
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: February 7, 2020

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2019 Assembly Bill 805

Assembly Amendment 1

2019 ASSEMBLY BILL 805

Under current law, a person who has been convicted of a crime and is released into the community either on extended supervision, parole, or probation (commonly referred to as “community supervision”) remains in the custody of the Department of Correction’s (DOC). The person is subject to all conditions and rules of the extended supervision, parole, or probation, including any conditions set by DOC or ordered by the sentencing court. If DOC alleges that a rule or condition of the extended supervision, parole, or probation has been violated, DOC may initiate proceedings to revoke the extended supervision, parole, or probation with the Division of Hearings and Appeals in the Department of Administration.

2019 Assembly Bill 805 requires DOC to recommend revocation of a person’s extended supervision, parole, or probation if the person is charged with a new crime while on extended supervision, parole, or probation.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 makes the following changes to the bill:

- Limits the crimes for which DOC must recommend revocation to instances where the crime is either a felony or a violent misdemeanor.
- Provides that if the charges are dismissed or the person is found not guilty of the criminal charges, then the person shall be released back to either extended supervision, parole, or probation. Under the amendment, the time period between the alleged violation and the determination that the person spent in custody must be counted as time served on extended supervision, parole, or probation.

BILL HISTORY

Assembly Amendment 1 was introduced on February 5, 2020, by Representative Sortwell. On February 6, 2020, the Assembly Committee on Criminal Justice and Public Safety voted to recommend adoption of Assembly Amendment 1, and passage of the bill, as amended, on votes of Ayes, 8; Noes, 6.

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