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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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<b>2007 Assembly Bill 790</b>	<b>Assembly Amendment 1</b>
<i>Memo published: March 7, 2008</i>	<i>Contact: Anne Sappenfield, Senior Staff Attorney (267-9485)</i>

*Assembly Bill 790* creates a condition of probation, parole, or extended supervision for any person who is convicted of first-, second-, or third-degree sexual assault or sexual assault of a child. Specifically, the bill requires a court, or the parole commission in the case of a person placed on parole, to order as a condition that the person is prohibited from doing any of the following:

- Contacting the victim or any protected person (e.g., the victim's family or employer).
- Being within a specified distance of the residence of the victim or protected person or any other location temporarily occupied by the victim or protected person.
- Conducting an Internet search on the victim or any protected person.
- Causing another person other than a law enforcement officer to contact the victim or any protected person.

A person who is subject to such a condition may file with the court a petition, at any time before or during his or her sentence, requesting that the condition be eliminated. The court must grant the petition if the court determines that the victim supports the petition and that granting the petition does not pose a risk to public safety.

*Assembly Amendment 1* provides that if a person is subject to a condition of probation, parole, or extended supervision, as described above, the *victim* may file a petition requesting that the condition be eliminated. The court must grant the petition if it determines that granting the petition does not pose a risk to public safety.

### Legislative History

Assembly Amendment 1 was offered by the Assembly Committee on Criminal Justice. The committee recommended adoption of the amendment on a vote of Ayes, 8; Noes, 0; and recommended passage of the bill, as amended, on a vote of Ayes, 8; Noes, 0.

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