



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 323
[2013 Senate Bill 160]

**Procedures Relating to Domestic
Abuse Incidents**

Under current law, a law enforcement officer is generally required to arrest a person if the officer has reasonable grounds to believe that the person had committed domestic abuse and the person's actions constituted the commission of a crime. If the officer does not arrest a person under these circumstances, the officer is required to prepare a report stating why the person was not arrested. The report is then reviewed by the district attorney, who is required to determine whether to charge the person.

Current law also requires the district attorney to prepare an annual report for submission to the Department of Justice (DOJ) listing the number of arrests for domestic abuse crimes and the number of convictions resulting from these arrests.

2013 Wisconsin Act 323 expands the annual reporting requirement to include reporting by the district attorney to DOJ the number of times that law enforcement responded to domestic abuse instances that did not result in an arrest. It further requires law enforcement in domestic abuse instances to inform the victim of the availability of shelters and services.

The Act also requires the Department of Administration to maintain and provide to DOJ a case management system that allows district attorneys to manage and share case-related information. It further provides that DOJ shall make available to law enforcement agencies a list of domestic abuse services organizations, and provides for the sharing of information with such organizations. Finally, the Act requires the Government Accountability Board to provide to each municipal clerk the names and addresses of organizations that are certified under statute to provide services to victims of domestic abuse or sexual assault.

Effective date: April 18, 2014

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June 19, 2014

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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.wisconsin.gov>.