



1995 SENATE BILL 665

March 27, 1996 - Introduced by Senator BURKE, cosponsored by Representatives KRUSICK, CULLEN, GOETSCH, KRUG, SCHNEIDERS, SERATTI and TURNER. Referred to Committee on Judiciary.

1 **AN ACT to repeal** 970.03 (12) (c); and **to amend** 970.03 (12) (b) of the statutes;
2 **relating to:** police identification reports at preliminary examinations.

Analysis by the Legislative Reference Bureau

Under current law, a report of one of the state crime laboratories, the state laboratory of hygiene, a federal bureau of investigation laboratory, a hospital laboratory or a local health department must be admitted, if relevant, at a preliminary examination in a criminal action if the report is certified as correct by the applicable agency or unit head or his or her designee. The expert who made the findings in the report does not need to be called as a witness. There is a different provision, however, for latent fingerprint reports by the Milwaukee city police latent fingerprint identification unit. The report must be received at the preliminary examination only if the state provides the defendant's attorney with a copy of the report at least 72 hours before the preliminary examination. Further, if the defendant so requests, the state must call the expert who prepared the report in order to have the report admitted.

This bill eliminates this separate procedure for latent fingerprint reports by the Milwaukee city police latent fingerprint identification unit. Instead, the bill allows the admission of a relevant report of a 1st class city (currently only Milwaukee) police department identification division if the report is certified by the chief of police or his or her designee. The expert who made the findings does not need to be called as a witness.

For further information see the *state and 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:

3 **SECTION 1.** 970.03 (12) (b) of the statutes is amended to read:

