



**WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO**

2011 Wisconsin Act 269
[2011 Assembly Bill 263]

**Costs for Providing False
Information to Law Enforcement**

2011 Wisconsin Act 269 allows a defendant who commits obstruction of an officer to be charged for costs incurred by law enforcement or an emergency response agency in responding to or investigating false information.

Prior Law

Section 973.06, Stats., enumerates certain costs, fees, and surcharges that are taxable against a criminal defendant. Under prior law, these costs did not specifically include moneys expended by a law enforcement agency in investigating false information or planted evidence.

2011 Wisconsin Act 269

Act 269 provides that a defendant who commits obstruction of an officer may be ordered to pay reasonable costs expended by a law enforcement agency or emergency response agency to respond to or investigate false information provided by the defendant or physical evidence planted by the defendant. These costs may include personnel costs and costs associated with the use of police or emergency response vehicles.

However, *Act 269* does not permit costs to be taxed against a defendant under certain circumstances involving domestic abuse. A defendant cannot be charged for costs if: (a) the defendant was charged with obstructing an officer solely because he or she recanted a report of abuse; (b) the defendant was a victim of abuse and was charged with obstructing an officer because he or she omitted information or provided false information during an investigation into the abuse; or (c) the defendant was charged with obstructing an officer solely because his or her report did not lead to charges against, or conviction of, another person.

Effective date: Act 269 takes effect on April 24, 2012.

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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/>.