

2013 Assembly Bill 612 (LRB -2864)

An Act to amend 972.15 (4); and to create 950.04 (1v) (pd) and 972.15 (4r) of the statutes; relating to: allowing a victim of a crime to view portions of a presentence investigation report.

2014

01-09. A. Introduced by Representatives **Strachota, Pridemore and Czaja**; cosponsored by Senator **Grothman**. 518

01-09. A. Read first time and referred to Committee on Judiciary 518

02-06. A. Public hearing held

02-10. A. Assembly Amendment 1 offered by Representative Goyke (**LRB a1691**) 595

02-11. A. Executive action taken

02-11. A. Report passage recommended by Committee on Judiciary, Ayes 6, Noes 3 601

02-11. A. Referred to Committee on Rules 601

02-11. A. Placed on calendar 2-13-2014 by Committee on Rules

02-13. A. Read a second time 632

02-13. A. Ordered to a third reading 632

02-13. A. Rules suspended 632

02-13. A. Read a third time and **passed** 632

02-13. A. Ordered immediately messaged 632

02-14. S. Received from Assembly 671

02-17. S. Read first time and referred to committee on Judiciary and Labor 676

02-25. S. Executive action taken

02-27. S. Report concurrence recommended by Committee on Judiciary and Labor, Ayes 3, Noes 2 719

02-27. S. Available for scheduling

03-31. S. Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0 821

03-31. S. Placed on calendar 4-1-2014 pursuant to Senate Rule 18(1) 822

04-01. S. Read a second time

04-01. S. Ordered to a third reading

04-01. S. Rules suspended

04-01. S. Read a third time and **concurred in**

04-01. S. Ordered immediately messaged

04-02. A. Received from Senate concurred in 818

2013
ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig Engr SubAmdt

13-2864/2

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

4-3-14
Date

JR Miller
Enrolling Drafter



2013 ASSEMBLY BILL 612

January 9, 2014 - Introduced by Representatives STRACHOTA, PRIDEMORE and CZAJA, cosponsored by Senator GROTHMAN. Referred to Committee on Judiciary.

1 **AN ACT to amend** 972.15 (4); and **to create** 950.04 (1v) (pd) and 972.15 (4r) of
2 the statutes; **relating to:** allowing a victim of a crime to view portions of a
3 presentence investigation report.

Analysis by the Legislative Reference Bureau

Under current law, if a person is convicted of a crime, the court may order a presentence investigation report be prepared. Generally, the presentence investigation report is confidential. However, under current law, the district attorney and the defendant's attorney are entitled to have and keep a copy of the presentence investigation report. If the defendant is not represented by counsel, the defendant is entitled to view the presentence investigation report but may not keep a copy of the report. A district attorney or defendant's attorney who receives a copy of the report shall keep it confidential. A defendant who views the contents of a presentence investigation report shall keep the information in the report confidential.

Also under current law, a victim of a crime has certain rights, including the right to have the person preparing a presentence investigation report make a reasonable attempt to contact the victim in order to determine the economic, physical, and psychological effect of the crime on the victim. The victim does not have the right to view the presentence investigation report.

Under this bill, a victim of a crime has a right to view the sentencing recommendations contained in the presentence investigation report and the portions of the report that contain information pertaining to the victim himself or herself.

ASSEMBLY BILL 612

Under the bill, a victim who views any contents of a presentence investigation report may not keep a copy of any portion of the report and must keep the information he or she views confidential.

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

1 **SECTION 1.** 950.04 (1v) (pd) of the statutes is created to read:

2 950.04 (1v) (pd) Subject to the limits set forth in s. 972.15 (4r), to view portions
3 of a presentence investigation report prepared under s. 972.15 that relate to the
4 crime upon the victim.

5 **SECTION 2.** 972.15 (4) of the statutes is amended to read:

6 972.15 (4) Except as provided in sub. (4m), (4r), (5), or (6), after sentencing the
7 presentence investigation report shall be confidential and shall not be made
8 available to any person except upon specific authorization of the court.

9 **SECTION 3.** 972.15 (4r) of the statutes is created to read:

10 972.15 (4r) The victim of the crime is entitled to view all sentencing
11 recommendations included in the presentence investigation report, including any
12 recommendations under sub. (2b) or (2c), and any portion of the presentence
13 investigation report that contains information pertaining to the victim that was
14 obtained pursuant to sub. (2m). A victim who views any contents of a presentence
15 investigation report may not keep a copy of any portion of the report and shall keep
16 the information he or she views confidential.

17

(END)