-based mental health treatment costs \$10,000 per year. Crisis intervention training also has been shown by numerous studies to result in higher officer satisfaction rates, better officer safety with an 80% lower chance of injury at mental health calls, reduced time spent at mental health calls, and reduced recidivism by getting members of the public suffering from mental health concerns the help they need.

Senate Bill 471 and Assembly Bill 332 requires four hours of crisis training every two-years, with this time counting towards the officer's required 24 hours of training annually. Even with this requirement and existing requirements, law enforcement agencies still have approximately 18.5 hours on average left to their discretion on what type or types of training would best serve their officers and community. Under the bill, the Law Enforcement Standards Board would be required to establish criteria for crisis management training, including establishing model standards to show crisis management proficiency and establishing the preparatory program and annual recertification training curricula relating to an officer's ability to respond to crisis situations. An amendment to this bill has been introduced to delay the effective date to allow for a better implementation.

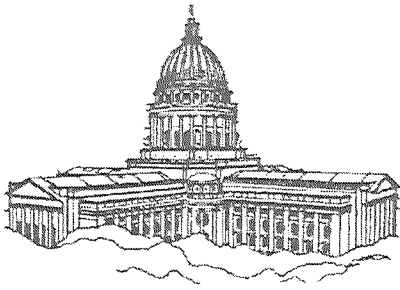
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Local partners – such as the National Alliance on Mental Illness (NAMI), which has affiliates in all 72 counties and already has partnerships with some local law enforcement agencies – are prepared to help implement this training by working with law enforcement agencies and regional mental health professionals. Setting a state baseline for crisis training – which many departments may already meet or exceed – helps to ensure that Wisconsin’s law enforcement officers, who’s main duty is to serve and protect, have the tools they need to best serve everyone in their community by knowing how to best assess and address mental health calls.

Assembly Bill 332 has already passed the Assembly Committee on Criminal Justice and Public Safety on a vote of 15 to 0 and the full Assembly on a voice vote during a June floor period.



LENA C. TAYLOR

Wisconsin State Senator • 4th District

HERE TO SERVE YOU!

Written Testimony of Sen. Lena Taylor
Senate Committee on Judiciary and Public Safety
Public Hearing – SB 471/AB 332
October 28, 2021

Chair Wanggaard, Vice-Chair Wimberger, and members of the committee, thank you for the opportunity to provide testimony on SB 471/AB 332 regarding crisis training for law enforcement officers.

Local governments, police departments, and residents have found something that they can agree on: officers come into contact with crisis situations everyday. While there is adequate training to prepare them for some of these circumstances, when it comes to issues of mental health, substance abuse, depression, suicide, and other questionable situations, their law enforcement training may have not been sufficient.

When all goes well, these situations can be difused quickly and safely for the involved citizen and the law enforcement officer. When it goes wrong, we have Dontre Hamilon, a Milwaukee resident with mental health issues, being shot 14 times and killed by a Milwaukee police officer, after he was found sleeping in a public park.

Approximately 1,000 people in the United States were fatally shot by police officers during 2018, and people with mental illness were involved in approximately 25 percent of those fatalities, according to an article that appeared in The Journal of the American Academy of Psychiatry and the Law.

Police and Sheriff departments across the country have recognized that their officers need to be better equipped and have sought specialized training to deal with an array of crisis issues. Whether de-escalation training, active listening skills, the ability to recognize a mental health crisis and work with community partners to diffuse situations, etc., many law enforcement agencies require as many as 40 hours of crisis training.

SB 471/AB 332 is asking for officers to complete 4 hours of crisis training every two years. We are doing the bare minimum and there may still be legislators and community members uncomfortable with that, but this bill reduces risk for everyone involved. I encourage your support of this bill and thank you for your time.

WISCONSIN PROFESSIONAL POLICE ASSOCIATION

Law Enforcement Employee Relations Division • Supervisory Officers Relations Division • Civilian Employees Relations Division

MEMORANDUM

DATE: October 28, 2021

TO: SENATE COMMITTEE ON JUDICIARY & PUBLIC SAFETY

FROM: Jim Palmer, Executive Director
Wisconsin Professional Police Association *JUP*

RE: Support of 2021 Senate Bill 470 (pre-employment psychological testing)
Support of 2021 Senate Bill 471 (annual crisis intervention training)
Support of 2021 Senate Bill 472 (no-knock search warrant reporting)
Support of 2021 Senate Bill 473 (grants for body-worn cameras)
Support of 2021 Senate Bill 474 (school resource officer training & standards)
Support of 2021 Senate Bill 475 (crisis program enhancement grants)
Support of 2021 Senate Bill 476 (post-critical incident drug testing)
Support of 2021 Assembly Bill 329 (no-knock search warrant reporting)
Support of 2021 Assembly Bill 330 (school resource officer training & standards)
Support of 2021 Assembly Bill 331 (pre-employment psychological testing)
Support of 2021 Assembly Bill 332 (annual crisis intervention training)
Support of 2021 Assembly Bill 333 (crisis program enhancement grants)
Support of 2021 Assembly Bill 334 (post-critical incident drug testing)
Support of 2021 Assembly Bill 335 (grants for body-worn cameras)

Representing over 10,000 members from more than 300 local association affiliates, the Wisconsin Professional Police Association (WPPA) is the state's largest law enforcement group. Our mission is to protect and promote public safety, as well as the interests of the dedicated men and women that serve to provide it. In that vein, we offer this memorandum to express our ardent **SUPPORT** of the bills before the committee today.

Earlier this year, after several months of arduous but necessary public discussions on how to strengthen the relationship between the police and the communities they serve, the Speaker's Task Force on Racial Disparities issued an array of recommendations to establish new standards and training, enhance transparency and oversight, and facilitate more effective community engagement.

As a proud member of that body, I can tell you that the recommendations were the result of an authentic, consensus-building process that included lawmakers from both parties alongside activists and advocates for communities of color, faith-based organizations and law enforcement. The recommendations are a testament to what can be achieved when people work together for a common goal.

WISCONSIN PROFESSIONAL POLICE ASSOCIATION

Law Enforcement Employee Relations Division • Supervisory Officers Relations Division • Civilian Employees Relations Division

Several recommendations issued by the Task Force have already been enacted into law, such as measures to explicitly prohibit officers from using chokeholds, to collect data on law enforcement's use of force, and to establish new financial support for community policing efforts.

Most notably, Wisconsin adopted a uniform standard for law enforcement's use of force. This new law also requires officers that witness excessive force to report it and intervene if possible, and it establishes "whistleblower protections" for these officers to safeguard them from adverse employment action, such as discipline.

The bills before the committee today were also recommended by the Task Force, and the Assembly swiftly passed them back in June. They now wait for the State Senate to push them across the finish line. The WPPA supports these measures without exception, because we believe that they will promote law enforcement transparency and accountability, enhance the training and qualifications officers need to meet the demands of their profession, and provide local governments with more resources to better serve the public.

While the passage of these lingering bills will not mark the end of the police reform dialogue, no one should be surprised when the calls for change grow louder and more radical if the Senate finds itself unable to act. In order to best serve the interests of the public and the dedicated men and women that work to keep our communities safe, the time to act is now. For those reasons, we respectfully urge the distinguished members of this committee to advance these bills as soon as possible, so that we may continue to move the ball forward in a way that is both thoughtful and meaningful.

Thank you.



To: Members, Senate Committee on Judiciary and Public Safety
From: Badger State Sheriffs' Association
Wisconsin Sheriffs and Deputy Sheriffs Association
Date: October 28, 2021
**RE: Testimony in support of
SB 470/AB 331, SB 471/AB 332, SB 472/AB 329, SB 473/AB 335, SB 474/AB
330, SB 475/AB 333, SB 476/AB 334**

Chairman Wanggaard, and members of the committee, thank you for the opportunity to testify today. My name is Nate Dreckman, and I am the Grant County Sheriff as well as the President of the Badger State Sheriffs' Association. Joining me today is Dodge County Sheriff, Dale Schmidt, who also serves as the 1st Vice President and Legislative Chair. Together with the Wisconsin Sheriffs and Deputy Sheriffs Association, our organizations represent all of Wisconsin's 72 Sheriffs and over 1,000 deputies and jail officers.

I had the opportunity to be appointed to the Task Force and on behalf of the county law enforcement community, we are grateful to Representatives Steineke and Stubbs for the opportunity to listen, contribute and find consensus on numerous critical policy items impacting law enforcement and the citizens we serve and protect. Our organizations are committed to finding and supporting policies that increase training, utilize best practices, and promote public safety transparency for all Wisconsin residents.

I want to highlight a few of the bills that the Speaker's Task Force has put forward with our support:

- SB 472/AB 329 (no-knock warrants): SB 427/AB 329 requires the Department of Justice to collect information about the use of no-knock warrants and unannounced entries by law enforcement in Wisconsin. This information, which will be reported annually, will help policymakers better understand how no-knock warrants are used in Wisconsin and if any changes need to be made to that process.
- SB 470/AB 331 – (psychological evaluation): Law enforcement is a difficult job that is not only physically taxing, but emotionally and psychologically challenging as well. SB 470/AB 331 will help ensure that law enforcement officers are of stable mental health when they are hired by requiring prospective officers to have a psychological evaluation. According to DOJ, nearly two-thirds of Wisconsin law enforcement agencies already require a psychological evaluation as a condition of employment. The Legislature has considered this policy in the past; a similar bill in 2009 had widespread legislative support but died at the end of session. This bill, as amended by the Assembly, follows best practice and streamlines paperwork.

- SB 473/AB 335 (body camera grants): While some law enforcement agencies in Wisconsin use body cameras, others are unable to afford them. Body cameras can help protect both citizens and law enforcement officers by documenting critical situations. SB 473/AB 335 will help more law enforcement agencies acquire body cameras by creating a grant program administered by DOJ. The bill requires agencies that receive a DOJ body camera grant to use and maintain the camera technology, ensuring that the grants are not wasted.

I also want to highlight two more bills from that package that deal with crisis management, an important and highly sensitive aspect of our jobs. Law enforcement officers are almost always the first to respond to urgent events where an individual is reported to be a danger to themselves or others. Our officers work hard to deal with these situations appropriately, but sometimes they result in tragic outcomes. Two bills from the package will help improve the outcome of crisis situations:

- SB 471/AB 332 (crisis training): Wisconsin law enforcement officers are required to complete 24 hours of recertification training every year. SB 471/AB 332 will make crisis management training a required part of that training. This will help law enforcement respond more effectively to crisis situations and will help officers stay up to date on best practices for dealing with individuals in crisis.
- SB 475/AB 333 (crisis program grants): SB 475/AB 333 expands an already-existing grant program that assists local governments in developing certified mental health crisis teams consisting of both trained law enforcement officers and crisis professionals. These teams will be able to respond more effectively to crisis situations involving mental health than law enforcement can do on its own.

Wisconsin's county law enforcement also supports SB 474/AB 330, which will provide specific standards and training for law enforcement officers working in schools, and SB 476/AB 334, which will ensure that officers involved in critical incidents are not compromised using alcohol or illegal drugs.

Thank you for the opportunity to testify today and I am happy to answer any questions you might have.