

No. 385, S.]

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CHAPTER 318.

AN ACT to amend 57.04 (2) and 57.06 (3) of the statutes, relating to authority of probation and parole officer.

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

SECTION 1. 57.04 (2) of the statutes is amended to read:

57.04 (2) The order shall place the probationer in charge of the department or shall designate some person as probation officer, who shall be entitled to necessary expenses in the performance of his duties, to be paid by the county. If the probationer is a minor, the

order may place him in charge of a juvenile probation officer. The department or officer may, at any time, take the probationer into *physical custody to prevent his escape, to enforce discipline for violation of probation and may take the probationer into court*; and * * * *in the latter case*, if the court has reason to believe that he has violated the conditions of his probation or is engaging in criminal practices or has formed improper associations or is leading a vicious life, it may revoke his probation and pronounce sentence, or if sentence has been pronounced, order its execution, without deduction of the period of probation. A defendant on probation to a probation officer shall be subject to the probation conditions prescribed by the department so far as applicable. If such a probation officer has been appointed in any case, the court may transfer the custody of the probationer to the department.

SECTION 2. 57.06 (3) of the statutes is amended to read:

57.06 (3) Every paroled prisoner remains in the legal custody of the department unless otherwise provided by the department; and all prisoners under its custody may be returned to prison at any time, on the order of the department, and shall be returned whenever found exhibited in any show. A certified copy of the order shall be sufficient authority for any officer to take the prisoner to the institution from which he was paroled; and the officer shall execute such order as a warrant for arrest but any officer may, without order or warrant, *take the prisoner into custody* whenever it appears necessary in order to prevent escape or enforce discipline * * * *or for violation of parole.*

Approved June 6, 1951.
