

STATE SENATOR

JESSE



JAMES

23RD DISTRICT

April 30th, 2025

Senator Wanggaard, Chair

Members of the Senate Committee on Judiciary and Public Safety

Testimony on 2025 Senate 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 Wanggaard and other members of the committee, for hearing my testimony on Senate Bill 191 today. SB 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.

SB 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. On the Assembly side, 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." The companion amendment will be rolled out soon and will be the same as the Assembly's.

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



JOY GOEBEN

STATE REPRESENTATIVE • 5th ASSEMBLY DISTRICT

Senate Committee on Judiciary and Public Safety

Representative Goeben
April 30, 2025

Good Afternoon Chairman Wanggaard, Vice Chair James 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 146 (SB 146) and Senate Bill 191 (SB 191) are coauthored by each of you respectively. I appreciate your willingness to partner together to tackle these issues to help our communities.

Senate Bill 146, coauthored by Senator Wanggaard, seeks to close a loophole in disallowing persons convicted of a violent crime from legally changing their name, thereby protecting victims from continued abuse and violence. A provision already exists in our state statutes disallowing persons convicted of sexual assault to change their name. This provision exists to ensure the offender isn't violating a restraining order or any other court order.

The ability of individuals convicted of violent crimes to legally change their names presents a serious risk to public safety. Name changes can allow offenders to evade detection, making it more difficult for law enforcement and the public to track individuals with a history of violent offenses. This loophole can also traumatize victims, who may struggle to stay informed about the whereabouts and identities of their perpetrators.

This bill closes that loophole by expanding the name-change prohibition to include all individuals convicted of violent crimes using existing law as a criteria to determine which convicted offenders would fall under the new prohibition. WI 2023 Act 3 Ensuring those convicted of serious crimes cannot easily alter their identities is essential to maintaining public trust and safety. Thank you to Senator Wanggaard for your support and for scheduling this hearing.

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.

The amendment you see on the bill is simply the 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.

Again, I would like to thank the senators for their support on this legislation. It is my sincere belief we can work together to pass these bills to benefit our communities and protect the public servants that protect us.



Wisconsin State Lodge *Fraternal Order of Police*



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Testimony in Support of Senate Bill 191 **Senate Committee on Judiciary and Public Safety**

April 30, 2025

Chairman Wanggaard, Vice Chairman James, and esteemed members of the Senate Committee on Judiciary and Public Safety,

My name is Adam Frederick, and I am a member of the Wisconsin Fraternal Order of Police Legislative Committee and President of Wisconsin Special Agents Association Lodge #38. Thank you for allowing me to testify today on behalf of our members in support of Senate Bill 191, a critical measure to protect the safety and privacy of Wisconsin's law enforcement and tribal law enforcement officers.

Senate 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. Senate 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 Senate 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 Senate 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.

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 State Lodge proudly represents more than 3,600 members in 33 lodges throughout the state. We are the voice of those who dedicate their lives to protecting and serving our communities. We are committed to improving the working conditions of law enforcement officers and the safety of those we serve through education, legislation, information, community involvement, and employee representation.