



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1260/3
CMH:amn

2017 BILL

1 **AN ACT** *to renumber and amend* 66.0511 (2); and *to create* 66.0511 (2) (a), (b),
2 (c), (d) and (e) and (4) of the statutes; **relating to:** law enforcement agency
3 policies on the use of force.

Analysis by the Legislative Reference Bureau

This bill requires each law enforcement agency to ensure that its publicly available policy on the use of force is designed to accomplish the following goals: that the primary duty of law enforcement is to preserve the life of individuals; that deadly force is to be used only as the last resort; that the amount of force used may not exceed the amount needed to address the threat; that high priority must be given to de-escalating a situation; and that all law enforcement officers must take reasonable action to stop or prevent any unreasonable use of force. This bill also prohibits disciplining a law enforcement officer who reports a violation of a law enforcement agency's policy regarding the use of force.

For further information see the **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:

4 **SECTION 1.** 66.0511 (2) of the statutes is renumbered 66.0511 (2) (intro.) and
5 amended to read:

BILL**SECTION 1**

1 66.0511 (2) USE OF FORCE POLICY. (intro.) Each person in charge of a law
2 enforcement agency shall prepare in writing and make available for public scrutiny
3 a policy or standard regulating the use of force by law enforcement officers in the
4 performance of their duties. Each policy or standard shall be designed to accomplish
5 the following goals:

6 **SECTION 2.** 66.0511 (2) (a), (b), (c), (d) and (e) and (4) of the statutes are created
7 to read:

8 66.0511 (2) (a) That the primary duty of all members of law enforcement is to
9 preserve the life of all individuals, including the lives of individuals in the custody
10 of law enforcement.

11 (b) That deadly force is to be used only as a last resort and only when all other
12 available means of preventing immediate and grave danger to law enforcement
13 officers or other individuals have failed or would likely fail.

14 (c) That the agency seeks to accomplish the mission of law enforcement with
15 the cooperation of the public and with minimum reliance on the use of force. If law
16 enforcement must use force, the amount of force used may not exceed the amount
17 needed to address the threat posed to the officer or public.

18 (d) That high priority must be given to using tactics that minimize the
19 likelihood of the need to use force, that stabilize situations, and that resolve or
20 prevent the escalation of incidents.

21 (e) That all law enforcement officers shall take reasonable action to stop or
22 prevent any unreasonable use of force.

23 **(4) WHISTLEBLOWER PROTECTIONS.** No law enforcement officer may be
24 discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or
25 otherwise discriminated against in regard to employment, or threatened with any

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1 such treatment, because the law enforcement officer reported, or is believed to have
2 reported, any violation of a policy under sub. (2); initiated, participated in, or testified
3 in, or is believed to have initiated, participated in, or testified in, any action or
4 proceeding regarding a violation of a policy under sub. (2); or provided any
5 information, or is believed to have provided any information, about a violation of a
6 policy under sub. (2).

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(END)