

Assembly

Record of Committee Proceedings

Committee on Judiciary

Assembly Bill 648

Relating to: retention and testing of evidence that includes biological material, time limits for prosecuting a crime that is related to a sexual assault, law enforcement procedures for using an eyewitness to identify a person suspected of committing a crime, making audio or audio and visual recordings of custodial interrogations, limitations on admitting unrecorded statements into evidence in juvenile delinquency and criminal proceedings, and creating a grant program for digital recording equipment and training for digital recording of custodial interrogations.

By Representatives Gundrum, Bies, Staskunas, Colon, Ziegelbauer, Krawczyk, Van Roy, Sheridan, McCormick, Van Akkeren, F. Lasee, Nelson, Hundertmark, Turner, Nischke, Fields, Musser, Molepske, Pettis, Gronemus, Ott, Cullen, Lothian, Kestell, Stone, Albers, Hahn, LeMahieu, Hines, Jensen, M. Williams, Townsend and Kleefisch; cosponsored by Senators Zien, Coggs, Miller, Harsdorf, Risser, Darling, Hansen, Roessler, Kapanke, S. Fitzgerald and Lazich.

September 02, 2005 Referred to Committee on Judiciary.

September 7, 2005 **PUBLIC HEARING HELD**

Present: (6) Representatives Gundrum, McCormick, Albers, Kerkman, Staskunas and Kessler.

Excused: (2) Representatives Kleefisch and Turner.

Appearances For

- Mark Gundrum — Representative, 84th Assembly District
- Steven Avery
- Penny Beerntsen
- Scott Horne — Wisconsin District Attorneys Assn.
- Ed Kondracki — Wisconsin Chiefs of Police
- Pedro Colon — Representative, 8th Assembly District
- Judy Schwaemle — Avery Task Force
- Keith Findley — Avery Task Force and the State Bar Criminal Law Section
- Gerald Mowris — State Bar of Wisconsin Criminal Law Section
- John Birdsall — Wisconsin Association of Criminal Defense Lawyers and the State Bar of Wisconsin Criminal Law Section
- Davin Miller
- Rolf Lindgren — Libertarian Party of Wisconsin

Appearances Against

- None.

Appearances for Information Only

- Joe Leibham — Senator, 9th Senate District
- Anna Ruzinski — Milwaukee Police Department
- Peg Lautenschlager — Attorney General, Wisconsin Department of Justice

Registrations For

- Garey Bies — Representative, 1st Assembly District

Registrations Against

- None.

September 13, 2005 **EXECUTIVE SESSION HELD**

Present: (7) Representatives Gundrum, McCormick, Albers, Kerkman, Kleefisch, Staskunas and Turner.

Excused: (1) Representative Kessler.

Moved by Representative Staskunas, seconded by Representative Kerkman that **Assembly Amendment 1** be recommended for adoption.

Ayes: (7) Representatives Gundrum, McCormick, Albers, Kerkman, Kleefisch, Staskunas and Turner.

Noes: (0) None.

Excused:(1) Representative Kessler.

ASSEMBLY AMENDMENT 1 ADOPTION RECOMMENDED,
Ayes 7, Noes 0

Moved by Representative McCormick, seconded by Representative Kerkman that **Assembly Bill 648** be recommended for passage as amended.

Ayes: (7) Representatives Gundrum, McCormick, Albers, Kerkman, Kleefisch, Staskunas and Turner.

Noes: (0) None.

Excused:(1) Representative Kessler.

PASSAGE AS AMENDED RECOMMENDED, Ayes 7, Noes 0