



**ASSEMBLY AMENDMENT 8,
TO ASSEMBLY BILL 556**

February 18, 2014 – Offered by Representatives CRAIG, NEYLON, KOOYENGA,
SANFELIPPO, KNUDSON, KESSLER and GOYKE.

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

2 **1.** Page 2, line 16: after “persons.” insert “Subject to subd. 3., for the purpose
3 of this subdivision, “detainee” does not include a juvenile who is taken into custody
4 under s. 938.19 and held in custody under s. 938.209.”.

5 **2.** Page 2, line 16: after that line insert:

6 “SECTION 2m. 968.255 (1) (b) of the statutes is amended to read:

7 968.255 (1) (b) “Strip search” means a search in which a ~~detained person’s~~
8 detainee’s genitals, pubic area, buttock or anus, or a ~~detained female person’s female~~
9 detainee’s breast, is uncovered and either is exposed to view or is touched by a person
10 conducting the search, except that if the detainee is a person defined in par. (a) 5.,
11 “strip search” means a search in which a detainee’s genitals, pubic area, buttock or
12 anus, or a female detainee’s breast, is uncovered and exposed to view but is not
13 touched by a person conducting the search unless the touching is necessary to gain

1 the detainee’s cooperation with the search or unless the touching is necessary to
2 assist a disabled detainee’s cooperation with the search.”.

3 **3.** Page 3, line 7: after that line insert:

4 “**SECTION 5m.** 968.255 (2) (ar) of the statutes is created to read:

5 968.255 (2) (ar) The detainee will be incarcerated, imprisoned, or otherwise
6 detained in the jail or prison where the search is conducted for not less than 12 hours.
7 This paragraph applies only to a detainee who meets the definition in sub. (1) (a) 5.”.

8 **4.** Page 3, line 19: after that line insert:

9 “**SECTION 6m.** 968.255 (6) of the statutes is amended to read:

10 968.255 (6) ~~A~~ Each law enforcement agency, as defined in s. 165.83 (1) (b), ~~may~~
11 ~~promulgate rules~~ and each facility where a strip search may be conducted pursuant
12 to this section, shall establish written policies and procedures concerning strip
13 searches which at least meet the minimum requirements of this section and shall
14 provide annual training regarding the policies and procedures to any employee or
15 agent of the agency or facility who may conduct a strip search.”.

16 (END)