

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/20/99**

Received By: **olsenje**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Kratochwill**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters:

Subject: **Correctional System - prisons**

Extra Copies: **MGD**

**Pre Topic:**

ARC:.....Kratochwill - Am. # 74,

**Topic:**

Drug detection dog units

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	olsenje 06/21/99	gilfokm 06/21/99	jfrantze 06/21/99	_____	lrb_docadmin 06/21/99		
/2	olsenje 06/25/99	gilfokm 06/25/99	jfrantze 06/25/99	_____	lrb_docadmin 06/25/99		
/3	olsenje 06/25/99	gilfokm 06/25/99	mclark 06/26/99	_____	lrb_docadmin 06/26/99		

FE Sent For:

<END>

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FE Sent For:		13-6-25-99 Kmg	MRC 6/25	MRC/SH 6/26 <END>			

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/1	olsenje 06/21/99	gilfokm 06/21/99	jfrantze 06/21/99	_____	lrb_docadmin 06/21/99		

FE Sent For:

12-6-25  
KMG

7/6/25

7/6/25  
<END>

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Alt. Drafters:

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**Topic:**

Drug detection dog units

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/1	olsenje	1-6-21-99 kmg	J 6/21	Jb   Ch 6/21			

FE Sent For:

<END>

# To Be Drafted

Agency	Corrections	Amendment#	74
ARC Analyst	<i>??</i> <i>Kofochwill</i>	LRB#	60771
		Tax Cut	<input type="checkbox"/>

## Summary

This motion incorporates the provisions of LRB 2898/1. The motion creates three canine drug teams for use in prisons in Wisconsin. Each team will be one dog and one officer. The dogs will be trained to use its sense of smell to detect the presence of controlled substances. They will be able to inspect any minimum, medium or maximum prison in Wisconsin.

## Fiscal Impact

The cost of the three canine drug teams, including training, squad cars, and personnel is approximately \$189,900.

## Statement of Intent

Create a pilot canine drug team program in prisons in the state

## 1999 BILL

1 AN ACT *to amend* 302.09; and *to create* 302.075 and 302.09 (3) of the statutes;  
2 relating to: visitation at state correctional institutions and requiring the  
3 department of corrections to establish drug detection dog units.

---

### *Analysis by the Legislative Reference Bureau*

This bill makes changes in current law concerning visitation and the use of drug detection dogs at state correctional institutions. Specifically, the bill does the following:

#### ***Visitation***

Current department of corrections (DOC) administrative rules require each state correctional institution to set forth in writing and make available to inmates and visitors policies and procedures concerning visitation. The policies must provide for visitation on weekends or some weekday nights or both and for weekday visitation, if the weekday visitation is consistent with scheduled activities and available resources.

This bill codifies these requirements concerning visitation policies. In addition, the bill provides that a state correctional institution's visitation policies may not allow visitation on more than six days a week.

#### ***Drug detection dog units***

Current law neither requires nor prohibits DOC from using drug detection dogs in the state correctional institutions. This bill requires DOC to establish and maintain three drug detection dog units, each of which will consist of one dog that is trained to use its sense of smell to detect the presence of controlled substances and one correctional officer who is trained to handle the dog.

**BILL**

Under the bill, each drug detection dog unit must be based at a different state correctional institution but may be used to detect controlled substances at any state correctional institution at the request of the secretary of corrections, at the request of the warden, superintendent or other officer or employe of the institution or, if based on credible information that controlled substances may be present in the institution, on the initiative of the unit's correctional officer. The warden, superintendent and other officers and employes of a state correctional institution must at all times give a drug detection dog unit free access to and unrestrained ability to inspect all parts of the buildings and grounds of the institution, including visitation areas and areas to which prisoners may not have access.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 302.075 of the statutes is created to read:

2           **302.075 Drug detection dog units.** (1) The department shall establish and  
3 maintain 3 drug detection dog units. Each unit shall consist of one dog that is trained  
4 to use its sense of smell to detect the presence of controlled substances and one  
5 correctional officer trained to handle the dog. Each drug detection dog unit shall be  
6 based at a different state correctional institution but may be used to detect controlled  
7 substances at any state correctional institution. A drug detection dog unit's  
8 correctional officer shall report directly to the secretary.

9           (2) A drug detection dog unit may investigate a state correctional institution  
10 for the presence of controlled substances at the request of the secretary, at the  
11 request of the warden, superintendent or other officer or employe of the institution  
12 or, if he or she receives credible information that controlled substances may be  
13 present in the institution, on the initiative of the unit's correctional officer. The  
14 secretary shall establish the amount of advance notice that a drug detection dog unit

**BILL**

1 must provide to the appropriate warden or superintendent that the unit will be at  
2 a state correctional institution.

3 (3) Notwithstanding s. 302.04, the warden, superintendent and other officers  
4 and employes of a state correctional institution shall at all times give a drug  
5 detection dog unit free access to and unrestrained ability to inspect all parts of the  
6 buildings and grounds of the institution, including visitation areas and areas to  
7 which prisoners may not have access.

8 **SECTION 2.** 302.09 of the statutes is amended to read:

9 **302.09 Labor and; communications and visitation.** (1) Inmates shall be  
10 employed as provided in ch. 303.

11 (2) Communication shall not be allowed between inmates and any person  
12 outside the prison except as prescribed by the prison regulations.

13 **SECTION 3.** 302.09 (3) of the statutes is created to read:

14 302.09 (3) The department shall encourage and accommodate the visitation of  
15 inmates by family members, friends, and others who provide support to inmates.  
16 Subject to approval by the department, each state correctional institution shall set  
17 forth in writing and make available to inmates and visitors policies and procedures  
18 concerning visitation. The policies shall provide for visitation on weekends or some  
19 weekday nights or both and for weekday visitation, if the weekday visitation is  
20 consistent with scheduled activities and available resources. The policies may not  
21 provide for visitation on more than 6 days a week.

22 **SECTION 4. Nonstatutory provisions.**

23 (1) CORRECTIONAL OFFICER POSITIONS. The authorized FTE positions for the  
24 department of corrections are increased by 3.0 GPR positions, to be funded from the  
25 appropriation under section 20.410 (1) (a) of the statutes, for the purpose of staffing



**BILL**

1 the drug detection dog units under section 302.075 of the statutes, as created by this

2 act.

3 (END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0771/1

JEO1/.....

*mg*

*D. Note* *Soon!*

ARC:.....Kratochwill - Am. # 74, Drug detection dog units

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 185, line 3: increase the dollar amount for fiscal year 1999-00 by  
3 \$189,900 and increase the dollar amount for fiscal year 2000-01 by \$189,900 for the  
4 purpose of establishing and operating drug detection dog units and for the purpose  
5 of increasing the authorized FTE positions for the department of corrections by 3.0  
6 GPR correctional officer positions to staff the drug detection dog units.

7 ✓ 2. Page 1324, line 14: after that line insert:

8 "SECTION 2718c. 302.075 of the statutes is created to read:

9 **302.075 Drug detection dog units.** (1) The department shall establish and  
10 maintain 3 drug detection dog units. Each unit shall consist of one dog that is trained  
11 to use its sense of smell to detect the presence of controlled substances and one

1 correctional officer trained to handle the dog. Each drug detection dog unit shall be  
2 based at a different state correctional institution but may be used to detect controlled  
3 substances at any state correctional institution. A drug detection dog unit  
4 correctional officer shall report directly to the secretary. ✓  
le

5 (2) A drug detection dog unit may investigate a state correctional institution  
6 for the presence of controlled substances at the request of the secretary, at the  
7 request of the warden, superintendent or other officer or employe of the institution  
8 or, if he or she receives credible information that controlled substances may be  
9 present in the institution, on the initiative of the unit ~~correctional~~ officer. The  
10 secretary shall establish the amount of advance notice that a drug detection dog unit  
11 must provide to the appropriate warden or superintendent that the unit will be at  
12 a state correctional institution.

13 (3) Notwithstanding s. 302.04, the warden, superintendent and other officers  
14 and employes of a state correctional institution shall at all times give a drug  
15 detection dog unit free access to and unrestrained ability to inspect all parts of the  
16 buildings and grounds of the institution, including visitation areas and areas to  
17 which prisoners may not have access.”

18 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0771/1dn

JEO:lj...  
Amy

The material sent to me with the drafting request said that it meant to incorporate 1999 LRB-2898/1. However, the material did not refer to changing current law regarding visitation, which was one aspect of 1999 LRB-2898/1. Thus, this amendment does *not* change current law regarding visitation. Is that your intent?

Also, the material sent to me with the drafting request said that the cost of the new program is approximately \$189,900. The material did not say whether that figure was for each fiscal year or the entire biennium. This amendment increases s. 20.410 (1) (a), stats., by \$189,900 for each fiscal year. If that is not your intent, please let me know what the appropriation increases should be for each fiscal year and I will redraft the amendment accordingly.

Jefren E. Olsen  
Legislative Attorney  
Phone: (608) 266-8906  
E-mail: [Jefren.Olsen@legis.state.wi.us](mailto:Jefren.Olsen@legis.state.wi.us)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0771/1dn  
JEO:kmg:jf

June 21, 1999

The material sent to me with the drafting request said that it meant to incorporate 1999 LRB-2898/1. However, the material did not refer to changing current law regarding visitation, which was one aspect of 1999 LRB-2898/1. Thus, this amendment does *not* change current law regarding visitation. Is that your intent?

Also, the material sent to me with the drafting request said that the cost of the new program is approximately \$189,900. The material did not say whether that figure was for each fiscal year or the entire biennium. This amendment increases s. 20.410 (1)(a), stats., by \$189,900 for each fiscal year. If that is not your intent, please let me know what the appropriation increases should be for each fiscal year and I will redraft the amendment accordingly.

Jefren E. Olsen  
Legislative Attorney  
Phone: (608) 266-8906  
E-mail: Jefren.Olsen@legis.state.wi.us



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0771/1  
JEO:kmgjf

Soon!  
D. Note

2  
redraft  
maker  
run

ARC:.....Kratochwill – Am. # 74, Drug detection dog units

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 185, line 3: increase the dollar amount for fiscal year 1999-00 by  
3 \$189,900 and increase the dollar amount for fiscal year 2000-01 by \$189,900 for the  
4 purpose of establishing and operating drug detection dog units and for the purpose  
5 of increasing the authorized FTE positions for the department of corrections by 3.0  
6 GPR correctional officer positions to staff the drug detection dog units.

7 2. Page 1324, line 14: after that line insert:

8 "SECTION 2718c. <sup>k</sup> 302.075 of the statutes is created to read:

9 302.075 Drug detection dog units. (1) The department shall establish and

10 maintain 3 drug detection dog units. Each unit shall consist of one dog that is trained

1 to use its sense of smell to detect the presence of controlled substances and one  
2 correctional officer trained to handle the dog. Each drug detection dog unit shall be  
3 based at a different state correctional institution but may be used to detect controlled  
4 substances at any state correctional institution. A drug detection dog unit  
5 correctional officer shall report directly to the secretary.

6 (2) A drug detection dog unit may investigate a state correctional institution  
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8 request of the warden, superintendent or other officer or employe of the institution  
9 or, if he or she receives credible information that controlled substances may be  
10 present in the institution, on the initiative of the unit correctional officer. The  
11 secretary shall establish the amount of advance notice that a drug detection dog unit  
12 must provide to the appropriate warden or superintendent that the unit will be at  
13 a state correctional institution.

14 (3) Notwithstanding s. 302.04, the warden, superintendent and other officers  
15 and employes of a state correctional institution shall at all times give a drug  
16 detection dog unit free access to and unrestrained ability to inspect all parts of the  
17 buildings and grounds of the institution, including visitation areas and areas to  
18 which prisoners may not have access. *de*

19

(END)

SNS  
2-18

BILL

IRIS 2-18

1 ~~must provide to the appropriate warden or superintendent that the unit will be at~~  
2 ~~a state correctional institution.~~

3 ~~(3) Notwithstanding s. 302.04, the warden, superintendent and other officers~~  
4 ~~and employes of a state correctional institution shall at all times give a drug~~  
5 ~~detection dog unit free access to and unrestrained ability to inspect all parts of the~~  
6 ~~buildings and grounds of the institution, including visitation areas and areas to~~  
7 ~~which prisoners may not have access.~~

8

<sup>2718 CL</sup>  
SECTION 2. 302.09 of the statutes is amended to read:

9 **302.09 Labor and; communications and visitation.** (1) Inmates shall be  
10 employed as provided in ch. 303.

11 (2) Communication shall not be allowed between inmates and any person  
12 outside the prison except as prescribed by the prison regulations.

13

<sup>2718 CM</sup>  
SECTION 3. 302.09 (3) of the statutes is created to read:

14 302.09 (3) The department shall encourage and accommodate the visitation of  
15 inmates by family members, friends, and others who provide support to inmates.  
16 Subject to approval by the department, each state correctional institution shall set  
17 forth in writing and make available to inmates and visitors policies and procedures  
18 concerning visitation. The policies shall provide for visitation on weekends or some  
19 weekday nights or both and for weekday visitation, if the weekday visitation is  
20 consistent with scheduled activities and available resources. The policies may not  
21 provide for visitation on more than 6 days a week. "9" ←

22 **SECTION 4. Nonstatutory provisions.**

23 (1) CORRECTIONAL OFFICER POSITIONS. The authorized FTE positions for the  
24 department of corrections are increased by 3.0 GPR positions, to be funded from the  
25 appropriation under section 20.410 (1) (a) of the statutes, for the purpose of staffing



LRB 0771/2a  
JEO: King

D-Note

Per Brian Dake<sup>K</sup> at ARC,  
this redraft includes the visitation  
provisions of 1999 LRB-2898/1.

JEO

---

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0771/2dn  
JEO:kmg:jf

June 25, 1999

Per Brian Dake at ARC, this redraft includes the visitation provisions of 1999 LRB-2898/1.

Jefren E. Olsen  
Legislative Attorney  
Phone: (608) 266-8906  
E-mail: [Jefren.Olsen@legis.state.wi.us](mailto:Jefren.Olsen@legis.state.wi.us)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0771/2  
JEO:kmg:jf

*D-Note*

*3*  
*redraft*  
*make*  
*run*

ARC:.....Kratochwill - Am. #74, Drug detection dog units

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 185, line 3: increase the dollar amount for fiscal year 1999-00 by  
3 \$189,900 and increase the dollar amount for fiscal year 2000-01 by \$189,900 for the  
4 purpose of establishing and operating drug detection dog units and for the purpose  
5 of increasing the authorized FTE positions for the department of corrections by 3.0  
6 GPR correctional officer positions to staff the drug detection dog units.

7 **2.** Page 1324, line 14: after that line insert:

8 "SECTION 2718ck. 302.075 of the statutes is created to read:

9 **302.075 Drug detection dog units.** (1) The department shall establish and  
10 maintain 3 drug detection dog units. Each unit shall consist of one dog that is trained

1 to use its sense of smell to detect the presence of controlled substances and one  
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6 (2) A drug detection dog unit may investigate a state correctional institution  
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16 detection dog unit free access to and unrestrained ability to inspect all parts of the  
17 buildings and grounds of the institution, including visitation areas and areas to  
18 which prisoners may not have access. ” . ←

19 **SECTION 2718cL.** 302.09 of the statutes is amended to read:

20 **302.09 Labor and; communications and visitation.** (1) Inmates shall be  
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22 (2) Communication shall not be allowed between inmates and any person  
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9

(END)

LRB60771/3 dn  
JED: kmq

D-Note

This redraft deletes the visitation

<sup>pr</sup>  
provisions.

JED

---

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0771/3dn  
JEO:kmg:mrc

June 25, 1999

This redraft deletes the visitation provisions.

Jefren E. Olsen  
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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0771/3  
JEO:kmg:mrc

ARC:.....Kratowill - Am. # 74, Drug detection dog units

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16 detection dog unit free access to and unrestrained ability to inspect all parts of the  
17 buildings and grounds of the institution, including visitation areas and areas to  
18 which prisoners may not have access.”

19 (END)