
Wisconsin Legislative Council

ACT MEMO



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2019 Wisconsin Act 111
[2019 Senate Bill 70]

Contraband in Jail or Prison

BACKGROUND

Wisconsin law criminalizes certain acts related to possession or delivery of prohibited items in jails and prisons. Specifically, it is a Class I felony for any person to do any of the following acts without permission and contrary to prison or jail rules:

- Delivering a prohibited article to an inmate with intent that an inmate obtain or receive it.
- Procuring a prohibited article to be delivered with intent that an inmate obtain or receive it.
- Possessing a prohibited article with intent to deliver the article to an inmate, with intent that the inmate obtain or receive it.
- Depositing or concealing a prohibited article in or around a jail or prison with intent that an inmate obtain or receive it.
- Depositing or concealing a prohibited article in a vehicle going into the premises belonging to a jail or prison with intent that an inmate obtain or receive it.
- Receiving a prohibited article from an inmate with intent to convey it out of the jail or prison.

Specifically, these behaviors are prohibited if they are contrary to the rules or regulations of the jail or prison, and if they are without the knowledge or permission of the sheriff or keeper of the jail, or the warden or superintendent of the prison.

2019 WISCONSIN ACT 111

2019 Wisconsin Act 111 expands this crime to prohibit a new type of act, in addition to those already prohibited. Under Act 111, it is a Class I felony for any person to possess with intent to retain for himself or herself any article contrary to the rules or regulations of the jail or prison and without knowledge or permission of the sheriff or keeper of the jail, or the warden or superintendent of the prison.

Effective date: March 1, 2020

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