

State of Misconsin 1995 - 1996 LEGISLATURE

1995 ASSEMBLY BILL 148

February 16, 1995 – Introduced by Representatives COGGS, WALKER, MORRIS-TATUM, BOCK, L. YOUNG, CULLEN, GOETSCH, LA FAVE, CARPENTER, RILEY, DUFF, KRUG, R. POTTER, BRANDEMUEHL, GROBSCHMIDT, BELL, TURNER, NOTESTEIN, LEHMAN and WASSERMAN, cosponsored by Senators FARROW, BURKE, ROSENZWEIG, PLEWA, BRESKE, DRZEWIECKI and FITZGERALD. Referred to Committee on Criminal Justice and Corrections.

1 AN ACT to amend 302.425 (2) and 302.425 (3) of the statutes; relating to: home

2 detention programs.

Analysis by the Legislative Reference Bureau

Under current law, the county sheriff may place jail inmates in a home detention program. In such a program, an inmate may be placed in his or her home, or some other place, and be monitored by an electronic monitoring system. This bill provides superintendents of county houses of correction with the authority to place their inmates in home detention programs.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 302.425 (2) of the statutes is amended to read:
302.425 (2) (title) SHERIFF'S <u>OR SUPERINTENDENTS</u> GENERAL AUTHORITY. Subject
to the limitations under sub. (3), a county sheriff <u>or a superintendent of a house of</u>
<u>correction</u> may place in the home detention program any person confined in jail who
has been arrested for, charged with, convicted of or sentenced for a crime. The sheriff
<u>or superintendent</u> may transfer any prisoner in the home detention program to the
jail.

1 SECTION 2. 302.425 (3) of the statutes is amended to read:

 $\mathbf{2}$ 302.425 (3) PLACEMENT IN THE PROGRAM. If a prisoner described under sub. (2) 3 and the department agree, the sheriff <u>or superintendent</u> may place the prisoner in 4 the home detention program and provide that the prisoner be detained at the $\mathbf{5}$ prisoner's place of residence or other place designated by the sheriff or 6 superintendent and be monitored by an active electronic monitoring system. The 7 sheriff <u>or superintendent</u> shall establish reasonable terms of detention and ensure 8 that the prisoner is provided a written statement of those terms, including a 9 description of the detention monitoring procedures and requirements and of any 10 applicable liability issues. The terms may include a requirement that the prisoner 11 pay the county a daily fee to cover the county costs associated with monitoring him 12or her.

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(END)