



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 280
[2005 Assembly Bill 728]

Intimidation of Witness

Under current law it is a Class A misdemeanor to intimidate a witness, i.e., knowingly and maliciously preventing or dissuading any witness (or attempting to prevent or dissuade any witness) from attending or giving testimony at any trial, proceeding, or inquiry authorized by law. If additional elements to the intimidation are present, such as force, violence, or property damage, intimidation of a witness is punishable as a Class G felony.

Act 280 makes it a Class G felony for a person who is charged with a felony to intimidate a witness in connection with a trial, proceeding, or inquiry for that felony. The Act is targeted at defendants who are charged with felonies and who personally know victims and witnesses and consequently are able to simply dissuade them from cooperating in the prosecution. The underlying case is often then dismissed and the defendant can only be charged with a misdemeanor for the intimidation.

Effective Date: Act 280 became effective April 20, 2006.

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May 10, 2006

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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.state.wi.us/>.