



## 1997 ASSEMBLY BILL 856

March 2, 1998 - Introduced by Representative GREEN, cosponsored by Senator DRZEWIECKI. Referred to Committee on Judiciary.

1 **AN ACT to amend** 941.21 of the statutes; **relating to:** disarming a police officer  
2 and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

Current law prohibits a person from intentionally disarming a peace officer who is acting in his or her official capacity. Disarming a peace officer involves taking a dangerous weapon or a device such as a tear gas or pepper spray canister from the officer without his or her consent. A person who is convicted of disarming a peace officer may be fined not more than \$10,000 or imprisoned for not more than 2 years or both. This bill increases the maximum term of imprisonment for disarming a peace officer to 10 years. The bill does not change the maximum fine.

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

3 **SECTION 1.** 941.21 of the statutes is amended to read:  
4 **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace  
5 officer who is acting in his or her official capacity by taking a dangerous weapon or  
6 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer  
7 without his or her consent is guilty of a Class ~~E~~ C felony. This section applies to any

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**SECTION 1**

1 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)  
2 (a) that the officer is carrying or that is in an area within the officer's immediate  
3 presence.

4 **SECTION 2. Initial applicability.**

5 (1) This act first applies to offenses committed on the effective date of this  
6 subsection.

7 (END)