

State of Wisconsin



2021 Assembly Bill 335

Date of enactment: **March 17, 2022**

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2021 WISCONSIN ACT 185

AN ACT *to create* 165.98 of the statutes; **relating to:** grants to law enforcement agencies for body cameras.

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

SECTION 3. 165.98 of the statutes is created to read:

165.98 Grants for body cameras for law enforcement officers. (1) In this section, "law enforcement agency" means an agency of a political subdivision of this state or of a federally recognized Indian tribe or band whose purpose is the detection and prevention of crime and enforcement of laws or ordinances and whose employees are authorized to make arrests for crimes or violations of ordinances. "Law enforcement agency" includes the Marquette University police department under s. 175.42. "Law enforcement agency" does not include an agency of the state.

(1g) The department of justice shall award grants to law enforcement agencies to enable the agencies to purchase body cameras for the law enforcement officers the agency employs.

(2) A law enforcement agency may apply, or more than one law enforcement agency may jointly apply, to the department of justice for a grant under this section and shall include in the application all of the following:

(a) A proposed plan of expenditure of the grant money, including the estimated cost per body camera and the number of body cameras needed.

(b) A statement indicating that the applicant intends to match the amount of the grant awarded and agrees to maintain the equipment, replace the equipment as

needed, and maintain adequate digital video storage for at least 3 years from the date of the award.

(c) The amount of time that the applicant anticipates it will need after receiving the grant money before it is able to equip with a body camera all officers as required under sub. (3).

(3) Notwithstanding a policy under s. 165.87 (1), a law enforcement agency that receives a grant under this section shall do all of the following for at least 3 years from the date of the award:

(a) Equip with a body camera all officers who have primary duties involving traffic patrol, beat patrol, or responding to calls from the public requiring assistance.

(b) Require an officer who is equipped with a body camera to activate the camera in situations in which the officer has an enforcement or investigative contact with a member of the public, including a traffic stop, arrest, search, interrogation, or interview, or in any other situation in which the officer has contact with a member of the public that becomes adversarial after the initial contact.

(4) The department shall attempt to award grants to all law enforcement agencies that apply and qualify under sub. (2). If available funds are not sufficient to issue grants to all applicants, the department shall consider fairness among different population areas and need based on crime rates.

(5) A law enforcement agency that receives a grant under this section shall use the grant funds in accordance with the following:

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(a) The funds may be used only to cover the cost of body cameras, digital storage, and retrieval systems. The funds may be used to purchase body cameras only for law enforcement officers under sub. (3) (a). The funds may not be used to hire employees or pay salaries.

(b) The funds are intended to pay for half of the costs of the body cameras, and the grant recipients are to pay for the other half. The grant recipients may use contributions, gifts, or other grants as part or all of their matching amount requirement.

(c) The funds may not supplant existing resources.

SECTION 4. Nonstatutory provisions.

(1) REPORT ON OPTIONS FOR PURCHASING. No later than 90 days after the effective date of this subsection, the department of justice shall consult with vendors of body cameras to find cost-saving measures that a law enforcement agency may use when estimating the cost of body

cameras in a grant application under s. 165.98 or when acquiring body cameras using a grant awarded under s. 165.98.

(2) OPTIONS FOR STORING DATA FROM BODY CAMERAS. As soon as possible after the effective date of this subsection, the department of justice and the department of administration shall work together to develop options for reducing the cost of storing data from body cameras used by law enforcement agencies. The departments shall share the options with the appropriate persons.

(3) GRANT PROGRAM FUNDING. In the 2021-23 fiscal biennium, the department of justice shall request the joint committee on finance to supplement from the appropriation under s. 20.865 (4) (a) an appropriation under s. 20.455 (2) created in any legislation enacted during the 2021-22 legislative session with sufficient funds for the department to award grants under s. 165.98.
