



DODGE COUNTY SHERIFF'S OFFICE

Dale J Schmidt Sheriff Scott Mittelstadt Chief Deputy

April Sheriff's Column – Quotas are Illegal

Last month I shared with you how dollars from a traffic citation are divided up and how none of those funds are funneled back to the issuing law enforcement agency. I also promised that this month I would explain how quotas are illegal and not allowed for law enforcement agencies.

To start this discussion, it is first important to understand the requirement under state statute related to the duty of a law enforcement officer to enforce our traffic laws. Wisconsin State Statute 349.02(1) states:

It is the duty of the police, sheriff's and traffic departments of every unit of government and each authorized department of the state to enforce chs. 346 to 348 and 350. (Chs 346-348 and 350 are the traffic and snowmobile codes in Wisconsin.)

With that being said, our legislature was also wise to incorporate Wisconsin State Statute 349.025(2) regarding quotas which states:

No state agency or political subdivision of this state may require a law enforcement officer to issue a specific number of citations, complaints or warning notices during any specified time period for violations of traffic regulations.

Many times I have heard people make comments like, "It's the end of the month and the cops must be out meeting their monthly quotas". This couldn't be further from the truth as is clearly illegal. However, there is another statute, 349.025 (3) that states:

A state agency or political subdivision may, for purposes of evaluating a law enforcement officer's job performance, compare the number of citations, complaints or warning notices issued by the law enforcement officer to the number of citations, complaints or warning notices issued by all law enforcement officers employed by the state agency or political subdivision who have similar job duties and who serve in the same administrative unit as the law enforcement officer.

The administration of the Dodge County Sheriff's Office takes accountability very serious. Part of that accountability is ensuring that we comply with our duty to enforce state traffic laws and the other is evaluating our own staff to ensure that you, the taxpayers of Dodge County, receive the services that you pay for on a daily basis. Traffic enforcement is one of those important services.

We enforce traffic laws for more reasons than you might think. First, we want to ensure compliance with the law and reduce injury and fatal crashes. We also utilize traffic enforcement as a means to investigate criminal activity. Many times when we discuss our traffic enforcement efforts publicly, some criticize saying we should be focusing our time on other crimes like heroin usage. What you may not realize is that traffic enforcement is one of tools we utilize to build heroin and other drug cases. A well-trained deputy can conduct traffic enforcement efforts in a way that produces drug arrests. Those drug arrests can then be turned into a method to catch “the bigger fish” and lead to bigger investigations resulting in felony convictions. Traffic enforcement can also lead to other high profile arrests. Did you know that serial killer Ted Bundy was caught by a traffic officer when he was driving erratically in a stolen car?

Traffic enforcement is just one of our statutory duties and we ask that the public support our traffic enforcement efforts. Law enforcement agencies are not trying to “line their pockets” or “pad their budget” as it is illegal to do so. We are truly working to make our highways and communities safer for everyone as we work to keep Dodge County a great place to live, work and visit.

Sheriff Dale J. Schmidt