

2017 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB351)

For: Jesse Kremer (608) 266-9175

Drafter: mduchek

By: Melissa LC

Secondary Drafters:

Date: 11/9/2017

May Contact:

Same as LRB:

Submit via email: YES

Requester's email: Rep.Kremer@legis.wisconsin.gov

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Who can object to release; retention

Instructions:

Clarify that law enforcement is only victim of crime at that location, not prior, unrelated crimes.

Clarify that this doesn't preempt 19.35 (5).

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 11/9/2017	eweiss 11/9/2017			
/1			mbarman 11/9/2017	mbarman 11/9/2017	

FE Sent For:

<END>

## Duchek, Michael

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**From:** Duchek, Michael  
**Sent:** Wednesday, November 08, 2017 4:54 PM  
**To:** Rettinger, Nik  
**Subject:** RE: Rep. Kremer: LRBa1556/P1

Nik,

This is what I came up with (to add the language underlined below). I talked to Melissa and she thought this was a good solution. I can chat further about it in the morning, but thought I'd send it to you.

**1.** Page 3, line 15: after that line insert:

“d. The individual is not a law enforcement officer who was acting in an official capacity, unless a crime or other violation of law has been committed or is alleged to have been committed against the law enforcement officer while the law enforcement officer was present at the location that was recorded.”.

**Mike Duchek**  
**Legislative Attorney**  
**Wisconsin Legislative Reference Bureau**  
**(608) 266-0130**

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**From:** Rettinger, Nik  
**Sent:** Tuesday, November 07, 2017 5:26 PM  
**To:** Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>  
**Subject:** RE: Rep. Kremer: LRBa1556/P1

Melissa didn't look at it I don't think. I will run it by here quick before we introduce it just to make sure it's good, but we still want the /1. Thanks!

***Nik Rettinger III***  
Research Assistant  
Office of Representative Jesse Kremer  
59<sup>th</sup> Assembly District  
608-266-9175

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**From:** Duchek, Michael  
**Sent:** Tuesday, November 07, 2017 5:06 PM  
**To:** Rettinger, Nik <Nik.Rettinger@legis.wisconsin.gov>  
**Subject:** RE: Rep. Kremer: LRBa1556/P1

Sure. I assume you didn't have any changes to the language then? Did Melissa look at it?

-Mike

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**From:** Rettinger, Nik  
**Sent:** Tuesday, November 07, 2017 5:04 PM

**To:** Duchek, Michael <[Michael.Duchek@legis.wisconsin.gov](mailto:Michael.Duchek@legis.wisconsin.gov)>

**Subject:** Rep. Kremer: LRBa1556/P1

Mike,

Jesse asked me to go ahead and get a 1/ of the body cams amendment that we had drafted up today, LRBa1556/P1. I assume if comes with a jacket as well, but in case it doesn't then please include that right as well so we can get it turned into the clerk's office tomorrow morning after receiving it.

Thanks,

-Nik

***Nik Rettinger III***

Research Assistant

Office of Representative Jesse Kremer

59<sup>th</sup> Assembly District

608-266-9175

## Duchek, Michael

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**From:** Rettinger, Nik  
**Sent:** Thursday, November 09, 2017 9:46 AM  
**To:** Duchek, Michael  
**Subject:** RE: Amendment

Mike,

I forwarded the amendment language last night and what you suggested this morning to my boss but I haven't heard back yet. Can you start drafting up the change from yesterday in a new draft but hold off on releasing until I hear back from him.

Thanks,

-Nik

***Nik Rettinger III***  
Research Assistant  
Office of Representative Jesse Kremer  
59<sup>th</sup> Assembly District  
608-266-9175

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**From:** Duchek, Michael  
**Sent:** Thursday, November 09, 2017 8:54 AM  
**To:** Rettinger, Nik <Nik.Rettinger@legis.wisconsin.gov>  
**Subject:** Amendment

Nik,

1. I know this is late, but another thing was brought to my attention that could be clarified. There is a statute, s. 19.35 (5), which says that you can't destroy a record while a public records request is pending. I think it would be good to clarify that that provision still applies.
2. Does the language I sent last night seem OK?

Let me know,

-Mike



State of Wisconsin  
2017 - 2018 LEGISLATURE

In 11-9-17  
TODAY

a1573/1

LRB:156611  
MED:emw

**ASSEMBLY AMENDMENT ,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 351**

# Page 3, line 6: after that line insert;  
" (e) Notwithstanding pars. (a) to (d), data  
from a body camera may not be destroyed  
during the period specified in  
S. 19.35 (5). "

while the law enforcement  
officer was present  
at the location that  
was recorded

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 3, line 15: after that line insert:

3 "d. The individual is not a law enforcement officer who was acting in an official  
4 capacity, unless a crime or other violation of law has been committed or is alleged to  
5 have been committed against the law enforcement officer."

6 (END)