

STATE SENATOR
Leah Vukmir

Senate Committee on Judiciary & Public Safety

Wednesday, March 29, 2017

Victim Prevention Package

Senate Bills 52, 53, 54, 55, 56, 57, 58, 59

Chairman Wanggaard and committee members, I would like to express my sincere gratitude for giving Representative Sanfelippo's and my victim prevention package a hearing. This legislation addresses the rapidly growing problem of violence in our state. Habitual criminality is an issue that is far too often ignored by lawmakers — a trend we intend to change.

Over the past five years, national crime rates as a whole have dropped, but sadly Wisconsin's have risen. According to the Uniform Crime Report compiled by the Department of Justice from 2011 to 2015, Wisconsin saw a 72.6% increase in murder, 2% increase of sexual assaults, 13% increase in robberies, 21.5% increase in aggravated assaults, and 50% jump in motor vehicle thefts from 2013.

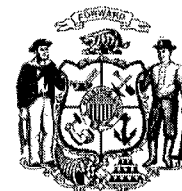
Enough is enough.

Behind every increased statistic I listed were people, victims. Yesterday at Christ Church in Milwaukee, Ola Zyszkiewicz — and her children Bryan, Heather and Morgan — gathered with friends and family to lay to rest her husband and the love of her life, Greg "Ziggy" Zyszkiewicz. Ziggy, a U.S. Army veteran, became a victim while serving his community as a city building inspector. He was found dead in his car after a carjacking by three habitually violent criminals. My staff has distributed an article from the Milwaukee Journal Sentinel that details his recent horrific loss of life.

When we focus on converting crime statistics into numbers and dollars, we often lose sight of the victims and the brutality they have endured, the anguish their families have gone through. It is with those people in mind that we bring these bills before you.

I am angered by the endless accounts of Wisconsinites who have been victimized by individuals who have such little regard for the law or simple human decency. Victims have reached out to my office asking why Wisconsin officials appear more concerned with the implementation of offender programs than the immediate safety of their communities. We are doing a poor job of separating those offenders who should be afforded opportunities for rehabilitation from those who do not belong on our streets. The refusal to accept that some offenders are unwilling to alter their behavior regardless of how many rehabilitative programs they have access to is naïve at best.

WISCONSIN STATE CAPITOL
P.O. Box 7882
Madison, WI 53707
PHONE (608) 266-2512
EMAIL Sen.Vukmir@legis.wi.gov
WEBSITE www.SenatorVukmir.com



As widespread efforts continue to promote an increase in offender diversion outreach, the number of violent crimes and victims skyrocket. As a result of system failures, we allow violent criminals who have victimized our communities in the most egregious manner the ability to continue to do so. At what point does community safety become a priority? Who is speaking up for victims?

Wisconsin's approach to criminal justice should be a two-pronged philosophy. Ensuring violent repeat offenders are no longer terrorizing our communities is as equally important as implementing alternatives to incarceration, if not more so. The primary goal of any effective criminal justice policy should be to remove dangerous criminals from our streets. The public deserves that from us.

A number of these bills establish or expand preemptive measures for dealing with violent offenders who have rejected rehabilitative measures. Individuals who betray the public's trust on multiple occasions should be held to a higher standard. Victims deserve better from us, they should have never become a statistic.

We do not wish to imprison individuals for minor criminal infractions, and our package also includes incentives for low-level offenders. But those individuals who repeatedly commit crimes that endanger the public should be held appropriately accountable. And while the cost of imprisonment is a burden to taxpayers, our families pay a far greater cost when their loved ones are murdered, assaulted, raped, robbed, car jacked and deprived of a personal sense of security.

In closing, I will read excerpts from a letter submitted to Mayor Barrett and Milwaukee Common Council members from a Milwaukee resident and parent:

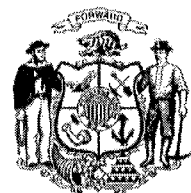
"Another homicide occurred in my neighborhood two days ago. I am saddened by this event and more frightened than ever because of it. Things like this had not happened so close to my home for many years but now are a common occurrence. I have seen a steep decline in my community over the past five years.

"I am wondering where my city leaders are as crime is soaring in my neighborhood. We are prisoners in our own homes yet the ones who should be in prison have freedom! Let that sink in. You are rolling the dice with those of us who have a vested interest in the community. I have attempted to get someone's attention, anyone who would listen."

Representative Sanfelippo and I are listening. We hope that the committee is listening, as well. This package of bills before you is simply the beginning of our effort to combat our rising crime issues and make law abiding residents our first priority.

Thank you again for allowing me to testify on our victim prevention package. I would be happy to answer any questions.

WISCONSIN STATE CAPITOL
P.O. Box 7882
Madison, WI 53707
PHONE (608) 266-2512
EMAIL Sen.Vukmir@legis.wi.gov
WEBSITE www.SenatorVukmir.com





JOE SANFELIPPO

STATE REPRESENTATIVE • 15th ASSEMBLY DISTRICT

(608) 266-0620
FAX: (608) 282-3615
Toll-Free: (888) 534-0015
Rep.Sanfelippo@legis.wi.gov

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

March 29, 2017

Rep. Sanfelippo public testimony on the Victim Prevention Package

Senator Wanggaard and committee members, thank you for holding a public hearing today on Senate bills 52 through 59, which are part of our victim prevent package.

The Victim Prevention Package uses our two-pronged philosophy: ensuring dangerous, violent repeat offenders are unable to continue victimizing our communities by removing them from our streets and continuing to provide evidence-based alternatives to incarceration.

Over 39% of violent criminals return to prison following their release from prior conviction, and we cannot allow repeat offenders to continue terrorizing our communities. Action must be taken, and this package of bills a good start to a discussion on what must be done to address this serious issue plaguing both urban and rural communities across our state.

Based on current practices, it seems as though the criminal justice system has become more focused on the offenders and less focused on the victims they prey upon. To effectively deal with crime in our state, we need to find more of a balance between rehabilitating offenders and preventing victims. This package of legislation begins that conversation.

According to Milwaukee Police Department data, in 2016 there were 102 unique offenders arrested for habitual criminality, as defined in Wisconsin State Statute 939.62.

From January 1st, 2007 through December 31st, 2016 these 102 offenders were arrested 945 times for a total of 2,628 crimes.

The offender with the greatest number of arrests has been arrested 37 times in that ten year period.

According to the State Department of Justice, about 31% of offenders who were released from prison in 2011 were convicted of a new crime within 3 years of their release. The department also tells us that 35% of offenders released after 1 year or less of prison re-offend, 31.2% of offenders released after 2-3 years in prison re-offend and that 15.7% of offenders released after 5 or more years in prison re-offend. For some individuals prison time is the best deterrent to committing future crimes.

Senate Bill 52 removes the three-year limit on the amount of time the Department of Corrections may place certain juveniles participating in the Serious Juvenile Offender Program in secured detention facilities.

Senate Bill 53 allows a person to petition the court for expungement after they successfully complete their sentence and remain crime free for one year.

Senate Bill 54 requires that when a person on probation is charged with committing a new crime, the Department of Corrections shall initiate revocation proceedings, affording the court more oversight.

Senate Bill 55 requires that an individual who commits more than one serious violent felony be imprisoned for a minimum of five years. It ensures that individuals who have repeatedly committed serious felonies will be shielded from the public.

Currently, any felon convicted for certain violent felonies or misdemeanors found to be in possession of a firearm must serve a minimum three-year incarceration period. Senate Bill 56 corrects this oversight and requires individuals still serving their sentence to the same three-year mandatory minimum for being in possession of a firearm.

Senate Bill 57 allows the court to enter an undesignated judgment on a conviction of a person who is convicted of a Class I Felony, and upon successful completion of that person's sentence, it may be designated the crime a Class A Misdemeanor.

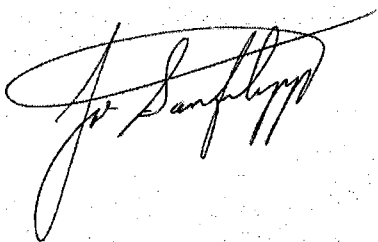
Senate Bill 58 increases the penalties for individuals that forcibly remove individuals from their vehicle and increases the penalties for repeat offenders.

Senate Bill 59 grants judge's broader discretion when sentencing juveniles to the serious juvenile offender program or correctional placement, and provides that if a juvenile is found guilty of what would be a felony if committed by an adult, they can be sentenced to the serious juvenile offender program or placed in a correctional facility.

The cost to families victimized by violent criminals is much higher than it is for taxpayers to keep our communities safe. I expect that you may here some of their stories here today.

I ask you that support Senate Bills 52 through 59.

Thank you again for listening to my testimony on the Victim Prevention Package. I'm happy to answer any questions you may have.

A handwritten signature in black ink, appearing to read "Joe Sanfilippo". The signature is written in a cursive, flowing style with a large initial "J" and "S".

3 charged in Milwaukee city inspector's death during attempted carjacking

Crocker Stephenson and Bruce Vielmetti, Milwaukee Journal Sentinel | Published 10:19 a.m. CT March 27, 2017 | Updated 24 hours ago



(Photo: Photo courtesy of Zyszkiewicz family)

Deshaun Scott, the 17-year-old police say was the triggerman in the shotgun slaying of city inspector Greg "Ziggy" Zyszkiewicz, shuffled through the prisoner's door to intake court Monday, a thin small boy, sockless, wearing flip-flops, seemingly swallowed by chains and an orange Milwaukee County Jail jumpsuit.

He stared at the back of the courtroom, toward an elderly woman equally thin and small. She shook her head at him, and he dropped his eyes to the floor.

"A shame," she muttered. It was an angry whisper, touching on rage.

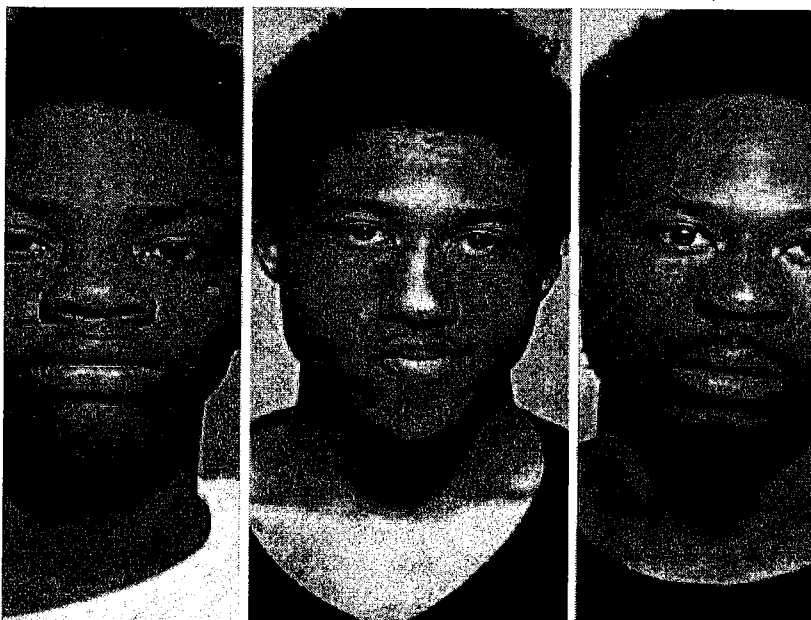
Scott was one of three charged Monday in Zyszkiewicz's homicide last week during an attempted carjacking. Scott, Qhualun D. Shaw, also 17, and Eric J. Smiley Jr., 21, are all named in the criminal complaint, and all charged with armed robbery, as parties to a crime.

Scott is charged with first-degree reckless homicide, the other two with felony murder.

Zyszkiewicz, 64, was on duty Wednesday as a building inspector for the Department of Neighborhood Services when he was found dead in his car near N. 23rd and W. Cherry streets about 2 p.m. He had been killed with a shotgun and was the apparent target of a carjacking attempt.

The three defendants, and two others not charged in Monday's complaint, were arrested after two separate vehicle pursuits that ended in crashes and foot chases, and "occurred within hours" of the shooting, Police Chief Edward Flynn said last week.

"The two groups of individuals were together. ... They were all known to each other. They were looking to commit more crimes," Flynn said. "They were driving around on the lookout for other victims."



Qhualun D. Shaw (left), Deshaun K. Scott (center) and Eric J. Smiley Jr. (right) face charges in the killing of Milwaukee city inspector Greg "Ziggy" Zyszkiewicz. (Photo: Milwaukee County Sheriff's Office)

During their initial court appearances Monday, bail for Scott and Smiley was set at \$500,000 each. Shaw's bail was set at \$250,000.

According to the criminal complaint:

On the morning of March 22, Scott, Shaw and Smiley were driving around in a 2010 Toyota Venza that had been stolen on March 1. Shortly before 11 a.m., they pulled into a gas station at N. 35th and W. Townsend streets and waited for someone to carjack. As a woman was fueling her 2015 Kia Soul, Smiley exited the Toyota, pointed a sawed-off shotgun at her and took off in the car, followed by the Toyota.

Smiley drove to his girlfriend's house in the 3000 block of N. 28th St., where he argued with her because she wouldn't let him take their 6-month-old son. While holding the shotgun in his other hand, he struck her in the face several times and bit her arm. After Smiley got back in the Kia to leave, she leaned into the car and tried to put it into park, but Smiley took off while she was hanging onto the steering wheel, dragging her in the street until she let go.

RELATED: [Funeral scheduled Tuesday for slain city building inspector \(/story/news/obituaries/2017/03/26/funeral-scheduled-tuesday-slain-city-building-inspector/99675106/\)](/story/news/obituaries/2017/03/26/funeral-scheduled-tuesday-slain-city-building-inspector/99675106/)

RELATED: [Family, Milwaukee mourn 'dedicated civil servant' who was shot and killed on duty \(/story/news/crime/2017/03/23/milwaukee-mourns-dedicated-civil-servant-who-shot-and-killed-duty/99530990/\)](/story/news/crime/2017/03/23/milwaukee-mourns-dedicated-civil-servant-who-shot-and-killed-duty/99530990/)

Smiley reconnected with Shaw and Scott and all three were riding in the Kia when Scott saw Zyszkiewicz's silver Ford Mustang and said he would take it. The Kia stopped and Scott approached the Mustang with the shotgun. The others heard a shot then saw Scott running back toward the Kia and they drove off.

Shaw later told police that Scott said he panicked and fired when Zyszkiewicz grabbed for him. Zyszkiewicz died instantly from a wound to the head, according to the complaint.

About four hours later, officers saw Scott driving the Venza near N. 26th St. and W. Auer Ave. and gave chase. After running several stop signs and lights, Scott crashed into a tree and fence. He and a juvenile climbed out of the sunroof and ran but were arrested.

About the same time, different officers saw the Kia Soul near N. 25th and Chambers streets and tried to stop it. The Kia, with Smiley at the wheel, sped up, ran several stop signs and drove the wrong way on one-way streets. The pursuing officers lost sight, but others picked up the chase near N. 17th St. and W. Capitol Drive. The Kia again ran stop signs and lights but then stopped near N. 18th and W. Nash streets, where all three occupants got out and ran.

Smiley, Shaw and a third man were arrested after a foot chase. The third man has not been charged.

Scott faces charges of first-degree reckless homicide and fleeing an officer.

Shaw is charged with felony murder, fleeing an officer, being a felon with a gun, two counts of bail jumping and domestic violence battery.

Smiley is charged with felony murder, fleeing an officer, being a felon with a gun, two counts of bail jumping and one of domestic violence battery, a misdemeanor.

All three are also charged with armed robbery, as parties to the crime, for the Kia carjacking.

Lucia Scott, who identified herself as Scott's grandmother, did not stay for the entire intake hearing.

Seated at the defense attorney's table, moments before being taken back to jail, the teen twisted around to look at her.

"A shame!" she muttered again, then hurried out the door.

"Never in my life did I imagine he would be capable of such of thing," she told a reporter. "He had no business being out there. He had no business with a gun."



Scott Walker
Governor

Jon E. Litscher
Secretary

Mailing Address

3099 E. Washington Ave.
Post Office Box 7925
Madison, WI 53707-7925
Telephone (608) 240-5000
Fax (608) 240-3300

State of Wisconsin Department of Corrections

Senate Bill 52

Speaking in Favor

First let me thank the author(s) of this bill, Senator Vukmir and in the Assembly Representative Sanfelippo, We appreciate the opportunity to work with the author(s) on an area that directly impacts our ability to supervise those Juvenile offenders that continue to need a swift response to their behavior and rules violations.

Rationale: This change is necessary to fulfill the Department's public safety responsibility in providing supervision for a small number of youth who now must be released to the community after three years of confinement, even though they represent a serious threat to the public.

Considerations:

- Most SJO youth are not confined the entire three years allowed under the disposition.
- A small number of SJO youth must be released from a Type 1 institution after three years of confinement, despite being at high risk to reoffend. State agents cannot return these youth to a Type 1 facility as a sanction for rule violations, thus losing a valuable tool to manage youth conduct and protect public safety.
- SJO youth in the community should know that swift, certain and proportionate sanctions will be imposed if they demonstrate behaviors that put themselves and/or the public at risk.
- Being able to return SJO youth to a Type 1 facility for further programming to address criminogenic needs could help to reduce future risk of re-offending.

Again thank you for the opportunity to speak to the committee about SB52

Donald R Friske
Director of Legislative Affairs
Wisconsin Department of Corrections

Diana Hanson

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Good morning, esteemed members of the Wisconsin Senate Committee on Judiciary and Public Safety.

Although it is an honor and a privilege to speak to you in support of the proposed Victim Prevention legislation, it is unfortunate that my being a crime victim is what brings me before you today. I know you have heard or will hear from victims of much more violent crimes than my experience; however, one thing we more than likely have in common is that these crimes were committed by persons who are or may become familiar faces in Wisconsin's criminal justice system.

Prior to moving to Johnson Creek in 2014, my family resided in the Village of Rochester. At approximately 12:30 a.m. on December 9, 2013, while home alone, I was awakened by my dog. Thinking that he just needed to go outside, imagine my surprise to find the service door to the garage and the overhead garage door wide open, lights on in the garage and lower level, and fresh snow on the steps leading to the lower level. A quick survey of the lower level revealed the laundry room window and patio door wide open. It was through the laundry room window that Joshua Casper told his smaller, younger brother, who was 15 years old at the time, to enter into my home with the intent to burglarize, this according to statements made by Joshua Casper to Racine County Sheriff's Office investigators. (Exhibit 1: Racine County Sheriff's Office Incident Report #13-071321)

Other than my sense of security, nothing was taken, and I was not physically injured. I shudder to think what might have happened should the dog not have scared them off, had they gained access to the entire house, had they panicked and found themselves unable to quickly escape. They were armed with a sharp object, evident by all but one window screen on the lower level of the house being sliced open, with the other completely removed and later found on the bank of the drainage canal behind our home. (Exhibit 2: photos)

Due to the persistence of the Racine County Sheriff's Department following additional break-ins in the area, the boys were apprehended shortly thereafter and charged with burglary.

I was very disappointed when informed that Joshua Casper's "Burglary of a Building or Dwelling" charge was "read in" in exchange for a plea agreement on a manufacture & delivery of narcotics charge. On June 9, 2014, he received a withheld sentence and 18 months' probation.

My reward? A paltry \$98.92 in restitution for screen replacement along with months of sleepless nights with lights on in virtually every room of the house and a family having to deal with my anxiety. Although we were already considering a move to the Johnson Creek area, the events of December 2013 expedited our search, and we moved to Johnson Creek in May 2014. Even now the lights remain on late into the night & early morning, and I sleep very little when home alone. The dog even still seems affected by the incident; he appears to "stand guard" at the doorway when I am in a room alone.

As you can see by the enclosed court records (Exhibit 3: 2013CF001720 & Exhibit 4: 2014CF000206), conditions of Joshua Casper's probation states he was not to consume or possess controlled substances. Jump ahead one year to June 2015, and, while on probation, he is charged with...possession of a controlled substance. (Exhibit 5: 2015CM001535) In January 2016, he received a withheld sentence and 12 months' probation for that charge, but his probation was later revoked in August 2016.

Interestingly, just over one month prior to the break-in at my house, Joshua had been placed on 1-years' probation for criminal damage to property and threatening injury or harm by computer message. (Exhibit 6: 2013CM001617 & Exhibit 7: 2013 CM001779) Had Senate Bill 54 been enacted at that time, perhaps his probation would have been revoked and perhaps he would have received a stiffer penalty for my break-in and the concurrent narcotics charge. Perhaps he would not have had the opportunities to commit the crimes he has since then. Instead, he can be found in the Racine County Jail awaiting court appearances for charges of taking & driving a vehicle without the owner's consent (Exhibit 8: 2016CF000863), 2 counts of bail jumping, the manufacture & delivery of non-narcotics, and delivery of illegal articles to an inmate (Exhibit 9: 2016CF001765). As you can see by the exhibits, it is obvious that Joshua Casper has a complete disregard for our society's laws. It is apparent his previous sentences, be they probation or jail time, have provided no deterrent to his criminal behavior.

My family and I encourage you to support the Victim Prevention legislation before you. As Senator Vukmir and Representative Sanfelippo have publicly stated, the proposed legislation calls for a focus on reducing violent crime, with public safety as the priority. Please take heed of the testimonials presented to you today. We must prevent our communities from being overrun by those who continually commit crimes, those who disrupt the lives of us law-abiding citizens, those who take away our sense of security. They are destructive to a civilized society. Isn't it time we take back control of our streets and communities?

Thank you.



Racine County Sheriffs Office

Incident Report

Date: 12/10/2013
CFS68841: 051302
Incident Report Number: 13-071321

Incident: Burglary Dwelling House

Incident Report Number: 13-071321 Between: Date - Time: And/At: Date-Time: 12/9/13 00:52

Incident Location: 705 Fox Knoll Dr;VR, Rochester, WI, 53167

CFS Code-1: 051302	CFS Code-2: TRES	CFS Code-3:	CFS Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

COM Name (Last, First, Middle): Hanson, Diana L DOB: [REDACTED] Race/Sex:

Address: (Address, City, State, Zip) [REDACTED] Home Phone Number: [REDACTED]

Employer: Work Phone Number:

Employer Address: Cell Phone Number:

Name (Last, First, Middle): DOB: Race/Sex:

Address: (Address, City, State, Zip) Home Phone Number:

Employer: Work Phone Number:

Employer Address: Cell Phone Number:

NARRATIVE

This is a report of a Burglary and Criminal Trespassing. This incident took place on the 9th of December 2013 at 0052hrs. While at the address of 705 Fox Knoll Dr. In the Village of Rochester, Racine County.

On the above date and time, I Deputy Koellner responded to the mentioned address. Dispatch advised that someone had entered the home, through a window. Prior to arrival

Vehicle Information: (Year, Make, Model, Style, Color)

License Number: State: Expiration Year: Vin: Insurance Company:

Other Vehicle Information: NCIC#:

Reporting Officer(s): Koellner, Jeffrey A. Payroll Number: 7481 Payroll Number: Report Date:

Time Received: 00:52:12 Time Cleared: 03:43:42 Unit(s) Assigned: 5062, 5065, 5090 Pages: 1 Of 3

Reviewed by: Schmidt, Aaron Payroll Number: 7688 Copy To:

Incident Report Number

13-071321

Incident Location:

705 Fox Knoll Dr;VR, Rochester, WI, 53167

Incident Date:

12/09/2013

dispatch advised that the person had exited through the garage door.

Upon arrival, I spoke with the home owner Diana Hanson. Hanson stated that she had gone to bed about 2100hrs, and was awoken at 0030hrs, by her dog barking. Hanson stated she then got up to see what the dog was barking at and observed the garage door to the home open. When she looked out the door she then observed that the overhead door was also open. Hanson stated that she then observed what appeared to be snow on the steps leading down to the basement. As she went into the basement and observed that the window in the laundry room was also opened, and that the sliding door to the rear patio was open. Hanson then called RASO to report an intruder. Hanson stated that her home owner's insurance is with American Family. She also stated that as far as she can tell nothing is missing from the home.

A search of the home was then conducted by myself and Deputy Burke, with negative results of locating anyone in the home.

A search of the outside area was then conducted by Deputy Ruffalo and his K-9 partner with negative results of locating anyone.

ET work was then conducted by Deputy Embrey, see his report for more information.

After speaking with Hanson it was revealed that she and her husband have a business in Wisconsin Dells. She and her husband travel back and forth from the Dells and they stay in the Dells 3-4 days a week. Hanson went on to say that she was in the Dells Saturday and Sunday morning and returned home Sunday afternoon. During the time she was gone, a family friend Addie Hauptert, (262-9891327) came

Reporting Officer(s):

Koellner, Jeffrey A.

ID Number

7481

ID Number

Pages::

2 Of 3

Incident Report Number
13-071321

Incident Location:
[REDACTED]

Incident Date:
12/09/2013

over to the home, to check on the home and care for the dog. Hanson went on to say that when she returned home Sunday afternoon, everything seemed normal and appeared to be in order.

After checking the outside of the home, it appeared that someone attempted to gain entry by cutting the window screens on the lower far north window and the lower middle window, with negative results. The person was then able to gain entry on his third attempt, and entered through the laundry room window. It appeared that the person then unlocked the patio door to let a second person in. It then appeared that both people were frightened off by the barking dog, or that fact that Hanson had gotten up to check. One person then exited by the patio door, while the second exited by the garage door.

Hanson was provided the complaint number and is going to conduct an inventory of the property when her husband returns home.

Her son Kevin Hanson and daughter Andrea Hanson were going to spend the rest of the evening with their mother.

A copy of this report was sent to the Investigative Bureau for any further follow-up that may be necessary.

J.Koellner 7481

Racine County Sheriffs Office

Supplementary Report

Incident Report Number 13-071321	Incident Location: 705 Fox Knoll Dr. Rochester, MN	Incident Date: 12/09/2013
New Incident: Burglary Attempt	Original CFS Code - 1: 051302	New CFS Code -1 : BURATT
		New CFS Code - 2:

NARRATIVE

On the above listed date, at approximately 01:30 am, I, Dep. Embrey, was dispatched to 705 Fox Knoll Dr. in the Town of Rochester, for an Attempted Burglary call. Dep. Koellner requested that I process the scene for evidence and take photographs.

Upon arrival at the scene, I met with Dep. Koellner. Dep. Koellner advised me that an intruder made entrance into the house via a window located in the basement and left through the car garage door.

I started taking photographs inside the residence at the point of entry. The complainant, Diana L. Hanson, advised that when she came home that night, she found her garage door open. She further advised that the car garage door was also open. I found dirt from outside the window on the top of the washing machine and dryer. No shoe or finger prints were located on the appliances. I then located two distinct sets of shoe prints outside the house both leading to the house and then away almost in the same direction as they had come from, the north east. Photos were taken of the shoe prints, the direction of travel, both to and away from the residence, and at the point of entrance at the laundry room window, both inside and outside. The window had appeared to have been opened without breaking the lock or window. It was pushed up. I did find a broken window lock inside the house on the ledge of the window. Hanson advised me that the lock had been broken previously.

Copies of the photos where down loaded to disc and provide to Dep. Koellner.

Reporting Officer(s): Embrey, William R.	Payroll Number: 7777	Payroll Number:	Report Date: 12/10/2013
Reviewed by: Schmidt, Aaron	Payroll Number 7688	Copy To:	1 Of 1

Racine County Sheriffs Office

Supplementary Report

Incident Report Number 13-071321	Incident Location: [REDACTED]	Incident Date: 12/09/2013
New Incident:	Original CFS Code - 1: 051302	New CFS Code - 2:

NAMES

Suspect-1

Casper, Jeremy Dean W/M-16
of 649 Aber Dr;VW
V Waterford,WI,53185
DOB: 01/05/1997
HT: 504 WT: 160 Hair: Brown
Eyes: Blue Complexion: Fair
Home Phone:(262) 534-5664 Cell Phone:(262) 880-7093

Booking#: 13-001846

Case#	Charge	Description	Ct
13-071321	943.01	Crim.damage Property	1
13-071321	943.10	Bur W/int To Com Fel	1
13-071321	943.13	Crim.trespassing	1

Suspect-2

Casper, Joshua D W/M-20
of 649 Aber Dr;VW
V Waterford,WI,53185
DOB: 10/02/1993 DL: C216-4249-3362-03
HT: 508 WT: 160 Hair: Brown
Eyes: Brown Complexion: Fair
Cell Phone:(262) 716-8963 Work Phone:(262) 716-8963

NARRATIVE

On 12/15/13, Inv. Dani and I interviewed Joshua Casper regarding some vehicle enteries in the Village of Rochester area. Casper subsequently admitted to burglarizing the residence of 705 Fox Knoll Dr. in the Village of Rochester on 12/09/13.

Casper advised that on 12/09/13, he stood outside the residence of 705 Fox Knoll Rd in the Village of Rochester while Jeremy entered in through the laundry room window. Casper advised that he told his brother to go

Reporting Officer(s): Vanscyoc, Brian D.	Payroll Number: 7720	Payroll Number:	Report Date: 12/16/2013
Reviewed by: Adams, Daniel J.	Payroll Number 7255	Copy To:	1 Of 2

Racine County Sheriffs Office

Continuation

Incident Report Number
13-071321

Incident Location:
[REDACTED]

Incident Date:
12/09/2013

inside with the intent to burglarize the home and stated that he could run out the front door if he ran into trouble. He advised that almost immediately upon Jeremy entering the residence, they heard dogs barking from within and Jeremy exited the residence through the same window. Casper advised that he told his brother to go in through window because he is smaller in stature and could more easily fit through. He advised that nothing was taken from inside as they were scared off by the barking dogs. A charge of Burlary was submitted to the DA's office on Casper. Follow up to be done with Jeremy. Nothing further at this time.

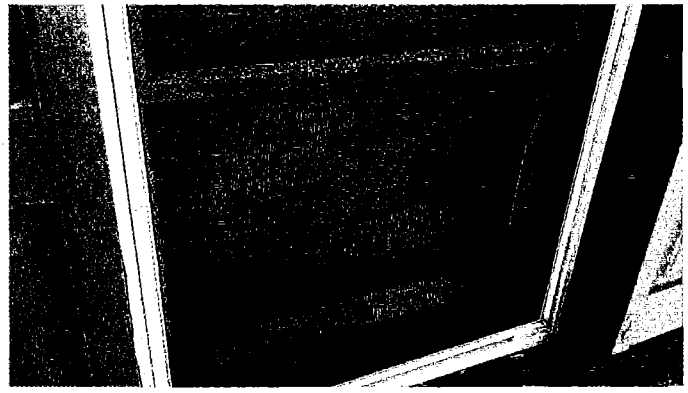
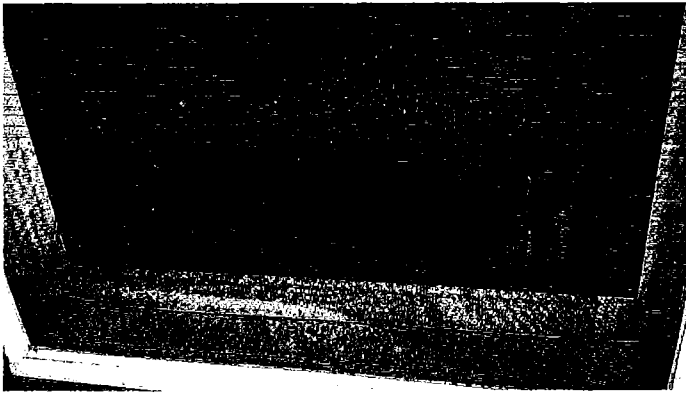
Inv. B. VanScyoc #7720

Reporting Officer(s):
Vanscyoc, Brian D.

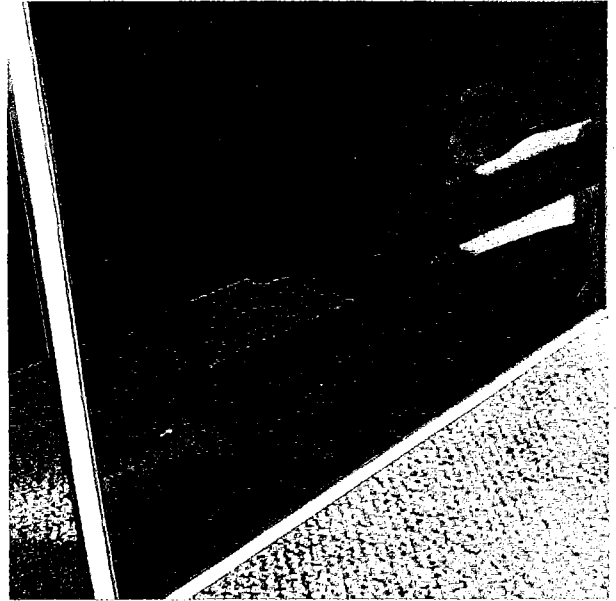
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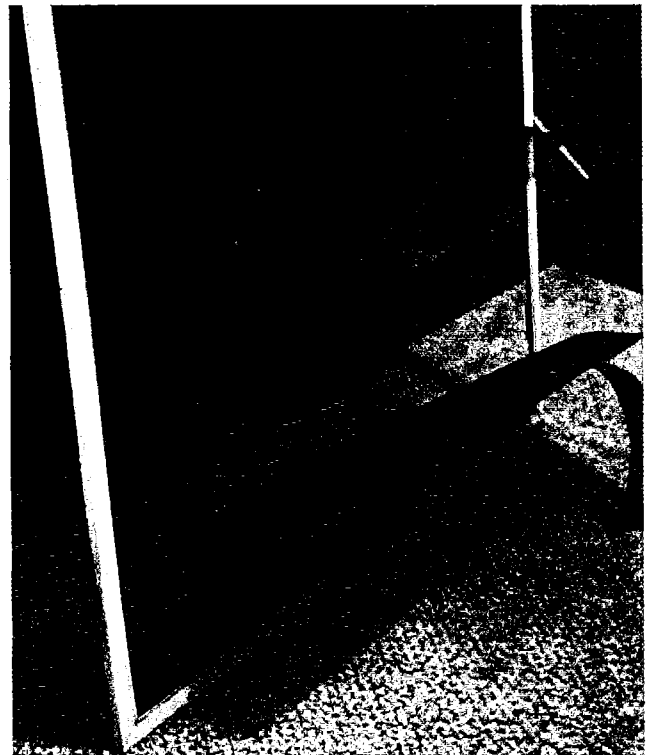
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2 Of 2



Utility room window screens

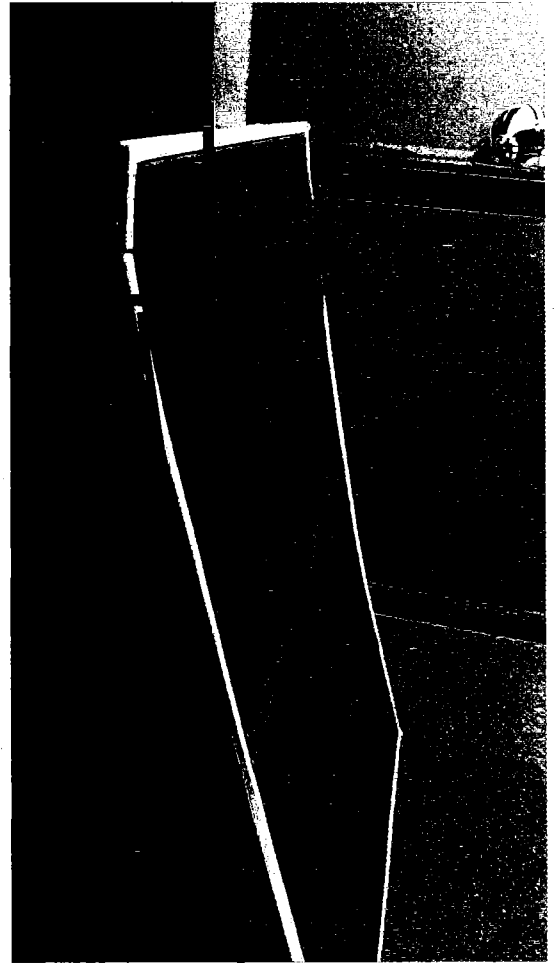


Laundry room window screen through which Jeremy Casper entered my house

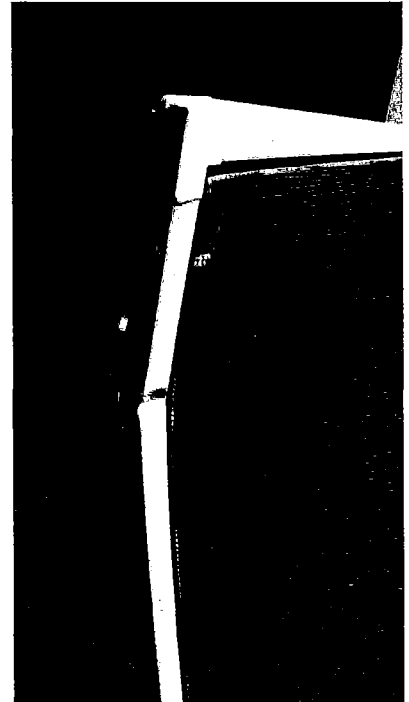




Lower-level bedroom window screen



Family room window screen.
Removed from window and left on bank of drainage canal behind my home





Wisconsin State Public Defender

17 S. Fairchild St. - 5th Floor
PO Box 7923 Madison, WI 53707-7923
Office Number: 608-266-0087 / Fax Number: 608-267-0584
www.wisspd.org

Kelli S. Thompson
State Public Defender

Michael Tobin
Deputy State
Public Defender

Senate Committee on Judiciary and Public Safety
Public Hearing on Senate Bill 52
Wednesday, March 29, 2017

The State Public Defender (SPD) is the agency in Wisconsin which ensures that the state meets its constitutional and statutory requirement to provide counsel to financially eligible defendants. SPD also provides representation in juvenile proceedings.

Senate Bill (SB) 52 raises concerns about the goals of the juvenile justice system to “equip juvenile offenders with competencies to live responsibly and productively.” (s. 938.01(2)) Providing for longer terms of incarceration in a type 1 juvenile correctional facility is counter-productive in achieving that goal.

Extending the amount of time a juvenile adjudicated delinquent spends in a type 1 detention facility is not an evidence-based strategy to reduce recidivism upon release.

At this point, Wisconsin has only type 1 detention facility located in Irma, Wisconsin. Most members are likely aware of the issues that have come to light regarding this facility. Concerns about both the physical environment and services such as education and the provision of medical care have prompted initial changes in the operation but work and additional changes are expected to continue.

Sending juveniles to the state juvenile detention facility for longer periods of time will be counter-productive. The contributing factors for juvenile delinquency, most significantly poverty and education, will not be solved by additional incarceration. If the intent of SB 52 is to reduce recidivism rates, longer periods of incarceration are not the most efficient and cost-effective way of accomplishing the goal.

Protecting the long-term safety of the community requires consideration of not only the immediate decision regarding detention but also the lifetime of potential for that juvenile to be a productive member of society. SPD recommends that the committee not forward Senate Bill 52 to the full Senate.



Wisconsin State Public Defender

17 S. Fairchild St. - 5th Floor
PO Box 7923 Madison, WI 53707-7923
Office Number: 608-266-0087 / Fax Number: 608-267-0584
www.wisspd.org

Kelli S. Thompson
State Public Defender

Michael Tobin
Deputy State
Public Defender

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Public Hearing on Senate Bill 53
Wednesday, March 29, 2017

Current law requiring a judge to order expungement at the time of sentencing significantly limits the use of this provision. The statute requires judges to essentially guess whether individuals will have redeemed themselves after a multi-year sentence. This requirement is not fair to judges or the people who, through their actions, have demonstrated years later that they have earned the opportunity to have their conviction record expunged. Removing the requirement that expungement be ordered at the time of sentencing will make expungement more attainable and based on concrete actions.

There are two comments SPD would offer regarding the bill. Regarding the \$100 application fee, while it isn't made clear in statute, the Director of State Courts makes available a form requesting waiver of fees and costs that is consistent with case law. Adding language clarifying that a fee waiver is allowable based on inability to pay the petition fee would ensure that, in opening the door to expungement, economic factors don't stand in the way.

Also, expanding access to expungement can be a key factor in reducing recidivism, but one consideration is the impact of expunging a conviction. Two elements - clarifying statutorily how to answer the question on an employment application about an expunged conviction and sealing the crime information bureau record - would greatly increase the value of the expungement. Without addressing these elements, the bill will delay and make it more difficult to figure out if an applicant for employment who has an expunged record was convicted, but will not address the information a prospective employer will get from conducting a standard criminal background check.

SB 53 is a good step in the right direction on expungement. The committee may wish to consider the two issues outlined above as possible additions to the bill.



Wisconsin State Public Defender

17 S. Fairchild St. - 5th Floor
PO Box 7923 Madison, WI 53707-7923
Office Number: 608-266-0087 / Fax Number: 608-267-0584
www.wispd.org

Kelli S. Thompson
State Public Defender

Michael Tobin
Deputy State
Public Defender

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Public Hearing on Senate Bill 54
Wednesday, March 29, 2017

Senate Bill 54 removes the ability for probation and parole agents, administrative law judges, district attorneys, and judges to review cases based on the individual circumstances.

Evidence, research and action by the Legislature in the last couple of sessions all point to the greater success achieved through a concept called dosage-based probation. In simple terms, dosage-based probation provides for more rapid but more tailored sanctions for probation violations. It recognizes the fact that even the time spent in detention pending the revocation hearing (which can be anywhere from 3 to 10 days) has a detrimental impact on the person's ability to maintain employment and housing. Requiring a recommendation of revocation after new charges are issued will have several impacts which are more severe than perhaps anticipated by the author.

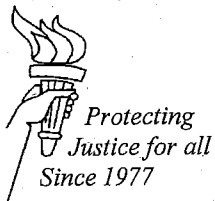
The primary concern is the potentially unconstitutional burden shift for extended periods of incarceration. If an individual on extended supervision is charged with a new crime and, as a result of this bill, the new crime is handled as an administrative revocation rather than a new circuit court case, the practical standard of conviction will have become "probable cause" rather than "beyond a reasonable doubt." The only burden that will have applied to the administrative law judge's decision to revoke supervision will have been the probable cause standard a prosecutor must meet to issue charges.

Added to this concern is the impact of Wisconsin's sentencing structure. Because individuals do not earn credit for time served on extended supervision, any violation during the period of supervision can result in re-incarceration for the full term. For an example, consider a person sentenced to a term of 10 years initial confinement followed by 10 years of extended supervision. Even under current law, if the person violates supervision during year 9, the person can be reincarcerated for 10 more years. Now consider that under the bill, if the person is charged with a relatively low level crime such as disorderly conduct, even without conviction, he or she can be revoked for the full 10 years. Effectively the person has been sentenced to a 10 year term in state prison for suspicion of a crime that carries a potential penalty of a \$1000 fine and 90 days in jail.

And while the administrative law judge would still retain discretion under the bill whether or not to revoke supervision, because of a combination of the conditions of release, the administrative hearing process for a revocation proceeding, and the burdens and standards for a revocation proceeding, this bill will lead to prison sentences that are grossly disproportionate to the alleged criminal activity.

As part of Wisconsin's continuing efforts to expand the use of research-based practices in the area of criminal justice, justice professionals (including prosecutors and staff of the Department of Corrections) are increasingly making individualized decisions and recommendations in light of the risk level and needs of the defendant. Often, appropriate and effective programs available in the community provide for greater public safety while saving taxpayer funds.

This bill may result in a significant number of new prison terms, which will neither be cost effective nor have a substantially beneficial impact on future criminal behavior.



Wisconsin State Public Defender

17 S. Fairchild St. - 5th Floor
PO Box 7923 Madison, WI 53707-7923
Office Number: 608-266-0087 / Fax Number: 608-267-0584
www.wisspd.org

Kelli S. Thompson
State Public Defender

Michael Tobin
Deputy State
Public Defender

Senate Committee on Judiciary and Public Safety
Public Hearing on Senate Bill 55 & 56
Wednesday, March 29, 2017

In general, mandatory minimum sentences shift sentencing discretion from judges to prosecutors and do not achieve the anticipated results in terms of deterrent effect.

In practice, mandatory minimum sentences do not meet their anticipated goals. By removing judicial discretion from sentencing, mandatory minimum sentences preclude the courts from taking the facts of the case or the individual characteristics of the defendant into account at sentencing.

Instead of removing discretion from sentencing, mandatory minimum statutes transfer discretionary power from judges to prosecutors. In controlled substances cases, prosecutors can adjust reduce the quantity of the controlled substance charged to prevent triggering the mandatory minimum penalty. Prosecutors also have the authority to charge under statutes that will not attach a mandatory minimum penalty. Instead of reducing disparity by reducing discretion at sentencing, mandatory minimum penalty statutes transfer this disparity to the prosecutor's charging decision, which has repercussions throughout the progression of the case.

There is also a false presumption that mandatory minimum sentences provide a deterrent effect for future criminal activity. It is unlikely that, in the planning or commission of a crime, an individual is considering what impact the use of a weapon in commission of an armed robbery will have on their potential sentence. There has also been an empirical study showing that mandatory minimums result in an approximate expansion in time of 10-15% to handle a case as there are fewer plea negotiations.

For the committee's consideration, an alternative concept to mandatory minimums is use of a presumptive minimum. Basically, a presumptive minimum sets a minimum sentence length but allows judges to diverge from the minimum based on individual circumstances. Statute already makes use of this approach. As an example, please see s. 939.617 which, in sub. 2, says: "If the court finds that the best interests of the community will be served and the public will not be harmed and if the court places its reasons on the record, the court may impose a sentence that is less than the sentence required under sub. (1) or may place the person on probation..."



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www.wisspd.org

Kelli S. Thompson
State Public Defender

Michael Tobin
Deputy State
Public Defender

Senate Committee on Judiciary and Public Safety
Public Hearing on Senate Bill 57
Wednesday, March 29, 2017

Wisconsin is a national leader in implementing evidence-based decision making in the criminal justice system. One example of a successful evidence based program is the treatment alternative and diversion (TAD) grant program, which provides grants to counties to establish treatment courts. Part of a successful treatment program involves quick sanctions for violations as well as rewards for successes.

Conceptually, SPD understands the goal of this bill to create an incentive during the course of a felony sentence by potentially converting a felony conviction to a misdemeanor. Given the significant numbers of collateral consequences for conviction of a felony, this concept would lift some of those consequences.

There are functional questions on how this bill would work operationally. One example of an unanswered question would be the interrelation and impact of owning a firearm based on a felony conviction. Upon conviction for a felony crime, the information is transmitted to the federal government and input in the federal list that must be accessed by a federally licensed firearm seller prior to selling a gun. It is unclear if the federal government will be able to accommodate a crime initially reported as a felony but later changed to appear as a misdemeanor.

The goal of SB 57 is positive, but the practical application is unclear. Expanded access to expungement and an increase in the practical impact of the expungement would be an easier way to accomplish the same goal.



Wisconsin State Public Defender

17 S. Fairchild St. - 5th Floor
PO Box 7923 Madison, WI 53707-7923
Office Number: 608-266-0087 / Fax Number: 608-267-0584
www.wisspd.org

Kelli S. Thompson
State Public Defender

Michael Tobin
Deputy State
Public Defender

Senate Committee on Judiciary and Public Safety
Public Hearing on Senate Bill 59
Wednesday, March 29, 2017

The State Public Defender (SPD) is the agency in Wisconsin which ensures that the state meets its constitutional and statutory requirement to provide counsel to financially eligible defendants. SPD also provides representation in juvenile proceedings.

SPD's concerns are similar to but more acute than for Senate Bill 52. By expanding the types of crimes that qualify for the Serious Juvenile Offender Program to include any crime classified as a felony if committed by an adult, there will be a significant expansion in the number of juveniles placed at Lincoln Hills. For similar reasons stated in our testimony on SB 52, placement at Lincoln Hills is not an effective way to reduce recidivism and is less cost effective than nearly every other alternative.

The Serious Juvenile Offender Program was created as a way to impose more serious punishment through more severe types of incarceration. The Legislature, in the legislative intent section of Chapter 938, has stated that the goals of the juvenile justice system include conducting an "individualized assessment" and diverting "juveniles from the juvenile justice system through early intervention." To be sure, the intent recognizes the need to protect public safety as well. By treating all adult felonies as equally serious juvenile offenses, the individualized assessment is removed from the equation. In current law, by enumerating individual serious juvenile offenses, the legislature has recognized that some felony offenses committed by juveniles do not carry the same level of culpability when committed by a juvenile. While a juvenile charged with felony retail theft (a \$500 value threshold) can still be sentenced to Lincoln Hills based on an individualized assessment, this bill assumes that all juveniles committing that crime are serious juvenile offenders.

Research and data suggest that juveniles are not capable of the same cognitive process as adults. By treating all juveniles committing an adult felony the same, we will not effectively address the needs and root causes of the delinquent behavior.



Supreme Court of Wisconsin

DIRECTOR OF STATE COURTS

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Patience D. Roggensack
Chief Justice

16 East State Capitol
Telephone 608-266-6828
Fax 608-267-0980

J. Denis Moran
Director of State Courts

Testimony

Of

Judge Randy Koschnick
Jefferson County Circuit Court

For Information on Senate Bill 53

Senate Committee on Judiciary and Public Safety

Senator Van Wanggaard, Chair

March 29, 2017

Thank you very much. My name is Randy Koschnick. I have been a circuit court judge in Jefferson County since 1999. This year I am finishing my 18th year on the bench and will be relocating to an office in this building starting August 1st, when I will become the Director of State Courts. Since 2012, I have served as the Chief Judge of the District Three Judicial Administrative District, comprised of Jefferson, Ozaukee, Washington and Waukesha Counties. I am appearing here for information only on Senate Bill 53 relating to expungement of court records.

We want to thank the authors of Senate Bill 53 for bringing forward this proposal on expungement. My fellow judges and I have seen many more requests for expungement in recent years. We recognize the advent of the 24/7 world of information and the Internet has increased problems for persons with criminal records. It has increased the tension that exists between the need for open records and the privacy interests of individuals.

Over the last several years, the increased interest in expungement has led to litigation to explore the meaning of and limits of the current statute, s. 973.015, Wis. Stats. There have also been Legislative Council study committees, a rule petition to the Supreme Court, and several legislative proposals.

The court system, most recently through the Committee of Chief Judges on which I serve, has explored this issue in great depth. It is our committee's considered opinion that Wisconsin would benefit from a substantial revision to the current statute, both for purposes of clarifying expungement procedures and addressing certain substantive limitations. The committee approved proposed legislation embodying that revision, and it was introduced as 2015 Assembly Bill 1005 by request of the Director of State Courts. We continue to work with legislators of both parties and in both houses to advance the ideas embodied in AB 1005.

Senate Bill 53 addresses some of the limitations of the current statute, and we are very pleased that they are included. There are other provisions of the bill, however, that cause us some concern.

We strongly support removing the current limitation that requires the court to determine whether expungement will be ordered “at the time of sentencing.” It is difficult for the court to know at sentencing whether the standards for expungement have been met, that is, whether the defendant will benefit and society will not be harmed. It makes far more sense to have this decision made later, after defendants have had an opportunity to demonstrate they have pulled their lives together and can be contributing members of society. We think amending this portion of the current statute has broad support.

Another of the limitations of the current statute is that it lacks procedural guidance for the courts on how they should handle expungements. SB 53 provides that the process will be initiated by filing a petition and will lead to an order from the court. This is a common court procedure, and should make the process easier for defendants to follow. The court system already has petition and order forms for expungement, so that providing the forms would not be difficult.

Under its provisions, SB 53 requires the court to hold a hearing on every petition for expungement that is filed. We would strongly urge that this provision be made discretionary rather than mandatory. We believe there will be numerous petitions that could be handled without a hearing – or perhaps are obviously frivolous – and we can make the process move more efficiently through the courts without this requirement.

There are other procedures that we think could strengthen the expungement process and the bill. For instance:

- Notice should be provided to the District Attorney’s office that prosecuted the defendant. The DA’s office works closely with victims of crime, so it would be more logical for the DA to provide notice of any hearing to the victim rather than have the Clerk of Circuit Court do the notification.
- A requirement that all counts charged in a case must be eligible for expungement in order for a petition to be granted.
- There needs to be a procedure for defendants whose sentences do not include probation to show the court they have successfully completed their sentences. For those on probation, there is a certificate of discharge, but that is not available to defendants not on probation.
- An initial applicability section should be added in order to clarify that defendants with closed cases are eligible to bring petitions.

Finally, there are some important provisions that we added to 2015 AB 1005 that we hope the authors and the committee will study further. They are not in SB 53, but we think they are worth a closer look. They include the following:

- Expanding the expungement process to include cases in which the defendant was found not guilty; the case was dismissed; or the conviction was reversed, set aside or vacated. AB 1005 had no age limit for defendants in those cases. The current statute has the

anomalous result that a person with a conviction may have the record expunged but a person found not guilty does not have a way to have the record expunged.

- Expanding the expungement procedure to cover circuit court forfeiture cases. Examples of these types of cases are ordinance violations for retail theft or disorderly conduct. These cases can have a strong negative influence on a person, but currently there is no expungement procedure for these types of cases.
- Limiting the expungement process to exclude those cases involving violation of traffic laws.

Again, we applaud the authors of SB 53 for bringing the expungement issue before the Legislature. We hope they will be willing to work with us and with other legislators who are interested in changing this law.

The importance of the expungement procedure was reaffirmed in one of the cases recently litigated on the subject. Writing for a unanimous Wisconsin Supreme Court in *State v. Hemp*, 2014 WI 129, Justice Michael Gableman wrote:

¶21 Thus, Wisconsin's expungement statute indicates our legislature's willingness (as expressed by the plain language of the statute) to help young people who are convicted of crimes get back on their feet and contribute to society by providing them a fresh start, free from the burden of a criminal conviction. Through expungement, circuit court judges can, in appropriate circumstances, help not only the individual defendant, but also society at large.

I would be happy to take questions. Thank you.



**Senate Committee on Judiciary and Public Safety
Testimony on Senate Bills 53, 54, 57, and 59
March 29, 2017**

Thank you Senator Wanggaard and members of the Senate Committee on Judiciary and Public Safety for allowing me to testify.

SB 53 changes the procedures for procuring an expunction. Current law requires a judge at the time of sentencing to make a determination regarding expunction. SB 53 moves the process to after the time the sentence is completed. By changing the expunction process to after the completion of the sentence, the judge is in a much better position to consider whether expunging the record is in the defendant's best interest and whether society will be harmed.

Expunction is a powerful motivator. The consequences of having a public criminal record can last a long time. SB 53 provides a useful incentive for a first time offender to rehabilitate and not reoffend.

SB 54 removes the discretion of a probation officer when recommending revocation if the person on supervision is charged with a new crime.

SB 54 does not allow the department to not recommend revocation if the new crime charged occurred prior to the supervision. The purpose of supervision is to monitor a person's behavior and provide quicker punitive sanctions if the person does not comply with supervision. By including crimes occurring outside the period of supervision, the punishment is no longer connected to supervision.

SB 54 does not provide the Department of Corrections with any discretion for cases where a new crime is charged but later dismissed. Any number of circumstances, including the unearthing of evidence that shows no crime was ever committed, can cause dismissal of charges. In that instance, the department has no choice but to continue on with the revocation process.

SB 57 provides an incentive for people convicted for the first time of a non-violent, low-level felony at avoiding the lifetime collateral consequences of being a felon.

Felony convictions carry significant consequences beyond the potential for prison. Some restrictions only apply while the person is on serving his sentence or under

supervision like voting. However, many are much longer lasting. The right to possess a firearm as well as some licensure restrictions can last a lifetime.

SB 57 is tailored towards a small segment of convicted felons. Just as not everyone should receive an expunction, not every convicted felon should be able to avoid the long-term consequences that come with committing a felony. The incentive created by this bill provides courts a useful tool to motivate against recidivism. It allows courts to exercise discretion and use their judgment based on their personal knowledge of the case rather than cramming those convicted of low-level felonies into pre-designated, unchangeable categories.

One addition to the bill that could be useful is providing the same opportunity to juveniles adjudicated of what would be a felony if the juvenile were tried as an adult. The same lifetime consequences attached to a felony conviction apply to juveniles. The same positive effects of reducing a felony to a misdemeanor would apply to juveniles.

SB 59 expands the list of crimes that make a juvenile delinquent eligible for the Serious Juvenile Offender Program to all felonies. In addition, the bill creates a presumption that a juvenile found to be a delinquent of what would be a felony if tried as an adult should be placed in a correctional setting.

The general philosophy behind having a separate juvenile justice system is younger offenders should be offered rehabilitative services first followed by punitive sanctions if the rehabilitation is not working. Of course, some crimes committed by juveniles require their removal from society and placement in a secure detention. The Serious Juvenile Offender Program was created for this reality. SB 59 requires a judge to presume a juvenile delinquent of a felony is a danger to the public. Not all felonies are created equal. SB 59's inclusion of all felonies is too broad and creates an unnecessary presumption that out of custody rehabilitative services are inappropriate.

Mayor and Common Council members:

Another homicide occurred in my neighborhood two days ago. I know all of you are aware of this as the victim was a city worker. I am saddened by this event and more frightened than ever because of it. Things like this had not happened so close to my home for many years but now are a common occurrence. I have seen a steep decline in my community over the past five years. I have attempted to get someone's attention - ANYONE who would listen. Thank you, Bob Donovan, for hearing my concerns.

I accepted living on N. 25 St. and W. Walnut St. as a challenge when I first moved here about 26 years ago. I had a passion for making a difference somewhere. I jumped into this role, feet first. I have done my best to make a difference somewhere, somehow, no matter how small. Besides being a community organizer, I have stopped many crimes in progress here. I lost count of how many domestic abuse assaults I have intervened on - there have been many. In one incident, the suspect was trying to kill the unborn baby of a woman by beating her. He beat her unconscious. I risked my life to save hers. Sadly, many drove by without offering a hand. This is the level of depravity that exists here. In addition, I, too, have been a victim of crime. I lost count of that number as well although I know it is over 20. Sadly, property crimes are commonplace here. Homicides were NOT common though and over the past five years, that has changed. It is now too close to home. Unfortunately, eventually my husband and I will be leaving Milwaukee due to the lack of your concern for us. We have stayed to be part of the solution but with no help from you, we will move. I feel sad for those who are stuck here and will not have that same opportunity. Their only asset is their home which they will get very little for if they should sell. They can not afford to leave. For those of you who represent more affluent constituents, I know of some in your areas who have left because of the crime. The thought of fleeing is not just from those in my neighborhood.

Today I am wondering, where are my city leaders as crime is soaring in my neighborhood? I am sick and tired of my "leaders" being more concerned about people paying too much for possessing pot and building a streetcar for the up-and-comers than they are about the killing taking place. You are rolling the dice with those of us who have a vested interest in the city. With the madness taking place in my community, I wonder if I am the only one who really cares. That is why I am speaking out. Your lack of action and silence speaks volumes. It is deafening!

Besides the homicides, I have witnessed an up-swing with other crimes. My teens are not allowed to drive in my neighborhood for fear they will be hit by the usual 'I-don't-need-to-follow-any-laws' culprit or worse yet, be carjacked like "Ziggy". Now, after this event on Cherry St., I know this is just not being overly protective - it is a reality here. What teen doesn't wish to drive independently once they get their license? Mine can't out of fear for their safety.

The quality of life here in my community has been diminishing for years. I had high hopes for making a difference but can't when all I get are the leaders who are just in it for themselves. Leadership does not mean you go along with the program. Great

leaders make difficult decisions and yes, may make some that are not favorable to all but are best for the majority. Unfortunately, most of you collect your paycheck, doing what you can to get by and get your votes.

What is the solution? I hear nothing other than you in office playing the blame game. Poverty is the number one excuse. Continue to play nice when children are dying not only in the streets of Milwaukee but also the beds they share. They are being raised in violent households by parents who couldn't give a damn as to whether or not their offspring can read or write, by parents who could care less about instilling values and morals in their children, by parents who fail to give their children hope. Poverty does not mean one cannot be taught self-control, care and concern for others, responsibility. Teaching values and morals are free as is getting an education. Learning is the key to freedom from poverty yet we allow kids to be chronically truant, allow excuses by parents as to why their children are not in school, and accept that parents have NO involvement in their children's education or upbringing. A recent article regarding the black students dropping out at UW-Milwaukee shows how ill prepared they are for college after being promoted through school and graduate. We are failing these youth! Leaders, it is NOT the governments' responsibility to raise children. It is the parents'. They are a parent by CHOICE. When parents fail to meet their responsibility, THEN it is your turn to step in and swiftly. Stepping in does NOT mean we need to ignore the issue. It is not government's job to enable, to coddle.

There is utter chaos in my community – there is no law and order – just a free-for-all for the criminals. In case you would like to know, here is a run-down on what has been going on within a two block radius of my home since I last sent you the attached emails. Do you have these things going on in your neighborhood?

- I was an unfortunate spectator to the outcome of 2015's homicide #75 at 9:30 PM on Thurs., 07/02/15. Two men were shooting it out on W. Lisbon Ave. over road rage and one died. My wonderful neighbors a block over had just completed updating the exterior of their home when two bullets struck the side of their home. Fortunately, they were not injured or worse, killed. They have two young children in the home.

- On 1/3/16 starting at 2:20 AM, a subject, later identified as a resident of the subsidized housing building, Cherry Court, had attempted to get into my house. My dogs barking and my threats scared him off. The police were called but could not find him. He came back a second time a few hours later, again trying to get into my home. He left before the police came but he was eventually located and identified. I was told he was mentally ill, not on meds, and was intoxicated. He was told to stay away. He again returned not once, but two more times that same morning. It took my husband to track him down and threaten him for him to stay away. I called public housing and demanded he be moved. I informed them he was a threat to our safety. I have two children in the home and they were scared. I was told he had rights and was not going to be moved. I pay taxes and pay for his existence. What are my rights??? By the way, this isn't the first time we had problems with public housing residents. One had threatened to shoot me years ago and was allowed to continue to live on my block in spite of this.

- On 05/20/16, at approximately 12:30 PM, there was a shooting at the BP gas station on N. 27 St. and W. Lisbon Ave. I was outside and heard 3-4 gunshots that hit the victim.
- On 06/09/16, there were two subjects shot on the 1900 blk. of N. 26 St. This occurred in the afternoon. Both survived.
- On 06/15/16, at 6:45 PM, a subject by the name of London Street was shot to death on the 1900 blk. of N. 26 St. Interestingly enough, he was with the public housing resident when the threats to shoot me were made years before.
- In July of 2016, two neighbors were robbed at approximately 7:30 AM. One elderly gentleman was strong arm robbed on the 1600 block of N. 24 Pl. A female was robbed at gunpoint by the same subjects on the 2400 block of W. Galena St.
- On 08/14/16, at approximately 3:30 PM, several subjects ran through my neighborhood park, Tiefenthaler, and were shooting at each other. Around that same time, a woman was shot in the head near public housing on W. Lisbon Ave. and N. 28 St.
- On Sun., 10/30/16, at 7 AM, I was walking my two dogs - one of which is a German Shepherd - when a car started circling around me. I was only on the other side of my block near the park. I began going back to my home after they went past me the third time. I knew I was their target. When I got to my residence, this car pulled out from behind my garage in the alley. Upon seeing me, they backed up and parked behind my garage and waited until I entered my yard. I didn't go to my house but instead went two doors down. These same subjects came back around the block and found me hiding in this yard. They stopped and I ran through the back. They eventually left. It used to be that my dogs would keep the bad element at bay. Looks li will use alternative methods for protection.
- On 10/12/16, in the early morning hours, my neighbors and I awoke to shots fired. **Fifteen** casings were found near the park at 1611 N. 25 St.
- On 11/06/16, at approximately 1:30 AM, **eleven** shots were fired the alley rear of 2476 W. Galena St., which is on the opposite side of my block. Fortunately, my neighbors were not hit.
- On 11/08/16, I ran into my neighbor, Gail, at our polling place. She resides in a Habitat home on the 1800 blk. of N. 26 St. and had stated in Oct., her house was hit by gunfire meant for a rental unit next door. She told me since her husband had passed, she is too afraid to live here and was thinking about moving. Isn't that a shame that someone who put sweat equity into building a home she should be proud of is too afraid to live there?
- On 12/09/16, at approximately 11 PM, we woke up to seeing a man who was shot in the back, laying on the road in front of my house. An officer was tending to him. My neighbors told me they heard a round of 4-5 shots being fired and then another 2 shots between 9:30 PM - 10 PM that night.
- On Thurs., 01/05/17, at 9 AM, an employee at the BP gas station on N. 27 St. and W. Lisbon Ave. was beaten to death with a bat.

My husband works late at night. I can't sleep because I am worried he may be robbed or carjacked when he comes home. My kids, now in college, have no freedom when they come home for a visit because of the crime. I want them home but know they are safer in Madison. Can you believe they have never walked around the block alone?? My

neighbors - many who would love to take walks - are too fearful of leaving their property. One neighbor, Wendy, who also owns a Habitat home, stated she is too afraid to sit on her new patio out of fear of being shot. Two elderly women in my neighborhood - Flo and Judy - seldom come outside out of fear of being a victim. We are prisoners of our own homes yet the ones who should be in prison have freedom! Let that sink in!!!

We have more homeowners than there were when I first moved in. New homes have been built to the east and north. We have people who took a chance on Milwaukee and are doing their part to make our city better. What are you doing for us? Our property values have plummeted. Isn't this your responsibility to keep that up? Our quality of life has been suffering. Isn't it your responsibility to make that better? You work for **US!** You have forgotten this!

Leaders, you are **KILLING** this city. Your 'sit back and play spectator' attitude is what is hurting this city. I compare the dysfunction of our local government to that of a spouse of an addict. Continue to blame everything else but where responsibility lies, continue to feed the habit, continue to allow for excuses and nothing will change. You are an enabler. You are ignoring the problem and the family/community suffers. If you confront and make the 'addict' deal with consequences and you cut off the supply, the 'addict' will have to deal with the outcome and will either sink or swim. Milwaukee is long overdue for a serious intervention

I am demanding a meeting with you, Mayor, and with any common council members interested in explaining to us as to why our community is on the decline and we are not getting the resources we need. You may reach me at 414-429-4731 to set up a time and place where this meeting will occur.

Tina Kurth
2481 W. Walnut St.

Resolution 2017-07 - Civil Forfeiture Reform

- a. WHEREAS Wisconsin allows police departments to keep seized property they suspect is related to a crime even if the owners are never actually charged with a crime; and
- b. WHEREAS when police departments are given an opportunity to use civil forfeiture to increase their budgets, they tend to find more circumstances for seizing property.
- c. NOW THEREFORE BE IT RESOLVED that the Republican Party of Milwaukee County supports the efforts of State Senators Dave Craig and Steve Nass for civil forfeiture reform.

Resolution 2017-08 - Smart on Crime Legislation

- a. WHEREAS the Republican Party was founded on equal rights and opportunities for all, and
- b. WHEREAS we as conservatives must balance our support of a tough on crime stance with responsible tough on criminal justice spending, both fiscally and in personal costs, and
- c. WHEREAS the Wisconsin Statutes allow misdemeanors and low level felonies to be expunged, that process is seldom used, and
- d. WHEREAS those with misdemeanors and felonies on their records may be denied occupational licenses, college and home loans, the opportunity to attend college, lose job opportunities, disallow seniors the chance to live in assisted living plus other wrong on crime consequences.
- e. NOW THEREFORE BE IT RESOLVED that the Republican Party of Milwaukee County, in caucus assembled, supports the national Right On Crime movement which makes the Conservative case for reform: Fighting Crime, Prioritizing Victims, and Protecting Taxpayers, and
- f. BE IT FURTHER RESOLVED, that we support a change in Wisconsin Statute 973.015, the law concerning expungement, allowing persons of any age to be eligible for expungement, not just those who are under 25, eliminating the "at time of sentencing" clause which would allow these positive changes to be retroactive, and changing the process from judicial to administrative thereby fully offering Wisconsin residents a clean slate to enter college, pursue a better job, get home loans and improve one's life.

Resolution 2017-09 - Affirmation of Life

- a. WHEREAS the Republican Party was founded by free men who fought to reassert the cherished American belief that all human beings have certain God-given unalienable rights; and
- b. WHEREAS the Republican Party has stood steadfast against government policies that devalue human life, including abortion-on-demand and coercive "family planning" policies; and
- c. WHEREAS, in Wisconsin, the state university's teaching hospital is implementing plans for an expanded abortion facility in disregard to its mission and its state funding,
- d. NOW THEREFORE BE IT RESOLVED that the Republican Party of Milwaukee County, affirms its support for the rights of the unborn and for the struggle to ensure that our government and our society protect and respect innocent human life in all its forms, and believes that human life, including human beings which have been aborted, should not be treated as a commodity, and further believes that aborted baby parts should not be sold and that it is unethical for organizations to be monetarily incentivized to encourage their patients to have abortions; and
- e. BE IT FURTHER RESOLVED, that we oppose efforts to bring back taxpayer funding of abortion; oppose U.S. taxpayers' money funding foreign programs which promote abortion and coerced sterilizations and abortions; oppose the creation of an abortion clinic at the University of Wisconsin-Madison hospital; support the appointment of Supreme Court Justices who will support reversing the Roe v. Wade abortion decision; oppose efforts to repeal or weaken existing protections for the unborn including parental consent laws and the partial birth abortion ban; call for

Maxim, Valirie

From: Nikki Olson <nicolle_olson@yahoo.com>
Sent: Wednesday, March 29, 2017 8:51 AM
To: Maxim, Valirie
Subject: Opposition to SB 52, 58, and 59

Chairman Wanggaard and Members of the Committee,

I writing to express my strong opposition to SB 52, SB 58, and SB 59. I am part of the Youth Justice Milwaukee Coalition. I am the parent of a justice involved youth and family member of a victim of violence. These three bills represent the belief that punishing children for negative behavior reduces negative behavior and leads to fewer victims. This belief is outdated, proven false, and dangerous.

The current juvenile justice system is discriminatory, expensive, and ineffective. Wisconsin has the largest youth prison in the country and one of the highest rates of racial and ethnic disparities. Wisconsin taxpayers spend \$110,000 per child per year to send a child to prison and 75% of these children re-offend within three years of being released because *incarceration increases risk*. Last year alone, this added up to over \$30 million.

The juvenile justice system in Wisconsin needs dramatic changes, but *not to be more punitive*, which we know will further increase discriminatory effect on children of color, expense, and the number of young people who recidivate after being released from prison.

Research consistently shows that treating the unmet needs, and addressing risk factors at the earliest point and in the last restrictive setting possible, are far more effective than punishment. An effective system must include a strength-based approach with young people who need a continuum of care options to meet a wide range of risk and need.

Youth Justice Milwaukee (YJM), a coalition of community organizations, youth advocates and family members of youth involved in the juvenile justice system calls on state officials to immediately close Lincoln Hills and Cooper Lake, and instead redirect funds to community-based treatment programs that are proven to lead to better outcomes. Overwhelming evidence shows that youth prisons are harmful, ineffective and excessively expensive. Youth in these facilities are routinely subjected to maltreatment which can exacerbate trauma, limit learning and lead to future recidivism.

Thank you for your time and consideration.

Nikki Olson
2610 Henry Street
Sheboygan, WI 53081
920-207-0557



State Headquarters:
207 E. Buffalo Street, Suite 325
Milwaukee, WI 53202-5774
414-272-4032 / Fax 414-272-0182
www.ACLU-WI.org

March 29, 2017

**Testimony of ACLU of Wisconsin
In Opposition to Senate Bills 52, 54, 55, 56, 57, 58, 59
Senate Committee on Judiciary and Public Safety**

Chair Van Wanggaard and Members of the Committee:

Thank you for the opportunity to provide testimony in opposition to Senate Bills 52, 54, 55, 56, 57, 58, and 59. The State of Wisconsin treats youthful offenders in ways that are contrary to the recommendations of juvenile justice experts, that have been abandoned as counterproductive by many states, and that violate constitutional norms. The ACLU of Wisconsin is especially concerned about broadening the scope of violations for which children can be sent to Lincoln Hills and Copper Lake schools, particularly when the unlawful treatment of young people in those places has not been resolved. We believe children should be held accountable for misbehavior, but the punishment meted out at Lincoln Hills and Copper Lake is simply too harsh and undermines the rehabilitative purpose of the juvenile system.

Expanding the Serious Juvenile Offender Program (SJOP) through bills 52 and 59 will place more young people in harm's way. The State should be examining alternative solutions to get young people to change their behavior and make better decisions, particularly because Lincoln Hills and Copper Lake have utterly failed in rehabilitating the youth sent there – the three-year recidivism outcomes released by the Department of Corrections show that over 60% reoffend.

Lincoln Hills and Copper Lake are supposed to be places where young people who have made past mistakes learn to overcome them and become productive members of society. Instead, they traumatize the children and deprive them of access to their families and other positive relationships and activities that can help. We should not be increasing the number of young people sent there.

Increasing penalties for crimes and imposing mandatory minimum sentences (SBs 54, 55, 56, 58) will do nothing to help individuals learn how to make better decisions or improve their lives going forward. These punitive measures are ineffective and enormously expensive. Rather than locking people up longer, let's invest that money in a strategy that improves outcomes for the community in the long term.

Maxim, Valirie

From: Jermaine Reed <jermaine@gofreshstart.us>
Sent: Tuesday, March 28, 2017 7:28 PM
To: Maxim, Valirie
Subject: Opposition to SB, 52, SB 58, AND SB 59

Dear Chairman Wanggaard and Members of the Committee,

I write to indicate my strong opposition to SB 52, SB 58, and SB 59. I am part of the Youth Justice Milwaukee Coalition, League of Justice, and Fresh Start Family Services. These three bills represent the belief that punishing children for negative behavior reduces negative behavior. This belief is outdated, proven false, and dangerous.

The current juvenile justice system is discriminatory, expensive, and ineffective. Wisconsin has the largest youth prison in the country and one of the highest rates of racial and ethnic disparities. Wisconsin taxpayers spend \$110,000 per child per year to send a child to prison and 75% of these children re-offend within three years of being released because *incarceration increases risk*. Last year alone, this added up to over \$30 million.

The juvenile justice system in Wisconsin needs dramatic changes, but *not to become punitive*, which we know will further increase discriminatory effect on children of color, expense, and the number of young people who recidivate after being released from prison.

Research consistently shows that treating the unmet needs, and addressing risk factors at the earliest point and in the least restrictive setting possible, are far more effective than punishment. An effective system must include a strength-based approach with young people who need a continuum of care options to meet a wide range of risk and need.

Youth Justice Milwaukee (YJM), a coalition of community organizations, youth advocates and family members of youth involved in the juvenile justice system calls on state officials to immediately close Lincoln Hills and Cooper Lake, and instead redirect funds to community-based treatment programs that are proven to lead to better outcomes. Overwhelming evidence shows that youth prisons are harmful, ineffective and excessively expensive. Youth in these facilities are routinely subjected to maltreatment which can exacerbate trauma, limit learning and lead to future recidivism.

Thank you for your time and consideration. My contact information is as follows:

Jermaine Reed

N11 W27707 White Oak Avenue

Waukesha, WI 53188

Senate Bill 52 Relating to: time limit on a restrictive custody sanction under the Serious Juvenile Offender Program.

Senate Bill 58 Relating to: carjacking offenses and providing criminal penalties.

Senate Bill 59 Relating to: acts for which a juvenile may be placed in correctional placement or the Serious Juvenile Offender Program.

Thank you,

Jermaine Reed

Maxim, Valirie

From: Sharlen Moore <smoore@urbanunderground.org>
Sent: Tuesday, March 28, 2017 6:57 PM
To: Maxim, Valirie
Subject: Opposition to SB 52, SB 58, and SB 59

Chairman Wanggaard and Members of the Committee,

I write to indicate my strong opposition to SB 52, SB 58, and SB 59. I am part of the Youth Justice Milwaukee Coalition, staff member of Urban Underground, which is a youth leadership agency and a mother of 3. These three bills represent the belief that punishing children for negative behavior reduces negative behavior. This belief is outdated, proven false, and dangerous.

The current juvenile justice system is discriminatory, expensive, and ineffective. Wisconsin has the largest youth prison in the country and one of the highest rates of racial and ethnic disparities. Wisconsin taxpayers spend \$110,000 per child per year to send a child to prison and 75% of these children re-offend within three years of being released because *incarceration increases risk*. Last year alone, this added up to over \$30 million.

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Youth Justice Milwaukee (YJM), a coalition of community organizations, youth advocates and family members of youth involved in the juvenile justice system calls on state officials to immediately close Lincoln Hills and Cooper Lake, and instead redirect funds to community-based treatment programs that are proven to lead to better outcomes. Overwhelming evidence shows that youth prisons are harmful, ineffective and excessively expensive. Youth in these facilities are routinely subjected to maltreatment which can exacerbate trauma, limit learning and lead to future recidivism.

Thank you for your time and consideration. My contact information is as follows.

Sharlen Moore

2819 N. 44th Street

Milwaukee, WI 53216

Senate Bill 52 Relating to: time limit on a restrictive custody sanction under the Serious Juvenile Offender Program.

Senate Bill 58 Relating to: carjacking offenses and providing criminal penalties.

Senate Bill 59 Relating to: acts for which a juvenile may be placed in correctional placement or the Serious Juvenile Offender Program.

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Sharlen Moore
Urban Underground
4850 W. Fond du Lac Ave.
Milwaukee, WI. 53216
(414) 444-8726
www.urbanunderground.org

Follow us on twitter [@uunderground](https://twitter.com/uunderground)
and facebook.com/UUnderground

Maxim, Valirie

From: Élysse Chay Wageman <Elysse@momaven.com>
Sent: Tuesday, March 28, 2017 5:51 PM
To: Maxim, Valirie
Subject: Judiciary and Public Safety: SB 52, 58 and 59

Chairman Wanggaard and Members of the Committee,

I write to indicate my strong opposition to SB 52, SB 58, and SB 59. I am a constituent of Senator Vukmir's and part of the Youth Justice Milwaukee Coalition. These three bills represent the belief that punishing children for negative behavior reduces negative behavior. This belief is outdated, proven false, and dangerous.

The current juvenile justice system is discriminatory, expensive, and ineffective. Wisconsin has the largest youth prison in the country and one of the highest rates of racial and ethnic disparities. Wisconsin taxpayers spend \$110,000 per child per year to send a child to prison and 75% of these children re-offend within three years of being released because *incarceration increases risk*. Last year alone, this added up to over \$30 million.

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Youth Justice Milwaukee (YJM), a coalition of community organizations, youth advocates and family members of youth involved in the juvenile justice system calls on state officials to immediately close Lincoln Hills and Cooper Lake, and instead redirect funds to community-based treatment programs that are proven to lead to better outcomes. Overwhelming evidence shows that youth prisons are harmful, ineffective and excessively expensive. Youth in these facilities are routinely subjected to maltreatment which can exacerbate trauma, limit learning and lead to future recidivism.

Thank you for your time and consideration. My contact information is as follows.

Elysse Chay
2646 N 68th St
Wauwatosa, WI 53213
Elysse@moMaven.com
(414) 810-6693

YWCA IS ON A MISSION

Wednesday March 29, 2017

Dear Honorable Members of Senate
Committee on Judiciary and Public Safety,

YWCA Madison strongly supports SB 53. We thank the sponsors for introducing this important bill.

Wisconsin residents face tremendous obstacles when they exit the criminal justice system. Despite the fact that they have completed their sentences, they still continue to pay for their convictions. Upon community reentry, individuals struggle to find housing and employment. Landlords use criminal background to screen out potential tenants, and employers often also use criminal background to limit who is eligible for employment. Because of the racial disparities in the criminal justice system in our state, this often perpetuates a legal form of discrimination.

Stable housing and employment are essential for reducing recidivism. Without these basic fundamental needs met, individuals are left struggling, often for the rest of their lives. SB 53 offers our fellow Wisconsin residents a way out of this struggle, to return into our communities and to live and contribute to society. When people have opportunities, stable housing, and employment, they are much more likely to be successful. This, in turn, reduces crime, increases community safety, and promotes family stability. SB 53 gives individuals, and our communities, a second chance.

YWCA Madison also supports the passage of SB 57. While this bill will apply to a narrow number of criminal offenses, we appreciate the gesture of this bill in recognizing the impact of felony convictions. We hope you support this bill. And we hope that after its success is documented, the state will expand its reach beyond Class I felonies.

Please support SB 53 and SB 57. If you have any questions, please do not hesitate to contact me or Carousel Bayrd, our Policy and Partnership Coordinator, at (608) 395-2196.

Sincerely,



Vanessa McDowell
Interim CEO

eliminating racism
empowering women
ywca

Race &
Gender Equity

Job Training &
Transportation

Housing &
Shelter



LEAGUE OF WOMEN VOTERS®
WISCONSIN

612 W. Main Street, #200
Madison, WI 53703-4714

(608) 256-0827
lwwwi.org

March 29, 2017

To: Senate Committee on Judiciary and Public Safety

Re: SB52, SB53, SB54, SB55, SB59

The League of Women Voters of Wisconsin believes there are three important measures in establishing criminal sanctions. Society is protected from criminal acts by deterrence, incapacitation and reform. We have a justice system whose purpose is to review criminal acts by citizens and to take appropriate action to protect society and help prevent further criminal acts. The final disposition of these actions is in the hands of judges. It is the duty of the judge to hear testimony and decide on criminal sentences on a case-by-case basis.

For these reasons we offer support or opposition to some of the legislation at this public hearing.

SB52 removes the three year limit on the amount of time the Department of Corrections may place certain juveniles in the Serious Juvenile Offender Program and who would be held in a juvenile correctional facility. This suggests an increased limit in the years in detention. SB59 increases the offenses for which a juvenile can be placed in the SJO Program, which is predicted to increase the numbers in juvenile facilities. The state of Wisconsin is still dealing with the abuse problems that occurred at Lincoln Hills with no surety that these problems will all be resolved in the near future. For the protection of those juveniles held in confinement we **oppose both SB52 and SB59**. We support the Missouri system of juvenile corrections as reflected in AB102/SB70, which would pattern the state's juvenile detentions into regional facilities as is successfully done in Missouri.

SB53 removes the request for an expungement order at the time of sentencing and allows a petition to the court one year after sentence served and with payment of a fee. We **support SB53** which would more easily allow citizens to expunge records of juvenile actions.

We **oppose SB55**, because it sets a higher mandatory minimum sentence than current legislation. This is an unnecessary and intrusive provision and removes even more discretion from judges in their attempt to weigh the factors that will determine a just and appropriate sentence.

Currently, the Department of Corrections may take physical custody of a person on extended supervision, parole or probation if the person is charged with a crime. We **oppose SB54** because it requires a recommendation of revocation by the DOC if that happens. With the Wisconsin prison population on the rise, removal of DOC discretion here is similar to increasing mandatory sentencing, the continued expansion of a bloated Corrections budget.

Thank you for the opportunity to express our support for SB53 and to express our concern and opposition to SB52, SB54, SB55 and SB59.

Maxim, Valirie

From: chalet@wi.rr.com
Sent: Tuesday, March 28, 2017 9:58 PM
To: Sen.Wanggaard
Subject: SB 52, SB 58, and SB 59

Chairman Wanggaard,

I wish that I could be there tomorrow to testify in person, but I have a medical procedure scheduled.

I write to indicate my strong opposition to SB 52, SB 58, and SB 59. I am part of the Youth Justice Milwaukee (YJM) Coalition as well as [other affiliation/s]. These three bills represent the belief that punishing children for negative behavior reduces negative behavior. This belief is outdated, proven false, and dangerous.

The current juvenile justice system is discriminatory, expensive, and ineffective. Wisconsin has the largest youth prison in the country and one of the highest rates of racial and ethnic disparities. Wisconsin taxpayers spend \$110,000 per child per year to send a child to prison and 75% of these children re-offend within three years of being released because incarceration increases risk. Last year alone, this added up to over \$30 million.

The juvenile justice system in Wisconsin needs dramatic changes, but not to be more punitive, which we know will further increase the discriminatory effect on children of color, expense, and the number of young people who recidivate after being released from prison.

Research consistently shows that treating unmet needs, and addressing risk factors at the earliest point and in the least restrictive setting possible, are far more effective than punishment. An effective system must include a strength-based approach with young people who need a continuum of care options to meet a wide range of risk and need. For more information about what advocates mean by a continuum of care, please visit <https://www.youthjusticemke.org/>.

Youth Justice Milwaukee (YJM), a coalition of community organizations, youth advocates and family members of youth involved in the juvenile justice system calls on state officials to immediately close Lincoln Hills and Cooper Lake, and instead redirect funds to community-based treatment programs that are proven to lead to better outcomes. Overwhelming evidence shows that youth prisons are harmful, ineffective and excessively expensive. Youth in these facilities are routinely subjected to maltreatment which can exacerbate trauma, limit learning and lead to future recidivism.

Thank you for your time and consideration. My contact information is as follows.

Irene Christian
22906 120th St., Trevor, WI 53179

Maxim, Valirie

From: Shannon <jeffsgal@zoho.com>
Sent: Tuesday, March 28, 2017 9:22 PM
To: Sen.Wanggaard
Subject: Urgent. In regard to SB52, SB58, SB59

Chairman Wanggaard and Members of the Committee,

I wish that I could be there tomorrow to testify in person, but I unable because I do not have alternative childcare for my children home on spring break. I am a stay at home mother to six boys.

I write to indicate my strong opposition to SB 52, SB 58, and SB 59. I am part of the Youth Justice Milwaukee (YJM) Coalition as well as Forward Kenosha. These three bills represent the belief that punishing children for negative behavior reduces negative behavior. This belief is outdated, proven false, and dangerous.

The current juvenile justice system is discriminatory, expensive, and ineffective. Wisconsin has the largest youth prison in the country and one of the highest rates of racial and ethnic disparities. Wisconsin taxpayers spend \$110,000 per child per year to send a child to prison and 75% of these children re-offend within three years of being released because incarceration increases risk. Last year alone, this added up to over \$30 million.

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This directly affects my family. My 14 year old child along with his co defendant, is currently being held in Washington County juvenile detention. He is being prosecuted for a first time, non-violent offense. The SJO program is archaic. We are a good family without prior history. My son needs restorative justice and rehabilitation, not to be thrown away from his family and his adolescence like so many forgotten Wisconsin youth. I beg you to please move juvenile justice in our state toward the 20th century as most other states are doing.

Thank you for your time and consideration. My contact information is as follows.

Shannon Hack
9907 190th Ave
Bristol, WI

Maxim, Valirie

From: Sharon Kusmirek <skusmirek@earthlink.net>
Sent: Wednesday, March 29, 2017 9:16 AM
To: Maxim, Valirie
Subject: SB 52, SB 58, SB 59

Re: **Senate Bill 52** Relating to: time limit on a restrictive custody sanction under the Serious Juvenile Offender Program.

Senate Bill 58 Relating to: carjacking offenses and providing criminal penalties.

Senate Bill 59 Relating to: acts for which a juvenile may be placed in correctional placement or the Serious Juvenile Offender Program.

Dear Chairman Wanggaard and Members of the Committee,

I write to indicate my strong opposition to SB 52, SB 58, and SB 59. I am a former special education teacher with families caring for children and older youth in Milwaukee Public Schools as well as those participating in the Birth-3 Program in Milwaukee County. I am also part of Youth Justice Milwaukee (YJM). In addition, I have been active in family-based prevention initiatives throughout my career. The above three bills represent the belief that punishing children for negative behavior reduces negative behavior. This belief is outdated, proven false, and dangerous. It ignores the findings of cognitive research regarding development and behavior.

The current juvenile justice system is discriminatory, expensive, and ineffective. Wisconsin has the largest youth prison in the country and one of the highest rates of racial and ethnic disparities. Wisconsin taxpayers spend \$110,000 per child per year to send a child to prison and 75% of these children re-offend within three years of being released because *incarceration increases risk*. Last year alone, this added up to over \$30 million.

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Youth Justice Milwaukee (YJM), a coalition of community organizations, youth advocates and family members of youth involved in the juvenile justice system calls on state officials to immediately close Lincoln Hills and Cooper Lake, and instead redirect funds to community-based treatment programs that are proven to lead to better outcomes. Overwhelming evidence shows that youth prisons are harmful, ineffective and excessively expensive. Youth in these facilities are routinely subjected to maltreatment which can exacerbate trauma, limit learning and lead to future recidivism.

Thank you for your time and work on behalf of our youth, in helping promote the thriving community in which I wish to live -a community in which all are engaged and contributing members, each according to their abilities.

Sharon Kusmirek

4477 N. 55

Milwaukee, WI. 53218

414.466.5082

Sent from my iPad