

Committee Name:
Senate Committee –
Judiciary, Corrections and Privacy
(SC–JCP)

Appointments

03hr_SC–JCP_Appt_pt00

Committee Hearings

03hr_SC–JCP_CH_pt00

Committee Reports

03hr_SC–JCP_CR_pt00

Clearinghouse Rules

03hr_SC–JCP_CRule_03–

Executive Sessions

03hr_SC–JCP_ES_pt00

Hearing Records

03hr_ab0000

03hr_sb0014

Misc.

03hr_SC–JCP_Misc_pt00

Record of Committee Proceedings

03hr_SC–JCP_RCP_pt00



STATE SENATOR DAVE ZIEN

REPUBLICAN CAUCUS CHAIRMAN

COMMITTEES

ECONOMIC DEVELOPMENT AND CORRECTIONS (RANKING MEMBER)
UNIVERSITIES, HOUSING AND GOVERNMENT OPERATIONS

MEMBER

JOINT LEGISLATIVE COUNCIL
COUNCIL ON TOURISM
RURAL ECONOMIC DEVELOPMENT BOARD

January 28, 2003

Senator Fitzgerald and Representative Albers
Joint Review committee on Criminal Penalties
3 North
State Capitol
Madison, WI

Dear Representative Albers:

Pursuant to section 13.525 (5), Wisconsin Statutes, the Co-Chairs of the Joint review committee on Criminal Penalties shall prepare and submit a report in writing setting forth an opinion under the above statute on Senate Bill 14, relating to invasion of privacy and providing a penalty.

Sincerely,

Senator Dave Zien
Chair
Committee on Judiciary, Corrections and Privacy

cc: Senate Chief Clerk





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Chair
Committee on Judiciary, Corrections and Privacy

cc: Senate Chief Clerk



Johnson, Cheryl

From: Deb Kremer [abbadon@northnet.net]

Sent: Monday, March 10, 2003 4:01 AM

To: Johnson, Cheryl

Subject: Revised/Rewritten Impact statement. "Please Take This One Instead"...."THANK YOU"

My name is Deborah Kremer In the event of this crime I lived **4 buildings** away from the **Police Department** when I became the **46th victim** of "**Repeat Offender**" **Kenneth Culver**. On October 25th 1999, 11pm, "**I WAS RAPED OF MY PRIVACY!**"

"UNBEKNOWN TO ME AT THE TIME" FOR NEARLY AN HOUR MR. CULVER STOOD 12 YARDS FROM (VERY HIGH TRAFFIC STREET – BUSINESS HWY45) **He could clearly be seen by anyone passing by as he stood BOLDLY PEERING IN AT ME, OPENLY MASTURBATING OUTSIDE MY BEDROOM WINDOW.**

MY WINDOW HAD 3 LAYERS OF COVERINGS. FROSTED CONTACT PAPER, CLOSED MINI BLINDS, & DRAWN CURTAINS. **Giving me a Very strong sense of privacy.** YET MR. CULVER SAUGHT AN OPENING THE SIZE OF A TOOTHPICK, IE the size & width of this line WHERE THE FROSTED CONTACT PAPER HAD CURLED UP AT THE BOTTOM OF MY BEDROOM WINDOW.

He was seen by 3 Police Officers in (PLAIN OPEN VIEW) watching me fully disrobed while I was rubbing lotion on myself just after my shower. He ejaculated seminal fluids upon my house, under my bedroom window just before he was apprehended.

Despite my effort's Kenneth Culver has "Raped Me of My Privacy" He has stolen my sense of security in every way imaginable. Not A Day Passes That I Don't Think About It!! I've a constant fear instilled within me, even when I am not alone. The violated feeling NEVER seems to go away. I question every darkness and obstacle I can't see around, for fear of someone lurking around, wanting to harm me.

The Harsh Fact & Reality (IS) I Have a Stronger Sense of Security and feel safer Working in a Prison, than I Do In My Own Home!!

I am **NOT** representing my place of employment, but I do have very good insight working on a SVP refusers unit under 980 laws. And knowing their crimes, "**MANY**" began in **Sexually Deviant Behaviors IE Window Peeping escalating to more Severe Acts of Sexual Violence. And Nearly Everyone of Them Swear They're Innocent!!**

The problem with this crime goes unforeseen by the general public and the victims **UNTIL** he decides watching you is not enough!!! **Widow peeping is NOT a harmless or victimless crime!! To Consider Window Peeping A Misdemeanor IS Minimizing SEXUALCRIME With Total Disregard And Lack Of Concern For the Victims And Future Public Safety.**

In my line of work **Public Safety Comes First.** And I would think it would be the same for anyone else that has the responsibility and ability to protect the public.
As You Can in making it a law against window peeping.

“PLEASE” Take this opportunity to make a difference and Increase Public Safety and reassurance for the victims of this Sexual Crime. “If not passed, Is A Crime in itself!”

Vote Record

Committee on Judiciary, Corrections and Privacy

Date: 3-17-03

Moved by: Stapp

Seconded by: Fitz

AB _____ SB 14 Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

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 ~~_____~~ Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrency

Committee Member	Aye	No	Absent	Not Voting
Senator David Zien	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Scott Fitzgerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Cathy Stepp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Gary George	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>5</u>	<u>0</u>	_____	_____

OPEN (Polling)



STATE SENATOR DAVE ZIEN

ASSISTANT MAJORITY LEADER

CHAIRPERSON
 COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY
 VICE CHAIRPERSON
 COMMITTEE ON HOMELAND SECURITY, VETERANS AND MILITARY AFFAIRS AND GOVERNMENT REFORM
 MEMBER
 COMMITTEE ON SENATE ORGANIZATION
 COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
 COMMITTEE ON LABOR, SMALL BUSINESS DEVELOPMENT AND CONSUMER AFFAIRS
 SENTENCING COMMISSION
 COUNCIL ON TOURISM

MEMORANDUM

TO: Senator Gary George, Member, Senate Committee on Judiciary, Corrections & Privacy
 FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy
 DT: March 11, 2003
 RE: Paper Ballot for Senate Bill 14

Please review the attached copy of Senate Bill 14 and vote on the motion below. Return this ballot to Senator Dave Zien no later than 1:00pm today, March 11, 2003. Ballots not received by the deadline will be marked absent.

Senate Bill 14

Relating to: invasion of privacy and providing a penalty.

By Senators Roessler, Darling, Kanavas, A. Lasee and Hansen; cosponsored by Representatives Weber, Underheim, Townsend, Vrakas, Plale, Jeskewitz, Freese, Bies, Ainsworth, Krawczyk, Petrowski, Stone, Seratti, Olsen, McCormick, Lassa, Gunderson, Albers, Hines, Gronemus and LeMahieu.

Please consider the following motion:

- Passage of Senate Bill 14, moved by Senator Stepp, seconded by Senator Fitzgerald:

Aye No

Signature _____



SENATOR CAROL ROESSLER'S TESTIMONY ON SB 14

Chairman Zien and fellow Senators thank you for this opportunity to come before your committee today to discuss the dangerous behavior of window peeping.

Last year, I came before the Senate Judiciary Committee and talked about an Oshkosh man named Kenneth Culver who had a problem with window peeping. Mr. Culver was caught 46 separate times observing women undressing and showering. Last year, this committee heard the heart felt testimony from Debra Kramer who was one of Mr. Culver's victims. Debra was unable to join us today but she has provided the committee with written testimony. Unfortunately, Debra is not the only victim.

Today I'll talk about another window peeper from Neenah named Todd Meverden who was caught 23 different times observing women without their consent and although his victims are too numerous to mention, you will have the opportunity to listen to one of his victims, Donna Lindell. I applaud Donna's courage and personally thank her for attending today's hearing.

Post-It™ brand fax transmittal memo 7671		# of pages ▶
To <i>Bob Margolis</i>	From <i>John Heggen</i>	
Co. <i>Doc</i>	Co. <i>Sen Zien</i>	
Dept.	Phone # <i>266-7511</i>	
Fax # <i>240-3305</i>	Fax #	

SENATOR CAROL ROESSLER'S TESTIMONY ON SB 14

Under current law, there is no specific provision to charge a person with a crime who looks into the dwelling of another person for the purpose of sexual gratification. Officers sometimes charge a person with disorderly conduct or lewd behavior, but nothing pertaining specifically to a sex crime.

Mr. Meverden and Mr. Culver were charged with disorderly conduct. The result...no treatment was provided and law enforcement agents were unable to specifically track their dangerous behavior. The problem...Todd Meverden and Kenneth Culver wanted treatment but all they got was slap on the wrist and no treatment.

Working with local law enforcement agents like Cheryl Johnson and John Manion who are also here today; Representative Becky Weber and I again drafted this proposed legislation to address this problem.

As you all well know, many times an individual starts off peeping and over time their peeping turns into stalking, and escalates into more violent behavior like rape.

SENATOR CAROL ROESSLER'S TESTIMONY ON SB 14

What senate Bill 14 specifically does?

- Recognizes peeping as a "Sex crime"
- Provides proper rehabilitation to perpetrators
- Allow judicial discretion as to whether an individual is placed on the Sex Offenders List
- Orders the court to expunge a juvenile's delinquency if they complete the proper treatment
- As you well know, a few years ago, we passed legislation that stated that no person could knowingly install a surveillance device to observe a person. The punishment for this crime was no more than \$10,000 or imprisonment of nine months. This legislation before you today has the same penalties.

Last session this bill passed the Senate Judiciary Committee with unanimous support unfortunately it was not scheduled on the floor. As you may know, this bill was also included in the Assembly's version of the Budget Adjustment Bill but later taken out at the conference committee.

SENATOR CAROL ROESSLER'S TESTIMONY ON SB 14

Peeping is a serious crime often beginning with window peeping behavior escalates to burglary, rap and even murder.

Thank you for your time and consideration on this important legislation.

LaCrosse County 1991

Leonard M. Kamprud (09-10-50)

Arrested for masturbating himself through a hole in his sweatpants while at McDonald's restaurant. Exposer, Public Masturbator and Window Peeker

Admitted to masturbating 12(twelve) different incidents at the McDonald's Restaurant. Statement made by him was, "At least I kept my promise to my probation officer and I didn't rape any of the girls."

Sturgeon Bay Police Dept. 1996

Guy E. Morgan (10-23-63)

Disorderly Conduct, Burglary

January 8th

Prowler on deck of woman's residence. Caught by Police admitted to watching woman exercise, was rubbing himself through his pants. Complaint of prowlers in the area since 1995.

January 9th

Window peeker, multiple times and then escalated to burglary to woman's apartment He masturbated into woman's panties while in the bathroom of the apartment. He then took a clean pair with him.

Admits he is getting worse and is asking for help.

Brown County

Gregory A. Alder (01-17-54)

Convicted Rapist 1985

Peeking at woman through bathroom window while she was showering, foot chase ensued by police, admits to long-standing problem with peeking. He did escalate to burglary, kidnapping and rape.

Probation/Parole
Nickolas Calewarts (01-25-73)

Second Degree sexual assault, he would conceal his identity and go into women's bathrooms and watch them urinate and defecate. He then was watching women shower in public showers. This involved a 14 year old girl.

Probation/Parole
Jonathan Prenot (01-11-77)

Second Degree Sexual Assault, Known stalker that would fondle woman in parks and retail stores. While on the city bus he saw a woman sunbathing. He got off the bus and went back to the woman's house and raped her.

Milwaukee Police Dept.
David J. Seagraves (10-19-72)

Burglary, Window Peeking, Lewd and Lascivious Behavior, Sexual Assault. He has a long history of window peeking that escalated from that to attacking a woman, beating her and then raping her by anal sexual acts.

**Town of Menasha Police Dept.
Kenneth L. Culver (07-13-54)**

Disorderly Conduct, charged 46 times since 1990 for sexually related window peeking incidents. He went into public places where woman would shower and watched them while he masturbated. Never received any sexual offense counseling but requested it many times. He recognizes that he has a problem but that does not stop him from re-offending. He told the arresting officer that he has served a life sentence, nine months at a time. He also stated that he did not know what he would do when he got out of prison.

**Kaukauna Police dept.
Daniel E. Newhouse (07-25-66)**

Window Peeking, Arson

He was caught window peeking numerous times throughout a four year period. Watching women shower and sunbath. After being arrested he would retaliate by starting the victims houses on fire. He also was arrested for starting smaller fires through his neighborhood.

Continued.....

My name is John Manion and I am the Assistant Chief of Police at the Kaukauna Police Department in Outagamie County. I have been in law enforcement for about 18 years and the majority of that with the city.

Through those years I have come in contact with many people and many different situations both involving criminal peculiarities but more so involving human nature itself. I have followed particular individuals in my career on a local basis and in other jurisdictions. I have done this because they have continued to offend in our society.

As I tracked these individuals who have various criminal histories I would occasionally try and figure out why they do what they do. One specific individual has done many different crimes both minor law violations to more serious ones.

This individual is an adult male that has started a younger person in his teens committing crimes of from Illegal Lights and Sirens to Arson. In between those crimes were Disorderly conduct acts (window Peeking) Trespass, Loitering to property, all of which had to do with window peaking. He has been at many fires that were of suspicious nature and arson.

On one occasion he was chased from a window peaking complaint by the husband of the woman that was being watched. An officer was in on the chase but he made it to his home and inside before he was caught. Officers knew his Mode of Operation and knew that he would come out side again to retaliate. They waited for him and twenty minutes later he came out of the house very quietly and started to walk back into the neighborhood. He was later stopped by officers in the other yards. In his possession were small butane lighter and a handful of self-starter briquettes. It was determined that he was going out to start another fire. He was arrested for nothing that night.

This individual has since been a suspect in other fires and window peaking complaints and the worst case being where a man caught this male window peaking at his neighbor's house. The complainant called the police that night. Approximately one week later the complainant's house was started on fire (arson) and the suspect was standing outside watching it burn in the early morning hours. The complainant almost died in that fire but a patrol officer saw the fire and got the sleeping man out of the house.

This bill will assist us not only with arresting the person for the criminal act that commit but also for identifying them as a sexual offender. This will assist an officer, who may for example, see a male party watching a woman sunbathing in the park, stop and take a closer look at him because they know he has a sexual offenders past.

There are records of individuals that offend as window peepers and do in fact continue on to offend in worse criminal acts such as rape, abduction and murder, (i.e. David Spanbauer). Probation and Parole Sexual Offender Supervisors have indicated they have just such people that they supervise. They believe there is a connection in many case but of course not all and also strongly support a law of this type.

Deborah Kremer's Testimony

My name is Deborah Kremer In the event of this crime I lived 4 buildings away from the Police Department when I became the 46th victim of "Repeat Offender" Kenneth Culver. On October 25th 1999, 11pm, "I WAS RAPED OF MY PRIVACY!"

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