



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5637/1
CMH:skw

2021 SENATE BILL 844

January 13, 2022 - Introduced by Senators FEYEN, MARKLEIN, NASS, STROEBEL and COWLES, cosponsored by Representatives CALLAHAN, SNYDER, BEHNKE, BORN, BRANDTJEN, DITTRICH, EDMING, GUNDRUM, JAMES, KUGLITSCH, MURPHY, PENTERMAN, PLUMER, SANFELIPPO, SCHRAA, MURSAU and TRANEL. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT** *to amend* 973.01 (2) (c) 2. a.; and *to create* 940.20 (2n) of the statutes;
2 **relating to:** battery of a corrections employee by a person in custody and
3 providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who intentionally causes bodily harm to another person commits the crime of simple battery and is guilty of a Class A misdemeanor. Current law provides greater penalties for persons who intentionally cause bodily harm to certain persons. For example, under current law, a person who intentionally causes bodily harm to a probation, extended supervision, and parole agent commits the crime of special circumstances battery and is guilty of a Class H felony. Current law also increases penalties for battery that results in greater bodily harm. For instance, if a person intentionally causes great bodily harm, such as a permanent disfigurement, to another, the person commits the crime of aggravated battery and is guilty of a Class E felony. Under the bill, if a person who is in the custody of DOC commits any type of battery against an employee of DOC, the maximum imprisonment penalty for that level of battery is increased by five years, and, if the person is serving a sentence when the battery is committed, the sentence imposed must run consecutive to the one the person is serving, not concurrent to it.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

