

STATEMENT OF R.L. MCNEELY ON BEHALF OF THE FELMERS O. CHANEY
ADVOCACY BOARD (FCAB)

Position Statement Against Assembly Bill 48

An Act to amend 939.645 (1) (b) and 939.645 (4) of the statutes;
Relating to: expanding the definition of hate crime victims to include law enforcement officers.

Submitted to Erin Mellon, Committee Clerk

Assembly Committee on Public Safety

Rep. John Spiros, Chair (R-Marshfield); Rep. Jesse Kremer, Vice Chair (R-Kewaskum)

The Felmers O. Chaney Advocacy Board (FCAB) is FCAB is an advocacy board comprised of private citizens guided by a shared concern for social justice, corrections policy, and the successful re-entry of former inmates as they return to their communities. The mission of FCAB may be succinctly stated as follows:

The object and purpose of this Board is to advocate in behalf of reducing recidivism, enhancing ex-offender re-integration, and lowering state budget costs due to incarceration. Additionally, FCAB is dedicated to disseminating to the lay public and to decision-makers pertinent information that can assist in achieving those goals, and it serves as a contact point with the community at large to share information and respond to issues that are brought to the Board's attention. FCAB seeks also to be vigilant in its cognizance of the safety, needs, and related concerns of residents of the Milwaukee metropolitan community, in particular, and to promote policies and procedures that are harmonious with the afore-mentioned goals.

FCAB, given its mission, is alarmed at prospects for the passage of AB 48. We regard said passage as contributing to a de jure decimation of Milwaukee's African American community, other communities of color, and to low socio-economic status communities, regardless of race. That is because AB 48, if passed, will confer hate crime status and, correspondingly, enhanced penalties upon all found guilty of intentional crimes against law enforcement officers. We regard this as being pre-textual because police departments, through disproportionate untoward tactics such as "broken windows" strategies, body searches and stop-and-frisk tactics, target high crime areas; i.e., minority and/or poor communities. Consequently, it is precisely these communities that will contribute the bulk of those impaled by this legislation. Hate crime status, for example, could be conferred on one who punches a police officer, a crime ordinarily considered to be a misdemeanor. Such legislation also is out of step with the current era wherein many states are looking for ways to reduce the pressure of hyper-incarceration on state budgets. Too, if enacted, AB 48 would be passed in the absence of any substantive empirical evidence to support the existence of widespread, systemically organized attempts to assassinate or otherwise harm police officers, as well as in the absence of any empirical evidence supporting the contention that conferring hate crime status constitutes any deterrent effect.

Police officers engage in dangerous work and often serve with valor and distinction. As citizens, we owe them a lot. That is why, as noted by the ACLU: "There are already severe penalties for attacks on police officers in Wisconsin, where even a threat of harm to a police officer or a member of their family may be charged as a felony." Instead of enacting legislation that could be construed as pre-textual, why not enact incentives for the police and local communities to collaborate with each other? That, certainly, has been shown to be a better course,¹ leading to reductions in arrests, incarcerations, and crime; and increases in police morale and community quality of life.²

¹ Michael Scott and Herman Goldstein, 1988, Center for Problem-Oriented Policing; <http://www.popcenter.org/about/?p=elements>

² Alana Semuels, "How to Fix a Broken Police Department," *The Atlantic*, May 28, 2015.
<http://www.theatlantic.com/politics/archive/2015/05/cincinnati-police-reform/393797/>