

2003 DRAFTING REQUEST**Assembly Amendment (AA-AB652)**

Received: 02/06/2004

Received By: chanaman

Wanted: As time permits

Identical to LRB:

For: Scott Suder (608) 267-0280

By/Representing: Anne Emerson

This file may be shown to any legislator: NO

Drafter: chanaman

May Contact:

Addl. Drafters:

Subject: Criminal Law - district attys
 Criminal Law - law enforcement
 Criminal Law - sex offenses
 Criminal Law - victims

Extra Copies:

Submit via email: YES

Requester's email: Rep.Suder@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit district attorneys from suggesting or requesting victim submit to lie detector test without explanation that it is optional

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>Required</u>
/1	chanaman 02/09/2004	kgilfoy 02/09/2004	rschlue 02/10/2004	_____	sbasford 02/10/2004	sbasford 02/10/2004	

FE Sent For:

<END>

2003 DRAFTING REQUEST**Assembly Amendment (AA-AB652)**Received: **02/06/2004**Received By: **chanaman**Wanted: **As time permits**

Identical to LRB:

For: **Scott Suder (608) 267-0280**By/Representing: **Anne Emerson**This file may be shown to any legislator: **NO**Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - district attys
Criminal Law - law enforcement
Criminal Law - sex offenses
Criminal Law - victims**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Suder@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

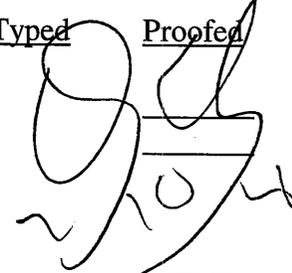
Topic:

Prohibit district attorneys from suggesting or requesting victim submit to lie detector test without explanation that it is optional

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>Required</u>
/1	chanaman	1-2/9 King					

FE Sent For:

<END>

Dsida, Michael

From: Emerson, Anne
Sent: Friday, February 06, 2004 12:58 PM
To: Hanaman, Cathlene; Dsida, Michael
Cc: Suder, Scott; Hilgemann, Luke
Subject: AB 652

We would like to have an amendment drafted to Assembly Bill 652. The proposed language is attached.

Also, there was questions raised about the possibility of several other victims being listed such as: sexual exploitation of a child, child enticement and solicitation of a child. However, I was wondering if this was already covered, since they are crimes relating to children.

950.055(2)

The other question raised was the possibility of including this in the Crime Victims Rights section also.

Please let me know if you have any questions or if there might be problems with these changes. We are hoping to hold and exec. on this bill next week Wednesday.

Thank you!

Anne Emerson
Office of Rep. Suder



AB652 Comp.
Lang.2.doc

Anne
7-0280

Suggested Compromise Language to AB652

968.265 Lie detector tests; sexual assault victims. (1) In this section, "lie detector" has the meaning given in s. 111.37(1)(b).

(2) If a person reports to a law enforcement officer ~~or a district attorney~~ that he or she was the victim of an offense under s. 940.22(2), 940.225, or 948.02 (1) or (2), no law enforcement officer ~~or district attorney~~ may in connection with the report order, request or suggest that the person submit to a test using a lie detector or provide the person information regarding tests using lie detectors unless the person requests information regarding tests using lie detectors.

(3) ^{Attw} If a person reports to a district attorney that he or she was the victim of an offense under s. 940.22(2), 940.225, or 948.02 (1) or (2), no district attorney ^(a) may ^(b) order that the person submit to a test using a lie detector, ^(b) nor may a district attorney suggest or request that the person submit to a test using a lie detector unless the district attorney making the suggestion or request has first provided the person with notice and explanation of his or her right not to submit to a test using a lie detector.

in connected the report

*is a da
a law enforcement
officer*

*implies may
still provide
person info
w/o person
asking
implies not really
a perpetrator*



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa2149/1
MGD&CMHj/.....

King

Tues
9 AM

ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 652

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

2 ✓ 1. Page 2, line 1: before that line insert:

3 "SECTION 1g. 950.04 (1v) (dL) of the statutes is created to read:

4 950.04 (1v) (dL) To not be the subject of a law enforcement officer's or district
5 attorney's order, request, or suggestion that he or she submit to a test using a lie
6 detector, as defined in s. 111.37 (1) (b), if he or she claims to have been the victim of
7 a sexual assault under s. 940.22 (2), 940.225, or 948.02 (1) or (2), except as permitted
8 under s. 968.265."

9 ✓ 2. Page 2, line 1: delete "1" and substitute "1r".

10 ✓ 3. Page 2, line 4: delete "or a district attorney".

11 ✓ 4. Page 2, line 6: delete "or district attorney".

12 ✓ 5. Page 2, line 9: after that line insert:

