

**2013 DRAFTING REQUEST**

**Bill**

Received: **5/31/2013** Received By: **chanaman**  
Wanted: **As time permits** Same as LRB:  
For: **Glenn Grothman (608) 266-7513** By/Representing: **John Leiber in Weatherson's offi**  
May Contact: Drafter: **chanaman**  
Subject: **Criminal Law - crimes agnst kids** Addl. Drafters:  
**Criminal Law - sentencing** Extra Copies:  
**Criminal Law - sex offenses**

Submit via email: **YES**  
Requester's email: **Sen.Grothman@legis.wisconsin.gov**  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Imposing bail conditions on residency proximity to victim following charge of child sex offense

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**Instructions:**

See attached-- AB190 + amendment

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 5/31/2013	scalvin 5/31/2013	jfrantze 5/31/2013	_____			
/1				_____	mbarman 5/31/2013	lparisi 6/13/2013	

FE Sent For:

<END>

**2013 DRAFTING REQUEST**

**Bill**

Received: 5/31/2013 Received By: chanaman  
Wanted: As time permits Same as LRB: -1882  
For: Glenn Grothman (608) 266-7513 By/Representing: John Leiber in Weatherson's offi  
May Contact: Drafter: chanaman  
Subject: Criminal Law - crimes agnst kids Addl. Drafters:  
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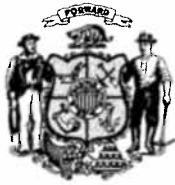
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/?	chanaman	1/1 sac 05/31/2013		5/31			

FE Sent For:

<END>



State of Wisconsin  
2013 - 2014 LEGISLATURE



2487/1

LRB-1882/2

CMH:sac:jm

stay s

today please

**2013 ASSEMBLY BILL 190**

May 3, 2013 - Introduced by Representatives WEATHERSTON, MASON, BERCEAU, BERNIER, BIES, HONADEL, JACQUE, KAHL, KERKMAN, KLEEFISCH, KOLSTE, T. LARSON, LEMAHIEU, MILROY, PRIDEMORE, RICHARDS, RINGHAND, SPIROS, STONE, C. TAYLOR, TITTL, WRIGHT, KAUFERT, OHNSTAD and BILLINGS, cosponsored by Senators GROTHMAN, LASSA, LEHMAN, LEIBHAM, SCHULTZ and WIRCH. Referred to Committee on Criminal Justice.

Mason

- 1 **AN ACT to amend** 969.03 (1) (intro.) and 969.03 (1) (b); and **to create** 969.03 (1e)
- 2 of the statutes; **relating to:** travel, association, and residency conditions of
- 3 release before trial for individuals charged with felony sexual assault of a child.

***Analysis by the Legislative Reference Bureau***

Under current law, a judge may release a defendant charged with a felony without bail or upon the execution of an unsecured appearance bond. The judge may impose conditions of the release including: placing the defendant in the custody of a person or organization; restricting the defendant's travel, association, or residency; or prohibiting the defendant from possessing any dangerous weapon. The judge may also deny release to a defendant charged with certain felonies including first-degree or second-degree sexual assault of a child or repeated sexual assault of the same child (child sex offense).

This bill requires a judge who is releasing a defendant charged with a child sex offense to impose the following as conditions of release: a restriction that the defendant avoid the residence, school, or place of employment of the alleged victim; a restriction that the defendant avoid contacting, or attempting to contact, the alleged victim; and a restriction that the defendant not reside within 250 feet, or more if the judge so orders, of the residence of the alleged victim or on a property that is adjacent to the residence of the alleged victim.

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

**ASSEMBLY BILL 190**

1           **SECTION 1.** 969.03 (1) (intro.) of the statutes is amended to read:

2           969.03 (1) (intro.) A defendant charged with a felony may be released by the  
3 judge without bail or upon the execution of an unsecured appearance bond ~~or the~~.  
4 The judge may in addition to requiring the execution of an appearance bond or in lieu  
5 thereof impose one or more of the following conditions which will assure appearance  
6 for trial:

7           **SECTION 2.** 969.03 (1) (b) of the statutes is amended to read:

8           969.03 (1) (b) Place Except as provided in sub. (1e), place restrictions on the  
9 travel, association, or place of abode of the defendant during the period of release.

10          **SECTION 3.** 969.03 (1e) of the statutes is created to read:

11          969.03 (1e) If the defendant is charged with a violation of s. 948.02 (1) or (2)

12 or 948.025 (1), the judge shall impose, in addition to requiring under sub. (1) the  
13 execution of an appearance bond or in lieu thereof, all of the following conditions:

14           (a) A restriction that the defendant avoid the residence, school, or place of  
15 employment or any temporary residence of the alleged victim of the violation.

16           (b) A restriction that the defendant avoid contacting, attempting to contact, or  
17 causing any person other than a party's attorney or a law enforcement officer to  
18 contact or attempt to contact the alleged victim of the violation.

19           (c) A restriction that the defendant not reside within 250 feet, or a greater  
20 distance if the judge so orders, of the residence of the alleged victim of the violation  
21 and that the defendant not reside on a property that is adjacent to the residence of  
22 the alleged victim of the violation.

23          **SECTION 4. Initial applicability.**





**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 190**

May 17, 2013 – Offered by Representative WEATHERSTON.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 12: delete the material beginning with “requiring” and ending  
3 with “thereof” on line 13 and substitute “any requirements or conditions imposed  
4 under sub. (1) ~~(X)~~”

5 (END)



MS  
2-13

**Parisi, Lori**

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**From:** Hanaman, Cathlene  
**Sent:** Thursday, June 13, 2013 10:59 AM  
**To:** Parisi, Lori; Barman, Mike; Rose, Stefanie; Basford, Sarah  
**Subject:** FW: LRB -1882/2 Topic: Imposing bail conditions on residency proximity to victim following charge of child sex offense

Could you jacket -2482 for the Senate for Rachel? (it's the companion to -1882)

Thanks

**From:** VerVelde, Rachel  
**Sent:** Thursday, June 13, 2013 10:53 AM  
**To:** Hanaman, Cathlene  
**Subject:** RE: LRB -1882/2 Topic: Imposing bail conditions on residency proximity to victim following charge of child sex offense

Cathlene,

Is there any way you can send the jacket email again? It must have been misplaced on our end.

Thanks,

*Rachel A. VerVelde*

Chief of Staff - Office of Senator Glenn Grothman  
20<sup>th</sup> Senate District  
[Rachel.VerVelde@legis.wi.gov](mailto:Rachel.VerVelde@legis.wi.gov)  
608-266-7513