

1999 ASSEMBLY BILL 374

June 10, 1999 - Introduced by Representatives SCHOOFF, BALOW, COLON, HASENOHRL, MUSSER, SERATTI, SINICKI, TURNER and ZIEGELBAUER, cosponsored by Senators ROBSON and ROESSLER, by request of Beloit Public Safety and Crime Prevention Council. Referred to Committee on Criminal Justice.

1 **AN ACT to create** 940.20 (8) of the statutes; **relating to:** battery to a member of
2 a citizen crime prevention organization and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who intentionally causes bodily harm to another without the other person's consent commits the crime of ordinary battery. A person convicted of ordinary battery may be fined not more than \$10,000 or imprisoned for not more than nine months or both. Current law also provides higher penalties for committing battery to certain persons, such as a law enforcement officer, fire fighter, witness, juror or probation, parole or extended supervision agent.

This bill creates a new crime of battery for intentionally causing bodily harm to a member of a citizen crime prevention organization without the victim's consent. To be convicted of this new crime of battery, the person must have known or had reason to know at the time of the battery that the victim was a member of a citizen crime prevention organization. Also, the battery must have been committed in response to an action taken by the victim as a member of the citizen crime prevention organization or the victim had to be acting as a member of the citizen crime prevention organization at the time of the battery.

A person who is convicted of the crime of battery created by the bill may be fined not more than \$10,000 or imprisoned for not more than five years or both, if the offense occurs before December 31, 1999, or may be fined not more than \$10,000 or

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imprisoned for not more than ten years or both, if the offense occurs on or after December 31, 1999.

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

1 **SECTION 1.** 940.20 (8) of the statutes is created to read:

2 **940.20 (8) BATTERY TO MEMBER OF A CITIZEN CRIME PREVENTION ORGANIZATION.** (a)

3 In this subsection, “citizen crime prevention organization” means an organization
4 that is authorized or recognized by or affiliated with a law enforcement agency and
5 that is made up of citizens from a community or neighborhood who, on a volunteer
6 basis, report suspected crimes in the community or neighborhood, provide
7 information about crimes in the community or neighborhood or otherwise assist law
8 enforcement officers in preventing and detecting crime in the community or
9 neighborhood. “Citizen crime prevention organization” includes a neighborhood
10 watch program authorized under s. 60.23 (17m) or by the law enforcement agency
11 of a city or village, a Crime Stoppers organization and a Citizens on Patrol program.

12 (b) Whoever intentionally causes bodily harm to a member of a citizen crime
13 prevention organization by an act done without the consent of the person harmed is
14 guilty of a Class D felony if the actor knows or has reason to know at the time of the
15 act that the person harmed is a member of a citizen crime prevention organization
16 and either the act is in response to an action taken by the victim in his or her capacity
17 as a member of the citizen crime prevention organization or the person harmed is
18 acting in his or her capacity as a member of the citizen crime prevention organization
19 at the time of the act.

20 **SECTION 2. Initial applicability.**

