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Testimony on Senate Bill 475 and Assembly Bill 333

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 475 and Assembly Bill 333, which aims to incentivize alternative response strategies and reduce the number of overall use of force incidents in our state.

Earlier this session, the report of the Speaker's Task Force Subcommittee on Law Enforcement Policies and Standards was released summarizing the activities and topics of consensus identified through multiple meetings and discussions. As co-chair of the committee, 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 to find consensus and move forward together.

One of the items that the subcommittee brought forth was a need to encourage collaboration between law enforcement agencies and mental health resources within our communities.

Our group heard testimony that suggests alternate response strategies can be a key component in reducing the number of use of force incidents between law enforcement personnel and community members. Rather than responding to every call, better collaboration between law enforcement agencies and existing crisis response teams would allow trained mental health professionals to respond on their own or accompany an officer and other emergency personnel to a service call.

One such example of this collaboration currently exists in Wausau where the City's police department has partnered with North Central Health Care to form a Crisis Assessment Response Team. Staffed with two law enforcement officers and two crisis professionals, the team works together to respond to calls for emergency services, especially those involving individuals with known mental health needs.

SB 475/AB 333 is designed to incentive partnerships of this sort.

To achieve said partnerships, the bill modifies an existing grant program currently administered through the state Department of Health Services. Established to assist counties or regional consortiums of counties in creating certified mental health crisis teams, the program has seen no new successful applicants since 2017. The program currently receives \$250,000 biennially and requires a 50-50 match.

Using these existing funds, SB 475/AB 333 would expand eligibility for the program so that grants could also be used for enhancing cooperation between law enforcement agencies and regional mental health organizations. Recipients would be required to match 25% of the grant's value.



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One of the goals of the task force was to seek out good ideas being used around the state and find ways to replicate their successes at a larger level. SB 475/AB 333 lays the groundwork for collaborations between law enforcement and local mental health providers to do just that.

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.

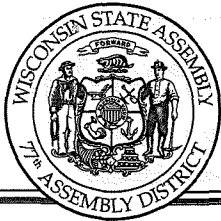
Senate Bill 471/Assembly Bill 332 would mandate that officers receive 4 hours of training on crisis intervention in order to receive recertification. These 4 hours would be a part of the 24 hours of annual training necessary for officer recertification. Under current law, there is no mandated amount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

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

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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.

MEMORANDUM

TO: Honorable Members of the Senate Committee on Judiciary and Public Safety

FROM: Sarah Diedrick-Kasdorf, Deputy Director of Government Affairs

DATE: October 28, 2021

SUBJECT: Support for Senate Bill 475/Assembly Bill 333 – Crisis Program Enhancement Grants

The Wisconsin Counties Association (WCA) supports Senate Bill 475/Assembly Bill 333 that expands the crisis program enhancement grant program to allow counties, municipalities, or regions of counties and municipalities to establish and enhance law enforcement and behavioral health services emergency response collaboration programs.

Law enforcement and behavioral health collaboration programs are designed to improve responses to, and outcomes for, individuals with mental illnesses or co-occurring substance use disorders who come into contact with the criminal justice system. Such programs also support early intervention and diversion for individuals engaged with multiple systems; cross training for criminal justice and behavioral health treatment professionals; and improved communication, collaboration, and coordination among criminal justice professionals, treatment and related service providers, and government partners.

Successful law enforcement and behavioral health collaboration programs divert individuals with mental health and/or substance use disorders from the criminal justice system to community-based care. This can be done through mental health and crisis de-escalation training for law enforcement officers, joint law enforcement / behavioral health crisis response teams, or information sharing.

Effective collaborative partnerships between law enforcement agencies, mental health providers, and community-based partners lead to better outcomes for consumers, law enforcement officers, and the community as a whole. Benefits of collaboration programs include:

- Increased safety: fewer uses of force, fewer injuries to officers, and fewer injuries to consumers

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- Increased access to behavioral healthcare: increased use of crisis services, more referrals to appropriate behavioral health services, and increased continuity of healthcare
- Decreased repeat encounters with the criminal justice system: fewer arrests and more jail diversion
- Reduced costs: fewer repeat calls for service and a reduction in time spent on mental health calls
- Improved community relations

It is for all of these reasons that WCA respectfully requests your support for Senate Bill 475/Assembly Bill 333.

Thank for you considering our comments.