2009 DRAFTING REQUEST

Bill

Received	02/11/2009				Received By: cha	naman	
Wanted:	As time perm	its			Identical to LRB:		
For: Fred	erick Kessler	(608) 266-581	13		By/Representing:		
This file r	nay be shown	to any legislato	or: NO		Drafter: chanama	ın	
May Con	tact:				Addl. Drafters:		
Subject: Submit vi	Crimina a email: YES	al Law - victim	as.		Extra Copies:		
Requester	r's email:	Rep.Kessle	r@legis.wis	sconsin.gov			
Carbon co	opy (CC:) to:						
Pre Topi	c:						
No specif	ic pre topic gi	ven					
Topic:					·		
Right of v	victim to make	statement					
Instructi	ons:		<u> </u>				
See attach	nedidentical	to 2007 AB-210)				
Drafting	History:		***************************************			AND THE RESIDENCE OF THE PARTY	, ₁ , , , , , , , , , , , , , , , , , , ,
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2009 DRAFTING REQUEST

Bill

Receive	d: 02/11/2009				Received By: ch	anaman	
Wanted: As time permits				Identical to LRB:			
For: Frederick Kessler (608) 266-5813				By/Representing:			
This file	may be shown	to any legislate	or: NO		Drafter: chanam	nan	
May Co	ntact:				Addl. Drafters:		
Subject:	Crimin	al Law - victin	ıs		Extra Copies:		
Submit	via email: YES						
Requesto	er's email:	Rep.Kessle	er@legis.wi	sconsin.gov			
Carbon	copy (CC:) to:						
Pre Top	oic:				· · · · · · · · · · · · · · · · · · ·		
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Right of	victim to make	e statement					
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FE Sent For:

2009 DRAFTING REQUEST

Bill

Received: 02/11/2009

Received By: chanaman

Wanted: As time permits

Identical to LRB:

For: Frederick Kessler (608) 266-5813

By/Representing:

This file may be shown to any legislator: NO

Drafter: chanaman

May Contact:

Addl. Drafters:

Subject:

Criminal Law - victims

Extra Copies:

Submit via email: YES

Requester's email:

Rep.Kessler@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Right of victim to make statement

Instructions:

See attached--identical to 2007 AB-210

Drafting History:

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LRB-21034 CMH: Gjs:sh

2007 ASSEMBLY BILL 210



SA V X-ref

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March 27, 2007 – Introduced by Representative Kessler. Referred to Committee on Corrections and Courts.

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- 1 AN ACT *to amend* 950.04 (1v) (g), 950.08 (2g) (c) and 972.14 (3) (b) of the statutes;
- relating to: notice to a victim of the right to make a statement at sentencing or disposition.

Analysis by the Legislative Reference Bureau

Under current law, a victim of a crime of which a person is convicted or any other crime to be considered by the court at sentencing has the right to make or provide a statement before the court imposes the sentence. Current law also requires the prosecutor to make a reasonable attempt to contact any known victim to inform him or her of that right.

This bill revises the prosecutor's obligation to provide a known victim notice of his or her right to make a statement with respect to the time at which that obligation must be met. Specifically, the bill eliminates the requirement that the notice be provided after a conviction. Thus, under the bill, the prosecutor may provide the victim notice of his or her right at any time during the proceedings.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

Section 1. 950.04 (1v) (g) of the statutes is amended to read:

ASSEMBLY BILL 210

	950.04 (1	v) (g)	To have reasonable atter	empts made to notify the victim o
hea	rings or cou	ırt pro	eedings, as provided under	er ss. 302.113 (9g) (g) 2., 302.114 (6)
938	.27 (4m) an	ıd (6), 9	38.273 (2), <u>and</u> 971.095 (3)	3) and 972.14 (3) (b).

Section 2. 950.08 (2g) (c) of the statutes is amended to read:

950.08 **(2g)** (c) The address and telephone number of the intake worker, corporation counsel, or district attorney whom the victim may contact to obtain information concerning the rights of victims and to request notice of court proceedings under ss. s. 938.27 (4m) and or (6), 938.273 (2), 938.299 (1) (am) and 938.335 (3m) (b), or ss. 971.095 (3) and 972.14 (3) (b), whichever is applicable, and to request the opportunity to confer under ss. s. 938.245 (1m), 938.265 er, 938.32 (1) (am), or s. 971.095 (2), whichever is applicable.

Section 3. 972.14 (3) (b) of the statutes is amended to read:

972.14 **(3)** (b) After a conviction, if If the district attorney knows of a victim of a crime to be considered at sentencing, the district attorney shall make a reasonable, timely attempt to contact that person to inform him or her of the right to make or provide a statement under par. (a). Any failure to comply with this paragraph is not a ground for an appeal of a judgment of conviction or for any court to reverse or modify a judgment of conviction.

(END)

Parisi, Lori

From: Sent:

Little, Sharon

To:

Subject:

Tuesday, February 24, 2009 2:22 PM LRB.Legal Draft Review: LRB 09-2092/1 Topic: Right of victim to make statement

Please Jacket LRB 09-2092/1 for the ASSEMBLY.