



**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 160**

February 5, 2014 – Offered by Senator PETROWSKI.

1 **AN ACT** *to renumber* 49.165 (4) and 165.93 (4); *to amend* 7.08 (10), 950.01 and
2 968.075 (3) (a) (intro.); and *to create* 16.971 (10), 49.165 (4) (b), 165.93 (4) (b),
3 968.075 (3) (a) 4., 968.075 (3) (am) and 968.075 (9) (a) 1m. of the statutes;
4 **relating to:** law enforcement reports and procedures following a domestic
5 abuse incident, domestic abuse victim access to information regarding services
6 providers, and access by the Department of Justice to the prosecutor technology
7 for case tracking system maintained by the Department of Administration.

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

8 **SECTION 1.** 7.08 (10) of the statutes is amended to read:
9 7.08 (10) DOMESTIC ABUSE AND SEXUAL ASSAULT SERVICE PROVIDERS. Provide to
10 each municipal clerk, on a continuous basis, the names and addresses of
11 organizations that are certified under s. 49.165 (4) (a) or 165.93 (4) (a) to provide
12 services to victims of domestic abuse or sexual assault.

1 **SECTION 2.** 16.971 (10) of the statutes is created to read:

2 16.971 (10) The department shall maintain, and provide the department of
3 justice with general access to, a case management system that allows district
4 attorneys to manage all case–related information and share the information among
5 prosecutors.

6 **SECTION 3.** 49.165 (4) of the statutes is renumbered 49.165 (4) (a).

7 **SECTION 4.** 49.165 (4) (b) of the statutes is created to read:

8 49.165 (4) (b) The department shall make available to law enforcement
9 agencies a current list containing the name and address of each organization that is
10 eligible to receive grants under sub. (2).

11 **SECTION 5.** 165.93 (4) of the statutes is renumbered 165.93 (4) (a).

12 **SECTION 6.** 165.93 (4) (b) of the statutes is created to read:

13 165.93 (4) (b) The department shall make available to law enforcement
14 agencies a current list containing the name and address of each organization that is
15 eligible to receive grants under sub. (2).

16 **SECTION 7.** 950.01 of the statutes is amended to read:

17 **950.01 Legislative intent.** In recognition of the civic and moral duty of
18 victims and witnesses of crime to fully and voluntarily cooperate with law
19 enforcement and prosecutorial agencies, and in further recognition of the continuing
20 importance of such citizen cooperation to state and local law enforcement efforts and
21 the general effectiveness and well–being of the criminal justice system of this state,
22 the legislature declares its intent, in this chapter, to ensure that all victims and
23 witnesses of crime are treated with dignity, respect, courtesy and sensitivity; and
24 that the rights extended in this chapter to victims and witnesses of crime are honored
25 and protected by law enforcement agencies, prosecutors and judges in a manner no

1 less vigorous than the protections afforded criminal defendants. This chapter does
2 not prohibit a public official, employee, or agency from sharing information with
3 victim service organizations that are eligible to receive grants under s. 49.165 (2) or
4 165.93 (2). Nothing in this chapter shall be construed to impair the exercise of
5 prosecutorial discretion.

6 **SECTION 8.** 968.075 (3) (a) (intro.) of the statutes is amended to read:

7 968.075 (3) (a) (intro.) Each law enforcement agency shall develop, adopt, and
8 implement written policies regarding arrest procedures for domestic abuse
9 incidents. The policies shall include, but not be limited to, the following:

10 **SECTION 9.** 968.075 (3) (a) 4. of the statutes is created to read:

11 968.075 (3) (a) 4. A procedure that requires a law enforcement officer, if the law
12 enforcement officer has reasonable grounds to believe that a person is committing
13 or has committed domestic abuse, to inform the victim of the availability of shelters
14 and services in his or her community, including using lists available under ss. 49.165
15 (4) (b) and 165.93 (4) (b); to give notice of legal rights and remedies available to him
16 or her; and to provide him or her with a statement that reads substantially as follows:
17 “If you are the victim of domestic abuse, you may contact a domestic violence victim
18 service provider to plan for your safety and take steps to protect yourself, including
19 filing a petition under s. 813.12 of the Wisconsin statutes for a domestic abuse
20 injunction or under s. 813.125 of the Wisconsin statutes for a harassment
21 injunction.”

22 **SECTION 10.** 968.075 (3) (am) of the statutes is created to read:

23 968.075 (3) (am) The policies under par. (a) may provide that the law
24 enforcement agency will share information with organizations that are eligible to
25 receive grants under s. 49.165 (2) or 165.93 (2).

