

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5/25/99

BILL NO. SB 30
OR

SUBJECT _____

Barbara Howe
(NAME)
136 Kennedy Ave
(Street Address or Route Number)
Watford WI
(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: 5/25/99

BILL NO. Senate Bill # 30
OR

SUBJECT Visitation

Lorayne Gross d
WEEHELLE BUEHLER
(NAME)
917 Hickory Lane
(Street Address or Route Number)
Hartford WI 53027
(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:

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State Capitol - B35 South
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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5/25/99

BILL NO. AB 108 / SB 30

OR

SUBJECT Prohibiting Courts to order visitation when parent who marries the other parent

(NAME) Lari Barreara

(Street Address or Route Number) 11960 Redrose Dr

(City and Zip Code) Brookfield, WI 53015

(Representing) Therapist for children

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 30 / AB 108

OR

SUBJECT _____

(NAME) Rep Phil Hartgenery

(Street Address or Route Number) P.O. Box 8753

(City and Zip Code) _____

(Representing) 4th Dist

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

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5/25/99

BILL NO. SB 30 + AB 108

OR

SUBJECT _____

(NAME) Attorney Maryjane Schubert

(Street Address or Route Number) Shroy & Clark

(City and Zip Code) Madison, WI

(Representing) State Bar's Family Law Section

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
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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

SENATE HEARING SLIP

(Please Print Plainly)

DATE: May 25 1999

DATE: May 25 1999

BILL NO. AB 108 / SB 30

BILL NO. AB 108 / SB 30

SUBJECT _____

SUBJECT _____

Gray Pihlhammer
(NAME)

Colleen Pihlhammer
(NAME)

30916 Kramen Ave
(Street Address or Route Number)

30916 Kramen Ave
(Street Address or Route Number)

Watabond WI 53185
(City and Zip Code)

Watabond WI 53185
(City and Zip Code)

(Representing) _____

(Representing) _____

Speaking in Favor:

Speaking in Favor:

Speaking Against:

Speaking Against:

Registering in Favor:

Registering in Favor:

but not speaking:

but not speaking:

Registering Against:

Registering Against:

but not speaking:

but not speaking:

Speaking for information only; Neither for nor against:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: May 25, 1999

BILL NO. SB 30 / AB 108

SUBJECT PROHIBITIVE PLACEMENT

OF CHILD WITH A KIDNEY

TEFF WISWELL PARENTS

(NAME)

TENNEY PLAZA SUITE 616

(Street Address or Route Number)

MADISON, WISC, 53703

(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:

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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: 5-24-99

BILL NO. AB 108-5B30

SUBJECT _____

(NAME) Daniel or Rob Hammer

714 S. English Settlement av

(Street Address or Route Number)

Burlington w, 53105

(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:

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P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: May 25, 1999

BILL NO. AB 108 / SB 30

SUBJECT _____

(NAME) Melissa Pshhammer

6019 Sheridan Rd Apt 2

(Street Address or Route Number)

Kenosha, WI 53143

(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:

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State Capitol - B35 South
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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: May 25 94
BILL NO. AB 108 / SB 335
OR
SUBJECT _____

Judy Feltham
(NAME)
2135 7th St
(Street Address or Route Number)
Franksville WI 53126
(City and Zip Code)
John Mackel
(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

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5/25/94
BILL NO. SB 301 / AB 108
OR
SUBJECT Lizette's Law

ALBERTA DARCUS
(NAME)
1325 WEST DENORA
(Street Address or Route Number)
MILWAUKEE, WI 53217
(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:

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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: May 25 1994
BILL NO. SR 30 / AB 108
OR
SUBJECT _____

Senator Mary A. Lazich
(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:

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

FORWARD

Alberta Darling

Wisconsin State Senator

Senate Bill 30/Assembly Bill 108
Senate Judiciary and Consumer Affairs Committee
 May 25, 1999

Chairman George, Committee members; thank you for hearing testimony this morning on Senate Bill 30 and Assembly Bill 108.

These proposals, often referred to as Lizzie's Law, after a little girl in Massachusetts for whom the law was first written, aims at protecting children for further victimization after suffering the tragic loss of one of their parents.

Senate Bill 30/Assembly Bill 108 prohibits the granting of placement and visitation rights to a parent or relative convicted of first-degree or second-degree intentional homicide of a child or juvenile's parent or relative unless the child or juvenile wishes to have such rights. The child must have reaches a sufficient age and maturity to make such a determination.

Several of my constituents have been in this unfortunate situation. Mary & Richard Purucker of Milwaukee, have cared for their three grandchildren since their daughter was murdered in 1993. Their daughter was murdered by the father of her children. He has since been sentenced and servicing 54 years in an Illinois prison.

The Purucker's youngest grandchild, a four year old boy, was hiding behind a Christmas tree and witnessed the murder.

The father of the children had petitioned repeatedly to have visits with the children, as well as telephone conversations. The legal process was very expensive and exhausting on the Puruckers and the children. The children, especially the young boy, have no desire to see their father.

It is time that we close this loophole in the law and protect our children from being re-traumatized. With this proposal, victims and their families will no longer be forced to relive the nightmare that resulted in the loss of the loved one, and a parent.

I am also introducing an amendment to my proposal to ensure that families that have already been ruled against in these matters may petition to revoke visitation privileges.

We can not, by passage of this legislation, bring back the loved ones of the families and the parents of these children, but we can put an end to the pain that they are forced to relive with each visit, telephone call and letter.

I strongly urge you to vote in favor of recommendation of Senate Bill 30 and Assembly Bill 108.

Thank you in advance for your consideration. I'd be happy to answer any questions you might have on this important public safety proposal.

Committees: Education and Financial Institutions, Chair • Judiciary • Business, Economic Development and Urban Affairs • Administrative Rules

Capitol Office:

P.O. Box 7882
 Madison, Wisconsin, 53707-7882
 Phone: 608-266-5830
 Fax: 608-267-0588
 Toll-free: 1-800-863-1113



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District Office:

6373 North Jean Nicolet Road
 Glendale, WI 53217
 Phone: 414-352-7877
 Fax: 414-352-7898

March 2, 1999

Senator Alberta Darling
PO Box 7882
Madison, WI 53707-7882

Dear Senator Darling,

I am sorry that we are not able to be with you today as you introduce Lizzie's Law in the Senate. We are very much interested in this law.

We had a daughter murdered by her husband, this murder took place in Illinois on December 14, 1993 and was witnessed by their young son age four at the time. The twin girls who were eight years old were in the house but did not witness the murder. The children have lived with us since that time. We were granted custody of the three children on July 31, 1995.

The father was convicted of first degree murder, sentenced to 54 years and is now serving the time in Joliet, IL.. In March 1996 the father requested through Milwaukee Children's Court that the children be brought down to Joliet twice a month to visit him and have unlimited phone calls with them. He is allowed to write letters. He carried this request for 15 months through 7 Court dates in which we never had a hearing as he always had some excuse for it not to be heard. Finally on May 30, 1997 he withdrew the petition for visitation giving no reason at all.

It is our understanding that he can bring back this petition at any time. The children have never indicated to us that they would like to see him or talk to him on the phone. The youngest child has been in Therapy since the murder. The visits to the Therapist increase every year at Christmas time, about the time of the anniversary of his mother's death.

He has since brought other suits against us in the Illinois Courts. Again, he continues to drag out the proceedings, is allowed to correct errors in filings and simply tries to find ways to continue to harass our family through the legal process.

We feel that Lizzie's Law if it should pass in Wisconsin would help protect us from having to go through the agonizing and expensive Court proceedings. The children wouldn't have to worry that some Court would force them to visit their father.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary and Richard Purucker". The signature is written in black ink and is positioned above the typed names.

Mary and Richard Purucker

Joseph B. Pohlhammer

2135 76th St.
Franksville, WI 53126

Phone 351-5595

Fax 835-9517

Home Phone 835-2356

E-mail: BackAche Acres @compuserve.com

March 02, 1999

Alberta Darling

Dear Ms. Darling,

My name is Joe Pohlhammer, my family and I reside in Raymond, along with my 10 year old nephew who came to live with us after his father killed his mother. I am writing this letter on behalf of the entire Pohlhammer family.

On October 17, 1996, my only sister, Diane Hackl was murdered by her second husband. She left behind 3 children, 2 from her first marriage and 1 from her second. I would very much like to get "Lizzie's Law" passed here in Wisconsin to protect my 10 year old nephew from having contact with the man who killed his mother. His father was convicted of 1st degree intentional homicide in Jefferson County and is presently serving his life sentence in Waupun.

Our lives have been hell since this tragic event. Our time seems to be devoured by constant 'chasing' for court hearings, hours of letter writing, and cheauferring for counseling. The legal expenses are more than we ever imagined possible. 'Lizzie's Law' is our last hope, our 'light at the end of the tunnel,' in hopes that Cody will not be forced to visit his father in prison. It just amazes us how the man who killed this boy's mother, seems to have more legal rights than the victims whose lives he affected. With financial resources almost completely depleted, if 'Lizzie's Law' is not passed, and grandfathered in, we are most likely going to have to give up 'fighting' to protect Cody from seeing his father.

If you know of other families who are going through this same 'nightmare,' and are looking for someone to talk to, please feel free to give them our name and phone number. We would be glad to talk anyone else and be of assistance to them if we can. If you need names to use in your battle to pass this law, feel free to use us. We would very much like to see this law passed. We appreciate your efforts to try to get this law passed, to protect innocent children from having to face the 'monsters' who commit these hainus crimes.

I don't know exactly what is needed to get "Lizzie's Law" passed in Wisconsin, but my family cannot afford the massive attorney fees to protect my nephew. Any and all help you can give us in getting this law passed would be greatly appreciated.

Thank you in advance for your consideration on this matter.

Sincerely,



4127 N SHORE DR C
RHINELANDER WI, 54501
FEBRUARY 24, 1999

SEN. ALBERTA DARLING
STATE CAPITOL
P.O. BOX 7882
MADISON WI 53707

RE: BILL #1151 A/K/A SB-30

Dear Senator Darling:

I am writing you in reference to the Bill #1151 (version of "Lizza Law"). I understand this Bill is waiting for passage and that you are familiar with it. Please do all you can to have this Bill pass as soon as possible and that it be made retroactive (grandfathered).

Spouse murders are becoming more frequent in this state and country. We must pass a law that will save the children from any more pain. Please help!!

Thank You for considering my letter in advance.

Sincerely

Ms. Jeannette Johnson

Milwaukee, Wi
Feb 10 1999

Dear Senator Alberta Darling

This is in regarding State Bill
(Liggins 1151)

Would you please "Grand father"
this Bill, so it will be passed

We Appreciate this very much

Thank you Sincerely Yours

Mabel E. Reams 3560 So 57 St, Milwaukee ⁵³²²²
Robert W Reams 3457 No. 83 St MILWAUKEE ⁵³²²²
Ronald Reams 914 MARQUETTE SOUTH MILWAUKEE ⁵³²²²

11975 West Parkview Lane
Hales Corners, WI. 53130
February 17, 1999

Sen. Alberta Darling
State Capitol
P.O. Box 7882
Madison, WI. 53707

Re: Bill #1151 a/k/a SB-30

Dear Senator Darling:

Having been a firsthand observer of the anguish caused by domestic violence, by virtue of the experience of some close friends, I am grateful that Wisconsin is now taking steps to enact its own version of "Lizzie's Law", which would protect surviving children of a murdered parent from the further traumatization of being forced to have unwanted visitation with the parent/perpetrator of the crime.

In recent years domestic abuse and violence has become rampant -- I doubt there is a family who isn't aware of someone whose life has been touched by it. Many of the perpetrators have been guilty of a pattern of escalating spousal abuse over an extended period of time prior to committing their final act of violence. It's sad enough that children of such relationships must endure exposure and the resultant stress of day-to-day living in such a frightening, hostile environment, which, in itself, will forever impact upon their development and attitudes, but when it reaches the point of their losing forever a loved one at the hands of their other parental figure, one can only imagine the helplessness and grief and terror they must feel.

My own experience relates to the death of my friends' only daughter, who was killed in a particularly brutal fashion by her abusive spouse. Only days prior to committing the despicable deed, he had taunted her with threats that he "was going to make orphans of her children", which threat he carried out shortly thereafter. My friends' daughter was a good wife and mother, of high moral character, who had done nothing to merit the treatment that was inflicted upon her by her husband.

I was witness to the heartbreak of the surviving children, siblings and parents of the deceased. The parents and siblings have undertaken the care of their loved one's children, but the repeated demands of the imprisoned father for visitation with his young son and the legal proceedings necessitated by such demands has taken its toll on the elderly grandparents' health and resources.

Needless to say, the son does not want to see his father -- he is, and always has been, very much afraid of him -- and has made his wishes known to the court via his court-appointed psychiatrist. Thusfar the court has honored the son's wishes, but enactment of the above-mentioned bill into law would, if grandfathered, remove forever the upsetting, ever-present prospect that currently hangs over this child's head.

Sen. Alberta Darling

- 2 -

February 17, 1999

The father/perpetrator has no genuine desire to see his son -- his real motive is to further wound his wife's family by flaunting his parental authority over his son, just as he had used his son as a weapon to hurt his wife while she was alive. His former in-laws do not deserve this treatment from him, any more than their daughter (sister) did. They are good and decent people, who love their grandson (nephew) and want to keep him in a safe, protected environment, free from the damaging effects that forced contact with his father would have upon him.

I therefore respectfully urge you and your constituents to do your utmost to ensure the passage of this much-needed bill for the benefit of these children with all due expediency. I believe that this bill should be made retroactive so as to include those children out there who may already be the subjects of forced contact, or are in danger thereof.

Thanking you in advance for your concern and dedication to this most worthy cause.

Sincerely,

Toni Puccio
Toni Puccio

cc: Sen. Mary Lazich
 Rep. Mark Gundrum

Post-It™ Fax Note 7671

To	Date	# of pages
Sen. A. Darling		
Co./Dept.	From	
	Toni Puccio	
Phone #	Co.	
	Phone #	
Fax #	Fax #	



STATE BAR
OF WISCONSIN

402 W. Wilson Street
P.O. Box 7158
Madison, WI 53707-7158

MEMORANDUM

To: Senate Judiciary and Consumer Affairs Committee
From: Linda Barth, Public Affairs Director
Date: May 25, 1999
Re: Assembly Bill 108 and Senate Bill 30

The State Bar's Family Law Section and Children and the Law Section have suggestions regarding Assembly Bill 108 and Senate Bill 30 which prohibits visitation or placement of a child with a parent who has murdered the other parent.

The members of the Sections see circumstances where it may be possible that limiting contact with the convicted parent would be emotionally harmful to the child. Currently, as the bill is written, the burden is on the child—if the child is mature enough—to seek contact with the convicted parent.

We have been working with the bill authors on language that would provide some judicial discretion in these cases. The amendment requires the parent seeking visitation or placement to prove by clear and convincing evidence that the placement or visitation is in the child's best interest and requires the judge to consider the wishes of the child.

It is our hope that you will support the amendment. Please feel free to call me at 250-6140, if you have any questions.



MEMORANDUM

DATE: 5/24/99
TO: GRG
FROM: DR
RE: Background/Briefing on Selected Items Scheduled for
May 25, 1999, Judiciary Committee Hearing

SB 50 -- Seat Belt

Mike Brozek faxed over a list of the witnesses his group intends to call. Most of them will appear as part of various panels. Sen. Risser intends to appear.

AB 45 -- Gun Hotline

Rep. Kelso intends to appear. I expect someone from the Attorney general's office will appear and will urge that the hotline be housed in the handgun hotline rather than the drug tipline. (The handgun hotline is open longer hours and their personnel is more familiar with weaponry than the drug hotline people are.)

SB 30 /AB 108 -- Placement and Visitation for the Murder of a Child's Parent

Sen. Darling intends to appear. (Rep. Montgomery, the Assembly author, may appear.) I expect several family members of deceased parents will want to testify.

I am aware of a couple of proposed amendments:

- Sen. Darling will offer (or at least mention) an amendment that she has worked out with the State Bar Family Law Section. A similar amendment will be offered to the Assembly bill.

(Under the engrossed bill, the court is generally prohibited from granting visitation or placement rights, but may grant these if the child wishes to have visitation or placement rights, is mature enough to make that decision and it would be in the child's best interests. The amendment would allow the court to order visitation or placement rights if it determines by clear and convincing evidence that it would be in the child's best interests. The court would be required to consider the wishes of the child in making that determination.)

- Sen. Clausen will offer (or at least mention) an amendment that would cover those who solicit others to kill a child's parent (commit first-degree homicide).

I want to thank the Senate Judiciary Committee for allowing me to be here and to speak on behalf of AB 108/SB 30. I will make it brief. I'm in strong support of this bill. My sister Johanna Balsewicz was stabbed to death 42 times by her husband. Their two young children not only witnessed this brutal crime, but were left alone in the house for approximately 10 hours with their mother's body.

This has been devastating for them. They talk of their mother's death on a daily basis. They relive it in their minds daily. They don't wish to see their father. Christopher wants to change his last name. He doesn't even like to say his name. Nikkole wants her dad to go under the ground.

If they were forced by their father and the courts to visit him, it would be even more devastating for them. They don't need to be reminded of what their father did to their mom. We have a difficult time dealing with the death of my sister; I can only image what goes on in their minds when they think of their mom.

In addition, this scenario would force the children's guardians—my parents—back into court fighting against visitation. They would have to relive everything all over again, and spend more money for court costs, when all they want to do is to raise my niece and nephew as best as they can.

Please vote yes for this bill. We need to protect Chris and Nikkole and other children who could be and are being forced to visit a convicted parent they don't wish to see. Haven't they been through enough? Isn't it our job to protect these children? I know it's mine. That was a promise I made to my sister. To protect her children. Thank you.

SB 30



STATE BAR
OF WISCONSIN

402 W. Wilson Street
P.O. Box 7158
Madison, WI 53707-7158

MEMORANDUM

To: Senate Judiciary and Consumer Affairs Committee
From: Linda Barth, Public Affairs Director
Date: May 19, 1999
Re: Assembly Bill 108 and Senate Bill 30

The State Bar's Family Law Section and Children and the Law Section have suggestions regarding Assembly Bill 108 and Senate Bill 30 which prohibits visitation or placement of a child with a parent who has murdered the other parent.

The members of the Sections see circumstances where it may be possible that limiting contact with the convicted parent would be emotionally harmful to the child. Currently, as the bill is written, the burden is on the child—if the child is mature enough—to seek contact with the convicted parent.

We have been working with the bill authors on language that would provide some judicial discretion in these cases. The amendment requires the parent seeking visitation or placement to prove by clear and convincing evidence that the placement or visitation is in the child's best interest and requires the judge to consider the wishes of the child.

It is our hope that you will support the amendment at the public hearing on May 25th. Please feel free to call me at 250-6140, if you have any questions.



AMENDMENTS TO SB 30/AB 108

Senate Amendment 1 to SB 30

- This amendment provides for the "grandfather clause" of the proposal's main provisions. This would allow for children that have already been forced to visit/speak with their parent to petition the court to remove the visitation order.
- The amendment is offered by you and Senator Lazich

Senate Amendment 1 to Senate Amendment 1

- This is a result of domestic violence groups and the State Bar's objections to removing all discretion of the Courts to provide for visitation.
- This amendment would allow for the granting of visitation rights only after the convicted parent proves by clear and convincing evidence that there would be some benefit to the child. A judge is also required to take the child's position on the matter into account for his/her ruling