



JIM OTT

STATE REPRESENTATIVE • 23rd ASSEMBLY DISTRICT

(608) 266-0486
District: (262) 240-0808
Toll-Free: (888) 534-0023
Rep.Ottj@legis.wi.gov

P.O. Box 8953
Madison, WI 53708-8953

Good Morning Chairman Spiros and Committee members. Thank you for hearing my testimony on Assembly Bill 379.

This bill increases the statute of limitations on operating while intoxicated offenses (OWI). Currently the statute of limitations for first offense OWI in Wisconsin is 2 years, and the statute of limitations for second and third offense OWI is 3 years. This bill would increase the statute of limitations for first offense OWI to 3 years, and for second or third offense OWI to 6 years.

The reason this change is needed is that OWI offenses in other states count the same as OWI offenses in Wisconsin. So if an offender receives a first offense OWI conviction in another state and then is arrested for OWI in Wisconsin, the offense should be charged as a second offense OWI.

Unfortunately, the information on prior offenses in other states is not always readily available to the arresting officer, and the offense in Wisconsin may be improperly charged. By the time the oversight is discovered, the statute of limitations may have run, and the conviction in Wisconsin is incorrectly recorded as a first offense. Similar situations can occur for second and third offenses that have occurred in other states.

This bill would give prosecutors in Wisconsin additional time to vacate an OWI conviction in Wisconsin that has been improperly charged, and properly recharge it for the number of OWI offense that it actually is.

The Senate companion bill, SB 345, passed the Senate Committee on Criminal Justice and Public Safety on a 5-0 vote. The bill is supported by the Wisconsin Chiefs of Police Association and the City of Milwaukee. No one has registered in opposition.

The goal of this bill as well as the other OWI related bills I have introduced this session is to discourage drunk driving, making our roads safer. Again, thank you for holding this hearing. I would be glad to answer any questions

Jim Ott