



Legislation Text

File #: 251797, Version: 3

251797
SUBSTITUTE 3

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BURGELIS

A substitute ordinance relating to law enforcement identification.

105-140 or

This ordinance prohibits law enforcement officers from wearing face coverings while interacting with the public in the performance of their duties, subject to limited exceptions. It also requires officers acting in an official capacity to display identifying information on their uniforms or, upon request, verbally provide their agency affiliation and last name, badge number, or identification number. Violations are punishable by a forfeiture of \$5,000 to \$10,000.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 105-140 of the code is created to read:

105-140. Law Enforcement Identification.

- 1. FINDINGS.** a. The use of facial coverings and disguises by law enforcement officers significantly affects the public's perception of law enforcement, officer-community interactions, and accountability.
- b. Persons reasonably may experience fear or intimidation when approached by officers whose faces are obscured. Such reactions can heighten defensive behavior and unnecessarily escalate the tension inherent in many interactions between law enforcement officers and members of the public.
- c. Facial coverings limit the visibility of facial expressions, which are an essential component of nonverbal communication. In high-stress or emotionally charged interactions, a person's inability to read an officer's expression may lead to a misinterpretation of tone or intent, increasing the risk of conflict.
- d. When officers are not readily identifiable, the risk of impersonation of an officer increases. Unable to reliably distinguish actual law enforcement officers from impostors, persons may fear complying with the lawful authority of actual law enforcement officers, again increasing the risk of conflict. Further, the increased risk of impersonation of an officer increases the physical risk to persons who submit to the purported authority of an impostor.
- e. There have been reported incidents of individuals impersonating law enforcement officers to harass or unlawfully detain others, which undermines public trust in law enforcement, particularly among vulnerable individuals and communities, and poses a threat to public safety.
- f. While certain situations may require the use of face coverings or masks to provide protection

against environmental hazards, facial coverings used by a law enforcement officer during an interaction with the public should not obscure their identity in a manner that impairs review of, and accountability for, official actions; nor should such coverings be used in a manner that enables or conceals discriminatory or unlawful conduct.

g. Ensuring that law enforcement officers are clearly identifiable during public interactions promotes accountability and strengthens police-community relations.

2. PURPOSE. a. This section is enacted under the City's legitimate police powers to promote public safety, prevent impersonation and fraud, and ensure transparency and accountability in law enforcement operations within its jurisdiction.

b. Nothing in this section shall be interpreted to prohibit, restrict, or interfere with the proper exercise of state or federal law enforcement.

3. DEFINITIONS. a. "Law enforcement officer" has the meaning specified in s. 165.85(2)(c), Wis. Stats., and includes any employee or agent of the United States government who has authority to carry firearms and make warrantless arrests and whose duties involve the enforcement of criminal, customs, or immigration laws of the United States.

b. "Face covering" means any opaque mask, garment, or other item that conceals or obscures the facial identity of an individual, including a balaclava, tactical mask, neck gaiter, ski mask, or any similar type of facial covering or face-shielding item. It does not include any of the following:

b-1. A translucent face shield or clear mask that does not conceal the wearer's facial identity.

b-2. A medical mask to protect against transmission of disease or infection, or any other mask or device necessary to protect against exposure to any toxin, gas, smoke, or any other hazardous environmental condition, including air-purifying respirators, full or half masks, or self-contained breathing apparatuses.

b-3. A helmet used to protect the wearer's head during transportation.

4. PROHIBITION OF FACE COVERINGS. No law enforcement officer may wear a face covering while interacting with the public in the performance of the officer's duties.

5. IDENTIFICATION. When acting in an official capacity, all law enforcement officers shall do one or more of the following:

a. Display on their uniforms the name or widely recognized initials of the officer's agency and the officer's last name, badge number, or identification number.

b. Upon request, verbally provide their agency affiliation and last name, badge number, or identification number.

6. EXCEPTIONS. a. Notwithstanding sub. 4, face coverings may be worn to provide protection against cold or other extreme weather during assignments requiring a law enforcement officer to be outdoors for long periods of time.

b. The provisions of subs. 4 and 5 shall not apply to the following:

b-1. A law enforcement officer engaged in an undercover operation.

b-2. A special weapons and tactics team officer wearing protective gear while performing his or her special weapons and tactics team responsibilities.

7. PENALTY. Any person who willfully or knowingly violates this section shall, upon conviction thereof, be subject to a forfeiture of not less than \$5,000, nor more than \$10,000.

APPROVED AS TO FORM

K. Broadnax

Legislative Reference Bureau

Date: April 17, 2026

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB181368-4

Dave Gelting

April 17, 2026