

2001 ASSEMBLY BILL 445

June 14, 2001 – Introduced by Representatives ZIEGELBAUER, BIES, GUNDERSON, KREIBICH, MUSSER, NASS, OTT, PLOUFF, RYBA, STONE, SYKORA, TOWNSEND, URBAN and WASSERMAN, cosponsored by Senators BAUMGART, DARLING, HUELSMAN and ROSENZWEIG. Referred to Committee on Judiciary.

1 **AN ACT** *to create* 940.208 of the statutes; **relating to:** threats to state or county
2 social service workers, contracted social service workers, juvenile intake
3 workers, or school employees and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits certain threats to cause bodily harm to the person or family member of a judge, a witness or an official, employee or agent of the department of revenue, department of commerce, or department of workforce development. This bill prohibits certain threats to cause bodily harm to the person or family member of a social service worker, juvenile intake worker, school employee, or employee providing social services under a contract with the state or a county. A threat is covered by this prohibition if: 1) the person making the threat knows or should have known that the victim is a social service worker, contracted social service worker, juvenile intake worker, or school employee or a member of such worker's or employee's family; 2) at the time of the threat, the victim is acting in his or her official capacity or the threat is made in response to any action taken in an official capacity; and 3) the victim did not consent to the threat. A person who violates this prohibition may be imprisoned for up to nine months or, fined up to \$10,000 or both.

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

ASSEMBLY BILL 445

1 **SECTION 1.** 940.208 of the statutes is created to read:

2 **940.208 Threat to state or county social service worker, contracted**
3 **service worker, juvenile intake worker, or school employee. (1)** In this
4 section:

5 (a) “Contracted social service worker” means an official or employee who is
6 providing social services under a contract between the agency and the department
7 of health and family services, a county department of human services, a county
8 department of social services, a county department of community programs, or a
9 county department of developmental disability services.

10 (b) “Family member” means a parent, spouse, sibling, child, stepchild, foster
11 child, or treatment foster child.

12 (c) “Juvenile intake worker” means a person employed to provide services
13 under s. 48.067 or 938.067.

14 (d) “School employee” means a person employed by a public school or a charter
15 school, as defined in s. 115.001 (1).

16 (e) “Social service worker” means an official or employee of the department of
17 health and family services, a county department of human services, a county
18 department of social services, a county department of community programs, or a
19 county department of developmental disabilities services.

20 **(2)** Whoever intentionally threatens to cause bodily harm to the person or
21 family member of a social service worker, a contracted social service worker, a
22 juvenile intake worker, or a school employee under all of the following circumstances
23 is guilty of a Class A misdemeanor:

