

Assembly Hearing Slip

(Please print plainly)

Date: 3/10/99

Bill No. AB 24

Of
Subject _____

(Name) CINDY O'DONNELL

(Street Address or Route Number) 149 E. WILSON ST

(City & ZIP Code) MADISON WI

(Representing) Department of Corrections

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3/10/99

Bill No. AB 24/31/182

Of
Subject _____

(Name) MARLIN SCHNEIDER

(Street Address or Route Number) 3822 Sackhorack Lane

(City & ZIP Code) Wisconsin Rapids WI

(Representing) 72nd Assembly District

Speaking in favor: 24, 31

Speaking against: 182

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3/10/99

Bill No. AB 24

Of
Subject _____

(Name) Ann Robert T. Marshall

(Street Address or Route Number) Room 404 - 100 N. Sherman

(City & ZIP Code) Madison

(Representing) 14th Ann Rust

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702



Scott Walker

Wauwatosa's Representative in the Wisconsin State Assembly

MEMORANDUM

**TO: MEMBERS, ASSEMBLY COMMITTEE ON CORRECTIONS
AND THE COURTS**

FROM: REPRESENTATIVE SCOTT WALKER, CHAIR

RE: AB 24

DATE: MARCH 16, 1999

Attached, please find a copy of assembly amendment 1 (Rep. Staskunas) to Assembly Bill 24, which will be voted on during tomorrow's Executive Session.

Again, the Executive Session will be March 17th at 1:00 PM in Room 225-Northwest of the Capitol.

Please feel free to contact Ed Eberle in my office at 6-9181 with any questions.

MARLIN D. SCHNEIDER
State Representative

72nd Assembly District

Office:

State Capitol
P.O. Box 8953
Madison, WI 53708
(608) 266-0215
Fax: (608) 266-8955
Toll-free: 1-888-529-0072
Email: Rep.Schneider@legis.state.wi.us

Home:

3820 Southbrook Lane
Wisconsin Rapids, WI 54494
(715) 423-1223

FEB 02 1999



WISCONSIN STATE ASSEMBLY
ASSISTANT MINORITY LEADER

January 28, 1999

Member:
Committee on Assembly Organization
Committee on Education
Educational Communications Board
Committee on Government Operations
Joint Committee on Information Policy
Council on Information Technology
Joint Legislative Council
Joint Committee on Legislative Organization
Joint Survey Committee on Retirement Systems
Committee on Rules
Committee on Rural Affairs
State Capitol and Executive Residence Board
Joint Survey Committee on Tax Exemptions
Committee on Veterans and Military Affairs
National Conference of State Legislatures
Council of State Governments

Representative Scott Walker, Chairperson
Committee on Corrections and The Courts
State Capitol
Madison, Wisconsin 53702

Dear Scott:

The following bills have been referred to your Committee:

Assembly Bill 24 – relating to regulating telephone solicitation by prisoners.

Assembly Bill 31 – relating to prisoner access to personal information and Contract authority of the department of corrections.

I am respectfully requesting that you hold a public hearing on these bills as soon as possible.

I would appreciate your immediate attention to my request. Thank you in advance for your cooperation in this matter.

Sincerely,

MARLIN D. SCHNEIDER
Assistant Democratic Leader

mep/p

“Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.” – Edmund Burke Nov. 3, 1774

**ASSEMBLY COMMITTEE ON
CORRECTIONS AND THE COURTS**

AGENDA

Wednesday, March 10, 1999

10:00am Room 424-northeast

I. Call to Order

II. Roll Call

III. Public Hearing

A. **Assembly Bill 24** (*Schneider/Welch*) regulating telephone solicitation by prisoners and providing a penalty.

B. **Assembly Bill 31** (*Schneider/Schultz*) prisoner access to personal information and contract authority of the department of corrections.

C. **Assembly Bill 99** (*Wieckert/Ellis*) sex offender registration requirements for persons who are on probation, parole or extended supervision and providing a penalty.

D. **Assembly Bill 176** (*Walker/Darling*) authorizing the department of corrections to contract with private persons for the confinement of Wisconsin prison inmates in private prisons in this state.

E. **Assembly Bill 182** (*Foti/Walker*) prisoner access to personal information and contract authority of the department of corrections.

V. Announcements

A. Next meeting

VI. Adjournment

**ASSEMBLY COMMITTEE ON
CORRECTIONS AND THE COURTS**

AGENDA

Wednesday, March 17, 1999

1:00 PM room 225-northwest

I. Call to Order

II. Roll Call

III. **Executive Session**

A. **Assembly Bill 24** (*Schneider/Welch*) regulating telephone solicitation by prisoners and providing a penalty.

B. **Assembly Bill 99** (*Wieckert/Ellis*) sex offender registration requirements for persons who are on probation, parole or extended supervision and providing a penalty.

C. **Assembly Bill 182** (*Foti/Walker*) prisoner access to personal information and contract authority of the department of corrections.

V. Announcements

A. Next meeting

VI. Adjournment

Vote Record

Assembly Committee on Corrections and the Courts

Date: 3-17-99
 Moved by: Rep. Staskunas Seconded by: Rep. Poca
 AB: 24 Clearinghouse Rule: _____
 AB: _____ Appointment: _____
 AJR: _____ SR: _____
 A: _____ Other: _____

A/S Amdt: 1
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

Committee Member	Aye	No	Absent	Not Voting
Rep. Scott Walker, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Robert Goetsch	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tim Hoven	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Eugene Hahn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Gundrum	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Poca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tony Staskunas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Travis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	5	7	0	0

Vote Record

Assembly Committee on Corrections and the Courts

Date: 3-17-99
 Moved by: Rep. Balow Seconded by: Rep. Staskunas
 AB: 24 Clearinghouse Rule: _____
 AB: _____ Appointment: _____
 AJR: _____ SR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Robert Goetsch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tim Hoven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Eugene Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Gundrum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tony Staskunas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Travis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>12</u>	<u>0</u>	<u>0</u>	<u>0</u>

Motion Carried Motion Failed



COURT OF APPEALS OF WISCONSIN

DISTRICT II

2727 N. GRANDVIEW BLVD.

WAUKESHA, WISCONSIN 53188-1672

Chambers of
DANIEL P. ANDERSON, Judge

Telephone: (414) 521-5372
Fax: (414) 521-5419
e-mail: daniel.anderson@courts.state.wi.us

February 10, 1999

Representative Marlin D. Schneider
Room 204 North
State Capitol
P. O. Box 8953
Madison 53708-8953

Dear Representative Schneider;

I read with interest the story in the February 10 edition of the JOURNAL-SENTINEL concerning the Governor's privacy proposals and your comments that they did not go far enough. I found a comment by a DOC official to be interesting. The article quoted officials as saying, "having prisoners do telemarketing and data entry has caused no problems and that security precautions are in place to protect the public."

I beg to differ with DOC. On October 23, 1998, I received a call from East Bay Merchants, a Wausau based catalog merchant. The caller told me that an order for \$501.78 in shoes was made using my VISA card. Because this was the first order in my name and was being shipped to Lamont Perkins at the Winnebago Resource Center, East Bay Merchants' policy was to confirm the order with the credit card holder. I told the caller that I did not place the order and immediately canceled the VISA card.

Three days later, J. C. Penny Credit Department called to confirm a charge to my MASTERCARD for a 13-inch black & white television to be shipped to Lamont Perkins, 4300 Sherman Road, Winnebago, Wisconsin. The caller told me that it is J. C. Penny's practice to confirm all orders being shipped to known prison addresses. Again, I told the caller that I did not place the order. I then canceled every credit card issued in my name or my wife's name.

The two credit cards used in this scam were the only two cards I used to place catalog orders over the telephone. I am convinced that catalog orders I placed were taken by Wisconsin prisoners and, despite the safeguards DOC claims are in place, my credit card numbers, and home address were fraudulently used by a prisoner to place orders. It was the policies of the merchants

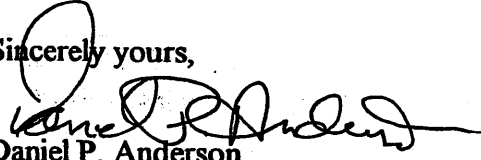
and not DOC's safeguards that prevented these charges from going through. I found that these two incidents did have a negative impact upon me. Being a judge of more than 20 years did not prepare me for devastation you feel when your privacy is violated.

I reported both incidents to the Town of Pewaukee Police Department. A detective declined to investigate because the crimes did not happen in the Town. Of course, he was wrong; but, I had no desire to deliver a lecture on venue in credit card fraud cases to someone who, obviously, did not want to do the investigative work. Because of my position as a Judge and increased awareness of security issues for the judiciary, I reported the incidents to the Director of State Courts, J. Denis Moran. Haven't heard from him yet.

I would recommend an amendment to § 971.19 "Place of trial." Venue for violations of § 943.201, "Misappropriation of personal identifying information or personal identification documents" and § 943.41, "Financial transaction card crimes" should be in the county of the victim's residence; the county of the defendant's residence; or, the county in which the offense is consummated. In reviewing ch. 943, it appears to me that there are several other crimes against property that should have venue clarified.

Please continue your campaign to provide increased protection for the personal identifying information of Wisconsin's citizens. If you need any further information feel free to contact me.

Sincerely yours,



Daniel P. Anderson
Judge