



DAVE MAXEY

STATE REPRESENTATIVE • 15TH ASSEMBLY DISTRICT

To: Assembly Committee on Corrections

From: Rep Maxey

Re: 2023 Assembly Bill 237

Date: June 13, 2023

Chairman Schraa and members of the Committee, I would like to start out by thanking you for the opportunity to testify on in support of Assembly Bill 237. This bill represents a critical step forward in ensuring that justice is truly served for victims of violent crimes and their families. It is a testament to our collective commitment to uphold the rights of victims and survivors in our criminal justice system.

Under current law, prisoners who committed a crime before December 31, 1999, are eligible for parole after serving at least six months or 25% of their sentence, whichever is longer. For life sentences, a prisoner must serve at least 20 years before becoming eligible for parole. If a person committed a crime on or after December 31, 1999, release to extended supervision is generally not discretionary, except for life sentences with the possibility of release to extended supervision. As we speak, state law requires that the department must make a reasonable attempt to send a postmarked notice to the victim or the family of the victim at least 7 days before the prisoner is released on parole or extended supervision.

Assembly Bill 237 in its' current state requires a psychological evaluation for prisoners before release on parole or extended supervision. Assembly Bill 237 also allows victims to make an oral statement at a hearing for release to parole or extended supervision. The bill also requires the Department of Corrections to notify victims at least 30 days before a prisoner is released to parole or extended supervision. Additionally, the bill specifies that police chiefs or sheriffs may disseminate information to the public regarding the release of a person convicted of violent offenses who will be residing in their jurisdiction.

The story of Johanna Balsewicz and her family's fight to keep her killer behind bars is a powerful reminder of the importance of victim participation in the criminal justice system. This legislation is inspired by their experience and seeks to ensure that all victims have a voice when it comes to decisions about parole and extended supervision. No one should have to suffer the pain and trauma of losing a loved one to a violent crime, only to be silenced when it comes time for their attacker to be released. By giving victims the opportunity to make an oral statement and use visual aids, and by requiring longer notice before a prisoner is released on parole or extended supervision, this bill will help ensure that their voices are heard and their rights are protected.



June 13, 2023

Testimony on Assembly Bill 237

Chairman Schraa and committee members, thank you for hearing our bill.

Unfortunately, this bill is the result of a tragedy.

Johanna Balsewicz was gruesomely murdered by her estranged husband, Doug Balsewicz, in 1997. He stabbed her more than 40 times. He was sentenced to 80 years in prison but was set to walk free on parole after serving just 25 years. Johanna's family demanded action, and with the help of immense public pressure, successfully blocked her killer from receiving parole.

While their story is the inspiration for this legislation, it should not take a herculean effort to keep dangerous killers behind bars. Last month this committee heard Senate Bill 48 which would improve transparency in the parole process. Johanna's Law compliments these changes and makes four key changes to our parole process.

First, it expands the victims' right to participate in a parole hearing before the prisoner is released by allowing the victim to speak at the hearing rather than submitting a written statement. Because of Wisconsin's Truth in Sentencing Law the only prisoners who are currently eligible for parole are those who have been behind bars for decades. That typically means these individuals have committed very serious crimes. I believe the parole commission should have the opportunity to hear directly from those impacted by these crimes before making their decision.

Second, the bill increases the amount of notice a victim receives prior to a criminals release from seven days to thirty days.

Third, the bill requires the criminal to submit to a psychological evaluation that must be considered by the parole board.

Finally, Johanna's Law will allow the local police chief or sheriff to provide a notice of release to the general public at their discretion. This will allow local law enforcement the ability to notify the public when they believe that information is necessary to protect the public. All of our constituents have the right to know when a violent criminal is being released into their communities.

Johanna's Law will improve the parole process by ensuring the parole commission has more information available to inform their decisions and providing more appropriate notifications for victims and communities impacted by a criminal's release.

Thank you again for hearing Johanna's Law. I encourage you to support the passage of Assembly Bill 237.