



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2007 Assembly Bill 144

Assembly Amendments 1 and 2

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Assembly Amendment 1

Assembly Bill 144 prohibits a person on probation, parole, or extended supervision from intentionally escaping from his or her probation, parole, or extended supervision officer if the person has been detained based on a probation, parole, or extended supervision violation. The bill also prohibits a person subject to proceeding under the Juvenile Justice Code (ch. 938, Stats.) from intentionally escaping from a caseworker or an intake or dispositional services worker if the person has been detained based on a violation of a dispositional order or a condition of aftercare supervision. A person who violates these new escape provisions is guilty of a **Class G felony (punishable by a fine of not more than \$25,000, imprisonment for not more than 10 years, or both)**.

Assembly Amendment 1 decreases the penalty for these new escape provisions from a Class G felony to a **Class H felony (punishable by a fine not to exceed \$10,000, imprisonment for not more than six years, or both)**. Thus, this lesser penalty reduces the possible maximum fine from \$25,000 to \$10,000 and reduces the maximum prison time from 10 years to six years. This revised penalty is in keeping with penalties for other escape violations in the statutes.

Assembly Amendment 2

Assembly Amendment 2 does the following:

1. Substitutes the term “agent” for “officer” in two places. The bill refers to “a probation, extended supervision, or parole **officer**” (emphasis added). The proper reference should be to a probation, extended supervision, or parole **agent**.
2. Adds the following to the list of what is included in the term “custody” under the bill: “Actual custody or authorized physical control of a **correctional officer**.” Correctional officers were inadvertently omitted from the bill.

3. Makes a technical change in SECTION numbers in the draft because of the change made in item 2, above.

Legislative History

In executive session on December 4, 2007, the Assembly Committee on Corrections and Courts voted to adopt Assembly Amendments 1 and 2 (both offered by Representative Seidel), and to recommend passage of the bill as amended, on votes of Ayes, 10; and Noes, 0.

DLS:jal