



2015 ASSEMBLY BILL 979

March 10, 2016 – Introduced by Representatives GOYKE, BOWEN, BARNES, BROSTOFF, KESSLER, BERCEAU, JOHNSON, SPREITZER, CONSIDINE and ZAMARRIPA, cosponsored by Senators C. LARSON and L. TAYLOR. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to amend* 20.455 (2) (em); and *to create* 165.951 of the statutes;
2 **relating to:** grants for law enforcement officers to use risk assessment tools
3 prior to arresting persons, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates a grant program, administered by the department of justice (DOJ), in which grants are distributed to law enforcement agencies to incorporate a prearrest risk assessment tool into their arrest practices. Under the bill, in order to receive a grant, a law enforcement agency must identify an evidence-based risk assessment tool that its law enforcement officers will use to determine whether a person should be arrested for a crime.

Under the bill, law enforcement agencies that receive a grant will provide information to DOJ regarding the use of the evidence-based risk assessment tool, including the number of persons screened, the number of persons arrested after screening, and the number of persons not arrested after screening. DOJ must analyze the data submitted each year and prepare a progress report that evaluates the effectiveness of the program. Every five years, DOJ must submit a report summarizing the grant program and its effects to the legislature.

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:

ASSEMBLY BILL 979**SECTION 1**

1 **SECTION 1.** 20.455 (2) (em) of the statutes is amended to read:

2 20.455 (2) (em) *Alternatives to prosecution and incarceration for persons who*
3 *use alcohol or other drugs; prearrest risk assessment tools; presentencing*
4 *assessments.* The amounts in the schedule for making grants to counties under s. ss.
5 165.95 (2) and 165.951 (1).

6 **SECTION 2.** 165.951 of the statutes is created to read:

7 165.951 (1) From the appropriation under s. 20.455 (2) (em), the department
8 of justice shall distribute grants to law enforcement agencies on a competitive basis
9 under which law enforcement agencies that receive a grant utilize an
10 evidence-based prearrest risk assessment tool in order to determine whether a
11 person who is assessed should be placed under arrest.

12 (2) In order to receive a grant under sub. (1), a law enforcement agency shall
13 submit a plan for the expenditure of the grant moneys distributed. A law
14 enforcement agency is eligible for a grant if all of the following apply:

15 (a) The law enforcement agency identifies an evidence-based prearrest risk
16 assessment tool it intends to incorporate into its arrest practices.

17 (b) The law enforcement agency identifies its plan for training law enforcement
18 officers employed by the agency in the use and application of the evidence-based
19 prearrest risk assessment tool.

20 (c) The law enforcement agency requires law enforcement officers employed by
21 the agency to use and apply the evidence-based prearrest risk assessment tool in
22 order to determine whether a person should be placed under arrest.

23 (3) A law enforcement agency that receives a grant under this section shall
24 provide information to the department of justice regarding its use of the
25 evidence-based prearrest risk assessment tool, including the number of persons

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1 screened, the number of persons placed under arrest after screening, and the number
2 of persons not placed under arrest after screening. The department may request any
3 data regarding a plan funded under this section that is necessary to evaluate the
4 program and prepare the reports under subs. (4) and (5).

5 (4) The department of justice shall, annually, analyze the data submitted
6 under sub. (3) for the previous year and prepare a progress report that evaluates the
7 effectiveness of the program. The department shall make the report available to the
8 public.

9 (5) The department of justice shall, every 5 years, prepare a comprehensive
10 report that analyzes the data submitted under sub. (3) for the previous 5 years, and
11 shall submit the report to the legislature under s. 13.172 (2).

12

(END)