



JIM STEINEKE

MAJORITY LEADER

STATE REPRESENTATIVE • 5th ASSEMBLY DISTRICT

(608) 266-2401
Toll-Free: (888) 534-0005
Rep.Steineke@legis.wi.gov

P.O. Box 8953
Madison, WI 53708-8953

Testimony on Assembly Bill 329

Assembly Committee on Criminal Justice and Public Safety

Thursday, May 27, 2021

Chairman Spiros and members,

I'd like to thank you for holding a hearing on Assembly Bill 329, which would provide important information about the use of no-knock warrants in our state.

Recently, 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 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 to find consensus and move forward together.

This bill reflects the work on the subcommittee in evaluating the effectiveness and general use of no-knock warrants.

As you likely know, generally speaking, a law enforcement officer must identify themselves and state their purpose when executing a search warrant on a person's home or property. However, an exception to this law exists if there is a reasonable suspicion that an announcement of this sort would be dangerous or would inhibit the investigation of the crime. This exception is generally referred to as a "no-knock warrant."

As our group maneuvered conversation on this topic, there were some who called for full-on bans of these types of warrants, whereas there were many others who expressed concerns about a total prohibition of this practice. However, there was near universal agreement that there was simply not enough known about how often these types of warrants were served.

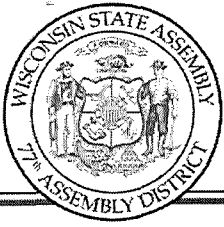
To better understand just how frequently this type of warrant is issued or utilized, AB 329 would require that the state Department of Justice collect data from law enforcement agencies and prepare an annual report summarizing key statistics. In an effort to provide further transparency, this report will provide data down to the jurisdictional level to better inform policy makers and members of the public about key issues, like:

- How often are no-knock warrants applied for, granted, and executed, as compared to the number of traditional warrants;
- Which types of suspected crimes are no-knock warrants sought for, granted, and executed;
- What were the outcomes of the no-knock warrants granted in terms of evidence gathered or harm or death occurring to any person; and

- Demographics related to the race, age, or gender of the primary suspect identified in the warrant's application.

Assembly Bill 329 is the direct result of the hard work and dedication put forth by the members of the Speaker's Task Force Subcommittee on Law Enforcement Policies and Standards. Too often we see legislation or government orders that try to fix a problem without stopping to examine the root cause of the issue. I'm proud to say that this legislation does the opposite. When enacted, AB 329 will provide immensely important data to help better understand the use of no-knock warrants in our state.

I also 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.



Thursday May 27th, 2021

Assembly Bill 329; Relating to: reporting the use of no-knock entry in the execution of a search

Assembly Committee on Criminal Justice and Public Safety

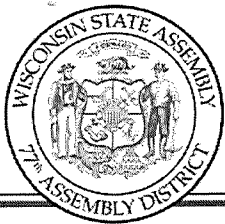
Good morning Chairman Spiros and Members of the Committee,

Thank you for the opportunity to testify on Assembly Bill 329, which would mandate the Wisconsin Department of Justice to report the use of no-knock search warrants. This legislation promotes transparency and will show explicitly how these warrants are used in Wisconsin.

No knock search warrants have been a contentious issue for law enforcement and for members of our community. Breonna Taylor's killing in Louisville, Kentucky shows that we need to reconsider how these warrants are used, and the threats they pose to community safety. This legislation would ensure that the use of these warrants can be scrutinized by elected officials and members of the public.

The Speakers Taskforce on Racial Disparities Subcommittee on Law Enforcement Policies and Standards spent several meetings to discuss the topic of no knock warrants. We heard clearly from law enforcement experts that outfighting banning this practice would be ill informed policy. However, we heard from community leaders that no-knock warrants can be used in ways that jeopardize safety. However, both community leaders and law enforcement experts agreed that we need to see the data for how these warrants impact Wisconsin.

Under this legislation, the Department of Justice would be required to report to the legislature the number of no knock warrants that were authorized, the number that were executed, and who was impacted by these entries. This invaluable data can help guide meaningful policy in the future, and will give us a better look at how no knock warrants are utilized in our policing system.



WISCONSIN STATE REPRESENTATIVE

Shelia Stubbs

77TH ASSEMBLY DISTRICT

Passing this legislation would be a step forward for community, the profession of law enforcement, and for the people of Wisconsin. We deserve to know more about how our police execute their duties, and who is impacted by their actions. Collecting this data will show if no knock warrants are truly needed in the practice of law enforcement, or if they are ineffective at making our communities safer.

This recommendation by the Speakers taskforce shows a consensus that both law enforcement and community have on this issue. We need to learn more to be able to do more. More information about how agencies in Wisconsin use these warrants will guide informed and effective policy.

Thank you again members of the committee for reading my testimony today. I ask that you vote in favor of this legislation to promote transparency in our law enforcement system.

STATE CAPITOL / P.O. Box 8953, Madison, WI 53708

TELEPHONE / (608) 266-3784 TOLL FREE / (888) 534-0077 EMAIL / rep.stubbs@legis.wisconsin.gov



STATE SENATOR

Eric Wimberger

DISTRICT 30

Testimony on Assembly Bill 329

Assembly Committee on Criminal Justice and Public Safety

Thursday, May 27, 2021

Chairman Spiros and members,

Thank you for taking the time to hear testimony on Assembly Bill 329, which will help provide the state with much needed information about the use of no-knock search warrants in Wisconsin.

This bill, like many of the bills being heard today, stems from the report produced by the Subcommittee on Law Enforcement Policies and Standards which was part of the Speaker's Task Force on Racial Disparities. I want to thank my co-author, Representative Steineke, and the members of the subcommittee for their hard work and dedication finding consensus and producing bipartisan legislation.

Current state law allows officers to forcibly enter a person's home or other premises without knocking and announcing their presence under certain circumstances. Generally, officers executing a search warrant must follow the "knock and announce" rule, which requires an officer to announce his or her identity and purpose, and provide occupants time to either refuse or consent to entry. However, as an exception, an officer may execute a "no-knock" search warrant if there is reasonable suspicion that announcing it would be dangerous or futile, or would inhibit investigation of the crime.

Assembly Bill 329 would require that the DOJ collect data on the use of no-knock search warrants from all state and local law enforcement agencies, as well as federal law enforcement agencies, to the extent feasible. Collected data must include: (1) the number of no-knock search warrants issued and denied; (2) the number of warrants that explicitly authorized or declined to authorize an unannounced entry; (3) the number of warrants that did not authorize an unannounced entry that were executed using an announced entry and the number that were executed with an unannounced entry; (4) of the warrants that did not authorize an unannounced entry that were executed using an unannounced entry, the number that returned an inventory of evidence, the number that resulted in great bodily harm to or death of any person; and the age, race, and gender of any suspect; (5) the number of warrants that authorized an unannounced entry that were executed using an announced entry and the number that were executed with an unannounced entry; (6) the type of suspected crime for which any unannounced entry warrant was authorized; (7) Of the warrants that authorized an unannounced entry that were executed using an unannounced entry, the number that returned an inventory of evidence; the number that resulted in great bodily harm to or death of any person; and the age, race, and gender of any primary suspect present at the warrant execution.

With this information, lawmakers will then be able to properly evaluate the effectiveness and safety of no-knock search warrants.

Thank you for taking the time to hear our testimony this morning.

State Capitol • PO Box 7882
Madison, WI 53707-7882
(608) 266-5670 • (800) 385-3385
Sen.Wimberger@legis.wi.gov

WISCONSIN PROFESSIONAL POLICE ASSOCIATION

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

MEMORANDUM

DATE: May 27, 2021

TO: ASSEMBLY COMMITTEE ON CRIMINAL JUSTICE & PUBLIC SAFETY

FROM: Jim Palmer, Executive Director
Wisconsin Professional Police Association

RE: 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 management 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 above-referenced bills before this committee today.

Since it was first convened last year, the Assembly Speaker's Task Force on Racial Disparities Subcommittee on Law Enforcement Policies and Standards conducted a substantive exploration of ways to strengthen the relationship between law enforcement and the communities it serves. This endeavor marked the first time that advocates for communities of color, faith-based organizations, law enforcement, and lawmakers from both parties all came together to discuss how to evolve policing in Wisconsin. I was honored to serve on that body, and I can personally attest to the invaluable exchange of information, ideas and perspectives that the Task Force served to facilitate.

During the course of the Subcommittee's discussions, the members reached consensus on a series of recommendations that fall within four general categories: (1) use of force by law enforcement; (2) law enforcement oversight and accountability; (3) officer training and standards; and (4) community engagement. Those recommendations are highlighted in an April 21, 2021 public report summarizing the Subcommittee's proceedings. Each of the bills before the Assembly Committee on Criminal Justice and Public Safety today are among those recommendations.

In support of the specific Task Force legislation before this committee, we would offer the following commentary:

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- **Assembly Bill 329** (no-knock search warrant reporting): In general, law enforcement in Wisconsin believes the use of no-knock warrants is limited, but that they effectively safeguard both officers and the public when the facts of a particular case support their necessity. Conversely, critics of no-knock warrants assert that they are overused, abused, and unnecessary.

In Wisconsin, no cumulative data exists relative to the use of no-knock warrants. As such, the WPPA supports AB 329 to require the Wisconsin Department of Justice to collect data on the use of no-knock search warrants from all state and local law enforcement agencies. In our view, this data will provide policymakers with a better gauge as to whether statutory changes regarding the use of no-knock warrants are needed.

- **Assembly Bill 330** (school resource officer training & standards): Currently, no specific training requirements or standards exist for school resource officers in Wisconsin. While the Wisconsin Department of Justice Office of School Safety offers guidance to school districts in developing SRO programs, the WPPA supports AB 330 to establish uniform minimum standards governing the training and education of school resource officers throughout the state. Such standards would ensure greater uniformity, promote best practices, and help enable the Office of School Safety within the Wisconsin Department of Justice to provide training resources to school resource officers and the school districts that utilize them. Additionally, maintaining consistent training and certification standards would also help promote positive outcomes and reduce legal liability.
- **Assembly Bill 331** (pre-employment psychological testing): It appears that numerous law enforcement agencies in Wisconsin already require individuals pursuing employment as law enforcement officers to undergo psychological testing as a step in the application or screening process. While we recognize legitimate concerns that this measure will represent an unfunded mandate, the WPPA nonetheless supports AB 331. Ensuring the psychological fitness of individuals pursuing employment as law enforcement officers in this state effectively serves the interests of both public safety and officer safety. AB 331 is very similar to legislation introduced during the 2007 and 2009 legislation sessions by Senator Dave Hansen and Representative Ann Hraychuck.
- **Assembly Bill 332** (annual crisis management training): Crisis management training has continued to become increasingly prevalent throughout Wisconsin in recent years. In light of the increasing number of calls for service involving mental health issues, we support AB 332 to establish a uniform statewide recertification training requirement.
- **Assembly Bill 333** (crisis program enhancement grants): Crisis response teams that include mental health professionals with experience in working in a clinical mental health facility are currently used by many counties to respond and provide services to individuals experiencing crisis. The WPPA supports AB 333 to increase the availability and accessibility of grant funding for local governments to establish and enhance collaborative programs between law

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enforcement agencies and behavioral health programs to for responding to mental health crises and other similar calls for service. In our estimation, supporting such innovations in crisis intervention alternatives will lead to better outcomes and the development of meaningful best practices that can guide such collaborations as they continue to proliferate throughout the state.

- **Assembly Bill 334** (post-critical incident drug testing): It is not uncommon for law enforcement agencies in Wisconsin to have policies to provide for the drug and alcohol testing of officers involved in critical incidents. Law enforcement relies upon having the credibility of the people it serves. As such, the WPPA supports AB 334 to establish a uniform standard for such policies and to require that all law enforcement agencies in the state adopt a post-critical incident alcohol and drug test policy in conformance with that standard.
- **Assembly Bill 335** (grants for body-worn cameras): The WPPA has long-support the proliferation of body-worn camera programs by law enforcement agencies in Wisconsin. According to annual statewide polls commissions by the WPPA, enormous public support also exists for law enforcement's use of body-worn cameras. Not surprisingly, the use of body-worn cameras by law enforcement agencies in Wisconsin has proliferated in recent years. According to a recent report by the Wisconsin Department of Justice, approximately two-thirds of the law enforcement agencies in the state currently utilize the technology to one degree or another. That report also indicated that the costs associated with body-worn camera programs were the most prominent obstacle for agencies that do not currently utilize them. As such, the WPPA supports AB 335 to establish a state grant program to assist law enforcement agencies in implementing body-worn camera programs for patrol officers. While body-worn cameras have limitations, they promote accountability and are vital to any community impacted by a controversial use of force incident.

In enacted, the foregoing measures will serve to increase law enforcement transparency and accountability, enhance the training and qualifications that officers need to meet the demands of their profession, and provide local governments with more resources to better serve the public. We strongly support these measures and urge this committee to approve them as soon as possible.

Thank you in advance for your consideration.



May 27, 2021

To: Chairman Spiros and Members of the Assembly Committee on Criminal Justice and Public Safety

From: Wisconsin Chiefs of Police Association

Re: Support Legislation from Speaker's Task Force Recommendations

Chairman Spiros, thank you for your willingness to hold a hearing on these important bills. We would also like to take a moment to thank Majority Leader Steineke and Representative Stubbs for authoring these bills and helping lead this important discussion with the Speaker's Task Force on Racial Disparities.

The Wisconsin Chiefs of Police Association was honored to have two members of our leadership team serve as members of the task force and actively participate in this important conversation. The wide range of input from citizens throughout Wisconsin helped produce positive legislation and concepts that our organization is here today to advocate in support of.

WCPA is proud to support Assembly Bills 329, 330, 331, 332, 333, 334, and 335, and once again applauds legislators for working to find bipartisan solutions that help improve our communities.

Assembly Bill 329

Reporting the use of no-knock entry search warrants means Wisconsin will be able to better collect data on these incidents, providing further transparency to citizens in our communities. This data on the number and the outcome of no-knock entry search warrants will provide a better picture on the usage and results from these warrants.

Assembly Bill 330

Standardizing minimal training requirements for full time school resource officers is a positive change for our schools and our communities. It is important for an officer to be properly and professionally trained when interacting with children. These changes will make a good program in our schools even better.

Assembly Bill 331

Requiring all agencies to conduct pre-employment psychological evaluations will further ensure our departments are hiring mentally suitable officers. The additional step in the hiring process means our departments will have better officers working to keep our communities safe.

Assembly Bill 332

This legislation requires four hours biennially of additional training for crisis management. Crisis management is a critical skill for officers in departments throughout Wisconsin. Ensuring officers who deal with the public on a day-to-day basis are periodically trained in this important area is positive change for our state.

Assembly Bill 333

Crisis response teams have already demonstrated their value in communities across Wisconsin. This bill would expand this highly successful grant program, allowing for more departments to utilize this as a further tool.

Assembly Bill 334

Critical incidents are the most scrutinized events for law enforcement. This bill would increase transparency to our community members by demonstrating that officers were not impaired during any such event.

Assembly Bill 335

If approved, this legislation will allow more Wisconsin law enforcement departments to buy body worn cameras for their officers. Body worn cameras continue to be a popular form of transparency for the community and officers alike. Body worn cameras help protect all involved – community members and police officers alike.

Closing

The WCPA would like to thank you, committee members and those who served on the Task Force for working together to make good public policy. These proposals will have a positive impact for years to come.

Thank you.



To: Members, Assembly Committee on Criminal Justice and Public Safety
From: Badger State Sheriffs' Association
Wisconsin Sheriffs and Deputy Sheriffs Association
Date: May 27, 2021
RE: Testimony in support of Assembly Bills 329, 330, 331, 332, 333, 334, 335

Chairman Spiros, Vice-Chairman Horlacher, 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. 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:

- AB 329 (no-knock warrants): 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.
- AB 331 (psychological evaluation): Law enforcement is a difficult job that is not only physically taxing, but emotionally and psychologically challenging as well. 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. Finally, we are working on an amendment with the authors and the Wisconsin Psychological Association to ensure this bill follows best practice and streamlines paperwork.
- 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. 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 but 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:

- AB 332 (crisis training): Wisconsin law enforcement officers are required to complete 24 hours of recertification training every year. 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.
- AB 333 (crisis program grants): 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 AB 330, which will provide specific standards and training for law enforcement officers working in schools, and 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.



Wisconsin State Lodge *Fraternal Order of Police*



PO Box 206 West Bend, WI 53095

Ryan Windorff
President

Shane Wrucke
Secretary

May 27, 2021

Wisconsin Fraternal Order of Police Testimony in Support of
AB329, AB330, AB331, AB332, AB333, AB334 and AB335
Assembly Committee on Criminal Justice and Public Safety

Thank you, Chairman Spiros and fellow committee members for the opportunity to provide testimony in support of Assembly Bills 329, 330, 331, 332, 334, and 335. I also want to extend our appreciation to the Speaker's Task Force on Racial Disparities for their work on these bills.

My name is Ryan Windorff, and I am the President of the Wisconsin State Lodge of the Fraternal Order of Police. With me today is Zak Holschbach, a member of our Green Bay Wisconsin Lodge #2. The Fraternal Order of Police is the world's largest organization of sworn law enforcement officers, with more than 356,000 members in more than 2,100 lodges. The Wisconsin State Lodge is made up of more than 2,300 members in 20 lodges throughout the state. We are committed to improving the working conditions of law enforcement officers and the safety of those we serve through education, legislation, information, community involvement, and employee representation.

The Fraternal Order of Police is working to bring effective, balanced, and fair improvements to policing in America. When citizens don't feel safe around police, we must rebuild community trust. These bills will increase transparency between law enforcement and the public and take needed steps to rebuild that trust.

Assembly Bill 329 would require the Department of Justice to collect information from law enforcement agencies and prepare an annual report to the legislature about the issuance of search warrants and the use of no-knock search warrants. The collection and analysis of data is critical to law enforcement because it guides the decision-making process with respect to deploying police assets, identifying potential problems, and improving public and officer safety. No-knock search warrants are a necessary tool for law enforcement when certain dangerous circumstances arise. As someone who has executed hundreds of search warrants in my career, including no-knock search warrants, I can assure you that the safety of civilians and law enforcement personnel is the top priority when planning these complex operations. Although it is preferable to mitigate threats that would justify a no-knock warrant, sometimes it is unavoidable to meet an immediate law enforcement objective. There has been much discussion about no-knock search warrants after recent high-profile incidents but no collective data about their use and their outcomes. The data collected through the passage of this bill will be instrumental in fostering an honest, fact-based discussion about their prevalence and application.

Assembly Bill 330 would require the Department of Justice's Office of School Safety to develop standards and approve a certified training program for school resource officers and require officers assigned to these roles to complete the training. School resource officers play a unique and necessary role in our criminal justice system. These dedicated professionals are often the first contact with law enforcement that our young people have and



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PO Box 206 West Bend, WI 53095

Ryan Windorff
President

Shane Wrucke
Secretary

can play an integral role in the development of a positive relationship with law enforcement as they move through adolescence into adulthood. School resource officers wear many hats: disciplinarian, protector, coach, mentor, teacher, counselor, and friend. Because of these additional roles outside the normal duties of law enforcement officers, additional training on dealing with our youth and adolescent community members would be an asset to the officers as well as the students, schools, and parents they serve. We do recommend amending the bill to allow departments one year from the date of appointment for school resource officers to obtain this training. Additionally, we would like to see a mechanism to assist departments with paying for the costs associated with this training. Department budgets are already strained, and Department of Justice's Division of Law Enforcement Services recently announced that their budget for specialized training is exhausted for this biennial budget and that it is unlikely that they will be able to provide any grants for specialized training in the next biennial budget.

Assembly Bill 331 would require that an individual must submit to a psychological examination to determine their suitability to perform the duties of an officer prior to their appointment as a full-time officer. Law enforcement is a demanding profession, not just physically but mentally. Law enforcement officers often see the worst that humanity has to offer and carry these first and secondhand traumas around with them for life. We believe it is important to make sure that individuals have the capacity to process these stresses and repeated traumas so that they can complete successful careers of service to their communities and enjoy long and healthy retirements. More than half of the law enforcement agencies in Wisconsin already require pre-appointment psychological examinations and those that do not are largely limited by budgetary concerns. This bill would require departments to pay for the fees associated with the examination. For the reasons previously mentioned, we would like to see a mechanism to assist departments with paying these costs.

Assembly Bill 332 would require law enforcement officers to complete at least four hours of crisis management training on a biennial basis, which would count towards the officer's annual 24-hour recertification training requirement. Training both in statutorily mandated topics and others to advance specialized knowledge, skills, and tactics is part of every law enforcement officer's life. We support adding this training requirement as every day the men and women of law enforcement in Wisconsin deal with individuals in some sort of crisis. Many officers already undergo advanced training in dealing with individuals in crisis and this requirement would ensure that officers are staying up to date on best practices and are knowledgeable about the resources available to them in their communities. Again, for the reasons previously mentioned, we would like to see a mechanism to assist departments with paying for this training.

Assembly Bill 333 would expand current grant funding to also award grants to counties and municipalities to establish and enhance law enforcement and behavioral health services emergency response collaboration programs. Numerous communities in Wisconsin are already implementing collaborative response models with law enforcement and behavioral health providers and seeing great success. These collaborations can provide better services to members of the community, reduce repeat calls requiring a law enforcement response, and keep community members and officers safe. We support the expansion of grant funding that would assist additional communities with implementing these important programs.



Wisconsin State Lodge *Fraternal Order of Police*



PO Box 206 West Bend, WI 53095

Ryan Windorff
President

Shane Wrucke
Secretary

Assembly Bill 334 would require law enforcement agencies to adopt a written policy regarding drug and alcohol testing following an officer-involved critical incident. The policy must require that a law enforcement officer who is involved in an officer-involved critical incident submit to a drug and alcohol test following the incident. We support this bill that would add to existing laws on the investigation of these incidents to ensure transparency and build trust with the communities we serve. We do recommend an amendment that more clearly defines an “officer who is involved in an officer-involved critical incident”. In many critical incidents, there are many officers on a scene or playing some role in the incident. Testing of several or even dozens of officers, who may have played the smallest role, would be cost prohibitive for many departments. We believe that prescribing testing for an officer whose individual actions or omissions result in or contribute to the death or great bodily harm of an individual, or a law enforcement officer who discharges a firearm at a person, would more accurately convey the intent of this legislation. Additionally, since this would require agencies to adopt a policy that affects conditions of employment for law enforcement officers, collective bargaining agreements currently in place would need to be modified to accommodate these changes. For this reason, we recommend a delayed enactment to allow employers and bargaining units to make the necessary agreements to be in compliance.

Finally, Assembly Bill 335 would require the Department of Justice to award grants to law enforcement agencies to purchase body cameras to use on law enforcement officers whose primary duties are patrolling duties. Many law enforcement agencies throughout Wisconsin are already deploying body cameras and those that do not are largely limited by budgetary concerns. Depending on the specific type of body camera and data retention practices, body cameras can cost departments \$1,200 or more per year per officer. We find that the use of body cameras has a benefit to law enforcement and increases transparency with the communities we serve. We support grant funding that would expand the availability of these valuable tools.

Thank you again for the opportunity to testify in support of these bills and we are happy to answer any questions you may have.



Department of Administration
Intergovernmental Relations Division

Tom Barrett
Mayor

Sharon Robinson
Director of Administration

Kimberly Montgomery
Director of Intergovernmental Relations

City of Milwaukee Testimony on Assembly Bills 329, 331, 332, 333, 334 and 335
Assembly Committee on Criminal Justice and Public Safety

May 27, 2021

Thank you, Chairman Spiros and Members of the Assembly Committee on Criminal Justice and Public Safety, for the opportunity to provide testimony on Assembly Bills 329, 331, 332, 333, 334 and 335 this morning. With your permission, I will respond to all of the individual bills consecutively in my testimony below.

The City of Milwaukee SUPPORTS Assembly Bill 329, relating to reporting the use of no-knock entry in the execution of a search warrant. No-knock search warrants have disproportionately impacted communities of color throughout the country. This legislation will help the City of Milwaukee and the State of Wisconsin obtain a better understanding of the approval, use of, and results of no-knock search warrants by local law enforcement agencies. The availability of this information will help the City make more informed and educated decisions about the use of no-knock warrants in the future.

The City of Milwaukee SUPPORTS Assembly Bill 331, relating to requiring prospective law enforcement officers to complete a psychological examination prior to employment as a law enforcement officer. The Milwaukee's Police Department and Fire and Police Commission current procedures already require psychological examinations prior to the hiring of all new law enforcement officers. The City of Milwaukee supports this change in law that would require all law enforcement agencies state-wide adopt this practice as well. The City of Milwaukee also encourages this committee to extend psychological evaluations of not only new officers, but psychological evaluations of officers after critical incidents involving that officer. We are all aware that a person's mindset and mental health can vastly change over time, in particular for law enforcement officers who endure significant pressure associated with their jobs. We believe it would be a positive step forward to have further psychological evaluations of officers who have been involved in critical incidents to ensure a continued safe mindset. We would be happy to work with the Committee to include an amendment with this provision.

The City of Milwaukee SUPPORTS Assembly Bill 332, relating to crisis training for law enforcement officers. The City of Milwaukee Police Department already conducts Crisis Intervention Training with its officers. Additional crisis training for law enforcement officers will aid officers in addressing tense and difficult situations involving individuals with mental health illnesses and those experiencing a mental health crisis. This legislation will help continue our efforts to train Milwaukee Police Officers to respond to complex mental health situations.

The City of Milwaukee SUPPORTS Assembly Bill 333, relating to crisis program grants. The City of Milwaukee already has efforts focused on collaboration between the Milwaukee Police Department and the Trauma-Informed Response Team to respond to crisis interventions. This grant program will allow the City of Milwaukee to continue and potentially expand upon these partnerships. These partnerships allow for safer interactions for both law enforcement officers and the community.

The City of Milwaukee SUPPORTS Assembly Bill 334, relating to drug testing of law enforcement officers involved in certain critical incidents while on duty. The Milwaukee Police Department already requires that police officers involved in critical incidents are required to undergo drug testing through Standard Operation Procedure 770. This bill will expand upon the current policy and the City of Milwaukee supports this legislation to create this policy in law enforcement departments statewide.

The City of Milwaukee SUPPORTS Assembly Bill 335, relating to grants to law enforcement agencies for body cameras. The City of Milwaukee Police Department already has a broad and robust body camera program for its officers. This legislation could help the Milwaukee Police Department further improve upon and expand our existing body camera program as well as assist other law enforcement agencies implement their own body camera programs.

If the Committee has any additional questions or would like any additional information, please contact Jordan Primakow, Intergovernmental Relations Division, at 414-708-6433 or jprima@milwaukee.gov.



Wisconsin Troopers' Association

Executive Director – Matt Johnson

Glen Jones – President

4230 East Towne Blvd. #322
Madison, WI 53704
www.wisconsintrooper.org

To: Chairman Spiros and Members of the Assembly Committee on Criminal Justice and Public Safety

From: Wisconsin Troopers' Association (WTA)

Date: May 27, 2021

RE: **Testimony in support of AB 329, 330, 331, 332, 333, 334, 335**

Chairman Spiros and committee members, thank you for the opportunity to submit testimony in support of Assembly Bills 329, 330, 331, 332, 333, 334, and 335.

The Wisconsin Troopers' Association (WTA) is comprised of more than 500 current and former troopers and inspectors that have a shared commitment and vision to make Wisconsin safer for its citizens and tourists.

Members of the Wisconsin Troopers' Association (WTA) support the efforts of the Subcommittee on Law Enforcement Policies and Standards - part of the Speaker's Task Force on Racial Disparities - for putting together a list of proposed bills that will help create more transparency, accountability, and further public education.

Assembly bills 329-335 are a good collaboration between law enforcement and the community.

We appreciate all the work the task force members did to come together to discuss ways to help evolve policing in Wisconsin. After several months of meetings and discussions we believe the legislation that resulted is a proactive step in the right direction.

The Task Force co-chairs: Representative Steineke (R-Kaukauna) and Representative Stubbs (D-Madison) deserve special recognition for their leadership and work with task force members to find a consensus on legislation that would be meaningful and protect all of Wisconsin's citizens.

The WTA supports these proposed bills and hope this collaborative work continues.

Thank you again for the opportunity to submit testimony in support of these bills and should you have any questions feel free to reach out to us.