



State of Wisconsin
1997 - 1998 LEGISLATURE

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GMM;jlg&kmg:jf

**ASSEMBLY AMENDMENT 1,
TO 1997 ASSEMBLY BILL 113**

August 12, 1997 – Offered by Representative TURNER.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 3: delete “, local”.
- 3 **2.** Page 1, line 4: delete “agencies”.
- 4 **3.** Page 1, line 5: after “escapes” insert “, is absent from”; and after “from a”
5 insert “nonsecured”.
- 6 **4.** Page 1, line 6: delete “or from correctional supervision”.
- 7 **5.** Page 2, line 9: delete lines 9 to 13.
- 8 **6.** Page 3, line 1: delete lines 1 to 25.
- 9 **7.** Page 4, line 1: delete lines 1 to 13 and substitute:
- 10 “**SECTION 3m.** 938.51 (1) (intro.) of the statutes is amended to read:
- 11 938.51 (1) (intro.) At least 15 days prior to the date of release of a juvenile from
12 a secured correctional facility or a secured child caring institution of a juvenile who

1 has been adjudicated delinquent and at least 15 days prior to the release of a juvenile
2 from the supervision of the department or a county department of a juvenile who has
3 been adjudicated delinquent, the department or county department having
4 supervision over the juvenile shall do all of the following:

5 **SECTION 4b.** 938.51 (1) (b) (intro.) of the statutes is amended to read:

6 938.51 (1) (b) (intro.) ~~Notify~~ Subject to pars. (c) and (cm), notify any known
7 victim of ~~an~~ the act for which the juvenile has been found delinquent of the juvenile's
8 release, if all of the following apply:

9 **SECTION 4d.** 938.51 (1) (c) of the statutes is renumbered 938.51 (1) (c) (intro.)
10 and amended to read:

11 938.51 (1) (c) (intro.) ~~Notify, if the victim died as a result of the juvenile's~~
12 ~~delinquent act and if the criteria under par. (b) are met,~~ Subject to par. (cm), notify
13 ~~an adult member of the victim's family or, if the victim is younger than 18 years old~~
14 ~~and if the criteria under par. (b) are met, the victim's parent or legal guardian~~ relative
15 of the victim of the juvenile's release. if all of the following apply:

16 **SECTION 4f.** 938.51 (1) (c) 1. of the statutes is created to read:

17 938.51 (1) (c) 1. The victim died as a result of the juvenile's delinquent act.

18 **SECTION 4h.** 938.51 (1) (c) 2. of the statutes is created to read:

19 938.51 (1) (c) 2. The adult relative can be found.

20 **SECTION 4j.** 938.51 (1) (c) 3. of the statutes is created to read:

21 938.51 (1) (c) 3. The adult relative has sent in a request card under sub. (2).

22 **SECTION 4m.** 938.51 (1) (cm) of the statutes is created to read:

23 938.51 (1) (cm) Notify the victim's parent or legal guardian of the juvenile's
24 release if all of the following apply:

25 1. The victim is younger than 18 years of age.

1 2. The parent or legal guardian can be found.

2 3. The parent or legal guardian has sent in a request card under sub. (2).

3 **SECTION 4p.** 938.51 (1d) of the statutes is created to read:

4 938.51 (1d) At least 15 days prior to the release from a nonsecured child caring
5 institution of a juvenile who has either been adjudicated delinquent under s. 48.12,
6 1993 stats., or s. 938.12 or been found to be in need of protection or services under
7 s. 48.13 (12), 1993 stats., or s. 938.13 (12) and who has been found to have committed
8 a violation of ch. 940 or of s. 948.02, 948.025 or 948.03, and at least 15 days prior to
9 the release from a nonsecured child caring institution of a juvenile who has been
10 found to be in need of protection or services under s. 48.13 (14), 1993 stats., or s.
11 938.13 (14), the department or county department having supervision over the
12 juvenile shall notify all of the following persons of the juvenile's release:

13 (a) Any known victim of the act for which the juvenile was found delinquent or
14 to be in need of protection or services, if the criteria under sub. (1) (b) are met; an
15 adult relative of the victim, if the criteria under sub. (1) (c) are met; or the victim's
16 parent or guardian, if the criteria under sub. (1) (cm) are met.

17 (b) Any witness who testified against the juvenile in any court proceeding
18 involving the act for which the juvenile was found delinquent or to be in need of
19 protection or services, if the criteria under sub. (1) (d) are met.

20 **SECTION 4r.** 938.51 (1g) of the statutes is created to read:

21 938.51 (1g) At least 15 days prior to the release from an inpatient facility, as
22 defined in s. 51.01 (10), of a juvenile who has been found to be in need of protection
23 or services under s. 48.13 (14), 1993 stats., or s. 938.13 (14), the county department
24 having supervision over the juvenile shall notify all of the following persons of the
25 juvenile's release:

1 (a) Any known victim of the act for which the juvenile was found to be in need
2 of protection or services, if the criteria under sub. (1) (b) are met; an adult relative
3 of the victim, if the criteria under sub. (1) (c) are met; or the victim's parent or
4 guardian, if the criteria under sub. (1) (cm) are met.

5 (b) Any witness who testified against the juvenile in any court proceeding
6 involving the act for which the juvenile was found to be in need of protection or
7 services, if the criteria under sub. (1) (d) are met.

8 **SECTION 5d.** 938.51 (1m) of the statutes is amended to read:

9 938.51 (1m) The department or county department having supervision over a
10 juvenile described in sub. (1) shall determine the local agencies that it will notify
11 under sub. (1) (a) based on the residence of the juvenile's parents or on the juvenile's
12 intended residence specified in the juvenile's aftercare supervision plan or, if those
13 methods do not indicate the community in which the juvenile will reside following
14 release from a secured correctional facility or secured child caring institution or from
15 the supervision of the department or county department, the community in which
16 the juvenile states that he or she intends to reside.

17 **SECTION 5g.** 938.51 (1r) of the statutes is amended to read:

18 938.51 (1r) The notification under sub. (1), (1d) or (1g) shall include only the
19 juvenile's name, the date of the juvenile's release and the type of placement to which
20 the juvenile is released.

21 **SECTION 6d.** 938.51 (2) of the statutes is amended to read:

22 938.51 (2) The department shall design and prepare cards for any person
23 specified in sub. (1) (b), (c), (cm) or (d) to send to the department or county department
24 having supervision over the a juvenile described in sub. (1), (1d) or (1g). The cards
25 shall have space for any such person to provide his or her name, telephone number

1 and mailing address, the name of the applicable juvenile and any other information
2 that the department determines is necessary. The department shall provide the
3 cards, without charge, to district attorneys. District attorneys shall provide the
4 cards, without charge, to persons specified in sub. (1) (b) to (d). These persons may
5 send completed cards to the department or county department having supervision
6 over the juvenile.

7 **SECTION 7m.** 938.51 (3) of the statutes is amended to read:

8 938.51 (3) Timely release of a juvenile specified in sub. (1), (1d) or (1g) shall not
9 be prejudiced by the fact that the department or county department having
10 supervision over the juvenile did not ~~notify the victims or the local agencies under~~
11 ~~sub. (1) within the 15 days~~ provide notification as required under sub. (1), (1d) or (1g),
12 whichever is applicable.”.

13 **8.** Page 4, line 15: after “(1)” insert “, (1d) or (1g)”.

14 **9.** Page 4, line 20: delete “having supervision over the juvenile”.

15 **10.** Page 4, line 24: delete that line.

16 **11.** Page 5, line 1: delete lines 1 to 6 and substitute:

17 “**SECTION 9m.** 938.51 (4) (a) of the statutes is amended to read:

18 938.51 (4) (a) Any known victim of the act for which the juvenile was found
19 delinquent or to be in need of protection or services, if the criteria under sub. (1) (b)
20 are met; an adult member of the victim’s family relative of the victim, if the victim
21 ~~died as a result of the juvenile’s delinquent act and if the criteria under sub. (1) (b)~~
22 (c) are met; or the victim’s parent or guardian, if the ~~victim is younger than 18 years~~
23 ~~old and if the criteria under sub. (1) (b)~~ (cm) are met.

24 **SECTION 9p.** 938.51 (4) (b) of the statutes is amended to read:

