



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5480/1
EAW:cjs

2019 SENATE BILL 753

January 29, 2020 - Introduced by Senators CRAIG, MARKLEIN, NASS and STROEBEL, cosponsored by Representatives SANFELIPPO, DITTRICH, DUCHOW, EDMING, GUNDRUM, HORLACHER, JAGLER, JAMES, KNODL, KUGLITSCH, OTT, RAMTHUN, TITTL and WICHGERS. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to amend** 938.34 (4h) (a) and 938.34 (4m) (b) 1. of the statutes; **relating**
2 **to:** acts for which a juvenile may be placed in correctional placement or the
3 Serious Juvenile Offender Program.

Analysis by the Legislative Reference Bureau

This bill expands the acts for which a juvenile may be placed in the Serious Juvenile Offender Program (SJOP) or in a juvenile correctional facility or secured residential care center for children and youth under the Juvenile Justice Code.

Under current law, a juvenile who is 14 years of age or over and who has been adjudicated delinquent by the court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court) for committing or conspiring to commit certain law violations may be placed in the SJOP. This bill expands the law violations for which a juvenile may be placed in the SJOP to include any act that would be a felony if committed by an adult.

Also under current law, if the juvenile court determines that placement in the SJOP is not appropriate, a finding that a juvenile has committed any of a number of law violations that would be felonies if committed by an adult is prima facie evidence that the juvenile is a danger to the public and in need of restrictive placement. Under current law such a juvenile may be placed in a juvenile correctional facility or a secured residential care center for children and youth. This bill expands the list of acts constituting prima facie evidence that the juvenile is a danger to the public and in need of restrictive placement to any act that would be a felony if committed by an adult.

