

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3/7/00

BILL NO. AB 328

SUBJECT _____

Debbie Sybell
(NAME)
Senator Burk's office
(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3-5-00

BILL NO. Assembly 328

SUBJECT _____

Carl Dennis Valentino
(NAME)
945 W. Spruce St
(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3.8.00

BILL NO. AB 328

SUBJECT _____

REP. ANTONIO RILEY
(NAME)
(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3/7/00

BILL NO. AB-328

OR

SUBJECT EXEMPT IDENTIFICATION

Technicians

DEXTER HADNOT
(NAME)

200 E WELLS

(Street Address or Route Number)

MILWAUKEE, WI 53202
(City and Zip Code)

City of MILW
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

Vote Record

AB 328

Senate Committee on Judiciary and Consumer Affairs

Date: 3/2/2000

Moved by: George

Seconded by: Huelsman

AB: 328

Clearinghouse Rule: _____

AB: _____ SB: _____

Appointment: _____

AJR: _____ SJR: _____

Other: _____

A: _____ SR: _____

A/S Amdt: _____

A/S Amdt: _____ to A/S Amdt: _____

A/S Sub Amdt: _____

A/S Amdt: _____ to A/S Sub Amdt: _____

A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

Passage

Indefinite Postponement

Introduction

Tabling

Adoption

Concurrence

Rejection

Nonconcurrency

Confirmation

Committee Member

Sen. Gary George, Chair

Aye

No

Absent

Not Voting

Sen. Fred Risser

Sen. Alice Clausing

Sen. Joanne Huelsman

Sen. Alberta Darling

Totals:

5

0

Motion Carried

Motion Failed

Bills on Today's Hearing Agenda That Could Probably Be Voted Out of Committee

Assembly Bill 610

Relating to: including relatives by adoption on the same basis as relatives by blood in certain definitions and references in the statutes.

By Representatives Hundertmark, Ward, Plale, Kestell, Musser, Rhoades, Ryba, Nass, Pettis, Albers, F. Lasee, Ainsworth, Owens, Ladwig, Goetsch, Olsen, Kelso, Balow, Sykora, Jeskewitz, Underheim and Waukau; cosponsored by Senators Grobschmidt, Wirch, Plache, Huelsman, Lazich, Rosenzweig and Darling.

Senate Bill 380

Relating to: eliminating emergency detention under the fifth standard of dangerousness, eliminating termination of involuntary civil commitments under the fifth standard of dangerousness, permitting only petitions approved by the attorney general to be filed for involuntary civil commitment under the fifth standard of dangerousness and providing access by the counsel for the interests of the public to court records and treatment records of persons receiving services for mental illness, developmental disabilities, alcoholism or drug dependence.

By Senators Rosenzweig, Grobschmidt, Panzer, George, Rude, Jauch, Roessler, Schultz, Darling, Huelsman and Farrow; cosponsored by Representatives Rhoades, Bock, Stone, Huber, Ladwig, Urban, Kelso, La Fave, M. Lehman, Pettis, Musser, Handrick, Berceau, Spillner, Albers, Hahn, Ainsworth and Brandemuehl.

Assembly Bill 328

Relating to: admitting certain police identification reports at preliminary examinations.

By Representatives Riley, Stone, Klusman, Grothman, Albers, Goetsch and Powers; cosponsored by Senators Burke, Roessler, Huelsman and Panzer.

Senate Bill 404

Relating to: sexually violent person commitment proceedings, escape from custody by a person who is subject to a sexually violent person commitment proceeding, sentencing of persons who have prior convictions for certain crimes, requiring persons who commit certain offenses to register as a sex offender and providing penalties.

By Senators Clausing, Burke and Roessler; cosponsored by Representatives Huber, Pocan and Seratti.

AB328

People Who May Have Scheduling Conflicts

Sen. Gwen Moore -- SB 354 (Traffic Stop Information/Racial Profiling)

Rep. Antonio Riley -- AB 328 (Admitting City of Milwaukee Fingerprint ID Reports)



BRIAN BURKE
WISCONSIN STATE SENATOR

Senate Chair, Joint Committee on Finance

Testimony of Senator Brian Burke
Assembly Bill 328
Senate Committee on Judiciary and Consumer Affairs
March 7, 2000

Current law allows reports by crime, hospital and health laboratories to be admitted into evidence at a preliminary examination if the report is certified as correct by the agency or unit head. These reports are referred to as "self-authenticating" since the expert who prepared the report does not have to appear in court to testify.

There is one notable exception. If a defendant objects, latent fingerprint reports by the Milwaukee Police Department's latent fingerprint identification unit may not be received as evidence unless the expert who made the findings is called as a witness.

This disparity in evidentiary procedure seems arbitrary. To standardize the procedure, Assembly Bill 328 provides for the admission into evidence of latent fingerprint reports prepared by Milwaukee Police Department technicians without calling them to testify. Instead, the chief of police or his or her designee can certify the report as correct.

This legislation was introduced at the request of the Milwaukee Police Department as a way to streamline procedures and cut unnecessary costs. Freed from courtroom responsibilities, fingerprint lab technicians could devote more time to helping solve crimes. In addition, property taxpayers would not be forced to foot the bill for the inevitable lab and overtime costs and extended court proceedings.

I urge the committee to act favorably on AB 328 so the Milwaukee Police Department can redirect valuable time and resources to effective law enforcement activities, thereby enhancing public safety.



State Representative Antonio R. Riley
18th Assembly District

Testimony
(Delivered by Dan Lorentz, Leg. Aide, on Rep. Riley's behalf)

**Public hearing on Assembly Bill 328, relating to police identification reports
at preliminary examinations**

**Assembly Committee on Corrections and the Courts
State Capitol, Assembly Parlor
August 17, 1999**

Mr. Chairman and members of the committee...

Good morning.

My name is Dan Lorentz, and I am a legislative aide for Rep. Riley, who asked me to present—on his behalf—this testimony in favor of Assembly Bill 328.

Rep. Riley asked me to convey his apologies for not being able to testify in person today. He is—as he put it—on a well-deserved vacation.

AB 328 is a short and simple bill, and my testimony will be short and simple, too.

I'll briefly outline what the bill does and then say a few words about why this committee should recommend passage.

Right now there is a list of authorities—such as state crime laboratories, the FBI and local hospitals—whose reports must be automatically admitted as evidence in a preliminary examination for a criminal case.

When such a self-authenticating report is filed, the expert who made the findings in the report does not need to be called as a witness.

This bill adds latent fingerprint reports prepared by the City of Milwaukee police latent fingerprint identification unit to the list of those authorized to issue self-authenticating reports for preliminary examinations in criminal actions and exempts the expert who prepared the report from needing to be called as a witness.

In short, the bill makes the procedure for admitting latent fingerprint identification reports the same for the Milwaukee Police as it is for admitting reports from crime, hospital and health laboratories as long as the chief of police or his or her designee certifies that the report is correct.

Rep. Riley introduced this bill at the behest of the Milwaukee Police Department, which is seeking to streamline procedures and cut unnecessary costs.

Under current law, the police technicians who prepare the reports in the lab can be subpoenaed and forced to spend time out of the lab and in court for a routine process. This costs lab time, and frequently requires the City to pay overtime expenses to police technicians who must go to court.

I will let the Milwaukee police officers who are here today explain more about how the process currently works, and how much time and money AB 328 may allow the department to save and direct to more effective law enforcement.

Rep. Riley asks for your support for AB 328.

Thank you.

To the extent I can, I'll be happy to answer questions.

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