



Luther S. Olsen

State Senator

14th District

TO: Assembly Committee on Criminal Justice and Public Safety

FROM: Senator Luther Olsen

DATE: Thursday, January 11, 2018

SUBJECT: Testimony for Assembly Bill 650

Thank you Chairman Spiros and members of the Assembly Committee on Criminal Justice and Public Safety for holding a hearing and allowing me to testify in support of Assembly Bill 650. This legislation was originally included in the budget, but it was later removed because it is non-fiscal policy. So Representative Novak and I drafted this bill at the request of the Department of Justice.

Under current law, the Department of Justice is required to submit restitution reports twice every year to both the Department of Administration as well as the Joint Finance Committee. This report includes who the restitution payments were paid to and how much was paid to each individual.

This bill would change the report required to only include the total number of individuals who received restitution as well as the total amount paid. It would allow the Department of Justice to withhold the names as well as the individual amount each of those who have received restitution payments were given. We believe that this is an important change that will allow for transparency while still helping to protect the privacy of crime victims.

Again, thank you members for holding a hearing today. I ask for your support on Assembly Bill 650 and I would be more than happy to answer any questions.



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AB 650

Thank you Chairman Spiros and members of the committee for holding a hearing on Assembly Bill 650 which removes the requirement that the Department of Justice include the names of each individual who receives restitution and the amount paid to each recipient in their semiannual report to the Department of Administration and the Joint Finance Committee. Instead, DOJ will include the number of individuals receiving restitution and the total amount paid by the state.

This bill was originally included in the budget and was removed due to its non-fiscal nature.

The intent behind this legislation is to protect the privacy of crime victims. By publishing the names of victims in these reports, they are essentially being re-victimized through the criminal justice process. If an individual is, for example, a victim of fraud, publishing their names in these reports is simply bad practice.

In speaking with the DOJ, I learned that the department does not currently publish the names of these victims in the interest of privacy. This legislation clarifies in statute that including the names of victims is not required. Later you will hear from Michelle Viste at the Office of Crime Victim Services who will also speak to this point.

To be clear, this bill does not affect open records laws. A breakdown of the individuals and the amounts they received is available upon request and subject to the balancing test. Our intent is to remove what I believe to be unnecessary information from these reports which exist to provide an overview of restitution payments made by the state.

Thank you,

Todd Novak