

2017 DRAFTING REQUEST

Assembly Amendment (AA-AB87)

For: Evan Goyke (608) 266-0645 Drafter: ewheeler
 By: Ryan Secondary Drafters:
 Date: 5/25/2017 May Contact:

Same as LRB:

Submit via email: YES
 Requester's email: Rep.Goyke@legis.wisconsin.gov
 Carbon copy (CC) to: Elizabeth.Wheeler@legis.wisconsin.gov
 Elisabeth.Shea@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

SJO program sanctions

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	ewheeler 5/26/2017	kfollett 5/26/2017			
/1			rmilford 5/26/2017	rmilford 5/26/2017	

FE Sent For: <END>

17a0622

Wheeler, Elizabeth

From: Knocke, Ryan
Sent: Thursday, May 25, 2017 2:18 PM
To: Shea, Elisabeth; Wheeler, Elizabeth
Subject: Rep. Goyke Amendment Requests Re: AB 87 and AB 90

Elisabeth and Elizabeth-

I hope you both are well. Rep. Goyke asked that I forward the amendment requests below to you for drafting in advance of our Executive Session on these bills next Tuesday.

Could these be forwarded for drafting? I am hoping to have them submitted by COB tomorrow.

Thank you so very much for all of your help.

- Ryan

Ryan Knocke
Legislative Aide
Office of State Representative Evan Goyke
Telephone: (608) 266-0645

AB 87 - 17a0622

This Amendment would allow DOC to incarcerate a juvenile on the SOJ program for sanctions up to 30 days even after the 3 years of incarceration has been used. Under this amendment any sanction holds against the juvenile that is under 30 days would not count against the juvenile's 3 year total.

AB 90

Amendment 1

The expansion to include all Felonies for the SJOP would only be eligible if the felony is the juvenile's second felony. (thus the SJOP would be for repeat felonies)

Amendment 2

Eliminate Felony Retail Theft from the list of felonies that would qualify for SJOP

Amendment 3

Eliminate Felony Theft from the list of felonies that would qualify for SJOP

Amendment 4

Eliminate Felony Possession of THC (961.41(3g)) from the list of felonies that would qualify for SJOP



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1914/1
EHS:jld

2017 ASSEMBLY BILL 87

February 24, 2017 - Introduced by Representatives SANFELIPPO, JACQUE, HORLACHER, MURPHY, DUCHOW, GANNON, SKOWRONSKI, OTT, KREMER, TITTL, KRUG and E. BROOKS, cosponsored by Senators VUKMIR, NASS and STROEBEL. Referred to Committee on Corrections.

1 **AN ACT to amend** 938.538 (3) (a) 1. of the statutes; **relating to:** time limit on
2 a restrictive custody sanction under the Serious Juvenile Offender Program.

Analysis by the Legislative Reference Bureau

This bill removes the three-year limit on the amount of time the Department of Corrections may place certain juveniles participating in the Serious Juvenile Offender Program (SJOP) in a Type 1 juvenile correctional facility or a secured residential care center for children and youth (secured facility).

Currently, a juvenile is eligible for placement in the SJOP if he or she has been adjudicated delinquent for committing certain felonies, including, for a juvenile 14 years of age or over, any crime punishable by life imprisonment if committed by an adult and if he or she has been found to be a danger to the public and to be in need of restrictive custodial treatment.

Under current law, a juvenile in the SJOP is placed in a secured facility for up to three years or, if the juvenile has committed an act that would be punishable by life imprisonment if committed by an adult, until the juvenile reaches 25 years of age, unless released sooner, and provided with other sanctions, including intensive supervision, electronic monitoring, alcohol or other drug abuse treatment and services, mental health treatment and services, community service, restitution, and education and employment services. This bill does not change the age 25 limit on placement of a juvenile who has committed an act that would be punishable by life imprisonment if committed by an adult.



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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 87

TODAY

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 2, line 2: delete "subd." and substitute "subd. ^{after} subds. 1d. and". (Insert) (and par. (c).)
- 3 **2.** Page 2, line 3: delete the material beginning with "for" and ending with
- 4 "years" on line 4 and substitute "for a period of not more than 3 years". (Im.)
- 5 **3.** Page 2, line 4: after that line insert:
- 6 "SECTION **1m.** 938.538 (3) (a) 1d. of the statutes is created to read:
- 7 938.538 (3) (a) 1d. Any sanction imposed under this paragraph that results in
- 8 a placement in a Type 1 juvenile correctional facility or secured residential care
- 9 center for children and youth for a period not to exceed 30 days does not count toward
- 10 the 3-year time limit under (subd.) 1.". (par. (a))