



CHUCK WICHGERS

STATE REPRESENTATIVE • 83rd ASSEMBLY DISTRICT

Assembly Committee on Criminal Justice and Public Safety

February 9, 2022

Assembly Bill 922

State Representative Chuck Wichgers, 83rd Assembly District

Chairman Spiros and Committee Members,

Thank you for hearing my testimony today on Assembly Bill 922, relating to increased penalties for crimes against adults at risk.

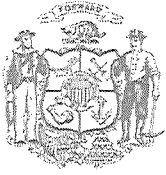
Adult at risk is defined in our state statutes - 55.01 (1e) – as meaning any adult who has a physical or mental condition that substantially impairs his or her ability to care for his or her needs and who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation.

This piece of legislation seeks to further protections for a vulnerable populace in the following four ways:

- Increases the penalty to a Class B felony for first degree sexual assault.
- Allows prosecutors to petition the court to freeze assets from a defendant who has been charged with a financial exploitation crime.
- Allows a term of imprisonment to be increased if the victim is an adult at risk.
- Provides the alleged victim the ability to appear in a court hearing by telephone or live audiovisual means for the purposes of a domestic violence, individual-at-risk, or harassment restraining order.

AB 922 is supported by the Alzheimer's Association and A-Team Wisconsin. Both groups advocate to advance the cause of people with disabilities in the workplace, society, and home.

Thank you for your time and I'm happy to answer any questions.



ANDRÉ JACQUE

STATE SENATOR • 1ST SENATE DISTRICT

Phone: (608) 266-3512

Fax: (608) 282-3541

Sen.Jacque@legis.wi.gov

State Capitol - P.O. Box 7882

Madison, WI 53707-7882

*Testimony before the Assembly Committee on Criminal Justice and Public Safety
State Senator André Jacque
February 9, 2022*

Chair Spiros and Members of the Assembly Committee on Criminal Justice and Public Safety,

Thank you for the opportunity to testify before you today in support of Assembly Bill 922, relating to increased penalties for crimes against adults at risk.

It is critical that we protect the most vulnerable in our society, recognizing that vulnerability can often be present irrespective of youthfulness or advanced age. Wisconsin has a longstanding definition of "adult at risk", which refers to any adult who has a physical or mental condition that substantially impairs his or her ability to care for his or her needs and who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation. Unfortunately, there remain a number of protections currently lacking for adults at risk, which Assembly Bill 922 will institute:

- Allowing prosecutors to request that a court freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is an adult at risk in order to preserve them for restitution.
- Allowing an adult at risk who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or live audiovisual means.
- Increasing the penalty for forcible sexual misconduct that is currently a second degree sexual assault to a first degree sexual assault (going from a Class C to a Class B Felony) if the victim is an adult at risk.
- Allowing a term of imprisonment that is imposed for a criminal conviction to be increased in length if the crime victim was an adult at risk.

AB 922 is supported by the Wisconsin Chapter of A-TEAM, a grassroots network of families who work legislatively to advance the cause of people with disabilities in the workplace, society, and home.

Thank you for your consideration of Assembly Bill 922.