

**Committee Name:**  
**Senate Committee –**  
**Judiciary, Corrections and Privacy**  
**(SC–JCP)**

**Appointments**

03hr\_SC–JCP\_Appt\_pt00

**Committee Hearings**

03hr\_SC–JCP\_CH\_pt00

**Committee Reports**

03hr\_SC–JCP\_CR\_pt00

**Clearinghouse Rules**

03hr\_SC–JCP\_CRule\_03–

**Executive Sessions**

03hr\_SC–JCP\_ES\_pt00

**Hearing Records**

**03hr\_ab0049**

03hr\_sb0000

**Misc.**

03hr\_SC–JCP\_Misc\_pt00

**Record of Committee Proceedings**

03hr\_SC–JCP\_RCP\_pt00

**Vote Record**  
**Committee on Judiciary, Corrections and Privacy**

Date: 12-4  
 Moved by: Carpenter      Seconded by: Fitz

AB 49      SB \_\_\_\_\_      Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_      SJR \_\_\_\_\_      Appointment \_\_\_\_\_  
 AR \_\_\_\_\_      SR \_\_\_\_\_      Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:

<input type="checkbox"/> Passage	<input type="checkbox"/> Adoption	<input type="checkbox"/> Confirmation	<input checked="" type="checkbox"/> Concurrence	<input type="checkbox"/> Indefinite Postponement
<input type="checkbox"/> Introduction	<input type="checkbox"/> Rejection	<input type="checkbox"/> Tabling	<input type="checkbox"/> Nonconcurrence	

Committee Member	Aye	No	Absent	Not Voting
Senator David Zien, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Scott Fitzgerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Senator Cathy Stepp <i>Poll</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator G. Spencer Coggs <i>Poll</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Totals: \_\_\_\_\_

Motion Carried

Motion Failed



**Assembly Bill 49**  
**Testimony by Representative Bonnie Ladwig**  
**Senate Committee on Judiciary, Corrections and Privacy**  
**January 8, 2004**

Dear Chairman Zein and members of the Senate Judiciary Committee:

Thank you for holding a hearing on Assembly Bill 49 relating to the felony classification of home invasion burglary.

The Racine County District Attorney's office and the Racine County Sheriff's Department first requested this "home invasion burglary" bill in 1997. I immediately introduced legislation that year, which passed the Assembly unanimously, but was then held-up by the Senate. I tried again in 1999 and 2001, but the bill always met the same fate. Now I'm trying once more.

In previous sessions, this legislation allowed a judge to increase the maximum prison term by five years for a person committing burglary in an occupied residence. With the institution of truth in sentencing in 2001 Wisconsin Act 109, penalty enhancers were eliminated. To reflect this change, the legislation now includes home invasion burglary under the definition of aggravated burglary, which is a Class E felony (15 year prison term). Current law would only make such a crime a Class F felony (12 ½ year prison term).

Burglarizing a person's home when they are present provides a greater threat of harm and distress to a person than other types of burglary. Therefore, I believe these criminals should face tougher sentences.

Home invasions are not uncommon. In the last few years Racine County has seen a string of these types of burglaries occurring in the community. When a person burglarizes a home, it is a very intrusive and emotional ordeal to the homeowner. The experience can be more traumatic when the homeowner is present in the home at the time of the burglary. For most individuals, who have had such an experience the penalties that may be imposed do not seem to justify the personal trauma that these victims experience. It's scary that these burglaries could become violent if the burglar is confronted and armed. Hopefully this legislation will dissuade a potential burglar from hitting a home, especially an occupied home.

The reoccurrence of home invasion burglaries in the Racine area only reinforces the need for this legislation. Prevention is key in these types of situations. Why wait until a fatal incident happens between a homeowner and burglar before action is taken?

Assembly Bill 49 passed the Assembly Criminal Justice Committee on a vote of 12-0. It passed the full Assembly on a voice vote.

Thank you for your time and attention and I would be happy to answer any questions.

## Police look to residents to help stem burglaries

*By Dustin Block, Oct. 8, 2002*

MOUNT PLEASANT -- Police are searching for a night-time burglar who used ladders and patio furniture to crawl into homes while people are sleeping, reports said.

Authorities believe the burglar, who steals purses and wallets, has struck at least seven times in Mount Pleasant and Racine since Sept. 2 -- and several other times in northern Kenosha County.

The suspect has entered homes between 9 p.m. and 7 a.m., with most invasions in the early morning hours, said Sgt. Tim Zarzecki of the Mount Pleasant Police Department. None of the victims have seen the suspect, who typically leaves a back door open as a sign of the invasion.

"It is somewhat alarming knowing that the people are home," Zarzecki said of the burglaries. "They could be quite dangerous."

The recent burglaries in Mount Pleasant and Racine have occurred east of Highway 31 on the town's south side.

Zarzecki said the incidents were carried out in similar fashion. The suspect, or suspects, used patio furniture or a ladder to reach an open first-floor window and then either removed or cut through a screen to crawl into the home. Once inside, they steal purses or wallets and then exit through a door.

Zarzecki said the suspect may also circle the home and peer into windows to locate items to steal. Authorities have received complaints of "Peeping Toms" in Mount Pleasant and northern Kenosha County that are believed to be related to the burglaries.

On Sept. 20, Mount Pleasant police responded to a call of a man peering into a home's window on South Lake Shore Drive, just east of Sheridan Road. The next night, two homes on South Lake Shore Drive reported break-ins.

The suspect spotted looking into the home was described as a 5-foot-8 white male with dark hair who was wearing a black T-shirt. He was last seen running south toward Highway KR.

Zarzecki said the department is asking residents throughout the area to be aware of anything suspicious in their neighborhoods. "We need the eyes and ears of the residents," he said. "We want to make sure people are aware of what's happening."

Residents are also reminded not to leave ladders in their yards and, if possible, to stow patio furniture and other items that could be used to reach windows. It is also suggested that people consider locks that only allow first floor windows to open half way.

Suspicious activity can be reported to Mount Pleasant police at (262) 554-9191 or Racine police at (262) 635-7700. In an emergency, residents should dial 911.

## Two arrested on burglary charges

MOUNT PLEASANT -- Two people were arrested early Thursday morning for burglaries and thefts from vehicles near Gittings Road, police said.

Police released few details about the incident. Mount Pleasant Sgt. Tim Zarzecki said in a written statement that police received a call at about 3:22 a.m. of prowlers near Gittings Road, which is located between highways C and K off of Airline Road.

Officers from the Mount Pleasant and Sturtevant police departments and deputies from the Racine County Sheriff's Department searched the area and took two people into custody. The names of the suspects, items stolen and location of the thefts were not released.

Mount Pleasant police and the sheriff's department are continuing to investigate the incident. The sheriff's department declined to comment on the incidents.



## Online archives from The Journal Times Online. Starting January 2000

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**December 07, 2001**

Home invasion penalty should become law

By Journal Times staff, Dec. 9, 2001

EDITORIAL - Perhaps the fourth time will be the charm.

State Rep. Bonnie Ladwig, R-Mount Pleasant, is a persistent one and she's back at it again with legislation to stiffen the penalties for home invaders.

For the past three sessions, Ladwig has persuaded the state Assembly to pass legislation that would tack on an additional five years in prison to the sentence of a burglar who enters a building where another person is lawfully present.

Currently, the maximum penalty for burglary is 15 years, but it jumps to up to 60 years if the burglar is armed or a battery is committed.

For the past three sessions, Ladwig's measure has died without making it through the Democratic-controlled Senate. If state senators need some convincing on Ladwig's legislation, we would hope they read the story of the burglary sprees in the Towns of Raymond and Mount Pleasant two weeks ago.

One home after another was entered and burglarized over a week's time - with more than 10 homes were involved. In at least two instances, sleeping occupants were awakened by the burglars and in one home they were scared away.

These invasions could easily have turned into confrontations between homeowners and the gang of burglars, burglars who quickly became armed after picking up a shotgun, a handgun, a rifle and a compound bow in their excursions.

Three Milwaukee men and a juvenile were apprehended by Racine County Sheriff's Deputies and Sturtevant police after a resident spotted men moving through back yards in a subdivision near Gittings and Airline Roads.

Ladwig and area law enforcement officers used the case as a podium to push

for her legislation last week.

There are no guarantees that a five-year enhancer will really dissuade any potential burglars from hitting a home - certainly the added penalties for being armed during a burglary don't seem to stop burglars from stealing guns and other weapons.

But it might.

What we are sure of is that these home invasions inflict a genuine terror in the victims and make it difficult for them to feel secure in their homes afterward.

The emotional damage from a break-in to an unoccupied building is nowhere near the same and that is what Ladwig's enhancer penalty would remedy.

Additionally, if it steers one burglar to an unoccupied dwelling and saves one homeowner from a middle-of-the-night confrontation with a thug, well, that would be just fine, too.

We would urge the Senate to go along with Ladwig's legislation this time.

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To respond to this editorial, e-mail us at [opinion@journaltimes.com](mailto:opinion@journaltimes.com).

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Racine Journal Times  
11-4-01

## Legislation would stiffen penalties for burglars who choose occupied homes

BY DUSTIN BLOCK  
*Journal Times*

For the third time in three years, the state Assembly passed legislation this week that would stiffen penalties for people who burglarize homes while people are in the residence.

Officials said the legislation was needed to deter crimes that could turn violent.

"Anybody who would burglarize a home when people are in a home creates a far more dangerous situation than just a normal burglary," said Racine County Sheriff Bill McReynolds, explaining the need for the harsher penalties. "If there is a confrontation, the chances go way up for a homicide, attempted homicide or other serious crime."

Assembly Bill 856, introduced by State Rep. Bonnie Ladwig, R-Mount Pleasant, would add five years to an offenders' prison sentence if a victim was home at the time of a burglary. The current sentence for burglary is up to 15 years in prison, and up to 60 years in prison if the burglar was armed or com-

mitted battery during the burglary.

"It's traumatic enough to come home to a burglarized home," Ladwig said. "If they (burglars) do it while you're sleeping, there should be an additional penalty."

The legislation also would expand the state's legal definition of home to include boats and motor homes.

Ladwig said her push for stiffer burglary penalties was prompted by McReynolds and Racine County District Attorney Bob Flancher.

The county officials began pushing for the legislation after a rash of burglaries in Racine harbors. Even though many people live and sleep on boats in the harbor, state law didn't allow the boats to be considered homes.

The loophole limited the penalties that could be brought against people caught stealing from the boats, as well as from motor homes, Ladwig said.

The Assembly passed the bill Nov. 1 on a voice vote. The proposal now moves to the state Senate, where it has stalled the past two years.