



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 295
[2005 Assembly Bill 36]

**Classification of County Jail
Prisoners**

2005 Wisconsin Act 295 amends the law relating to the classification of county jail prisoners for determining housing assignments, type of supervision, and delivery of services and programs.

Under prior law, a county jail was required to keep prisoners who have not been convicted separate from prisoners who have been convicted, prisoners who are mentally ill separate from prisoners who are not mentally ill, and prisoners of different sexes separate, with certain exceptions.

Act 295 provides that until January 1, 2008, counties have the option of either segregating prisoners under the prior law provisions or establishing a prisoner classification system to determine housing assignments, how to supervise and provide services and programs to a prisoner, and what services and programs to provide to a prisoner. The prisoner classification system must be based on objective criteria, including a prisoner's criminal offense record and gender, information relating to the current offense for which the prisoner is in jail, the prisoner's history of behavior in jail, the prisoner's medical and mental health condition, and any other factor the sheriff, jailer, or keeper of a jail considers necessary to provide for the protection of prisoners, staff, and the general public.

Effective Date: The Act takes effect on April 21, 2006; however, on January 1, 2008, all county jails must adopt a prisoner classification system based on the objective criteria provided in the Act.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.