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Good Morning Mr. Chairman and committee members,

Thank you for hearing my testimony on Assembly Bill 53. This bill amends section 943.31 of our statutes to keep our law current with advances in technology. Currently, section 943.31 prohibits an individual from threatening to communicate information about another person, whether true or false, that would injure the reputation of the threatened person unless the person transfers property to someone not entitled to it under penalty of a class I felony.

Wisconsin does not have statutory language that clearly prohibits the act of threatening to expose embarrassing or damaging information about someone to family, friends or the public. For example, in a case where a man threatened to publicize phone sex he supposedly had with the victim unless she paid him money, current law was inadequate as 1) newer technology such as cell phone recordings or pictures might not count as information and 2) current law requires injury to the victim's reputation, while the threat of shame and embarrassment may not rise to this level. Current law also fails to clearly address forcing someone to act against their will under threat of exposing information.

AB 53 clarifies that anyone who threatens to expose information in order to extort money or to force someone to act against their will is still guilty of a Class I felony. This bill also stipulates that the term 'information' include any visual image, audio representation or recording.