



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2312/1
CMH:wlj

2015 ASSEMBLY BILL 380

October 8, 2015 - Introduced by Representatives KNUDSON, CRAIG, JARCHOW, TAUCHEN, BRANDTJEN, HUTTON, KERKMAN, T. LARSON, MURPHY, A. OTT, THIESFELDT, RIPP, RODRIGUEZ, GENRICH, GOYKE, KESSLER, MASON, WACHS and SINICKI, cosponsored by Senators STROEBEL and L. TAYLOR. Referred to Committee on Criminal Justice and Public Safety.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to create* 165.87 of the statutes; **relating to:** reports to the Department
2 of Justice from special units maintained by law enforcement agencies.

Analysis by the Legislative Reference Bureau

This bill requires each law enforcement agency that maintains a special unit trained to deal with unusually violent or dangerous situations (commonly known as a SWAT team) to submit an annual report to the Department of Justice (DOJ). Under this bill, the report must contain certain information such as the number of times that the law enforcement agency deployed the team in the previous year, the reason and legal authority for the deployment, and the number of arrests made. This bill requires DOJ to submit to the legislature annually an analysis and summary of the reports from the law enforcement agencies and to post the analysis and summary on DOJ's Internet site.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 165.87 of the statutes is created to read:
4 **165.87 Reports on SWAT teams.** (1) In this section:
5 (a) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

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1 (b) "Special team" means a special unit composed of 2 or more law enforcement
2 officers within a law enforcement agency trained to deal with unusually dangerous
3 or violent situations and that has special equipment and weapons not used by law
4 enforcement officers who are not part of the unit and not used during the ordinary
5 course of duty.

6 (2) Any law enforcement agency that maintains a special team shall submit an
7 annual report to the department of justice containing all of the following:

8 (a) The number of times the law enforcement agency deployed a special team
9 in the 12 months preceding the report.

10 (b) The name of the law enforcement agency and the zip code of the location in
11 which the special team was deployed.

12 (c) The reason for the deployment.

13 (d) The legal authority, including the type of warrant if applicable, for each
14 deployment of the special team.

15 (e) The result of each deployment of the special team including all of the
16 following:

17 1. The number of arrests made.

18 2. Whether property was seized.

19 3. Whether a forcible entry was made.

20 4. Whether a weapon was discharged by a member of the special team.

21 5. Whether an individual or a domestic animal was injured or killed by a
22 member of the special team.

23 (3) The department of justice shall develop a format that allows law
24 enforcement agencies to submit the reports required under sub. (2).

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1 **(4)** The department of justice shall analyze and summarize the reports
2 submitted under sub. (2).

3 **(5)** The department of justice shall annually submit a report containing the
4 analysis and summary prepared under sub. (4) to the chief clerk of each house of the
5 legislature, for distribution to the legislature under s. 13.172 (2). The department
6 shall also post the report on its Internet site.

7 **(6)** If a law enforcement agency fails to submit a report required under sub. (2),
8 the department of justice shall report in writing the noncompliance to the speaker
9 of the assembly and the president of the senate.

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(END)