



---

---

## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

---

---

**2011 Assembly Bill 424**

**Assembly Amendment 1**

*Memo published:* March 2, 2012

*Contact:* Jessica Karls-Ruplinger, Senior Staff Attorney (266-2230)

*2011 Assembly Bill 424* provides that whoever intentionally causes bodily harm or threatens to cause bodily harm to a court employee under all of the following circumstances is guilty of a Class I felony:

- At the time of the act or threat, the actor knows or should have known that the victim is a court employee.
- The court employee is acting in an official capacity at the time of the act or threat or the act or threat is in response to any action taken in an official capacity.
- The court employee does not consent to being harmed or threatened.

In addition, the bill provides that whoever threatens to cause damage to a courthouse, if the threatened action could result in bodily harm to a judge or court employee, is guilty of a Class I felony. The penalty for a Class I felony is a fine not to exceed \$10,000 or imprisonment not to exceed three years and six months, or both.

Under the bill, “court employee” means any of the following: (1) a clerk of circuit court or an individual supervised by a clerk of circuit court; (2) an individual employed by the supreme court; (3) a district attorney, an assistant district attorney, a deputy district attorney, or an employee of the office of the district attorney; (4) the state public defender or an employee of the office of the state public defender; or (5) an individual who is employed by a county, or under a contract with the county, to work regularly in the county courthouse.

*Assembly Amendment 1* replaces the term “court employee” with “individual who works in a courthouse.” The amendment defines “individual who works in a courthouse” in the same manner as

“court employee” is defined in the bill, except that item (5), above, is replaced with “an individual who works regularly in the county courthouse.”

**Legislative History**

Assembly Amendment 1 was offered by Representative Jorgensen. On March 1, 2012, the Assembly Committee on Judiciary and Ethics recommended adoption of the amendment on a vote of Ayes, 7; Noes, 0. The committee recommended passage of Assembly Bill 424, as amended, on a vote of Ayes, 5; Noes, 2.

JKR:ksm