



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 254
[2013 Assembly Bill 274]

Harboring or Aiding Felons

Background

The crime of harboring or aiding felons prohibits a person from doing either of the following:

- With intent to prevent the apprehension of a felon, harboring, or aiding him or her.
- With intent to prevent the apprehension, prosecution, or conviction of a felony, destroying, altering, hiding, or disguising physical evidence or placing false evidence.

Under prior law, the penalty for the crime of harboring or aiding felons was a Class I felony.¹ Also under prior law, a person could not be convicted of harboring or aiding felons if the person was the felon or the felon's spouse, parent, grandparent, child, grandchild, brother, or sister, whether by blood, marriage, or adoption.

2013 Wisconsin Act 254

2013 Wisconsin Act 254 (hereinafter, "the Act") eliminated the exception to the crime of harboring or aiding felons such that the felon, or the felon's spouse, parent, grandparent, child, grandchild, brother, or sister may now be convicted of the crime. The Act also amends the penalty for the crime such that a violation is now punishable as follows:

¹ A Class I felony is punishable by a fine not to exceed \$10,000, or imprisonment not to exceed six years, or both. [s. 939.50 (3) (i), Stats.]

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

- A violation is a Class G² felony if the offense committed by the felon being aided is, or would have been if the offense had been committed in this state, any of the following:
 - A Class A, B, C, or D felony.
 - An unclassified felony that is punishable by a sentence of life imprisonment.
- A Class I felony, if the offense committed by the felon being aided is, or would have been if the offense had been committed in this state, any of the following:
 - A Class E, F, G, H, or I felony.
 - An unclassified felony that is not punishable by a sentence of life imprisonment.

Effective date: This Act went into effect on April 10, 2014.

Prepared by: Melissa Schmidt, Senior Staff Attorney

April 18, 2014

MS:jb;ty

² A Class G felony is punishable by a fine not to exceed \$25,000 or imprisonment not to exceed 10 years, or both. [s. 939.50 (1) (g), Stats.]