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## Luther S. Olsen

State Senator

14th District

**TO:** Senate Committee on Judiciary and Public Safety

**FROM:** Senator Olsen

**DATE:** January 16<sup>th</sup>, 2018

**SUBJECT:** Testimony for Senate Bill 623

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Thank you Chairman Wanggaard and members of the Senate Committee on Judiciary and Public Safety for holding a hearing and allowing me to testify in support of Senate Bill 623 (SB 623). The idea for this legislation was brought to my attention by a constituent from my district.

In 2010, Heather contacted me to share a very tragic story about her childhood friend and to shed light on our domestic violence laws. We worked together on legislation to improve our laws and in 2011 The TraJa Act was introduced by Representative Al Ott and myself as Senate Bill 350 (SB 350). This legislation increased the penalty for repeat offenders of domestic violence by making the third offense a felony charge. 2011 SB 350 passed unanimously in the Senate and 94 to 1 in the Assembly, and it was signed into law as 2011 Wisconsin Act 277 on April 9, 2012. Since that day, District Attorney's in Wisconsin have found this to be a useful tool in prosecuting and holding violent offenders accountable.

Earlier this session, it was brought to my attention that there is one small flaw with the law. Violent offenders are getting a fresh start by moving to Wisconsin because we do not take their prior domestic violence convictions from other states into consideration as we would if it had occurred here.

Senate Bill 623 expands on 2011 Wisconsin Act 277 by allowing our courts to take the domestic violence conviction history from other states into consideration. It will allow a crime that was previously convicted elsewhere to count as a prior offense if the same offense would have resulted in a domestic abuse surcharge had it occurred in Wisconsin. This bill will allow our courts to convict a domestic violence repeat offender of a felony or misdemeanor after their third offense even if prior offenses occurred in another state.

Moving to Wisconsin shouldn't be a clean slate that allows for additional abuse to take place, it is my hope that SB 623 will help put a stop to these offenders who are repeatedly convicted of domestic violence. Again, thank you for holding a hearing today on this bi-partisan legislation. I ask for your support on SB 623 and would be happy to answer any questions that you may have.



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WISCONSIN STATE REPRESENTATIVE

41<sup>ST</sup> ASSEMBLY DISTRICT

**Senate Bill 623: Increased Maximum Terms of Imprisonment for Domestic Abuse Repeaters and Providing a Criminal Penalty**  
**Testimony of State Representative Joan Ballweg**  
**Senate Committee on Judiciary and Public Safety**  
**January 16, 2018**

Thank you, Chair Wanggaard, and members of the Committee on Judiciary and Public Safety for holding this public hearing on SB 623.

According to the Partnership Against Domestic Violence, every nine seconds, a woman is a beaten in the United States. That means by the end of my 3 minute testimony, 20 more women will have been victims of domestic violence. In the most severe cases, this domestic violence can escalate to murder.

This bill expands the TraJa Act, which originally introduced the domestic abuse surcharge to make the third offense a felony. SB 623 expands the domestic abuse surcharge to allow courts to consider someone's domestic violence crime history in another state. We are introducing SB 623, at the request of our constituent, Heather Lawler, who was instrumental in the passage of the TraJa Act.

In 2011, the Wisconsin legislature passed the TraJa Act to increase the penalty for repeat offenders of domestic violence by making the third offense a felony charge. The TraJa Act is named for Tracy Judd (33) and her 23 month old daughter, Deja Renee, and Amber Weigel (25) and her 2-year old daughter, Neveah, who were murdered in 2009 by Tyrone Adair in a horrific act of domestic violence. A simple Circuit Court Access search sheds a disturbing light on Adair's history of and propensity to violence toward women.

Since the passage of the TraJa Act, District Attorneys in Wisconsin have found this to be a useful tool to prosecute and hold violent offenders accountable. According to the Department of Corrections, as of December 11, 2017, there are 290 offenders on community supervision and 195 inmates in prison with a conviction of repeat domestic violence. However, the current law does not cover those who have domestic violence history from out-of-state.

Out-of-state convictions are a serious problem in Wisconsin and violent offenders are getting a fresh start by moving to our state. Just because someone did not commit past crimes in Wisconsin, does not mean that we should not hold them accountable for their repeated actions of domestic violence.

End Domestic Abuse Wisconsin registered in favor of this bill. I believe SB 623 is another foot forward in the fight against domestic violence in our state.

Thank you for your consideration of SB 623, and I am happy to answer any questions.

**From the Desk of: Heather Lynn**  
**Lawler/TraJa**

Good Morning

Thank you all very much for attending today! 5 years ago I was here asking for your help to save lives. Saving lives of women, men & children. Asking for you to pass The TraJa Act.

Domestic Violence, what does those 2 words mean to you when I say them or you hear them? Typically they are on the news, followed by the words homicide, victim, estranged husband/wife, previous domestic violence convictions and many others.

Not even a week ago, Wisconsin had its first domestic violence homicide of 2018 in the town of Harrison. A husband shot and killed his wife whom had just 5 days prior filed for divorce. With years of relationship troubles, on New Years Eve her husband allegedly tied her up, raped her, and numerous time pointed a gun at her. Her husband was arrested and he was out on \$10,000 bond. He shot her in her car on Tuesday evening and then later shot himself. Leaving behind 3 very young children.

Previous convictions are a big part of why we are here today. To expand the TraJa Act an act that has changed the lives of so many.

For those of you who were not here 5 years ago. On December 3, 2009 my childhood friend Tracy Lynn Judd along with her beautiful 23 month old daughter Deja Renee and 2 other beautiful victims were brutally murdered in what is still known today as the most brutal domestic violence homicide in Dane Counties history. A

statistic I never thought I would hear, know the victims of, or be affected by. I never thought that statistic would change my life forever but it has, and I along with Tracy's sister Lisa who is here with me today have made it our life to NEVER let this happen to another family if we can help it.

On April 9, 2012 we began that day by saving the Tracy's & Deja's of Wisconsin, The TraJa Act was signed into law. Over 2500 violent offenders have been convicted and put behind prison walls that never would have seen those walls if not for the original TraJa Act. For that I thank you and every life you have saved thanks you.

But it wasn't enough, and we won't stop there and you shouldn't either. Domestic Violence convictions don't happen once, and typically by the time they are reported there have been several. It is our business to help these victims, and it is our job to do everything we can to keep them alive. I only wish I could have kept Tracy, Deja, Amber and Neveah alive.

I visit prisons twice a year to tell our story. Once in April during crime victims rights week and once in October to raise awareness for Domestic Violence Awareness Month. I have met hundreds of prisoners, some who have been there because of convictions from Domestic Violence or even The TraJa Act. The most violent offenders know the laws, know exactly most times how to work those laws. I have had a few violent offenders look right at me and tell me they came to Wisconsin because they got a clean slate. We have no laws protecting their victims from previous convictions in other states. So they pick up and move. They use this exact reason to intimidate and manipulate their victims. This fear for their victims doesn't happen over night, this is years of torture (mentally) and physical abuse most times beyond what you and I want to

imagine to be able to sleep at night.

District attorneys such as Brown County, Outagamie County, and many more who have asked for me to expand this law. They see so many that have out of state convictions and they could prevent some of the horrific things that happen before they can now. These District Attorneys work so hard along with their ADA's to help prevent further abuse and they have always supported us and further believe that by passing this law, they can do more where their hands are tied today! So I ask you along with your state and the victims of the state to help untie these hands by passing this bill and moving it forward to become reality like we did 5 years ago.

Thank you so much for letting me share with you today the importance of the expansion and I would be happy to answer any questions you may have. Please feel free to contact me at 920-450-5455 or by email [thetrajaact@yahoo.com](mailto:thetrajaact@yahoo.com).