2019 DRAFTING REQUEST

Bill

For:

Joe Sanfelippo (608) 266-0620

Drafter:

ewheeler

By:

Josh

Secondary Drafters:

Date:

9/26/2019

May Contact:

Same as LRB:

Submit via email:

YES

Requester's email: Carbon copy (CC) to: Rep.Sanfelippo@legis.wisconsin.gov

Elizabeth.Wheeler@legis.wisconsin.gov

elisabeth.shea@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Crimes for which a juvenile may be placed in correctional placement or the serious juvenile offender program

Instructions:

Redraft 2017 SB 59

Drafting History:

Vers. <u>Drafted</u>

Reviewed

Submitted

Jacketed

Required

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ewheeler

csicilia

9/27/2019

9/30/2019

/P1

jmurphy

State

9/30/2019

S&L

/1

mbarman

dwalker

State

/ 1

10/21/2019

1/9/2020

S&L

FE Sent For:

<**END**>

> At Intro.



State of Misconsin 2017 - 2018 LEGISLATURE

in: 9/27/19 duc: 9/30

U4169/P1 LRB-1702/1 EAW:ahe

ys

2017 SENATE BILL 59

February 21, 2017 - Introduced by Senator Vukmir, cosponsored by Representatives Sanfelippo, Murphy, Duchow, Gannon, Ott, Skowronski, Tittl, Kremer and E. Brooks. Referred to Committee on Judiciary and Public Safety.

SAV/ SC/ 1

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AN ACT to amend 938.34 (4h) (a) and 938.34 (4m) (b) 1. of the statutes; relating

to: acts for which a juvenile may be placed in correctional placement or the Serious Juvenile Offender Program.

Analysis by the Legislative Reference Bureau

This bill expands the acts for which a juvenile may be placed in the Serious Juvenile Offender Program (SJOP) or in a juvenile correctional facility or secured residential care center for children and youth under the Juvenile Justice Code.

Under current law, a juvenile who is 14 years of age or over and who has been adjudicated delinquent by the court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court) for committing or conspiring to commit certain law violations may be placed in the SJOP. This bill expands the law violations for which a juvenile may be placed in the SJOP to include any act that would be a felony if committed by an adult.

Also under current law, if the juvenile court determines that placement in the SJOP is not appropriate, a finding that a juvenile has committed any of a number of law violations that would be felonies if committed by an adult is prima facie evidence that the juvenile is a danger to the public and in need of restrictive placement. Under current law such a juvenile may be placed in a juvenile correctional facility or a secured residential care center for children and youth. This bill expands the list of acts constituting prima facie evidence that the juvenile is a danger to the public and in need of restrictive placement to any act that would be a felony if committed by an adult.

SENATE BILL 59

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 938.34 (4h) (a) of the statutes is amended to read:

938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated delinquent for committing or conspiring to commit—a violation of s. 939.32 (1) (a), 940.03, 940.06, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1), 948.025 (1), or 948.30 (2) an act that would be a felony if committed by an adult in this state or attempting a violation of s. 943.32 (2) or the juvenile is 10 years of age or over and has been adjudicated delinquent for attempting or committing a violation of s. 940.01 or for committing a violation of s. 940.02 or 940.05.

SECTION 2. 938.34 (4m) (b) 1. of the statutes is amended to read:

938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025, 948.03, or 948.085 (2) if committed by an adult in this state.

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State of Misconsin 2019 - 2020 LEGISLATURE

LRI Hange

LRB-4469/P1 EAW:cjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT to amend 938.34 (4h) (a) and 938.34 (4m) (b) 1. of the statutes; relating to: acts for which a juvenile may be placed in correctional placement or the Serious Juvenile Offender Program.

Analysis by the Legislative Reference Bureau

This bill expands the acts for which a juvenile may be placed in the Serious Juvenile Offender Program (SJOP) or in a juvenile correctional facility or secured residential care center for children and youth under the Juvenile Justice Code.

Under current law, a juvenile who is 14 years of age or over and who has been adjudicated delinquent by the court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court) for committing or conspiring to commit certain law violations may be placed in the SJOP. This bill expands the law violations for which a juvenile may be placed in the SJOP to include any act that would be a felony if committed by an adult.

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For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 938.34 (4h) (a) of the statutes is amended to read:

938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated delinquent for committing or conspiring to commit—a violation of s. 939.32 (1) (a), 940.03, 940.06, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1), 948.025 (1), or 948.30 (2) an act that would be a felony if committed by an adult in this state or attempting a violation of s. 943.32 (2) or the juvenile is 10 years of age or over and has been adjudicated delinquent for attempting or committing a violation of s. 940.01 or for committing a violation of s. 940.02 or 940.05.

SECTION 2. 938.34 (4m) (b) 1. of the statutes is amended to read:

938.34 **(4m)** (b) 1. The juvenile has committed a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025, 948.03, or 948.085 (2) if committed by an adult in this state.

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Walker, Dan

From:

Hanaman, Cathlene

Sent:

Thursday, January 09, 2020 11:50 AM

To:

Parisi, Lori; Barman, Mike; Murphy, Janice; Rose, Stefanie; Walker, Dan

Subject:

Please jacket -4465, -4469, and -4458

And send to Josh in the Sanfelippo office