

SENATE HEARING SLIP

(Please Print Plainly)

DATE: AB 355

BILL NO. _____
OR _____
SUBJECT _____

Rep. Scott Walker
(NAME)

(Street Address or Route Number)

(City and Zip Code) Wts
(Representing) Author of AB 355

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 10-11-99

BILL NO. AB 355
OR _____
SUBJECT _____

Cheri Dubiel
(NAME)

(Street Address or Route Number)

(City and Zip Code) Madison, 53703
(Representing) WI Coalition Against Labor Assault

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: _____

BILL NO. AB 355
OR _____
SUBJECT Sexual Assault

ALBERTA DARLINA
(NAME)

(Street Address or Route Number)

(City and Zip Code) Milwaukee WI 53217
(Representing) Self

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536

Telephone: (608) 266-1304

Fax: (608) 266-3830

Email: leg.council@legis.state.wi.us

DATE: October 7, 1999

TO: SENATOR GARY R. GEORGE

FROM: Ronald Sklansky, Senior Staff Attorney

SUBJECT: 1999 Assembly Bill 355, Relating to Sexual Assault of and Sexual Activity Involving a Person Confined in an Adult or Juvenile Detention or Correctional Facility

This memorandum, prepared at your request, describes the provisions of 1999 Assembly Bill 355, relating to sexual assault of and sexual activity involving a person confined in an adult or juvenile detention or correctional facility. Assembly Bill 355, as amended by Assembly Amendment 1, passed the Assembly on June 23, 1999 on a voice vote. The bill was referred to the Senate Committee on Judiciary and Consumer Affairs on June 24, 1999.

Assembly Bill 355 creates the following new crimes:

1. The bill creates s. 940.225 (2) (h), Stats., to prohibit a correctional officer, or an individual providing services directly to persons confined in a correctional institution, from having sexual contact or sexual intercourse with an individual confined in a correctional institution. Consent is not an issue in proving this crime. A person violating this provision is guilty of a Class BC felony which, prior to December 31, 1999, is punishable by a fine not to exceed \$10,000 or imprisonment not to exceed 20 years, or both. On or after December 31, 1999, the crime is punishable by a fine not to exceed \$10,000 or imprisonment not to exceed 30 years, or both. [See s. 939.50 (3) (bc), Stats.]

2. The bill creates s. 946.435, Stats., to provide that a prisoner who has sexual contact or sexual intercourse with another person while in the facility or institution in which the prisoner is confined is guilty of a Class D felony. The provision does not apply to a prisoner who is the victim of a first-, second- or third-degree sexual assault. Prior to December 31, 1999, a Class D felony is punishable by a fine of \$10,000 or imprisonment not to exceed five years, or both. On or after December 31, 1999, a Class D felony is punishable by a fine not to exceed \$10,000 or imprisonment not to exceed 10 years, or both. [See s. 939.50 (3) (d), Stats.] The bill further provides that if a court imposes a sentence or places a person on probation for a violation of s.

946.435, Stats., the court may require the person to provide a biological specimen to the state crime laboratories for DNA analysis.

RS:rv:jal;tlu

Rossmiller, Dan

From: Walker, Scott
Sent: Tuesday, January 11, 2000 11:38 AM
To: George, Gary; Sen.George
Cc: Rossmiller, Dan; Gilbert, Melissa
Subject: Committee hearing on 01/25/2000

Importance: High

TO: Senator Gary George
Chair, Judiciary and Consumer Affairs Committee

FR: Representative Scott Walker
Chair, Corrections and the Courts Committee

DT: January 11, 2000

RE: Committee meeting on January 25, 2000

As I understand, the Senate Committee on Judiciary and Consumer Affairs will be holding a meeting at 8:00 a.m. on Tuesday, January 25, 2000. Looking at the agenda, I did not see **Assembly Bill 497** as part of the public hearing. As you know, Attorney General Doyle has expressed his support for this bill. AB 497 passed on a vote of 96 to 0 on November 3, 1999 and was referred to your committee on November 4, 1999. I hope that you will consider amending your notice and adding this important bill to the public hearing.

In addition, I hope that you might add **Assembly Bill 355** to your executive session. AB 355 passed on a voice vote on June 23, 1999. A public hearing was held on this bill on October 11, 1999. The bill has support from both Republicans and Democrats.

Thank you for your attention to these important matters.

Rossmiller, Dan

From: Cory Mason [CMason@wisbar.org]
Sent: Monday, February 21, 2000 8:00 AM
To: Dan.Rossmiller@legis.state.wi.us
Subject: Language Crim Law Section would like to see in AB562 and other matters



Cory Mason.vcf

Dan,

Sorry about all the phone tag.

Perhaps we can catch up this afternoon.

Below is the language that you wanted from the Section on AB 562

Support with amendment-add language to add a member of the task force who is on the State Bar of Wisconsin's Criminal Law Section who lives in the affected area, as well as a member of a local bar association for every county enumerated as part of the task force in the bill.

AB 562 SOUTHEAST WISCONSIN CRIME ABATEMENT - (By Committee on Criminal Justice) - To create a southeast Wisconsin crime abatement task force, attached to the department of administration for administrative purposes only. Members generally to be appointed by specified government officials. To list conditions of membership. Task force to make recommendations that are applicable to Milwaukee, Kenosha, Racine, Rock and Waukesha counties and concern: rehabilitation of criminal offenders within a community setting; establishment of drug-diversion and teen courts, and community-based alternatives to incarceration for offenders who violate community supervision; methods to retain community corrections agents; communications among courts and criminal justice and rehabilitation agencies; and judicial and prosecutorial confidence in effectiveness of community corrections. Task force to report to legislature and governor by January 24, 2001.

In terms of SB213, the Section will recommend opposing it, but did not feel very strongly about it. Someone also raised the issue of First Amendment problems since some religions allow for bloodletting as part of their practice. Mostly though, the Section was uncomfortable about passing another crime bill without having completed Truth in Sentencing.

We also looked at AB355 as you requested. The Section still supports the bill with an amendment to make the sentence in line with the truth in sentencing changes. The Section did reiterate its support for the bill, however.

Call me anytime after 2 p.m. if you have the time today. 608/347-9615

Sincerely,

Cory Mason

Sincerely,

Cory Mason
Government Relations Coordinator
State Bar of Wisconsin