

**OUTAGAMIE COUNTY BOARD MEETING  
MARCH 13, 2018**

RESOLUTION NO. 159—2017-18

Supervisor Croatt moved, seconded by Supervisor Spears, for adoption.

RESOLUTION NO. 159—2017-18 IS ADOPTED.

RollCall-Pro Advanced Tuesday, March 13, 2018					
1. THOMPSON	YES	13. WEGAND	YES	25. NOOYEN	YES
2. MILLER	YES	14. DE GROOT	YES	26. DUNCAN	YES
3. GRADY	YES	15. VACANT	Absent	27. CULBERTSON	YES
4. PATIENCE	YES	16. VACANT	Absent	28. STURN	YES
5. GABRIELSON	YES	17. CROATT	YES	29. BUCHMAN	YES
6. FOSS	Absent	18. SPEARS	YES	30. GRIESBACH	YES
7. HAMMEN	YES	19. STUECK	Absent	31. CLEGG	YES
8. T. KRUEGER	YES	20. THOMAS	YES	32. VANDERHEIDEN	YES
9. J. KRUEGER	YES	21. THYSSEN	YES	O'CONNOR-SCHEVERS	YES
10. LAMERS	YES	22. HAGEN	YES	34. RETTLER	YES
11. MEYER	Absent	23. KLEMP	YES	35. MELCHERT	YES
12. McDANIEL	YES	24. PLEUSS	YES	36. SUPRISE	YES
Item 16                      Passed (31 Y - 0 N - 0 A - 5 Absent)                      Majority Vote    >					

***RESOLUTION NO.: 159—2017-18***

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN

***MAJORITY***

1 Currently, it is a crime to bring a prohibited object into a jail or prison with the intent to  
2 deliver the object to another person or to transport a prohibited item out of a jail or  
3 prison. Legislation has been proposed to provide a criminal penalty to those who bring a  
4 prohibited object into a jail or prison with intent to deliver to any inmate or to keep the  
5 object for oneself. The proposal aligns the penalty for smuggling contraband items for  
6 personal use with the penalty for smuggling in a prohibited item with intent to give that  
7 item to another person.

8  
9 NOW THEREFORE, the undersigned members of the Public Safety Committee recommend  
10 adoption of the following resolution.

11 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support proposed  
12 legislation that would add language to the Wisconsin State Statutes to charge any person with a Class I  
13 felony that procures intent to deliver to any inmate confined in a jail or state prison any article for an  
14 inmate to receive, and

15 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support  
16 proposed legislation that would add language to the Wisconsin State Statutes to charge any person with  
17 a Class I felony as pertains to a person who has in his or her possession with intent to retain for himself  
18 or herself any article or thing whatever without the knowledge or permission of the sheriff or other  
19 keeper of the jail, and

20 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy  
21 of this resolution to the Outagamie County Sheriff, and the Outagamie County Lobbyist for distribution  
22 to the Governor, the Legislature, and all Wisconsin Counties.

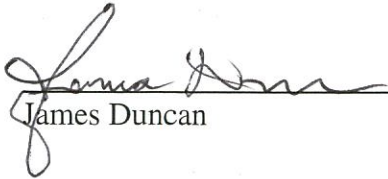
23 Dated this 13<sup>th</sup> day of March 2018

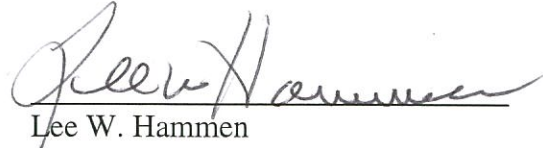
24 Respectfully Submitted,


25

26 PUBLIC SAFETY COMMITTEE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

  
James Duncan

  
Lee W. Hammen

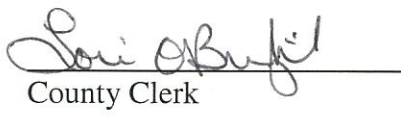
  
Katrin Patience

  
Dan Grady

  
Mike Thomas

Duly and officially adopted by the County Board on: March 13, 2018

Signed:   
Board Chairperson

  
County Clerk

Approved: 3.14.18

Vetoed: \_\_\_\_\_

Signed:   
County Executive



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-5331/1  
MLJ:kjf

**2017 BILL**

1 **AN ACT** *to renumber and amend* 302.095 (2); and *to create* 302.095 (2) (a) 2.  
2 and 302.095 (2) (b) of the statutes; **relating to:** bringing contraband into a jail  
3 or prison and providing a criminal penalty.

---

***Analysis by the Legislative Reference Bureau***

Under current law, it is a crime to bring a prohibited object into a jail or prison with the intent to deliver the object to another person, or to transport a prohibited item out of a jail or prison. Under the bill, it is also a crime to bring a prohibited object into a jail or prison with intent to keep the object for oneself.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4 **SECTION 1.** 302.095 (2) of the statutes is renumbered 302.095 (2) (a) (intro.) and  
5 amended to read:  
6 302.095 (2) (a) (intro.) Any officer or other person who ~~delivers or~~ does any of  
7 the following contrary to the rules or regulations and without the knowledge or  
8 permission of the sheriff or other keeper of the jail, in the case of a jail, or the warden  
9 or superintendent of the prison, in the case of a prison, is guilty of a Class I felony:

2017 - 2018 Legislature - 2 -

LRB-5331/1  
MLJ:kjf

**BILL**

**SECTION 1**

1 1. Delivers, procures to be delivered, or has in his or her possession with intent  
 2 to deliver to any inmate confined in a jail or state prison, ~~or who deposits or conceals~~  
 3 ~~in or about a jail or prison, or the precincts of a jail or prison, or in any vehicle going~~  
 4 ~~into the premises belonging to a jail or prison,~~ any article or thing whatever, with  
 5 intent that any inmate confined in the jail or prison shall obtain or receive the same,  
 6 ~~or who receives.~~

7 3. Receives from any inmate any article or thing whatever with intent to convey  
 8 the same out of a jail or prison, ~~contrary to the rules or regulations and without the~~  
 9 ~~knowledge or permission of the sheriff or other keeper of the jail, in the case of a jail,~~  
 10 ~~or of the warden or superintendent of the prison, in the case of a prison, is guilty of~~  
 11 ~~a Class I felony.~~

12 **SECTION 2.** 302.095 (2) (a) 2. of the statutes is created to read:

13 302.095 (2) (a) 2. Deposits or conceals in or about a jail or prison, or the  
 14 precincts of a jail or prison, or in any vehicle going into the premises belonging to a  
 15 jail or prison, any article or thing whatever, with intent that any inmate confined in  
 16 the jail or prison shall obtain or receive the same.

17 **SECTION 3.** 302.095 (2) (b) of the statutes is created to read:

18 302.095 (2) (b) Any person who, contrary to the rules or regulations and  
 19 without the knowledge or permission of the sheriff or other keeper of the jail, in the  
 20 case of a jail, or the warden or superintendent of the prison, in the case of a prison,  
 21 has in his or her possession with intent to retain for himself or herself any article or  
 22 thing whatever, is guilty of a Class I felony.

23 (END)