



JOHN J. MACCO

STATE REPRESENTATIVE • 88TH ASSEMBLY DISTRICT

DATE: June 10, 2021
TO: Assembly Committee on Criminal Justice and Public Safety
FROM: Representative John Macco
RE: Testimony on 2021 Assembly Bill 176

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

Thank you for hearing testimony on our police parity bill. In Wisconsin, DACA recipients can serve as state troopers under DOT, game wardens under DNR, corrections officers under DOC, and of course the Wisconsin National Guard under DMA. However, under current statute DACA recipients cannot serve as police officers or sheriff's deputies under DOJ. This bill would allow local law enforcement agencies the option to hire from the same pool of candidates already available to other Wisconsin departments.

Recipients of the Deferred Action Childhood Arrival program (DACA) have had to reside in the United State continually since June 15, 2007 and be 16 years old or younger at the time. This is not a growing group of people. The youngest DACA recipient today would be around 17 years old while the oldest would now be in their early thirties.

I am honored to have one such person, Jose Del Rio, submitting testimony to the committee today. Jose has lived in the United States since he was two years old. One of his long-time dreams was to serve as a Green Bay police officer. He attended the Teen Academy where he held the rank of captain in its Explorer Post while he was a Green Bay West High School student. Jose eventually served as an intern in the department's animal control unit, but still could not be considered for an officer's position because of his immigration status.

At the time, Green Bay Police Chief Andrew Smith approached me about the double standard in hiring practices among different state departments. Here he had the perfect candidate who was ready to serve the community he grew up in, but current statute

prevented Chief Smith from hiring an imminently qualified candidate while other law enforcement agencies could.

Eventually, another agency did hire him. Jose is currently with the state troopers in their training academy. I am extremely pleased that Jose managed to pursue his law enforcement goals, but the issue still remains that Jose and other DACA recipients who would otherwise make exceptional officers and deputies cannot be hired under current statute.

This bill brings parity to the hiring pool that each department can draw from. It is not a hiring mandate, it is not an immigration bill. Simply, it is common-sense legislation that would allow local law enforcement agencies to hire diverse and qualified candidates that have been in the U.S. since they were children, pay taxes, and contribute to their communities every day.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John J. Macco', with a long horizontal flourish extending to the right.

John J. Macco
Representative
88th Assembly District

STATE SENATOR KATHY BERNIER
TWENTY-THIRD SENATE DISTRICT



State Capitol • P.O. Box 7882 • Madison, WI 53707
Office: (608) 266-7511 • Toll Free: (888) 437-9436
Sen.Bernier@legis.wi.gov • www.SenatorBernier.com

From: Senator Kathy Bernier
To: The Assembly Committee on Criminal Justice and Public Safety
Re: Testimony on Assembly Bill 176
Relating to: appointment of certain lawfully present aliens as law enforcement officers.
Date: June 10, 2021

Thank you Chairman Spiros and committee members for hearing this bill that would give recipients of the Deferred Action Childhood Arrival (DACA) program the opportunity to serve as a local law enforcement officer – the same as current law allows for many state law enforcement positions.

I was approached by Representative John Macco to co-author this bill in the Senate. He and his staff told me about the individual he had met: Jose del Rio, a resident of the United States since he was two years old and an intrepid young man who wished to be a Green Bay Police Officer. To be a DACA recipient like Jose, a person must have resided in the United States since June 15, 2007, and have been 16 years old or younger at the time. We are talking about people who are at the age now of either entering the workforce or new in their careers.

Wisconsin law permits Jose to be a State Trooper – he is in their academy right now. Wisconsin law also permits him, if he should so choose, to serve as a corrections officer in one of our state prisons. Or he could be one of the law enforcement officers at the Department of Natural Resources. Or he could defend Wisconsin and our country as a member of the Wisconsin National Guard. What he is prohibited by statute from doing, however, is becoming a police officer or a sheriff's deputy, serving his community.

I wish Jose all the best in his future. But Jose is not the only DACA recipient in the state. Law enforcement is a noble career, and we need people with good hearts and good intentions serving in that role. Enacting this bill into law would give more people like that the chance to work for their local communities.

Thank you again to Jose, Representative Macco, Representative Steffen, and all who have been involved in bringing this bill to your committee. I appreciate you giving it your thoughtful consideration.