

**2003 DRAFTING REQUEST**

**Senate Amendment (SA-SB14)**

Received: **03/18/2003**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Carol Roessler (608) 266-5300**

By/Representing: **Mike**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - miscellaneous**

Extra Copies: **rlr**

Submit via email: **YES**

Requester's email: **Sen.Roessler@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Peeping toms

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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>
/?	mdsida 03/18/2003	wjackson 03/18/2003		_____			
/1			jfrantze 03/18/2003	_____	sbasford 03/18/2003	sbasford 03/18/2003	

FE Sent For:

**<END>**

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1?	mdsida	1 wlj 3/18	J 3/18	3/18 3/18			

FE Sent For:

<END>

**Dsida, Michael**

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**From:** Sen.Carpenter  
**Sent:** Tuesday, March 18, 2003 9:05 AM  
**To:** Sen.Roessler; Driedric, Michael; Dsida, Michael  
**Cc:** Ewy, Gordon  
**Subject:** SB 14

Sen Roessler:

I received the attached email from Deb Sybell and Steve Porter of the State Bar. Based upon their comments, I propose the following: instead of SB 14's Sections 13 & 14, insert:

"Enters another person's real property without that person's consent and looks into any dwelling unit on the property, for the purpose of sexual arousal or gratification and with the intent to intrude upon or interfere with a person's privacy."

Note: I suggest the addition of "real" property in order to eliminate situations involving automobiles, which I believe have been determined to be places with no reasonable expectation of privacy. Based upon your request, I have researched the meaning of "dwelling" and found that as my staff suggested, it can be construed to mean multiple dwelling units. Therefore, the change from "dwelling" to "dwelling" unit.

I have run these corrections and amendments past LRB drafter Mike Dsida.

Note: Mike Dsida will be happy to explain to you how the requirement of consent eliminates the need for Section 14, and the purpose of paragraphs 1 & 2 that he inserted my previous amendment. If you believe that a meeting with Mr. Dsida would be helpful, he has offered to meet with us.

Please feel free to contact G. Stuart Ewy of my office regarding any of these matters.

Regards

Senator Tim Carpenter  
State Capitol Building  
Room 126S  
PO BOX 7882  
Madison, WI 53707-7882

(608) 266-8535

**Dsida, Michael**

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**From:** Sen.Carpenter  
**Sent:** Tuesday, March 18, 2003 9:07 AM  
**To:** Sen.Roessler; Driedric, Michael; Dsida, Michael  
**Cc:** Ewy, Gordon  
**Subject:** FW: Peeping Tom Bill Amendment

Here is the email that should have been attached to my previous email

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

**From:** Debra Sybell [mailto:dsybell@wisbar.org]  
**Sent:** Monday, March 17, 2003 5:27 PM  
**To:** gordon.ewy@legis.state.wi.us  
**Subject:** FW: Peeping Tom Bill Amendment

Steve Porter from the IRR Section suggested a revision on the amendment. Please see his e-mail below.

Deb Sybell, Government Relations Coordinator  
State Bar of Wisconsin  
PO Box 7158  
Madison, WI 53707-7158  
Direct Dial: (608) 250-6128  
Fax: (608) 257-4343  
E-mail: [dsybell@wisbar.org](mailto:dsybell@wisbar.org) <<mailto:dsybell@wisbar.org>>

WISCONSIN LAWYERS  
Expert Advisers. Serving You.

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

**From:** A. Steven Porter [mailto:asp@mailbag.com]  
**Sent:** Monday, March 17, 2003 5:17 PM  
**To:** Debra Sybell  
**Subject:** Re: Peeping Tom Bill Amendment

Deb,

How about instead:

"Enters another person's private property without that person's consent and looks into any dwelling on the property, for the purpose of sexual arousal or gratification and with the intent to intrude upon or interfere with a person's privacy [, looks into any person's dwelling]."

Steve Porter



# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## ~~RESEARCH APPENDIX~~

**PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Added To File: 03-18-2003 (Per mgd)



The drafting file for **2001 LRB** \_\_\_\_\_ has been

transferred to the drafting file for **2003 LRB** \_\_\_\_\_

This cover sheet, the final request sheet, and the final version of the 2001 draft were copied on yellow paper, and returned to the original 2001 drafting file.

For research purposes, because the attached 2001 draft was incorporated into a new 2003 draft, this cover sheet and the complete drafting file was transferred, as a separate appendix, to the 2003 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

The drafting file for **2003 LRB** a 0379 has been

copied/added to the drafting file for **2003 LRB** a 0383

For research purposes, because the attached 2003 draft was incorporated into another 2003 draft, the attached drafting file was copied on yellow paper (darkened/auto centered/reduced to 90%), and added, as a appendix, to the new 2003 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

This cover sheet was copied on yellow paper and added to rear of the original 2003 drafting file. The drafting file was then returned, intact, to its folder and filed.

**SENATE AMENDMENT ,  
TO 2003 SENATE BILL 14**

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

2 **1.** Page 6, line 13: delete lines 13 to 21 and substitute:

3 **"SECTION 13m.** 942.08 (2) (d) of the statutes is created to read:

4 942.08 (2) (d) Enters another person's private property without that person's  
5 consent and looks into any individual's dwelling unit if all of the following apply:

6 1. The actor looks into the dwelling unit for the purpose of sexual arousal or  
7 gratification and with the intent to intrude upon or interfere with an individual's  
8 privacy.

9 2. The actor looks into a part of the dwelling unit in which an individual is  
10 present.

11 3. The individual has a reasonable expectation of privacy in that part of the  
12 dwelling unit.

1           4. The individual does not consent to the actor looking into that part of the  
2 dwelling.

3           **SECTION 14m.** 942.08 (2) (e) of the statutes is created to read:

4           942.08 (2) (e) Enters another person's private property without that person's  
5 consent and looks into any individual's dwelling unit if all of the following apply:

6           1. The actor looks into the dwelling unit for the purpose of sexual arousal or  
7 gratification and with the intent to intrude upon or interfere with an individual's  
8 privacy.

9           2. The actor looks into a part of the dwelling unit in which no one is present.

10           3. If an individual were present, he or she would have a reasonable expectation  
11 of privacy in that part of the dwelling unit.”

12

(END)