



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Assembly Bill 702	Assembly Amendments 1 and 2
<i>Memo published: February 27, 2014</i>	<i>Contact: Katie Bender-Olson, Staff Attorney (266-2988)</i>

Assembly Bill 702 relates to the creation of a system of short-term sanctions by the Department of Corrections (DOC) to be applied to offenders who violate the conditions of their parole, probation, extended supervision, or deferred prosecution agreements.

Assembly Bill 702

Assembly Bill 702 directs DOC to develop, by rule, a system of short-term sanctions for offenders who violate conditions of their parole, probation, extended supervision, and deferred prosecution agreements. The system must set forth a list of sanctions for the most common violations and must fulfill a number of other conditions, including: taking into account the goals of protecting the public, correcting the offender's behavior, and holding the offender accountable; ensuring that efforts to minimize the impact on an offender's employment and family are made; and providing examples of high, medium, and low level sanctions and the factors to consider when determining which level of sanctions to apply.

The bill also requires DOC to perform reviews of the sanctions imposed under the system to assess disparities among sanctions, evaluate the effectiveness of sanctions, and monitor the impact of the sanctions on the number and type of revocations.

In addition, the bill grants authority to district attorneys to impose sanctions under the system on defendants who violate conditions of a deferred prosecution agreement. The bill also grants authority to DOC to confine an offender who is on probation or parole for up to 90 days in a county jail or regional detention facility if the offender signs a statement admitting a violation of a condition or rule.

Assembly Amendment 1

Under the bill, DOC may confine an offender who is on probation in a county jail or regional detention facility if the offender admits to violating a condition of his or her probation. Assembly Amendment 1 gives DOC authority to contract with local governments for temporary housing or detention of offenders on probation in county jails or houses of correction.

Assembly Amendment 2

Assembly Amendment 2 provides that a person who attempts to possess a controlled substance included in schedule I or II which is a narcotic drug, or a controlled substance analog of a controlled substance included in schedule I or II which is a narcotic drug, is guilty of a Class I felony.

Bill History

Assembly Amendment 1 was offered by Representative Nygren on February 14, 2014. On February 18, 2014, the Assembly Committee on Corrections recommended adoption of the amendment on a vote of Ayes, 9; Noes, 0. The committee then voted to recommend passage of the bill, as amended, on a vote of Ayes 9; Noes, 0.

Assembly Amendment 2 was offered by Representative Kaufert on February 20, 2014. On the same date, the Assembly adopted amendments 1 and 2 and passed the bill on voice votes.

KBO:ksm