



May 10th, 2023

Testimony of Senator James in favor of Senate Bill 78

Relating to: appointment of certain lawfully present aliens as law enforcement officers

Thank you, Chairman Wanggaard, and other members of the committee, for hearing this important legislation. I also want to thank Representative Macco for introducing this legislation with me and the work he has done on this matter. Senate Bill 78 allows heads of local law enforcement agencies to hire qualifying individuals that are a part of the Deferred Action for Childhood Arrivals (DACA) programs. This legislation will expand the potential job opportunities for DACA recipients in our state. Currently, they can serve as state troopers under Department of Transportation, corrections officers under Department of Corrections, and game wardens under Department of Natural Resources, but not as police officers or sheriff deputies under the Department of Justice. To me, it only makes sense that we allow law enforcement agencies to authorize this.

The workforce shortage is not a new issue, especially for the law enforcement field. In 2022, we had about 13,400 officers in the state; this was the lowest number of reported officers since DOJ began tracking in 2008, marking a 7% decline in the last decade. The lack of sufficient personnel jeopardizes our public safety as a state. There are 6,200 DACA recipients in our state. Although not all of these individuals will become police officers and sheriff deputies, it is an untapped pool of potential candidates. Last year, I had the pleasure of meeting Jose, a young man from Green Bay that wanted to be an officer for the Green Bay Police Department. After moving to Green Bay at the age of 2 and living and working there for 19 years, Jose wanted to serve his community, but could not. Because of this, Jose has to pursue another opportunity with the State Troopers.

Other states such as California, Illinois, Tennessee, Colorado, Nevada, Minnesota, and Virginia have already either enacted or considered legislation on this topic. This is not an immigration bill. This is a bill that allows for another employment opportunity. Those eligible for DACA status in Wisconsin is 10,517, 97.1% of which are in the labor force and employed (this is eligibility only, not necessarily those who applied/received it). There is no need for bureaucratic red tape to prevent willing and eligible people from applying to protect our communities. I will always support my brothers and sisters in blue, and I will always back the badge. Thank you for your time, and I will gladly take any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Jesse James".

Senator Jesse James
23rd Senate District
Sen.James@legis.wisconsin.gov



JOHN J. MACCO

STATE REPRESENTATIVE • 88TH ASSEMBLY DISTRICT

To: Senate Committee on Judiciary & Public Safety

From: Representative John Macco

Date: May 10th, 2023

Testimony on 2023 Senate Bill 78

Chairman Wanggaard and members of the Senate Committee on Judiciary and Public Safety,

Thank you for hearing testimony on our police parity bill today.

Two years ago the former Green Bay Chief of Police, Andrew Smith, informed me of Jose Del Rio. A bright, highly qualified, young man who had been helping the Green Bay Police Department for years, but was unable, under current Wisconsin law, to become a police officer in the community he grew up in because of inconsistent recruiting laws. SB 78 is a police parity bill **not** an immigration bill. It grants our local police departments the option to hire from the same candidate pool numerous other government agencies already are capable of hiring from.

Currently DACA recipients can serve as:

- Corrections Officer because that is under the Department of Corrections
- Game Warden under the Department of Natural Resources
- State Patrol Officer under the Department of Transportation

But they are unable to serve as a local police officer under the Department of Justice.

Fortunately for the state of Wisconsin, Mr. Del Rio is now serving admirably as a Wisconsin State Trooper beginning in Dane County and thankfully has been transferred to Brown County recently. Unfortunately, this meant the city of Green Bay lost a good, qualified officer that could have added more diversity to our police force- a request we have heard routinely. This is one way we can make our police forces more diverse and ensure our communities are staffed, and protected by quality individuals that reflect the people they serve.

We have long held, in this country, that we do not hold children responsible for the crimes of their parents. There is a great misunderstanding when it comes to DACA recipients. DACA recipients are a finite group of people in our communities fit within very narrow criteria:

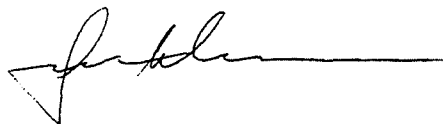
- DACA recipients must have been brought to the United States when they were young children and continually resided in the U.S. since 2007, meaning this is not a growing group of people or a loophole instigating illegal immigration.
- These people are now 15-40 years old today- average age is 29 years old.
- They must currently be in school, have graduated high school, have obtained a GED, or are an honorably discharged veteran of the United States Coast Guard or armed forces of the United States.
- AND they cannot have a felony, a significant misdemeanor, or multiple misdemeanor offenses

Additionally all DACA recipients have to be vetted by the federal government every two years and pay \$495 each time, just to retain their DACA status. They must keep their address and whereabouts current with the government at all times. They pay income taxes and payroll taxes, have driver's licenses and social security cards just like us naturalized citizens. To top it off, they contribute \$42 billion dollars to our national GDP.

With that being said, immigration is a federal issue and **not** what this bill deals with. The issue at hand is that Wisconsin is facing a workforce and police officer shortage and we are home to roughly 5,800 DACA recipients. We have an opportunity here to bring parity to our state laws and make progress where Congress refuses.

Our bill is not a hiring mandate, it is not an immigration bill. SB 78 is a **common-sense solution** that brings parity between all of our departments, and allows practices that are already occurring statewide be allowed in our communities. This bill has passed the Assembly floor twice, and it is my hope that this session it will pass in the Senate as well.

Thank you for your consideration.



John J. Macco
Representative
88th Assembly District

Hello Senators,

Some of you might have seen me around, but for those who haven't my name is Marco and I work for Representative Kitchens. However, today I come to you not as a staffer, but as a constituent of Wisconsin, a place I am proud to call home.

A few weeks back I went down to Nashville with a few friends for a nice weekend getaway to celebrate a buddy's birthday, and every Uber ride consisted of the same question "Where are y'all from?" And every time my gut response was "Wisconsin". However, the real answer, like most things in life, is a bit more complicated than that.

Well you see, on June 13th, 1999, almost 24 years ago, I was born in Apizaco, Tlaxcala, Mexico and when I was four years old, my mother brought me into this country illegally.

My family and I have lived in Wisconsin ever since. Specifically a couple hours up north in New London, where we have formed bonds with the people in the community. That is our home. I attended school there from when I was 5 years old till I graduated from there my senior year.

I love education and learning new things. I remember when I was 5 and I came running down the bus to my mom saying: "Ma Ma ya se como decir mesa en ingles! 'Table' " "Mom, mom I know how to say table in English! 'Table' ". I remember the cheesy grin I had on my face feeling proud of learning my second language. By the age of seven, I was fluent enough in both Spanish and English, to bridge the strange world that surrounded us to my family. I was the communicator and informant for my family in the world around us, which might be why I have anxiety talking to strangers now. From asking what aisle the bread was in, to describing to the doctor the pain my mother was feeling because of the fractured shoulder she got at work. I was forced to grow up quickly and understand that my family was different from the rest of my classmates' families, not because of our race or cultural differences, but because of our lack of ability to progress in this country.

At a young age, I knew my place in this country. I understood why my mother did what she did, but I also knew what my mother did was wrong. I quickly understood that we were limited because of the decision my mom made to bring us here illegally. I cannot change facts or the past. She did what she felt she had to do to have her family survive and for that, I am forever grateful. But I did not make that decision.

Back then I knew that my dreams of becoming a lawyer or a doctor were going to be just that: dreams. My future after high school was going to consist of working a strenuous job for a small paycheck- until the Deferred Action for Childhood Arrivals (DACA) program was created in 2012 which gave us hope. Trust me when I tell you this: I hate this program. It is poorly executed with what appears to be little thought put into it. However, this is better than nothing.

For those unfamiliar with this program, DACA allows individuals who were brought into the country illegally 15 years or younger. We must have been residing in the country for a minimum of 5 years, and we must be in school or have gotten our high school diploma or GED. DACA allows us to have a driver's license, work, and continue our education. That's it. I am not allowed to receive any government benefits, vote, or even leave the country- this is not a path to citizenship. Essentially I am in limbo until the federal government decides what they want to do with us. I am viewed as the lowest priority for immigration.

In our initial DACA application, we have to essentially provide every single piece of document we have. Our birth record, vaccines, medical visits, our report cards, homework, and pictures clearly showing we are in the country.

After that, we need to submit 7 items for our application, which also need to be submitted every 2 years.

1. \$495 Fee
2. Cover Letter
3. Form G-1145
4. Form I-821D
5. Form I-765
6. Form I-765WS (where I have to provide my income and my expenses)
7. 2 passport photos

After this has been submitted we just have to sit and wait for several letters to arrive.

1. The application has been received.
2. The application is being processed
3. The payment has been received
4. The application has been approved or rejected
5. If approved a letter with our immigration appointment for our biometrics to be taken
6. For our work authorization card
7. And then our driver's license

All this takes anywhere from 3- 6 months, and this is every two years.

My education took a turn as soon as I heard the DACA news. I was always a good student, but now I could continue learning and establishing a career for myself, not just a job. In high school, I had straight A's, did 4 years of German and 2.5 years of French, was in various extracurriculars, did volunteer work for the community, and was in various AP classes (AP Chemistry, AP Lit, AP Physics, AP US History, and AP Calculus 1 and 2). I translated in my church for 5 plus years. I was part of the Badger Boys program offered to boys in their junior year. During my senior year in 2017, I interned for Congressman Mike Gallaher's local office. I was not just a student, but I was a good student.

When it came time to apply for university I didn't know what to do as I was the first to even apply for university in my family. I only applied to one university, UW-Madison. By God's grace, I was accepted, but my college also came with a lot of hurdles.

I was offered 3 different full-ride scholarships at this university. Unfortunately, I had to decline as that is something I, as a DACA recipient, cannot accept. However, I was just glad to attend. Then I was hit with another issue. I have to pay out-of-state tuition, in a state I have lived in since I was 4. But that did not stop me from pursuing my goals. I worked my butt off, both in school and my jobs, and I was able to get private donors to assist me. I was able to finally graduate this past December. And now sit before you as a college graduate from UW-Madison with a double major in Political Science and Physics with minors in Mathematics and Public Policy. And I'm not done pursuing my dream quite yet. I want to go to law school to become a patent attorney alongside with the potential of doing a PhD in neuroscience.

I have worked to get where I am regardless of my status. I have worked at a restaurant, a farm, a factory, as a gardener, as a cleaner, as a tutor, as a chiropractor's assistant, at a 401k and ESOP company, as a government intern, and now as a legislative aide.

I will be successful in whatever I set my mind to. I want to help our community and our home. I am a proud Wisconsinite. I love cheese curds, and a cold bottle of New Glarus spotted cow, and I know how to make a true old-fashioned. This may be the most controversial thing I say today, but I'm a cheesehead that is glad that Rogers left. I say Bubbler instead of drinking fountain. I enjoy country music. I love Taylor Swift and am going to see her in concert, and let me tell you nothing gets whiter than that.

I am clearly Mexican. As we say in Mexico "tengo el nopal en la frente", which roughly translates to "I have a cactus stuck to my forehead" Meaning I can't deny I'm Mexican. I love my culture and am proud of it. But I also love this country and am proud of it.

We pay our taxes and receive no benefits and I am proud to do so because it means I get to stay in this country.

So, Senators, I am here today not asking you to give us a handout or to fix the entire immigration system. I am asking you to help us help and protect our communities. Being a police officer is an honorable job and requires a lot of bravery. We want to pay it forward in the communities that have helped us love Wisconsin.

Marco Lopez