No. 505, S.]   [Published July 29, 1961.

CHAPTER 310

AN ACT to renumber 292.45; and to create 292.45 (2) of the statutes, relating to procedure for bringing state institution inmates before courts as witnesses.

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

SECTION 1. 292.45 of the statutes is renumbered 292.45 (1).

SECTION 2. 292.45 (2) of the statutes is created to read:

292.45 (2) In lieu of the procedure under sub. (1) the state department of public welfare upon 48 hours advance notice shall release to any sheriff having a suitable jail approved by the department for such purpose any prisoner upon presentation of a writ of habeas corpus ad testificandum or ad prosequendum to the warden or superintendent of the institution which is detaining the inmate. The sheriff shall be informed in advance where he may assume custody of the inmate and he then shall be in charge of the inmate and be responsible for his custody. During the time that an inmate is absent from the state institution and in the custody of the sheriff he shall be entitled to credit for time served on the existing sentence and such credit under s. 53.11 that he was eligible to receive while an inmate of the state institution. The sheriff shall be responsible for segregating the inmate in his jail from other prisoners and the county shall be liable for all expenses attendant to his detention including medical care. The inmate while in the custody of the sheriff shall not be permitted to have visitors or to receive mail except as authorized and approved by the warden or superintendent of the state institution which formerly detained the inmate but he shall be entitled to confer with counsel during reasonable hours without restriction. After the court has determined that the inmate is no longer needed or required the sheriff shall promptly return the inmate to the institution to which he was detained prior to his release to the sheriff for appearance in court.

Approved July 24, 1961.