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## Luther S. Olsen

State Senator

14th District

**TO:** Assembly Committee on Criminal Justice and Public Safety

**FROM:** Senator Olsen

**DATE:** January 11<sup>th</sup>, 2018

**SUBJECT:** Testimony for Assembly Bill 737

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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 737 (AB 737). The idea for this legislation was brought to my attention by a constituent from my district.

In 2010, Heather contacted me to share a very tragic story about her childhood friend and to shed light on our domestic violence laws. We worked together on legislation to improve our laws and in 2011 The TraJa Act was introduced by Representative Al Ott and myself as Senate Bill 350 (SB 350). This legislation increased the penalty for repeat offenders of domestic violence by making the third offense a felony charge. 2011 SB 350 passed unanimously in the Senate and 94 to 1 in the Assembly, and it was signed into law as 2011 Wisconsin Act 277 on April 9, 2012. Since that day, District Attorney's in Wisconsin have found this to be a useful tool in prosecuting and holding violent offenders accountable.

Earlier this session, it was brought to my attention that there is one small flaw with the law. Violent offenders are getting a fresh start by moving to Wisconsin because we do not take their prior domestic violence convictions from other states into consideration as we would if it had occurred here.

Assembly Bill 737 expands on 2011 Wisconsin Act 277 by allowing our courts to take the domestic violence conviction history from other states into consideration. It will allow a crime that was previously convicted elsewhere to count as a prior offense if the same offense would have resulted in a domestic abuse surcharge had it occurred in Wisconsin. This bill will allow our courts to convict a domestic violence repeat offender of a felony or misdemeanor after their third offense even if prior offenses occurred in another state.

Moving to Wisconsin shouldn't be a clean slate that allows for additional abuse to take place, it is my hope that AB 737 will help put a stop to these offenders who are repeatedly convicted of domestic violence. Again, thank you for holding a hearing today on this bi-partisan legislation. I ask for your support on AB 737 and would be happy to answer any questions that you may have.



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WISCONSIN STATE REPRESENTATIVE

41<sup>ST</sup> ASSEMBLY DISTRICT

**Assembly Bill 737: Increased Maximum Terms of Imprisonment for Domestic Abuse Repeaters  
and Providing a Criminal Penalty  
Testimony of State Representative Joan Ballweg  
Assembly Committee on Criminal Justice and Public Safety  
January 11, 2018**

Thank you, Chair Spiros, and members of the Committee on Criminal Justice and Public Safety for holding this public hearing on AB 737.

According to the Partnership Against Domestic Violence, every nine seconds, a woman is a beaten in the United States. That means by the end of my 3 minute testimony, 20 more women will have been victims of domestic violence. In the most severe cases, this domestic violence can escalate to murder.

This bill expands the TraJa Act, which originally introduced the domestic abuse surcharge to make the third offense a felony. AB 737 expands the domestic abuse surcharge to allow courts to consider someone's domestic violence crime history in another state. We are introducing AB 737, at the request of our constituent, Heather Lawler, who was instrumental in the passage of the TraJa Act.

In 2011, the Wisconsin legislature passed the TraJa Act to increase the penalty for repeat offenders of domestic violence by making the third offense a felony charge. The TraJa Act is named for Tracy Judd (33) and her 23 month old daughter, Deja Renee, and Amber Weigel (25) and her 2-year old daughter, Neveah, who were murdered in 2009 by Tyrone Adair in a horrific act of domestic violence. A simple Circuit Court Access search sheds a disturbing light on Adair's history of and propensity to violence toward women.

Since the passage of the TraJa Act, District Attorneys in Wisconsin have found this to be a useful tool to prosecute and hold violent offenders accountable. According to the Department of Corrections, as of December 11, 2017, there are 290 offenders on community supervision and 195 inmates in prison with a conviction of repeat domestic violence. However, the current law does not cover those who have domestic violence history from out-of-state.

Out-of-state convictions are a serious problem in Wisconsin and violent offenders are getting a fresh start by moving to our state. Just because someone did not commit past crimes in Wisconsin, does not mean that we should not hold them accountable for their repeated actions of domestic violence.

End Domestic Abuse Wisconsin registered in favor of this bill. I believe AB 737 is another foot forward in the fight against domestic violence in our state.

Thank you for your consideration of AB 737, and I am happy to answer any questions.

My name is Sarah Maldonado, Im a survivor of the Azana Salon shooting on October 21, 2012 in Brookfield WI. That day started like anyother low key sunday at the salon. I was 7 months pregnant and loved my job, had been there for nearly 10 years. Domestic violence was not something I had feared that morning, or any morning for that matter. I knew that Zina and Rad had been having difficulties and had even made comments to my husband that Rad could come into the salon and shoot up the place. Never thinking that Sunday would be the day! I had just started working on my first client of the day as the door to the salon flung open and in came Rad with a gun in his hand demanding we all hit the ground. The next moments in time took 3 of my dearest friends, coworkers, loved ones. Seeing them shot, in pools of blood is not something I thought I would ever see, especially of someone I loved and shared so much with. The shooting didnt only affect them that day, Rad had shot me 3 times before I finally got out to safety. I am happy to report that a few short weeks later I gave birth to a very happy beautiful baby boy. Another survivor who never knew domestic violence would affect him or his life.

Domestic Violence, previous offences, and excelleration of offenses is something that didnt ever cross my mind to affect me the way it has.

I have had the pleasure of meeting Heather Lawler ( Previously Heather Severson) when she came to the Racine area to share her tragic story of her dear friend and little girl along with 2 other brave victims. She shared something so devistating and her strength and her passion to make change is inspiring. This expansion of The TraJa Act to include out of state convictions is something I feel can only protect more individuals before something more horrific happens like it did for me. Each time an offender is convicted of a Domestic Violence act, it gets more dangerous. Not only for the victims, but also anyone who maybe in the path. Being a survivor from a mass shooting where the ground roots were domestic violence related, look around, pick up a news paper, turn on the news. Its happening more often and getting more violent, and more are dying. We need to do something. This step may seem like baby steps to some but to me it is one step that needs to be taken and by passing this bill you are saving lives. Lives that could be lost tomorrow with out it.

Sincerely,  
Sarah Maldonado