

2011 DRAFTING REQUEST

Assembly Amendment (AA-AB209)

Received: 10/10/2011

Received By: **chanaman**

Wanted: As time permits

Companion to LRB:

For: **Mark Honadel (608) 266-0610**

By/Representing: **Jason Vick**

May Contact:

Drafter: **chanaman**

Subject: **Criminal Law - crimes agnst kids**
Criminal Law - sentencing
Criminal Law - sex offenses
Criminal Law - victims

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Honadel@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Allow court not to apply mandatory minimum if the victim is less than two years younger than offender

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	chanaman 10/11/2011	wjackson 10/13/2011	jfrantze 10/13/2011	_____	mbarman 10/13/2011	mbarman 10/13/2011	

FE Sent For:

<END>

2011 DRAFTING REQUEST

Assembly Amendment (AA-AB209)

Received: 10/10/2011

Received By: **chanaman**

Wanted: **As time permits**

Companion to LRB:

For: **Mark Honadel (608) 266-0610**

By/Representing: **Jason Vick**

May Contact:

Drafter: **chanaman**

Subject: **Criminal Law - crimes agnst kids**
Criminal Law - sentencing
Criminal Law - sex offenses
Criminal Law - victims

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Honadel@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given


Topic:

Allow court not to apply mandatory minimum if the victim is less than two years younger than offender

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	chanaman	1WLj 10/13		10/13			

FE Sent For:

<END>

Hanaman, Cathlene

From: Vick, Jason
Sent: Monday, October 10, 2011 3:15 PM
To: Hanaman, Cathlene
Subject: Amendment to AB 209

Cathlene,

Rep. Honadel would like an amendment drafted to AB 209 (LRB 0911/1), which you originally drafted.

The amendment would allow the court presumption to continue (as it does under current law) if the child is less than 2 years younger than the offender. The intent here is that the mandatory minimum would apply without the court presumption in all cases where the convicted person is over 18, except in the instance of a less than 2 year age gap.

Please contact me with any questions.

Thanks,

Jason Vick
Office of Rep. Mark Honadel
21st Assembly District
608-266-0611

948-075 -
age diffence
won't allow
sub discretion

less than
24 months
diff
not a crime



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1575/1
CMH:|:....
wlj

Thurs please

ASSEMBLY AMENDMENT,
TO 2011 ASSEMBLY BILL 209

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: delete the material beginning with that line and ending with
3 page 2, line 7, and substitute:

4 **"SECTION 1m.** 939.617 (2) of the statutes is renumbered 939.617(2) (intro.) and
5 amended to read: △

6 939.617 (2) ^(intro.) ~~If a person is convicted of a violation of s. 948.05, 948.075, or 948.12,~~ Strike extra space
7 ~~the court may impose a sentence that is less than the sentence required under sub.~~ plain
8 ~~(1), or may place the person on probation, only if~~ ^(If) the court finds that the best
9 interests of the community will be served and the public will not be harmed and if
10 the court places its reasons on the record, the court may impose a sentence that is
11 less than the sentence required under sub. (1) or may place the person on probation
12 under any of the following circumstances:

History: 2005 a. 433.

13 **SECTION 1p.** 939.617 (2) (a) and (b) of the statutes are created to read:

