



**SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 207**

January 16, 1996 – Offered by Senator ADELMAN.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 7: delete that line and substitute:

3 **“SECTION 1d.** 19.32 (1b) of the statutes is created to read:

4 19.32 **(1b)** “Chemical agent” means an incapacitating agent in a form that  
5 includes, but is not limited to, a tear gas grenade, projectile, pepper fogger, riot shell  
6 or canister.

7 **SECTION 1h.** 19.32 (1bg) of the statutes is created to read:

8 19.32 **(1bg)** “Disturbance” means any of the following:

- 9 1. An assault on any person by 2 or more incarcerated persons.
- 10 2. The taking of a hostage by an incarcerated person.
- 11 3. The destruction of state property or the property of another by 2 or more  
12 incarcerated persons.
- 13 4. The refusal by 2 or more incarcerated persons, acting in concert, to comply  
14 with an order to return to cells or rooms.

1           5. Any words or acts that incite or encourage incarcerated persons to do  
2 anything described in subds. 1. to 4.

3           **SECTION 1p.** 19.32 (1br) of the statutes is created to read:

4           19.32 (1br) “Immediate family member” means any of the following:

5           1. A spouse.

6           2. A grandparent, parent, sibling, child, stepchild or grandchild.

7           3. The spouse of a person under subd. 2.

8           **SECTION 1t.** 19.32 (1c), (1dm) and (1e) of the statutes are created to read:”.

9           **2.** [Page 1, line 11](#): after that line insert:

10           “(1dm) “Mechanical restraint” means a device that restrains the free  
11 movement of a person’s arms or legs. “Mechanical restraint” includes, but is not  
12 limited to, handcuffs, restraining belt or chains, leg restraints and leather and  
13 plastic restraints.”.

14           **3.** [Page 2, line 1](#): delete lines 1 to 6 and substitute:

15           “**SECTION 2m.** 19.32 (4) of the statutes is created to read:

16           19.32 (4) “Special handling or placement records” means records that describe  
17 any special handling or placement needs or concerns regarding an incarcerated  
18 person because of his or her risk of suicide, escape or assaultive behavior;  
19 vulnerability; sexual orientation; medical or psychological problems; alcohol or other  
20 drug abuse problems; communication problems; relationships with other  
21 incarcerated persons or employes of the department of corrections; gang affiliations;  
22 or similar problems, risks, behaviors or relationships.”.

23           **4.** [Page 2, line 18](#): after that line insert:

1           **SECTION 3d.** 19.36 (8) (a) (intro.) and 1. (intro.) of the statutes are consolidated,  
2           renumbered 19.36 (8) (am) (intro.) and amended to read:

3           19.36 (8) (am) (intro.) In this subsection: 1. ~~“Informant”~~, “informant” means  
4           an individual who requests confidentiality from a law enforcement agency in  
5           conjunction with providing information to that agency or, pursuant to an express  
6           promise of confidentiality by a law enforcement agency or under circumstances in  
7           which a promise of confidentiality would reasonably be implied, provides  
8           information to a law enforcement agency or, is working with a law enforcement  
9           agency to obtain information, related in any case to any of the following:

10           **SECTION 3h.** 19.36 (8) (a) 1. a. and b. of the statutes are renumbered 19.36 (8)  
11           (am) 1. and 2.

12           **SECTION 3p.** 19.36 (8) (a) 2. of the statutes is renumbered 19.32 (1d).

13           **SECTION 3t.** 19.36 (10) of the statutes is created to read:

14           19.36 (10) REQUESTS BY INCARCERATED PERSONS. (a) Except as provided in par.  
15           (b), if the requester is an incarcerated person, an authority may withhold access to  
16           any record or portion of a record containing any of the following information:

17           1. Procedures to be used in any penal facility in emergency situations,  
18           including, but not limited to, natural disasters, work stoppages, disturbances, taking  
19           of hostages and escapes.

20           2. The quantity, type or location of weapons, ammunition, chemical agents or  
21           mechanical restraints maintained by any penal facility or law enforcement agency.

22           3. Key and tool control procedures for any penal facility.

23           4. Special handling or placement records of any incarcerated person other than  
24           the requester.

