



# JIM OTT

STATE REPRESENTATIVE • 23<sup>rd</sup> ASSEMBLY DISTRICT

(608) 266-0486  
District: (262) 240-0808  
Toll-Free: (888) 534-0023  
Rep.Ottj@legis.wi.gov

P.O. Box 8953  
Madison, WI 53708-8953

Good Morning Committee members and thank you for hearing my testimony on the first consideration of AJR 87. At the request of law enforcement agencies in my district, I am working on legislation that will assist law enforcement agencies and municipalities by allowing the seizure of automobiles from offenders who act in a manner that is dangerous to the lives of others by fleeing from police or "Run and You Are Done".

However, "Run and Your Done" would not be viable as a tool for law enforcement until Wisconsin's Constitution is amended to change the requirement that proceeds from the sale of seized property must be deposited in the common school fund. Due to the expense of towing, storing and selling such vehicles, there would be little incentive for law enforcement to conduct vehicle seizures even if they were permitted. AJR 87 would allocate the proceeds from seized vehicles that are sold by a law enforcement agency or a municipality to be retained by the seizing authority to cover the costs of the seizures.

The common school fund held a balance of \$870 million on June 30 of 2012. If AJR 87 were enacted it would not impact the balance of the school fund, because at this time vehicles are generally not seized by local authorities when someone flees police officers. Currently, there will be little incentive or financial ability for law enforcement or municipalities to seize the vehicles for these types of offenders if the proceeds are not available to the seizing authority.

AJR 87 will need the approval in both this and the next session of the Legislature, and then would need the approval of the voters of the State of Wisconsin in order to become a part of our State Constitution. I would be glad to answer any questions from Committee members.