



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-2649/1  
PJH:kjf:rs

## 2015 SENATE BILL 414

December 3, 2015 - Introduced by Senators WIRCH and LASSA, cosponsored by Representatives HESSELBEIN, THIESFELDT, GOYKE, MILROY, SUBECK, OHNSTAD, WACHS, SINICKI, JOHNSON, POPE, BERCEAU and SPREITZER. Referred to Committee on Judiciary and Public Safety.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

- 1     **AN ACT** *to amend* 973.017 (2) (b); and *to create* 973.017 (8m) of the statutes;  
2             **relating to:** considering post-traumatic stress disorder as a mitigating factor  
3             in sentencing certain criminal offenders.

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### *Analysis by the Legislative Reference Bureau*

Under current law, when a court makes a sentencing decision concerning a person convicted of a criminal offense, the court must consider the protection of the public, the gravity of the offense, the rehabilitative needs of the defendant, and any applicable mitigating factors or aggravating factors to the crime. Under current law, an offense may be aggravated by the circumstances under which the offense took place, such as delivery of a controlled substance to a prisoner or on a public transit vehicle, by the nature of the victim, such as when an elderly person is victimized, or by the nature of the offender, such as when a person who is responsible for a child's welfare commits an offense against the child.

Under this bill, when a court makes a sentencing decision concerning a person who is a military veteran and has been diagnosed as suffering from post-traumatic stress disorder resulting from the person's military service, the court may consider that as a mitigating factor.

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

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

