



# MEMORANDUM

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## LEGISLATIVE REFERENCE BUREAU

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**To:** Ald. Michael J. Murphy  
**From:** Tea Norfolk, Legislative Fiscal Analyst – Lead  
**Date:** November 21, 2019  
**Subject:** Carjacking and Reckless Driving: Citizen Dashboard Cameras

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This memo is in response to your request for information regarding the use of dashboard video cameras in reporting reckless drivers based on a recommendation from a resident to either develop an app or create a hotline for reporting reckless drivers with use of dashboard camera footage.

According to Nick DeSiato, the State of Wisconsin does not have an owner's liability statute. Accordingly, the use of dashboard camera footage would not be useful to police officers in issuing tickets to reckless drivers because such footage lacks a positive identification of the driver of the vehicle. The police are precluded from issuing a citation to the vehicle itself (or the owner of the vehicle) without such positive identification. In order to issue a citation, a police officer requires the identity of the driver and a lawful stop. A stop must be based on reasonable suspicion observed by the officer.

Given the complex legal implications involved with reasonable suspicion law and video camera evidence, the City Attorney's Office is best-suited to provide a more thorough response to this request. Please let the Legislative Reference Bureau know whether you would like a letter to the City Attorney's Office drafted on your behalf requesting a legal opinion on this issue.

LRB174091-9