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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2021 Senate Bill 857**

**Senate  
Amendment 1**

### 2021 SENATE BILL 857

Senate Bill 857 requires the Department of Justice (DOJ) to collect, from the Director of State Courts, certain information about charges filed in circuit courts. Under the bill, the information DOJ is required to collect includes:

- The county in which charges were filed.
- The name of the prosecuting attorney assigned to the case.
- The name of the judge assigned to the case.
- The criminal charge filed.

For each criminal charge filed, DOJ must also collect information about whether the judge ordered any of the following. That the defendant be:

- Released without bail.
- Released upon the execution of an unsecured appearance bond.
- Released upon the execution of an appearance bond with sufficient solvent sureties.
- Released upon the deposit of cash in lieu of sureties.
- Denied release.

For each criminal charge filed, DOJ must also collect information about the amount of the bond or the amount of cash required if the judge required the execution of an appearance bond with sufficient solvent securities or required the deposit of cash in lieu of sureties. DOJ must also collect information about any other conditions of release imposed on the defendant.

The bill requires DOJ to publish an annual report using the information described above. The report must be published electronically on DOJ's internet site in an interactive format and must also be submitted in a static version to both houses of the Legislature.

### SENATE AMENDMENT 1

Senate Amendment 1 changes various references to "charge" in the bill to "case" to reflect that a bail decision is made with respect to a criminal case, which may include more than one criminal charge. The amendment also changes references to "judge" in the bill to "court official." Finally, the amendment adds to the information DOJ must include, the name of the court official who made various decisions regarding a defendant's pretrial release conditions.

## **BILL HISTORY**

Senator Bradley offered Senate Amendment 1 on February 15, 2022. On February 17, 2022, the Senate Committee on Judiciary and Public Safety voted to recommend adoption of the amendment and passage of Senate Bill 857, as amended, both on votes of Ayes, 5; Noes, 2.

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