



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5643/1
MJW:amn

2023 SENATE BILL 949

January 26, 2024 - Introduced by Senators JAMES, L. JOHNSON and LARSON, cosponsored by Representatives BILLINGS, J. ANDERSON, BEHNKE, BINSFELD, CONSIDINE, DITTRICH, DRAKE, EMERSON, JOERS, S. JOHNSON, MADISON, MAXEY, MOORE OMOKUNDE, MURSAU, O'CONNOR, OHNSTAD, PALMERI, RATCLIFF, SINICKI, SNODGRASS, SUBECK, BRANDTJEN and SCHRAA. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to create** 940.302 (4), 948.051 (4), 950.04 (1v) (eg) and 950.04 (2w) (fg)
2 of the statutes; **relating to:** courtroom supports for and sealing the identifying
3 information of child victims and child witnesses of human trafficking crimes.

Analysis by the Legislative Reference Bureau

Current law provides certain additional rights and protections to victims and witnesses during their involvement with the criminal justice or juvenile justice system.

This bill provides that child victims or child witnesses of human trafficking crimes must be provided any courtroom supports that the court finds necessary to support the health, safety, or liberty of the child and determines are in the interest of justice.

The bill also provides that in any criminal proceeding for a human trafficking violation or civil action for injury due to human trafficking, a child victim's or child witness's identifying information must be sealed and may not be disclosed to the public unless the court orders the disclosure to be made after a hearing in which the court takes into consideration the health, safety, and liberty of the child and determines that the disclosure is in the interest of justice.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

SENATE BILL 949**SECTION 1**

1 **SECTION 1.** 940.302 (4) of the statutes is created to read:

2 940.302 (4) In any criminal proceeding for a violation of sub. (2) or civil action
3 under sub. (3), the identifying information of a child victim or child witness shall be
4 sealed and may not be disclosed to the public unless the court orders the disclosure
5 to be made after a hearing in which the court takes into consideration the health,
6 safety, and liberty of the child and determines that the disclosure is in the interest
7 of justice.

8 **SECTION 2.** 948.051 (4) of the statutes is created to read:

9 948.051 (4) In any criminal proceeding for a violation of sub. (1) or (2) or civil
10 action under sub. (3), the identifying information of a child victim or child witness
11 shall be sealed and may not be disclosed to the public unless the court orders the
12 disclosure to be made after a hearing in which the court takes into consideration the
13 health, safety, and liberty of the child and determines that the disclosure is in the
14 interest of justice.

15 **SECTION 3.** 950.04 (1v) (eg) of the statutes is created to read:

16 950.04 (1v) (eg) If the victim is a child, in any criminal proceeding for a
17 violation of s. 940.302 or 948.051, to be provided any courtroom supports that the
18 court finds necessary to support the health, safety, or liberty of the child and
19 determines are in the interest of justice.

20 **SECTION 4.** 950.04 (2w) (fg) of the statutes is created to read:

21 950.04 (2w) (fg) If the witness is a child, in any criminal proceeding for a
22 violation of s. 940.302 or 948.051, to be provided any courtroom supports that the
23 court finds necessary to support the health, safety, or liberty of the child and
24 determines are in the interest of justice.

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(END)