



2021 SENATE BILL 857

January 13, 2022 - Introduced by Senators BRADLEY, WIMBERGER, NASS, JACQUE, KAPENGA, KOOYENGA, STROEBEL, TESTIN and FELZKOWSKI, cosponsored by Representatives WICHGERS, KNODL, SANFELIPPO, ALLEN, BEHNKE, BRANDTJEN, GUNDRUM, KUGLITSCH, MURPHY and SKOWRONSKI. Referred to Committee on Judiciary and Public Safety.

- 1 **AN ACT to create** 165.845 (1r) (a) 3., 165.845 (1r) (e) and 758.19 (8) of the statutes;
2 **relating to:** Department of Justice collection of data on the use of appearance
3 bonds and cash in lieu of appearance bonds.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Justice to collect from the Director of State Courts all of the following information for each crime charged: 1) the county in which charges were filed; 2) the name of the prosecuting attorney assigned to the case; 3) the name of the judge assigned to the case; 4) the criminal charge filed; 5) for each criminal charge filed, whether the judge released the defendant without bail, upon the execution of an unsecured appearance bond, upon the execution of an appearance bond with sufficient solvent sureties, or upon the deposit of cash in lieu of sureties, or denied release under s. 969.035; 6) for each criminal charge for which a judge required the execution of an appearance bond with sufficient solvent sureties, the monetary amount of the bond; 7) for each criminal charge for which a judge required the deposit of cash in lieu of sureties, the monetary amount of cash required; and 8) for each criminal charge filed, any other conditions of release imposed on the defendant.

Under the bill, DOJ must publish an annual report using the data collected on its Internet site in an interactive format, and also submit a report on the data to the chief clerk of each house of the legislature for distribution to the appropriate standing committees.

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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:

1 **SECTION 1.** 165.845 (1r) (a) 3. of the statutes is created to read:

2 165.845 (**1r**) (a) 3. For every crime, as defined in s. 939.12, that resulted in
3 charges being filed in any circuit court, all of the following information:

4 a. The county in which charges were filed.

5 b. The name of the prosecuting attorney assigned to the case.

6 c. The name of the judge assigned to the case.

7 d. The criminal charge filed.

8 e. For each criminal charge filed, whether the judge released the defendant
9 without bail, upon the execution of an unsecured appearance bond, upon the
10 execution of an appearance bond with sufficient solvent sureties, or upon the deposit
11 of cash in lieu of sureties, or denied release under s. 969.035.

12 f. For each criminal charge for which a judge required the execution of an
13 appearance bond with sufficient solvent sureties, the monetary amount of the bond.

14 g. For each criminal charge for which a judge required the deposit of cash in
15 lieu of sureties, the monetary amount of cash required.

16 h. For each criminal charge filed, any other conditions of release imposed on
17 the defendant.

18 **SECTION 2.** 165.845 (1r) (f) of the statutes is created to read:

19 165.845 (**1r**) (f) Publish an annual report using the information collected under
20 par. (a) 3. The report shall be published electronically on the department of justice's
21 Internet site in an interactive format and shall be submitted in a static version to the

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1 chief clerk of each house of the legislature for distribution to the appropriate
2 standing committees under s. 13.172 (3). The report shall include, at a minimum,
3 all information that is reported to the department by the director of state courts
4 under par. (a) 3.

5 **SECTION 3.** 758.19 (8) of the statutes is created to read:

6 758.19 (8) The director of state courts shall provide to the department of justice
7 all information required for reporting under s. 165.845 (1r) (a) 3.

8 (END)