



**WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO**

2015 Wisconsin Act 78 [2015 Senate Bill 117]	Battery and Threats to a Judge, Prosecutor, or Law Enforcement Officer
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Under prior law, a person who intentionally caused bodily harm to a law enforcement officer acting in his or her official capacity was guilty of a Class H felony if the actor knew or had reason to know that the victim was a law enforcement officer. Also under prior law, a person who intentionally caused or threatened to cause bodily harm to a judge or a member of a judge's family was guilty of a Class H felony if at the time of the act or threat the person knew or should have known that the victim was a judge or a member of his or her family, and the judge was acting in his or her official capacity or the act or threat was a response to any action taken in an official capacity.

2015 Wisconsin Act 78 modifies the crime of causing or threatening bodily harm to a judge and expands this crime to include causing or threatening to cause bodily harm to a prosecutor or law enforcement officer. The Act provides that it is a Class H felony to either cause bodily harm or threaten to cause bodily harm to the person or family of a judge, prosecutor, or law enforcement officer if:

1. The person causing or threatening to cause the harm knows or should have known that the victim is a judge, prosecutor, or law enforcement officer or a member of a judge's, prosecutor's, or law enforcement officer's family; and
2. The act or threat is in response to any action taken by a judge, prosecutor, or law enforcement officer in an official capacity.

The Act specifies that a "judge," "prosecutor," and "law enforcement officer" include a former judge, former prosecutor, or former law enforcement officer.

Effective date: November 13, 2015

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.