



Jeff Mursau

STATE REPRESENTATIVE • 36TH ASSEMBLY DISTRICT

Assembly Committee on Criminal Justice and Public Safety
June 1, 2017

AB 114: Battery of a tribal judge, tribal prosecutor, or tribal law enforcement officer

State statute directs the Joint Legislative Council to create, in each biennium, a Special Committee on State-Tribal Relations. For the past several sessions, I have had the honor of serving as Chair of this committee.

This past fall, the committee approved 3 pieces of legislation that are now being considered by the legislature. AB 114 is before you today.

It is often the case that when bill drafts are introduced they do not contain language that explicitly includes the tribes living in Wisconsin. It isn't intentional, but it is important we extend the same opportunities and/or protections given to Wisconsin citizens to members of our tribes.

Under current law, it is a Class H felony to intentionally cause or threaten to cause bodily harm to a judge, prosecutor, or law enforcement officer or a member of their family if the actor knows the person is a judge, prosecutor, or law enforcement officer and the act or threat is made in response to any action taken by a judge, prosecutor, or law enforcement officer in an official capacity.

Assembly Bill 114 adds tribal judge, tribal prosecutor, and tribal law enforcement officer to the definitions of judge, prosecutor, and law enforcement officer for the purposes of this crime.

On behalf of the State and Tribal Relations Committee, I would appreciate the committee's support for the bill. I am happy to answer any questions you may have. Legislative Council staff to the State and Tribal Relations committee, is also here to answer questions.



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To: Representative John Spiros, Chair
Members, Assembly Committee on Criminal Justice & Public Safety

From: Lisa Summers, Tribal Secretary, Oneida Nation

Date: Thursday, June 1, 2017

Re: Testimony in Support of Assembly Bill 114

Good morning Chairman Spiros and members of the Assembly Committee on Criminal Justice and Public Safety.

I am testifying on behalf of the Oneida Nation to urge your support of Assembly Bill 114. This is a very simple piece of legislation.

Under current law, an individual who intentionally causes bodily harm or threatens to cause bodily harm to a current or former judge, prosecutor, or law enforcement officer, or to his or her family member, is guilty of a Class H felony. Assembly Bill 114 simply extends the language of the law to the same officials in tribal judicial and tribal law enforcement.

I believe the bill before you simply includes what was probably overlooked when the original law was created by the state legislature.

As you all maybe aware, there are eleven federally-recognized Native American Indian Tribes in Wisconsin. Like the federal, state and local governments – Tribes are a recognized government providing essential services to our citizens. In this case, the law enforcement and judiciary branch of our governments.

The Wisconsin legislature is a an active and engaged institution – during the 2015-16 session alone there were over 2,000 bills and resolutions introduced.

My point is that the Wisconsin legislature is a very busy institution and sometimes there are proposals, like Assembly Bill 114 is meant to correct, that may have missed the inclusion of tribal governments.

Again, this bill simply extends exiting law to our governments.

Thank you for your consideration in this matter. If you have any questions, I am here to help provide any answers you need.