

LRBa1476

# 1999 DRAFTING REQUEST

## Assembly Amendment (AA-AB699)

Received: 02/24/2000	Received By: olsenje		
Wanted: Soon	Identical to LRB:		
For: John La Fave (608) 266-0486	By/Representing: Himself		
This file may be shown to any legislator: NO	Drafter: olsenje		
May Contact:	Alt. Drafters:		
Subject: Criminal Law - miscellaneous	Extra Copies: MGD		

## Pre Topic:

No specific pre topic given

**Topic:** 

Exemption for informers, persons in witness protection programs

#### **Instructions:**

See Attached

## **Drafting History:**

Vers.	<b>Drafted</b>	Reviewed	Typed	Proofed	Submitted	Jacketed	Reauired
/1	olsenje 02/25/2000	j geller <b>02/25/2000</b>	jfrantze <b>02/25/200</b>	0	lrb-docadmin <b>02/25/2000</b>	lrb-docadmi <b>02/25/2000</b>	n

FE Sent For:

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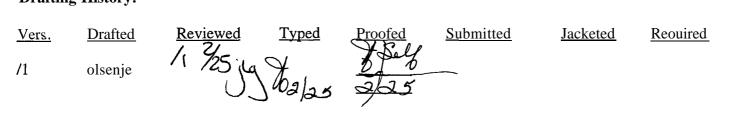
### **Topic:**

Exemption for informers, persons in witness protection programs

#### **Instructions:**

See Attached

### **Drafting History:**



FE Sent For:

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#### Olsen, Jefren

From:	
Sent:	
To:	
Subject:	

LaFave, John Thursday, February **24, 2000 4:47** PM Olsen, Jefren FW: AB-699 Body Armor bill

Jefren,

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When the amendments to AB-699 are ready, I'd like you to share them with me via e-mail rather than hard copy.

Thanks,

John La Fave

Original	Message
From:	LaFave, John
Sent:	Thursday, February 24, 2000 4:45 PM
To:	Goetsch, Robert; Vernon, Kent
Subject:	AB-699 Body Armor bill

Dear Rep. Goetsch,

I have contacted LRB Attorney Jefren Olsen to request drafting of three amendments to AB-699 based upon the discussion at today's public hearing.

The amendments concern:

(1) narrowing the application of the bill from all felons to a list of various violent felonies.

(2) an exemption that would allow felons to wear body armor while being transported, etc. by law enforcement or correctional officers when those authorities decide that the felon should be wearing body armor.

(3) an exemption that would allow felons to wear body armor under circumstances such as serving as an informant for law enforcement authorities or as a participant in some kind of witness protection program. I think this amendment may not be easy to draft to apply to all conceivable situations.

I've asked Jefren Olsen to send the amendments to you so as to facilitate the process of further refining them if necessary to meet the concerns of committee members.

He thought that they might be ready by Monday, Feb. 28th.

I do not recall if there were any additional committee concerns that would require an amendment.

Sincerely,

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Rep. John La Fave



State of Misconsin 1999 - 2000 LEGISLATURE



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ASSEMBLY AMENDMENT,

**TO 1999 ASSEMBLY BILL 699** 

At the locations indicated, amend the bill as follows: 1 Page 3, line 16: delete "sub. (4)," and substitute "subs. (4) and (5),". 1. 2 **2.** Page 4, line 7: delete **"EXEMPTION."** and substitute "REQUEST BY CERTAIN 3 PERSONSFORCOMPLETE ORPARTIALEXEMPTIONFROMPROHIBITION.". 4 3. Page 4, line 13: after "exemption" insert "under this subsection". 5 **4.** Page 5, line 18: after that line insert: 6 "(5) EXEMPTION FOR CERTAIN WITNESSES AND INFORMERS.  $\checkmark$  (a) Aperson who is 7 prohibited from possessing body armor under sub. (2) may possess body armor if all 8 of the following apply: 9 10 1. The person is furnishing or has furnished information to a law enforcement 11 agency relating to a possible violation of law or is assisting or has assisted a law 12 enforcement agency in an investigation of a possible violation of law.

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2. The law enforcement agency to which the person is furnishing or has furnished information or to which the person is providing or has provided assistance determines that there is reason to believe that the person may be in danger of suffering death or great bodily harm because he or she is furnishing or has furnished information or because he or she is assisting or has assisted or is assisting in an investigation.

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3. The law enforcement agency to which the person is furnishing or has
furnished information or to which the person is providing or has provided assistance
approves of the person's request to possess body armor under par. (b).

(b) A person seeking an exemption under this subsection from the prohibition 10 11 under sub. (2) shall request the exemption from the law enforcement agency to which 12 the person is furnishing or has furnished information or to which the person is 13 providing or has provided assistance. The law enforcement agency may deny the 14 request for an exemption, grant a complete exemption from the prohibition or grant 15 a partial exemption by allowing possession of body armor only under certain 16 specified circumstances or in certain locations, or both. If the law enforcement agency grants a request for an exemption under this subsection, it shall keep a 17 18 written record of the exemption. If the exemption is a partial exemption, the record 19 shall specify the circumstances under which the person may possess body armor, the 20 locations in which the person may possess body armor or, if applicable, both. A 21 written record relating to an exemption granted by a law enforcement agency under this subsection is not subject to inspection or copying under s. 19.35 (l), except that 22 23 a written record shall, upon request, be disclosed to the person to whom the 24 exemption was granted and to another law enforcement agency or a district attorney,

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if the other law enforcement agency or the district attorney is investigating or
 prosecuting an alleged violation of sub. (2).".

(END)