



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBa1762/1  
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**ASSEMBLY AMENDMENT 2,  
TO ASSEMBLY BILL 642**

January 10, 2018 - Offered by Representative GOYKE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 6: after that line insert:

3 **"SECTION 1L.** 969.035 (2) (c) of the statutes is created to read:

4 969.035 (2) (c) A person accused of committing or attempting to commit a crime  
5 if an evidence-based risk assessment tool has validated the need for the person to  
6 be denied release from custody under this section.

7 **SECTION 1n.** 969.035 (3) (a), (b) and (c) of the statutes are amended to read:

8 969.035 (3) (a) Alleges that the defendant is eligible for denial of release under  
9 sub. (2) (a) ~~or~~, (b), or (c).

10 (b) Provides a copy of the complaint charging the commission or attempted  
11 commission of the present offense specified in sub. (2) (a) ~~or~~, or (c).

12 (c) Alleges that available conditions of release will not adequately protect  
13 members of the community from serious bodily harm or prevent the intimidation of

1 witnesses. If the denial of release is under sub. (2) (c), the district attorney shall also  
2 provide the court with the data from the evidence-based risk assessment tool  
3 validating the allegation under this paragraph.

4 **SECTION 1p.** 969.035 (6) (a) of the statutes is amended to read:

5 969.035 **(6)** (a) The state has the burden of going forward and proving by clear  
6 and convincing evidence that the defendant committed an offense specified under  
7 sub. (2) (a), ~~or~~ that the defendant committed or attempted to commit a violent crime  
8 subsequent to a prior conviction for a violent crime, or that the evidence-based risk  
9 assessment tool has validated the need for the defendant to be denied release.”.

10 (END)