

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:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reauired</u>
/1	olsenje 02/25/2000	j geller 02/25/2000	jfrantze 02/25/2000	_____	lrb-docadmin 02/25/2000	lrb-docadmin 02/25/2000	

FE Sent For:

<END>

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:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reouired</u>
/1	olsenje	1/ 2/25 JLF	2/25	JLF 2/25			

FE Sent For:

<END>

Olsen, Jefren

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

Jefren,

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,

Rep. *John La Fave*



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1476/1

JEO: r:....

**ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 699**

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 16: delete "sub. (4)," and substitute "subs. (4) and (5),".

3 2. Page 4, line 7: delete "~~EXEMPTION.~~" and substitute "REQUEST BY CERTAIN
4 PERSONSFORCOMPLETE ORPARTIALEXEMPTIONFROMPROHIBITION.".

5 3. Page 4, line 13: after "exemption" insert "under this subsection".

6 4. Page 5, line 18: after that line insert:

7 "(5) EXEMPTION FOR CERTAIN WITNESSES AND INFORMERS." (a) A person who is
8 prohibited from possessing body armor under sub. (2) may possess body armor if all
9 of the following apply:

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.

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

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

10 (b) A person seeking an exemption under this subsection[✓] from the prohibition
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
17 agency grants a request for an exemption under this subsection,[✓] it shall keep a
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
22 this subsection is not subject to inspection or copying under s. 19.35 (l),[✓] except that
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,

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

3 (END)