



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2005 Assembly Bill 143**

**Senate Amendment 1**

*Memo published:* February 20, 2006

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*Current law* provides that when a presentence investigation report has been received, the judge must disclose the contents of the report to the defendant's attorney and to the district attorney prior to sentencing. If the defendant is not represented, the contents must be disclosed to the defendant. Generally, after sentencing, the presentence investigation report must remain confidential and must not be made available to any person, except upon specific authorization of the court.

*Assembly Bill 143* provides that the district attorney and the defendant's attorney are entitled to have and keep a copy of the presentence investigation report. If the defendant is unrepresented, the defendant may have and keep a copy of the report. All of these persons must keep the report confidential.

*Senate Amendment 1* provides that the district attorney and the defendant's attorney may have and keep a copy of the presentence investigation report. However, an unrepresented defendant may view, but not keep, a copy of the report. All of these persons must keep the report and its contents confidential.

### **Legislative History**

On February 14, 2006, the Senate Committee on Judiciary, Corrections and Privacy introduced and adopted Senate Amendment 1 and recommended concurrence in Assembly Bill 143, as amended, on votes of Ayes, 4; Noes, 1.

RS:ksm