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November 29, 2011

Senate Committee on Labor, Public Safety, and Urban Affairs

Assembly Bill 149

Thank you, Chairman Wanggaard and members, for the opportunity to speak today in favor of Assembly Bill 149.

False 911 calls—calls made by a caller to report an emergency situation that he or she knows does not exist—can be a significant public safety hazard. They waste the time of law enforcement, firefighters, and other emergency personnel. These calls not only consume resources that should be reserved for legitimate emergencies, but they potentially endanger lives by forcing police cars, fire trucks, and ambulances to race through the streets for no reason. They can also cause buildings to be evacuated and streets to be cut off, further increasing unnecessary costs to society.

False 911 calls are illegal in Wisconsin, but a first offender may be fined only between $50 and $300. The $300 maximum was established in 1987, while the $50 minimum has been in place since *1978*. (First offenders may also be imprisoned for up to 90 days, and people who reoffend within four years are guilty of a Class H felony.)

AB 149 doubles the current minimum and maximum limits, so that a judge may impose a fine of $100 to $600. Doubling the fine approximates inflation since 1987, when the Legislature increased the maximum from $200 to $300. At that time, the Legislature apparently believed that $50 was still a sufficiently high minimum, which is why I used 1987 as the base for that figure, too. I think it makes sense to revisit criminal fines every now and then, to make sure that years—or decades—of inflation do not diminish their effectiveness as deterrents and punishments.

The Assembly's criminal justice committee voted unanimously to recommend AB 149, and the Assembly passed it on a voice vote in October. AB 149 is a commonsense bill with bipartisan support, and several organizations representing law enforcement officers, firefighters, and other emergency personnel have registered their support with the Government Accountability Board. I hope this committee will hold an executive session on AB 149 in the near future.

Thank you again for this opportunity to testify on behalf of Assembly Bill 149.

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Man arrested for making fake 911 calls

BILL NOVAK | The Capital Times | bnovak@madison.com | Posted: Wednesday, November 23, 2011 1:00 pm

A man who allegedly made two bogus 911 calls on consecutive days in Madison discovered the practice can result in arrest.

Andre Hollingswoth, 22, Madison, was arrested for misuse of the 911 center and resisting/obstructing an officer, picked up by officers Tuesday afternoon while walking in the 5800 block of Russett Road, the area where police and firefighters were dispatched to.

Hollingsworth allegedly didn't think much of the arrest, telling police he would be "back out on the streets right away and would beat any charges," according to a police press release.

The first crank call was made Monday morning, with Hollingsworth allegedly telling dispatch someone was holding a gun to a man's head in the 1400 block of Theresa Terrace.

"That triggered a large police response and it turned out to be pure fabrication," said police spokesman Joel DeSpain.

The second incident allegedly called in by Hollingsworth had to do with him being from Detroit in town to buy "weed" and his friend getting battered in a drug deal that went sour.

"Upon arrival at the scene, officers found nothing except for Hollingsworth calmly walking in the area, in possession of two cell phones," DeSpain said.

An officer determined both cell phones had been used to make the 911 calls on Monday and Tuesday.

"The officer told the suspect making prank 911 calls endangers the public by tieing up resources and forcing officers to respond in an emergency fashion, but the suspect didn't seem to care," DeSpain said.

madison.com

Woman makes false 911 call reporting shooting to divert officers, police say

BILL NOVAK | The Capital Times | bnovak@madison.com | Posted: Wednesday, December 1, 2010 11:50 am

A Madison woman is in serious legal trouble after making a false 911 call apparently intended to draw police away from her location, after she had been cited for shoplifting and told by police not to drive because she was drunk and had a suspended license, Madison police reported.

Tierra Miles, 27, was tentatively charged with reporting a false emergency through a telephone (911) following her arrest Tuesday night on Magnolia Lane, Madison police said.

The bizarre chain of events started when the 911 communications center got a call from a cell phone in which the caller said she had just witnessed a shooting on Lake Point Drive.

"She said she was driving when she saw the gunfire around 6:20 p.m.," said police spokesman Joel DeSpain. "She said a man had been shot, she saw him fall to the ground, and he was having difficulty breathing. Then the call was disconnected."

The 911 center took no chances in sending police to the scene.

Officers, sergeants, lieutenants and even Capt. Joe Balles from the south district station responded to the scene, as a perimeter was set up in the 2000 block of Lake Point Drive.

"Officers set out on foot to find the victim, suspects, witnesses or even just the scene of the crime," DeSpain said.

Other officers went to area hospitals, just in case the wounded man turned up.

The 911 center couldn't get the caller back on the line, but the number eventually was traced to Miles.

That info rang a bell at the Monona Police Department.

"15 minutes before the 911 call about the shooting came in, Miles had been cited for shoplifting at South Towne Mall in Monona," DeSpain said. "Police said she was intoxicated and had a suspended driver's license, so they wouldn't let her drive her van from the mall parking lot."

The false 911 call pulled basically all the officers on the south side to Lake Point Drive.

"Monona police theorized she wanted to divert police elsewhere so she could get her van," DeSpain said.

Once this was known, the perimeter on Lake Point Drive was disbanded, and officers directed their attention to finding Miles.

She and the van were found on the street where she lives.

"She stuck to the story about a man being shot," DeSpain said. "She also said she didn't call 911 again because her cell phone died."

Why didn't she call 911 when she got home?

"She said she saw all the squad cars on the Beltline heading toward Lake Point Drive, so she just assumed police were already where they needed to be," DeSpain said.

fox6now.com/news/witi-111810-hostage-situation,0,4468020.story

WITI

Fake 911 call forced lockdown of Boelter company in Glendale

Police figured out the 911 call was fake two hours after being called to the scene

8:44 PM CST, November 18, 2010

WITI-TV, GLENDALE

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Glendale Police say someone called in a fake armed robbery at Boelter Company. Officers locked down a large portion of Port Washington Rd. between Capitol Dr. and Hampton Ave.

Glendale and Milwaukee police armed with rifles lock down Port Washington Rd. at 5:30 p.m. Their sweep centered around Boelter. Company President Eric Boelter got the call after leaving work for the day.

Boelter watched as police searched for a possible suspect with 50-60 of his employees inside. By 7:15 p.m. it looks like the search is based on bad information. Boelter says, "The bogus 911 takes time away from police and the Boelter employees."

The shut down of Port Washington Rd. lasted about two hours. Police on the scene wouldn't say where the 911 call came from.

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Officials: Footville firefighter made phony 911 calls

By TED SULLIVAN

Thursday, Sept. 9, 2010

Photo

Dustin Bentivegna

FOOTVILLE — It was suspicious when Footville volunteer firefighter Dustin R. Bentivegna was among the first to respond to routine reports of gas odors, calls he might normally ignore from his home miles away in Janesville.

"He never appeared to be begging for a call or that kind of thing," Fire Chief Joe North said. "He wasn't all excited and gung-ho or all that."

It turns out, Bentivegna might have loved being a firefighter so much that he made phony 911 calls to relish his role. He is accused of using his cell phone to make four false reports of a gas odor within his fire district, Rock County Sheriff's Capt. Jude Maurer said.

"He just admitted that he wanted to go out on a call," Maurer said.

Bentivegna, 24, of 529 Rimrock Road, Janesville, was arrested Saturday on four charges of misdemeanor reporting a false emergency. He was booked in the Rock County Jail and released.

Bentivegna was a probationary volunteer firefighter training to become a regular volunteer firefighter, North said. He had been with the department for about six weeks.

He was fired Saturday for conduct unbecoming of a firefighter, North said.

Bentivegna is accused of making the calls between Monday, Aug. 30, and Friday. He didn't provide his name when calling 911, only saying there was a gas odor near an intersection, Maurer said.

No one thought anything of the calls the first couple times, but the third and fourth was awfully unusual, Maurer said. A deputy then investigated and saw that all four calls came from Bentivegna's cell.

"They were going out chasing a made-up call," Maurer said. "They would check out the area and would come up with nothing."

North said he has read books about emergency workers creating problems in order to respond to calls.

"It's kind of a weird phenomenon," North said. "The only thing we're thankful for is that he didn't set anything on fire."

Bentivegna also was arrested in May on a charge of impersonating a police officer, Janesville Police Sgt. Chad Pearson said.

Bentivegna was accused of telling two juvenile females at Kiwanis Pond that he was an officer and sharing stories about his law enforcement escapades, Pearson said.

He pleaded no contest to misdemeanor impersonating a peace officer and was fined $488, according to court records.

Bentivegna is scheduled to be in Rock County Court on Oct. 5 on the false emergency charges.

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November 22, 2011

Dear Senators,

As the immediate past President of the Wisconsin Chapter of the National Emergency Numbering Association I am writing to support AB 149 which will increase the penalties associated with making false calls to 911.

I have worked in Public Safety my whole life and have seen the benefits of having a strong 911 system. Many times though this system is either abused or misused by individuals and this legislation should help to be a deterrent for those individuals.

Upon passage of this legislation I will work with our school systems to make children aware of this law with the hope that the message will be conveyed to older siblings and adults. Also, I will encourage posting of this bill near any public telephones in schools and businesses, as those seem to be our trouble areas when it comes to this issue.

I look forward to seeing this bill proceed and hope to hear from you on its progress.

Sincerely,

Kelly D. Zenz