



2003 ASSEMBLY BILL 468

August 14, 2003 - Introduced by Representatives FRISKE, HUBER, LADWIG, STASKUNAS, HINES, GRONEMUS, OTT, ZIEGELBAUER, SERATTI, J. LEHMAN, MUSSER, PETROWSKI, OWENS, LOEFFELHOLZ, AINSWORTH, HAHN, GUNDERSON, ALBERS and BIES, cosponsored by Senators KANAVAS, S. FITZGERALD, SCHULTZ and ROESSLER. Referred to Committee on Judiciary.

1 **AN ACT** *to create* 906.15 (2) (bm) of the statutes; **relating to:** exclusion of
2 witnesses from legal proceedings.

Analysis by the Legislative Reference Bureau

Under current law, upon the request of a party to a legal proceeding, a judge must issue an order excluding witnesses from the proceeding so that they cannot hear each other's testimony. However, a witness exclusion order does not apply to: a person who is a party to the proceeding; a representative of a company or other entity that is a party to the proceeding; a person whose presence is shown to be essential to the presentation of a party's cause; or, in criminal cases, the crime victim, unless the judge finds that exclusion of the victim is necessary for a fair trial.

This bill provides that a witness exclusion order does not apply in criminal cases to a law enforcement investigator designated by the prosecutor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 906.15 (2) (bm) of the statutes is created to read:
4 906.15 (2) (bm) In criminal proceedings, one law enforcement investigator
5 designated by the state.

6 **SECTION 2. Initial applicability.**

