

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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Nick:

As I explained in our phone conversation, neither law enforcement officers nor district attorneys would be required to seal or destroy their own records in a case in which a court record is expunged. *State v. Leitner*, 2002 WI 77, 253 Wis. 2d 449 (2002). Thus, if a person whose record is expunged commits a subsequent crime, law enforcement officers and district attorneys may use information that they retain regarding the first offense, including in court. *Id.* at ¶ 40.

Michael Dsida
Legislative Attorney
Phone: (608) 266-9867