



February 28, 2023

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

From: Wisconsin Chiefs of Police Association

Re: Support Assembly Bill 51, Appointment of Certain Lawfully Present Aliens as Law Enforcement

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Chairman Spiros, thank you for your willingness to hold a hearing on this legislation. We would also like to thank the authors, Representative Macco and Senator James for introducing this bill.

We ask for your support of Assembly Bill 51.

Under current law, recipients of the Deferred Action Childhood Arrival (DACA) program can serve as state troopers, correctional officers, game wardens and serve in our armed services. However, they are *not* eligible to serve as police officers.

Assembly Bill 51 gives local police and fire commissions in partnership with law enforcement agencies, the authority to determine their own hiring practices to increase *and* diversify their hiring pool.

Assembly Bill 51 is in no way a hiring mandate. It simply allows local law enforcement the ability to increase their hiring pool of potential candidates. As police departments across Wisconsin continue to experience fewer and fewer people applying to serve in this honorable profession, we believe that removing this hinderance is good public policy.

The Wisconsin Chiefs of Police Association supports this legislation and asks that the committee move forward on this legislation.

We would be happy to take any questions regarding Assembly Bill 51.



February 28<sup>th</sup>, 2023

Testimony of Senator James in favor of Assembly Bill 51

Thank you, Chairman Spiros, 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. Assembly Bill 51 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,

Senator Jesse James  
23<sup>rd</sup> Senate District  
[Sen.James@legis.wisconsin.gov](mailto:Sen.James@legis.wisconsin.gov)

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:

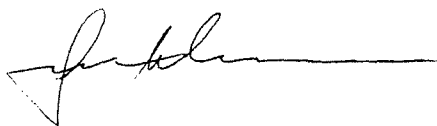
- DACA recipients must have been brought to the United States when they were young children and continually resided in the U.S. since 2007, meaning this is not a growing group of people or a loophole instigating illegal immigration.
- These people are now 15-40 years old today- average age is 26 years 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 be a felon, 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 and they must keep their address and whereabouts current with the government. They pay taxes, income, 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 6,500 DACA recipients. They are unable to obtain any of our 280 professional licenses meaning they are prohibited to being a nurse, a vet, an aesthetician, an electrical contractor, a barber, or even a licensed kickboxing judge. That is a problem, but this bill is a step to solve the blatant discrepancies between law enforcement departments ran by our government.

Our bill is not a hiring mandate, it is not an immigration bill. AB 51 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 body passed the bill 98-1 last session and I hope, Mr. Chairman, that it passes 99-0 this session.

Thank you for your consideration.



**John J. Macco**  
**Representative**  
**88<sup>th</sup> Assembly District**



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# JOHN J. MACCO

STATE REPRESENTATIVE • 88<sup>TH</sup> ASSEMBLY DISTRICT

**To:** Assembly Committee on Criminal Justice & Public Safety

**From:** Representative John Macco

**Date:** February 28, 2023

## Testimony on 2023 Assembly Bill 51

Chairman Spiros and members of the Assembly Committee on Criminal Justice 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. AB 51 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 doing.

### 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- an ask we heard all the time just one year ago. 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.