



Departmental Memorandum

Volume 24-5

To: All Personnel
From: PSU

Katherine Lester, Chief of Police

Legislative Update - July 1, 2024

The following are legislative updates effective July 1, 2024. Please familiarize yourself with the changes to these laws. If you have any questions regarding these changes, you may consult your supervisor, the training division, or the Professional Standards Unit.

CUSTODIAL INTERROGATION OF A PERSON 17 YEARS OF AGE OR YOUNGER - WI 625.7

- A. Requires a peace officer interrogating a juvenile to not use certain tactics.
- B. During a custodial interrogation of a person 17 years of age or younger relating to the commission of a misdemeanor or felony, a law enforcement officer shall not employ threats, physical harm, deception, or psychologically manipulative interrogation tactics.
 - 1. Deception includes, but is not limited to, the knowing communication of false facts about evidence misrepresenting the accuracy of the facts, or false statements regarding leniency.
- C. Psychologically manipulative interrogation tactics include, but are not limited to the following:
 - 1. Maximization and minimization, and other interrogation practices that rely on a presumption of guilt or deceit.
 - 2. Maximization includes techniques to scare or intimidate the person by repetitively asserting the person is guilty despite their denials or exaggerating the magnitude of the charges or the strength of the evidence, including suggesting the existence of evidence that does not exist.
 - 3. Minimization involves minimizing the moral seriousness of the offense, a tactic that falsely communicates that the conduct is justified, excusable, or accidental.
 - 4. Making direct or indirect promises of leniency, such as indicating the person will be released if the person cooperates.
 - 5. Employing the "false" or "forced" choice strategy, where the person is encouraged to select one of two options, both incriminatory, but one is characterized as morally or legally justified or excusable.
- D. The prohibition of the use of these interrogation tactics does not apply to interrogations of a person 17 years of age or younger if both of the following criteria are met:
 - 1. The law enforcement officer who questioned the person reasonably believed the information the officer sought was necessary to protect life or property from an imminent threat.
 - 2. The questions by law enforcement officers were limited to those questions that were reasonably necessary to obtain information related to the imminent threat.

VEHICLE REGISTRATION – VC §§ 4000, 5204, and 40225 (Amended) AB256

Law enforcement shall not take any enforcement action against a person for their vehicle registration being expired for only a month. However, law enforcement may take an enforcement action for having an expired vehicle registration before the second month of expiration only if the driver is stopped for any other violation of the vehicle code. This does not apply to fleet vehicles.

PROHIBITED PERSONS – PC § 1001.36

A person on mental health pre-trial diversion who has been **found by a court**, on or after July 1, 2024, to be prohibited from owning or controlling a firearm because they are a danger to themselves or others and has been granted pretrial mental health diversion pursuant to subdivision (m) of Section 1001.36 of the Penal



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Code, shall not own, possess, control, receive, or purchase, or attempt to own, possess, control, receive, or purchase, any firearm until the person successfully completes diversion or their firearm rights are restored.

It's important to remember that not all persons who have been granted pretrial mental health diversion are prohibited from possessing a firearm. They first have to be found by a court to be prohibited from owning or controlling a firearm because they are a danger to themselves or others.