



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-2196/1

MJW:skw

2025 ASSEMBLY BILL 75

February 28, 2025 - Introduced by Representatives DONOVAN, KNODL, MOSES, MURSAU, O'CONNOR, PENTERMAN, WICHGERS and RODRIGUEZ, cosponsored by Senators HUTTON, BRADLEY, JAMES, NASS and TOMCZYK. Referred to Committee on Judiciary.

AN ACT *to create* 165.845 (1r) (a) 3., 165.845 (1r) (f) and 758.19 (8) of the statutes; **relating to:** Department of Justice collection and reporting of certain criminal case data.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Justice to collect from the director of state courts all of the following information for each criminal case: 1) the county in which the case was filed; 2) the name of the prosecuting attorney assigned to the case; 3) the name of the court official assigned to the case; 4) the criminal charge filed; 5) the charging recommendation from the referring law enforcement agency, if applicable; 6) for each case, whether the court released the defendant without bail, upon the execution of an unsecured appearance bond, upon the execution of an appearance bond with sufficient solvent sureties, or upon the deposit of cash in lieu of sureties, or denied release, and the name of the court official who made the decision; 7) for each case for which a court required the execution of an appearance bond with sufficient solvent sureties, the monetary amount of the bond and the name of the court official who made the decision; 8) for each case for which a court required the deposit of cash in lieu of sureties, the monetary amount of cash required and the name of the court official who made the decision; 9) any other conditions of release imposed on the defendant and the name of the court official who made the decision; 10) whether any plea bargain was offered in the case; 11)

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whether a deferred prosecution agreement was offered in the case; 12) whether any charge relating to the case was dismissed; and 13) whether the case resulted in a conviction.

Under the bill, DOJ must annually report the information collected to the chief clerk of each house of the legislature for distribution to the appropriate standing committees, and must maintain a database on its website that contains the information in a searchable format, for a period of 10 years after a criminal charge is filed. Under the bill, DOJ must ensure that the information provided in the database does not contain a criminal defendant's personally identifying information.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 165.845 (1r) (a) 3. of the statutes is created to read:

165.845 (1r) (a) 3. For each case involving a crime, as defined in s. 939.12, that resulted in charges being filed in any circuit court, all of the following information, which shall be provided by the director of state courts:

- a. The county in which the case was filed.
- b. The name of the prosecuting attorney assigned to the case.
- c. The name of the court official assigned to the case.
- d. The criminal charge filed.
- e. The charging recommendation from the referring law enforcement agency, if applicable.
- f. Whether the court official released the defendant without bail, upon the execution of an unsecured appearance bond, upon the execution of an appearance bond with sufficient solvent sureties, or upon the deposit of cash in lieu of sureties, or denied release under s. 969.035, and the name of the court official who made the decision.

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g. For each case for which a court official required the execution of an appearance bond with sufficient solvent sureties, the monetary amount of the bond and the name of the court official who made the decision.

h. For each case for which a court official required the deposit of cash in lieu of sureties, the monetary amount of cash required and the name of the court official who made the decision.

i. Any other conditions of release imposed on the defendant and the name of the court official who made the decision.

j. Whether any plea bargain was offered in the case.

k. Whether a deferred prosecution agreement was offered in the case.

L. Whether any charge relating to the case was dismissed.

m. Whether the case resulted in a conviction.

SECTION 2. 165.845 (1r) (f) of the statutes is created to read:

165.845 (1r) (f) Establish a database that is accessible on the department of justice's website in an interactive format that includes, at a minimum, all information that is collected under par. (a) 3., and annually submit to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3) a report that includes all information that is collected under par. (a) 3. The department shall ensure that the database under this paragraph is searchable by each category of information under par. (a) 3., that the database does not contain any personally identifying information for a criminal defendant, and that the data remain available for a period of 10 years after a criminal charge was filed.

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SECTION 3. 758.19 (8) of the statutes is created to read:

758.19 (8) For every crime, as defined in s. 939.12, that resulted in charges being filed in any circuit court, the director of state courts shall collect from the clerk of each circuit court and provide to the department of justice all information required for reporting under s. 165.845 (1r) (a) 3.

SECTION 4. Initial applicability.

(1) The treatment of ss. 165.845 (1r) (a) 3. and 758.19 (8) first applies to criminal case information entered on the effective date of this subsection.

SECTION 5. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.

(END)