

**ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS**

DATE October 12, 2021 RESOLUTION # 85--2021-22

Public Safety Committee. Support pending legislation that would create a grant program administered by the Department of Justice for law enforcement agencies to incorporate a prearrest risk assessment tool into their arrest practices, and, 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.

MOTION: Support pending legislation that would create a grant program administered by the Department of Justice for law enforcement agencies to incorporate a prearrest risk assessment tool into their arrest practices, and, 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.

MADE BY: Patience

SECONDED BY: Renteria

DST	NAME	AYE	NAY	ABSTAIN	PRES	ABSENT
1	Thompson	x				
2	Miller	x				
3	Renteria	x				
4	Patience	x				
5	Gabrielson	x				
6	Konetzke	x				
7	Hammen	x				
8	Nicholas Thyssen					x
9	Krueger	x				
10	Lamers	x				
11	Fallona	x				
12	McCabe	x				
13	Wegand	x				
14	Jeremy Thyssen	x				
15	MacDonald	x				
16	Schroeder	x				
17	Croatt	x				
18	Spears	x				

DST	NAME	AYE	NAY	ABSTAIN	PRES	ABSENT
19	Marcks	x				
20	Thomas					x
21	Cuff	x				
22	Hagen	x				
23	Klemp	x				
24	Iverson	x				
25	Nooyen	x				
26	Davidson	x				
27	Culbertson	x				
28	Monfils	x				
29	Buchman	x				
30	Wuebben	x				
31	Clegg	x				
32	VanderHeiden	x				
33	O'Connor-Schevers	x				
34	Rettler	x				
35	Melchert	x				
36	Suprise	x				

AYE	<u>34</u>
NAY	<u>0</u>
ABSTAIN	<u>0</u>
PRESENT	<u>0</u>
ABSENT	<u>2</u>
TOTAL	<u>36</u>

APPROVED	<u>x</u>
DEFEATED	<u> </u>

RESOLUTION NO.: 85—2021-22

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 There is pending legislation that would create a grant program administered by the
2 Department of Justice for law enforcement agencies to incorporate a prearrest risk
3 assessment tool into their arrest practices. Under the proposed legislation, in order to
4 receive a grant, a law enforcement agency must identify an evidence-based risk assessment
5 tool that its law enforcement officers will use to determine whether a person should be taken
6 into custody for a crime. Risk assessment tools are designed to bring consistency, accuracy,
7 and transparency to law enforcement decision making.
8

9 A law enforcement agency that receives a grant will provide information to the Department
10 of Justice (DOJ) regarding the use of evidence-based risk assessment tools, including the
11 number of persons screened, the number of persons arrested after screening, and the number
12 of persons not arrested after screening. DOJ must analyze the data submitted each year and
13 prepare a progress report that evaluates the effectiveness of the program. Every five years,
14 DOJ must submit a report summarizing the grant program and its effects to the legislature.
15

16 The proposed legislation does align with the change targets that have been identified by
17 Outagamie County's Evidence Based Decision Making (EBDM) team in 2016. The goal is
18 to effectively use resources aimed at reducing the pretrial population in the jail. The
19 proposed legislation would support work already being done by the Outagamie County
20 Criminal Justice Treatment Services staff. Additionally, the Outagamie County Sheriff's
21 staff has implemented county wide detention guidelines for law enforcement.



22 NOW THEREFORE, the following resolution is presented by the Public Safety Committee to the
23 County Board.

24 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending
25 legislation that would create a grant program administered by the Department of Justice (DOJ) for law
26 enforcement agencies to incorporate a prearrest risk assessment tool into their arrest practices, and, in order
27 to receive a grant, a law enforcement agency must identify an evidence-based risk assessment tool that its
28 law enforcement officers will use to determine whether a person should be arrested for a crime, and,
29

30 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of
31 this resolution to the Wisconsin Counties Association and the Outagamie County Lobbyist for distribution
32 to the State Senators and State Representatives representing Outagamie County and the Governor.

33 Dated this 12th day of October 2021

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35 Duly and officially adopted by the County Board on: October 12, 2021

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38 Signed:  
39 Board Chairperson County Clerk

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41
42 Approved: 10.14.21 Vetoed: _____

43
44
45 Signed: 
County Executive



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2842/1
EAW:skw

2021 ASSEMBLY BILL 456

July 12, 2021 - Introduced by Representatives BOWEN, HONG, ANDERSON, BALDEH, CONLEY, EMERSON, GOYKE, HEBL, MOORE OMOKUNDE, NEUBAUER, SHANKLAND, SINICKI, SPREITZER and SUBECK, cosponsored by Senators LARSON, CARPENTER and ROYS. 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 making an arrest and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates a grant program administered by the Department of Justice for 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.

A law enforcement agency that receives 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:

2021 - 2022 Legislature

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LRB-2842/1

EAW:skw

ASSEMBLY BILL 456

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 and tribes~~
5 under ~~s. ss. 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 on a competitive basis to fund law enforcement
9 agencies' use of an evidence-based prearrest risk assessment tool in order to
10 determine whether a person who is assessed should be placed under arrest.

11 (2) In order to receive a grant under this section, a law enforcement agency
12 shall submit an application to the department of justice that includes all of the
13 following:

14 (a) A plan for the expenditure of the grant moneys distributed to the agency.

15 (b) Identification of the evidence-based prearrest risk assessment tool that the
16 law enforcement agency intends to incorporate into its arrest practices.

17 (c) A plan for training law enforcement officers employed by the agency in the
18 use and application of the evidence-based prearrest risk assessment tool.

19 (3) A law enforcement agency that receives a grant under this section shall
20 require law enforcement officers employed by the agency to use and apply the
21 evidence-based prearrest risk assessment tool in order to determine whether a
22 person should be placed under arrest.

23 (4) 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

2021 - 2022 Legislature

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LRB-2842/1

EAW:skw

SECTION 2

ASSEMBLY BILL 456

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 grant program and prepare the reports under subs. (5) and (6).

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

9 (6) Every 5 years, the department of justice shall prepare a comprehensive
10 report that analyzes the data submitted under sub. (4) for the previous 5 years and
11 shall submit the report to the legislature under s. 13.172 (2).

12 (END)



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-3659/1
EAW:skw

2021 SENATE BILL 477

August 5, 2021 - Introduced by Senators LARSON, CARPENTER and ROYS, cosponsored by Representatives BOWEN, HONG, ANDERSON, BALDEH, CONLEY, EMERSON, GOYKE, HEBL, MOORE OMOKUNDE, NEUBAUER, SHANKLAND, SINICKI, SPREITZER and SUBECK. Referred to Committee on Judiciary 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 making an arrest and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates a grant program administered by the Department of Justice for 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.

A law enforcement agency that receives 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:

2021 - 2022 Legislature

- 2 -

LRB-3659/1

EAW:skw

SENATE BILL 477

SECTION 1

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2 20.455 (2) (em) *Alternatives to prosecution and incarceration for persons who*
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20 require law enforcement officers employed by the agency to use and apply the
21 evidence-based prearrest risk assessment tool in order to determine whether a
22 person should be placed under arrest.

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25 evidence-based prearrest risk assessment tool, including the number of persons

2021 - 2022 Legislature

- 3 -

LRB-3659/1

EAW:skw

SECTION 2

SENATE BILL 477

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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
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8 to the public.

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10 report that analyzes the data submitted under sub. (4) for the previous 5 years and
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12

(END)