

No. 432, S.]

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CHAPTER 199

AN ACT to create 956.01 (13) of the statutes, relating to pleas of guilty to crimes committed in other counties.

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

956.01 (13) of the statutes is created to read:

956.01 (13) PLEA OF GUILTY TO OFFENSES COMMITTED IN SEVERAL COUNTIES. (a) *Application.* Any person who admits that he has committed felonies or violations of s. 943.24, or both, in the county in which he is in custody and also in another county in this state, may apply to the district attorney of the county in which he is in custody to be charged with those crimes so that he may plead guilty and be sentenced for them in the county of custody. The application shall contain a description of all admitted crimes and the name of the county in which each was committed.

(b) *Duty of district attorney.* Upon receipt of the application the district attorney shall prepare an information charging all the admitted crimes and naming in each count the county where each was committed. He shall send a copy of the information to the district attorney of each other county in which the defendant admits he committed crimes, together with a statement that the defendant has applied to plead guilty in the county of custody. Upon receipt of the information and statement, the district attorney of the other county may execute a consent in writing allowing the defendant to enter a plea of guilty in the county of custody, to the crime charged in the information and committed in the other county, and send it to the district attorney who prepared the information.

(c) *Entering plea.* The district attorney shall file the information in any court of his county having jurisdiction to try or accept a plea of guilty to the most serious crime charged therein as to which, if alleged to have been committed in another county, the district attorney of that county has executed a consent as provided in par. (b). The defendant may then enter a plea of guilty to all offenses alleged to have been committed in the county where the court is located and to all offenses alleged to have been committed in other counties as to which the district attorney has executed a consent as provided in par. (b). Before entering his plea of guilty, the defendant shall waive in writing any right to be tried in the county where the crime was committed. The district attorney of the county where the crime was committed need not be present when the plea is made but his written consent shall be filed with the court.

(d) *Sentence.* The court shall thereupon enter such judgment as the law may provide in such cases, the same as though all the crimes charged were alleged to have been committed in the county where the court is

located, whether or not the court has jurisdiction to try crimes of the grades of those to which the defendant has pleaded guilty under this subsection.

(e) *Costs; certificate of conviction.* The county where the plea is made shall pay the costs of prosecution if the defendant does not pay them, and is entitled to retain fees for receiving and paying to the state any fine which may be paid by the defendant. The clerk of court where the plea is made shall file a certificate of conviction substantially in the form prescribed in s. 959.03 with the clerk of circuit court in each county where a crime covered by the plea was committed. Upon the filing of this certificate the district attorney shall move to dismiss any charges covered by the plea of guilty, which are pending against the defendant in his county, and the same shall thereupon be dismissed.

Approved June 12, 1957.

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