



WISCONSIN LEGISLATURE

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FOR IMMEDIATE RELEASE:
October 1, 2015

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LEGISLATORS UNVEIL BIPARTISAN PLAN TO FAIRLY COMPENSATE EXONEREES

Legislation Would Increase Wisconsin's Compensation Award Limit, Which is Currently Worst in the Nation

(MADISON) – A bipartisan coalition of legislators today announced their plan to introduce new legislation to overhaul Wisconsin's exoneree compensation law. Wisconsin's current compensation allowance of \$5,000 per year – limited to a total of \$25,000 – is the lowest statutory compensation cap in the nation.

At a press conference today, Rep. Dale Kooyenga (R-Brookfield), Rep. Gary Hebl (D-Sun Prairie), Sen. Van Wanggaard (R-Racine), and Sen. Fred Risser (D-Madison) announced their plan to begin circulating the legislation.

Provisions of the bill include:

- **Fair compensation, with a \$1,000,000 cap.**
 - The bill increases compensation to \$50,000 per year of a wrongful incarceration up to \$1,000,000.
- **Access to Transitional Services.**
 - The bill gives exonerees access to transitional services including access to state health care.
- **Protecting State Resources.**
 - The bill provides that if a wrongfully convicted person obtains a third-party settlement, judgment, or award in a civil wrongful conviction suit, the exoneree must return to the state the equal amount of the third-party award, up to the amount received from the state.

“Wrongfully convicted persons are deprived of years of their lives – the loss of the opportunity to start a family, establish themselves in their community and find job security,” Kooyenga said. “Wisconsin's current \$25,000 compensation limit is woefully low. We'll never fully restore exonerees but providing compensation reflecting Wisconsin's median household income allows them a chance to have a home, support loved ones and pursue a career.”

The authors believe they achieved the right balance of fair compensation with the responsibility to be respectful stewards of state funds.

“This bill puts Wisconsin's wrongful conviction compensation structure on par with many other states and with the federal standard, while also protecting Wisconsin tax dollars,” said Wanggaard. “The bill has a reasonable cap on compensation and also includes a mechanism for recovery of funds in the case of recovery against a third-party bad actor.”

The bill will begin circulating for co-sponsors starting on Friday, October 2, which is National Wrongful Conviction Day.

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