

“Tougher on Crime” bills pass Assembly largely along party lines

Posted on Wednesday, Feb 12, 2020

The Assembly approved largely along party lines a series of bills from the GOP “Tougher on Crime” package meant to increase penalties for repeat offenders.

But Dems quickly criticized the package as going in the opposite direction of a national trend of criminal justice reform.

“Today this is the last gasp of the Tough on Crime era in Wisconsin because Republicans in other states do care about liberty and freedom,” said Rep. Evan Goyke, D-Milwaukee, referencing a bipartisan criminal justice reform package passed in Louisiana. “The jury is in on criminal justice reform. The evidence is clear.”

Goyke said overall crime rates in Milwaukee have actually fallen by 25 percent in the last two years but “not one nickel of tax dollars is going to what’s been proven to work” in his city. He said the focus should be on working with neighborhoods over more incarceration.

>> WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)

AB 805 would require the Department of Corrections to recommend revoking the extended supervision, parole or probation for anyone who is charged with a new crime while on release.

It passed 61-38, with GOP Reps. Michael Schraa, of Oshkosh, and Patrick Snyder, of Schofield, siding with Dems in opposition.

A DOC fiscal estimate suggested it could raise prison costs by \$54.7 million in the first year and \$156.5 million in the second year, excluding the price tag for building new prisons to house the extra inmates in a system already operating at 133

percent capacity.

Dems said the said GOP lawmakers were never serious on the bill becoming law because it has no extra funding attached to it. They accused Republicans of forcing Gov. Tony Evers to veto the bill for political talking points in elections.

But the bill's author Rep. Joe Sanfelippo, R-New Berlin, disputed DOC's fiscal estimate, saying it was overinflating the number of parolees who would actually go back to prison.

"I don't think there's a person in this room who isn't for giving someone a second chance," Sanfelippo said. "This bill isn't taking aim at those individuals. It's looking at individuals who are habitually committing crime."

Ahead of the floor session, Sanfelippo told reporters he didn't have an estimate of what he thought the bill would actually cost.

Other bills in the package include:

*AB 806, which would expand the crimes that would place minors in the juvenile corrections system. The bill would add to the circumstances any act that would be considered a felony if committed by an adult. It would also expand what evidence could be used against a juvenile when determining if they are a danger to the public and would need restrictive placement. Dems slammed the GOP proposal for potentially increasing the juvenile prison population while failing to fund the changes to the youth prison system stemming from a law passed last session to close the Lincoln Hills and Copper Lake juvenile centers. But Sanfelippo, the bill's author, said it's necessary to keep violent repeat criminal juveniles off the streets. The bill passed 60-38 with Schraa, who partnered Goyke in authoring 2017 Act 185, joining Rep. Pat Snyder, R-Schofield, as the only Republicans to vote against the bill. Rep. Travis Tranel, R-Cuba City, did not vote.

*AB 808, which would prevent prosecutors who have charged a felon with firearm possession from placing the person in a deferred prosecution program or dismissing the charge without court approval. Goyke and fellow Dems said the bill would create constitutional issues with the separation of government powers and the Fourth Amendment. Rep. Shae Sortwell said the bill is meant to ensure district attorneys aren't selective with their charges. It passed 62-36 along party lines, with Tranel not voting.

*AB 809, which would prevent felons convicted of certain violent crimes from eligibility for parole under most circumstances, including old age, health conditions or the length of prison time already served. Dems said some inmates on their deathbed should be able to spend their final days receiving better healthcare and not contributing to DOC expenses. Sortwell said he doesn't "have a whole lot of compassion" for inmates convicted to serve decades in prison. The bill passed 61-37, with Scott Krug, of Nekoosa, as the lone Republican no vote and Tranel not voting.