



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-5512/1
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2017 SENATE BILL 877

March 22, 2018 - Introduced by Senator L. TAYLOR, cosponsored by Representatives CROWLEY, SPREITZER and SARGENT. Referred to Committee on Senate Organization.

1 **AN ACT** *to create* 940.225 (2) (k) of the statutes; **relating to:** sexual contact by
2 a law enforcement officer with a person in his or her custody and providing a
3 criminal penalty.

Analysis by the Legislative Reference Bureau

Under this bill, it is a Class C Felony for a law enforcement officer to have sexual contact or sexual intercourse with a person in his or her custody. For the purposes of the crime created in this bill, consent is not an issue. The bill adds the prohibited conduct to the list of activities in current law that constitute second degree sexual assault. Current law does not contain a criminal prohibition on sexual contact between a law enforcement officer and a person in his or her custody.

Under current law, a person may be required to register as a sex offender for certain crimes that are sexually motivated if the judge determines that it would be in the interest of public protection to have the person register. Under this bill, the new offense of sexual contact between a law enforcement officer and a person in his or her custody would be subject to this provision.

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

4 **SECTION 1.** 940.225 (2) (k) of the statutes is created to read:

