

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 5/25/99

BILL NO. 14

OR  
SUBJECT Prostitution

Elections

Jim Campbell

(NAME)

3404 Nottingham Way

(Street Address or Route Number)

Madison, WI 53713

(City and Zip Code)

Wis. Hpt. Assoc'n  
(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:

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

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 5/25/99

BILL NO. SB14

OR  
SUBJECT \_\_\_\_\_

JoAnne Rebeck

(NAME)

123 W. Washington

(Street Address or Route Number)

Madison, WI 53703

(City and Zip Code)

Attorney General's Office  
(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:

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Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 5-25-99

BILL NO. SB-14

OR  
SUBJECT \_\_\_\_\_

Sen. Kim Plache

(NAME)

(Street Address or Route Number)

(City and Zip Code)

1st Sen. District  
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

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**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: May 25  
BILL NO. SB 14  
OR  
SUBJECT \_\_\_\_\_

Sen. Robert T. Colwell  
(NAME)  
Room 404, Ice & Hummer  
(Street Address or Route Number)

Madison  
(City and Zip Code)  
144 S. Dixie  
(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:

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**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: S-25-99  
BILL NO. SB 14  
OR  
SUBJECT \_\_\_\_\_

Dorthea Hadnal  
(NAME)  
W1 member wt  
(Street Address or Route Number)

City st Milwaukee  
(City and Zip Code)  
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:  
but not speaking:

Registering Against:  
but not speaking:

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**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 5/25/99  
BILL NO. SB-14  
OR  
SUBJECT Expedited Evictions

Jeff Batovsky  
(NAME)  
302 S. Hts St. Suite 200  
(Street Address or Route Number)

Madison 53723  
(City and Zip Code)  
Wisconsin Manufacturers Association  
(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:

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**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 5/25/99

BILL NO. 14

OR

SUBJECT Eviction

Art Luethe

(NAME)

4610 University Ave #104

(Street Address or Route Number)

Madison, WI

(City and Zip Code)

SAIF

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

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**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 5-25-99

BILL NO. 8B14

OR

SUBJECT \_\_\_\_\_

Orville Seymour

(NAME)

1442 N. Forward #102

(Street Address or Route Number)

Waukesha, WI 53233

(City and Zip Code)

Art. Res. of S.E. Wis.

(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:

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Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 5/199

BILL NO. SB14 + SB43

OR

SUBJECT Multi-Family

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: May 25, 1999

BILL NO. SB 14 + 43

OR

SUBJECT \_\_\_\_\_

E. Joe Murray  
(NAME)

4801 Forest Run Rd.  
(Street Address or Route Number)

Madison, WI 53709  
(City and Zip Code)

WI Realtors Assoc.  
(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:

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State Capitol - B35 South  
P.O. Box 7882  
Madison, WI 53707-7882

ROBERT DEBOLK  
(NAME)

415 D. Hill St  
(Street Address or Route Number)

Wauwatosa, WI 53222  
(City and Zip Code)

WI API Assoc.  
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

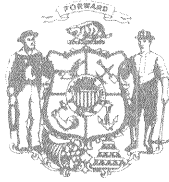
Registering Against:

but not speaking:

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Madison, WI 53707-7882



## KIMBERLY M. PLACHE

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STATE SENATOR • TWENTY FIRST SENATE DISTRICT

May 25, 1999

TO Members of the Senate Committee on Judiciary and  
Consumer Affairs

FR Senator Kimberly Plache

RE Senate Bill 14, which relates to evictions of tenants in  
buildings used for prostitution

Communities in my district have asked that I introduce  
legislation to give them extra tools in fighting  
prostitution.

Senate Bill 14 adds prostitution as an activity for  
which a local government may declare a building or a  
structure a nuisance and bring action to abate that  
nuisance.

Current law provides local governments with these tools  
to deal with drug houses and houses used for criminal gang  
activity.

It is my understanding that attorneys for the City of  
Milwaukee would like to amend Senate 14 to address some  
concerns. We have not, as yet, seen any language for this  
amendment, but we are certainly open to recommendations to  
improve this bill to make it more effective for our  
communities.

I also understand Attorney General Jim Doyle support  
Senate Bill 14, with recommendations for changes to avoid  
duplicative language in our state statutes.

Let me point out that this is not a partisan issue,  
with both Democrats and Republicans authoring and sponsoring  
this legislation.

I would appreciate your support for SB 14. Thank you  
for holding a public hearing on this legislation.



May 25, 1999

Dear Senator Gary George

Our association opposes SB 14. We feel this bill does more harm than good to the small property owner. The original idea of moving the social problems such as drugs, gangs and now prostitution in hopes that they would go away has proven to be destructive to neighborhoods that do not know how to deal with these problems when unsuspecting neighbors are suddenly confronted with them.

In central city Milwaukee this is exactly what has happened. A few years ago the residents of the near west side of Milwaukee had a severe problem with drug dealers and prostitutes. The neighborhood organized and they were successful in chasing them out of the area. Unfortunately they left the area, but not the lifestyle. They moved the problem across the valley to the near south side of Milwaukee and created much havoc for the residents of that area. It is obvious to the people in affected neighborhoods that this strategy is not working. Some people refer to the drug abatement program as the "drug dealer relocation program".

There is also concern that the nuisance part of the law is being used by the city as an unfair taking of property by the city attorneys office. Since this law was enacted many owners have lost control of their buildings and have had them put into receivership.

We would be much more willing to support AB 208 the bill that Rep. Pedro Colon has recently introduced. It seems to have more teeth in it and attacks the demand side of this social issue by a unique citizen panel that "customers" of prostitutes must face as part of their sentence. It is my understanding that his bill is modeled after a very similar program in San Francisco where they have a recidivism rate of about 1%. This is much more effective than moving the problem to another unsuspecting neighborhood.

Thank You

Orville Seymer

Legislative Chairman

# CORRESPONDENCE/MEMORANDUM

# DEPARTMENT OF JUSTICE

Date: May 20, 1999

To: Senator Kim Plache

From: JoAnna Richard  
Legislative Liaison

Subject: SB 14

The Department of Justice supports SB 14 relating to evictions of tenants in buildings used for prostitution. We believe that the bill will help to curtail this type of illegal activity.

I thought it would be helpful to pass on to you some suggestions that we received from our attorneys on this proposal. It may help you to amend the bill to simplify the procedures relating to these types of activities.

### **Background:**

Existing law already declares houses of prostitution to be nuisances (Sec. 823.09), allows for actions to abate (sec. 823.10), and voids any lease by a lessee found to have been engaged in prostitution. Many of the proposed provision of SB 14 thus already exist. If SB 14 is enacted than we would have two sets of statutes relating to the same issue.

The law regarding nuisance drug/gang houses is more specific and somewhat broader than the existing statutes regarding houses of prostitution. Sec 823.113 is more specific regarding what a court may order in an abatement action. In addition, 823.114 allows for both the sale of personal property (as does a prostitution nuisance action) but also the sale of the property itself. It is also more specific as to what a court may order. Sec 823.115 also specifies in greater detail how the sale of property is to be handled and how the proceeds are to be distributed. In addition, under the drug/gang houses statutes the tenants of the building may be evicted based on such conduct upon notice by law enforcement as opposed to judicial finding of a nuisance.

### **Alternative Drafting:**

Without going through a section by section comparison, it appears that there are 2 other ways to deal with the issue. First, keep the new proposal but repeal any duplicating existing statutes regarding prostitution. Second, simply amend the existing prostitution statutes to include the procedures utilized in drug/gang nuisance actions. This can be done by either repeating the desired language from the other statutes or by simply referencing, by statute section number, the specific procedures which should be followed.

Senator Kim Plache  
May 20, 1999  
Page 2

The proposal to add prostitution houses to sec. 704.17 regarding termination of a tenancy should be kept as its provisions are broader than allowed for under 823.16 which requires a judicial finding of a nuisance as opposed to merely notice by law enforcement.

If you have further questions or concerns, please feel free to contact me at 267-1932.

Cc: Susan Goodwin  
Roy Korte