

**2001 DRAFTING REQUEST**

**Senate Amendment (SA-AB167)**

Received: **10/25/2001**

Received By: **fasttn**

Wanted: **Soon**

Identical to LRB:

For: **Steve Wieckert (608) 266-3070**

By/Representing: **Scott (aide)**

This file may be shown to any legislator: **NO**

Drafter: **fasttn**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies: **ARG, MGD, PJH - 1**

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Photo access requests

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fasttn 10/25/2001	jdye 10/25/2001					
/1			jfrantze 10/25/2001		lrb_docadmin 10/25/2001	lrb_docadmin 10/25/2001	

FE Sent For:

<END>

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1/?	fasttn	1 10/25 jld	10/25	Self 10/25			

FE Sent For:

<END>

## Fast, Timothy

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**From:** Becher, Scott  
**Sent:** Thursday, October 25, 2001 12:46 PM  
**To:** Fast, Timothy  
**Subject:** FW: AB 167

Tim-  
Could you draft this amendment ? Would there be any unintended effects of this change?

-----Original Message-----

**From:** Richard, JoAnna M.  
**Sent:** Wednesday, October 24, 2001 3:13 PM  
**To:** Becher, Scott  
**Subject:** AB 167

Scott,

Attached is a memo on AB 167. Please let me know how we can be of assistance.

Jo



CORRESPONDENCE  
167.doc

JoAnna Richard  
Legislative Liaison  
Office of the Attorney General  
267-1932

**CORRESPONDENCE/MEMORANDUM****DEPARTMENT OF JUSTICE**

October 24, 2001

**TO: Representative Steve Wieckert**

**FROM: JoAnna Richard  
Legislative Liaison**

**RE: AB 167, LAW ENFORCEMENT ACCESS TO DRIVER AND IDENTIFICATION  
PHOTOS**

Our office has reviewed AB 167, a bill relating to law enforcement access to driver and identification photos. On behalf of the Department of Justice, we thank you for your leadership on this effort and wish to support your efforts to pass this legislation.

As you know Attorney General Jim Doyle recently proposed a series of improvements to state law addressing terrorism. In that package, he requested that we also provide law enforcement with greater access to the DOT photos for use as photo arrays and lineups. The same protections for individual privacy would be maintained but law enforcement, upon making the request for use of the photo, would not be prohibited from using it for a photo array or lineup. Our office believes that AB 167 could be amended to accomplish this goal. We would propose deleting Wis. Stat. § 343.237(3)(d) which provides that a law enforcement request for such photos must state that "the request is not made solely to obtain a photograph for use as part of a photo lineup or photo array." Effective law enforcement may require the use of the photos for that very purpose and the provision seems to impede criminal investigations. Existing provisions of law protect the privacy of the photos, as they are required to be destroyed after use.

We offer to work with the Senate and any other legislators to assist in passing this bill and its amendment. Please contact me if you need our office to testify or speak to members about our position on the bills. We look forward to working with you and appreciate your efforts to assist all law enforcement.

2001

Date (time) needed

SOON  
(turned in 10/25)

LRBa 084611

AMENDMENT

TNF: jld:

See form AMENDMENTS — COMPONENTS & ITEMS.

(S) A AMENDMENT

TO S A AMENDMENT (LRBa 1),

TO S A SUBSTITUTE AMENDMENT (LRBs 1),

TO 2001 SB SJR SR (AB) AJR AR 167 ~~LRB~~

At the locations indicated, amend the bill as follows:

(fill ONLY if "engrossed ..." or "as shown by .....")

#. Page 3, line 15: after that line insert:

"SECTION 5m. RP; 343.237(3)(d)".

#. Page line:

(END)

#. Page line:

#. Page line:

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