



Joy Goeben

STATE REPRESENTATIVE • 5th ASSEMBLY DISTRICT

Assembly Committee on Judiciary

Representative Goeben

May 7, 2025

Good Afternoon Chairman Tusler, Vice Chair Jacobson and members of the committee for the opportunity to share with you about the great things we're doing to protect victims and help law enforcement today.

Senate Bill 191, coauthored by Senator James, would provide much needed solution to protect our law enforcement officers and State Crime Lab employees who are subpoenaed in criminal cases. Earlier this year, in the course of a First-Degree Intentional Homicide trial, a glaring concern came to light regarding the privacy of witnesses, specifically law enforcement and related professional witnesses.

Current WI statutes outline procedures for serving subpoenas in criminal trials, including disclosing a list of witnesses with the expectation their respective home addresses are included as information on that list.

This poses a grave threat to law enforcement officers and related professional witnesses, who can be targeted, threatened, and harassed at their homes for work done in professional capacity. This not only endangers themselves, but their families as well.

This bill seeks to address these concerns by clarifying relevant statutes to explicitly state that professional witnesses including law enforcement officers and related personnel may provide their work address for the purpose of serving a subpoena, a subpoena may be served at their workplace, and/or a copy of the subpoena may be left at the officer's work address.

Assembly Substitute Amendment 2 (ASA2) to AB 124 addresses initial intent in the legislation that was omitted in the original bill. ASA2 inclusion of professional witnesses (ie State Crime Lab employees) at the request of the WI Department of Justice. They have registered in favor of this bill. The substitute amendment also clarifies that the workplace is the *only venue* in which these individuals can be served a subpoena served in a professional capacity.

Again, I would like to thank the chair for hearing this bill today. It is my sincere belief we can work together to pass this bill to benefit our communities and protect the public servants that protect us.

STATE SENATOR

JESSE



JAMES

23RD DISTRICT

May 7th, 2025

Representative Tusler, Chair
Members of the Assembly Committee on Judiciary

Testimony on 2025 Assembly Bill 191

Relating to: requiring a subpoena to a law enforcement officer or tribal law enforcement officer served in official capacity to be served at the officer's work address.

Thank you, Chairman Tusler and other members of the committee, for hearing my testimony on Assembly Bill 191 today. AB 191 aims to protect the privacy of many individuals, including law enforcement and other public employees when being served a subpoena.

Earlier this year, we saw a direct impact on a lack of privacy for law enforcement officers and other public employees when a court required the state of Wisconsin to disclose home addresses of numerous individuals including law enforcement officers, witnesses, and crime lab personnel. The disclosure of personal home addresses poses a significant threat to the people involved in trials where the defendant may be charged with violent crimes.

AB 191 requires that if a subpoena is served to law enforcement officers or other public employees, it must be served to the individual's work address rather than their home address. Me and my colleague and co-author on this bill, Representative Goeben, recently rolled out a substitute amendment that would open this bill up to more than just law enforcement officers and tribal law enforcement officers. The amendment modifies it to include "a peace officer, public officer, or public employee who will be caused to testify about actions taken in an official capacity."

This bill helps safeguard the person's home address from being disclosed in court. If we continue to allow the release of private residential addresses of people involved in these cases, it exposes the witnesses and others involved to potential threats in the future. It also places undue stress on the families of these individuals due to fear of threat or retaliation from defendants who may be on trial for violent offenses. I hope we can come together to help protect and support these witnesses by changing the subpoena address requirement to use their work addresses instead of their private home addresses. Thank you, and I will take any questions at this time.

Respectfully,

A handwritten signature in black ink, appearing to read "Jesse James".

Senator Jesse James
23rd Senate District
Sen.James@legis.wisconsin.gov



May 7, 2025

To: Chairman Tusler and Members of the Assembly Committee on Judiciary

From: Pat Mitchell, Chief, West Allis Police Department, Co-Chair WCPA Legislative Committee

Re: Support Assembly Bill 191, Requiring Subpoenas for Law Enforcement Officers to be Served at their Home Address

Chairman Tusler and committee members, thank you for agreeing to hold a hearing on this important bill. I also want to thank Representative Goeben and Senator James for introducing this bill.

The Wisconsin Chiefs of Police Association is proud to support Assembly Bill 191 on behalf of its members across Wisconsin.

This proposal would require subpoenas for law enforcement officers, filed relating to their official capacity, to be served at their work address rather than their home.

Making this procedural change would improve officer security by limiting intrusion into their personal lives, enhance procedural efficiency, ensure officers receive legal documents in a professional setting, and standardize legal practices by reducing confusion surrounding where to serve an officer.

Other states across the political spectrum have implemented similar policies, from Texas to New York and California.

This is a common-sense step Wisconsin could take to balance the necessary legal procedures with officer safety. For that reason, the WCPA supports this legislation and hopes for its passage.



Wisconsin State Lodge *Fraternal Order of Police*



PO Box 206 West Bend, WI 53095

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Sergeant at Arms

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Testimony in Support of Assembly Bill 191 **Assembly Committee on Judiciary**

May 7, 2025

Chair Tusler, Vice Chair Jacobson, and esteemed members of the Assembly Committee on Judiciary,

My name is Mark Sette, and I am the Vice President of the Wisconsin Fraternal Order of Police. The Fraternal Order of Police is the world's largest organization of sworn law enforcement officers, with over 379,000 members in more than 2,200 lodges. The Wisconsin Fraternal Order of Police proudly represents more than 3,600 members in 33 lodges throughout the state. Thank you for allowing me to testify today on behalf of our members in support of Assembly Bill 191, a critical measure to protect the safety and privacy of Wisconsin's law enforcement and tribal law enforcement officers.

Assembly Bill 191 proposes a vital reform: requiring that subpoenas served on law enforcement officers or tribal law enforcement officers in their official capacity be delivered to their work address rather than their personal residence. This change is essential to shield these professionals from unnecessary risks, harassment, and intimidation, particularly as defense attorneys have begun exploiting home address disclosure requirements as a strategy to intimidate law enforcement witnesses and disrupt the prosecution of cases.

In January 2025, an Ashland County Circuit Court ruling mandated the disclosure of home addresses for all witnesses, including law enforcement officers and crime laboratory personnel, in a double homicide case. We believe this order was a misinterpretation and misuse of existing statutes, which exposed these public servants to significant safety risks, as their personal information became accessible to a defendant charged with two counts of First-Degree Intentional Homicide. Such disclosures are not only unnecessary but also endanger officers, their families, and their communities. The resulting stress undermines their ability to serve with confidence and compromises the integrity of the judicial process when used as a tactic to deter testimony.

Current Wisconsin law, including § 885.03, allows subpoenas to be served at a witness's home but does not explicitly mandate personal residential addresses. This ambiguity has led to misinterpretations, enabling defense strategies that exploit this vulnerability to intimidate officers. Assembly Bill 191 addresses this by amending the statutes to clearly specify that subpoenas for law enforcement officers and tribal law enforcement officers, when served in their official capacity, must be delivered to their work address—by reading the subpoena, providing a copy, or leaving it at their workplace. This bill eliminates room for misinterpretation, ensuring officers can participate in the judicial process without compromising their personal security.



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The case for this legislation is compelling. First, requiring home addresses for officers acting in their official capacity is unnecessary, as their workplace is sufficient for service. Second, disclosing home addresses poses clear safety risks, especially in cases involving violent crimes, with potential harassment extending to officers' families. Third, forcing personal information disclosure may violate officers' rights under § 950.04(2w), which protects witnesses from intimidation and misuse of personal identifiers. Finally, using work addresses preserves the judicial process while countering attempts to intimidate witnesses and disrupt prosecutions.

The Wisconsin Fraternal Order of Police strongly supports Assembly Bill 191 for balancing the needs of the justice system with the protection of those who serve it. By allowing law enforcement and tribal law enforcement officers to use work addresses for subpoena service, this bill reduces harm, alleviates stress, and upholds professional witnesses' rights.

On behalf of the members of the Wisconsin Fraternal Order of Police, I urge the committee to advance Assembly Bill 191, sending a strong message that Wisconsin prioritizes the safety of its law enforcement professionals and the integrity of its judicial process.

Thank you for your time. I am happy to answer any questions.