

1975 Assembly Bill 93

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CHAPTER 378, Laws of 1975

AN ACT to amend 971.23 (8) (a) of the statutes, relating to alibi witnesses.

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

971.23 (8) (a) of the statutes is amended to read:

971.23 (8) (a) If the defendant intends to rely upon an alibi as a defense, he shall give ~~written~~ notice ~~thereof~~ to the district attorney at the arraignment or at least ~~20~~ 15 days before trial stating particularly the place where he claims to have been when the crime is alleged to have been committed together with the names and addresses of witnesses to the alibi, if known. If at the close of the state's case the defendant withdraws his alibi or if at the close of the defendant's case he does not call some or any of his alibi witnesses, the state shall not comment on the defendant's withdrawal or on his failure to call some or any of his alibi witnesses. The state shall not call any alibi witnesses not called by the defendant for the purpose of impeaching the defendant's credibility with regard to the alibi notice. Nothing in this section may prohibit the state from calling said alibi witnesses for any other purpose.
