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Wisconsin State Senator

Testimony on Senate Bill 402

Thank you committee members for today's hearing on Senate Bill 402, relating to battery or threat to jurors.

Emotions run high during trials, usually with good reason. In many jury trials, the stakes are high. As decision-makers, jurors often are faced with difficult choices, and can become targets for parties involved in and around a trial. The most high profile case I'm aware of came from threats to the Kyle Rittenhouse jurors in Kenosha County. Thankfully, nothing came of these threats.

Under current law, battery or the threat of battery to a juror is a Class H felony, for good reason. We do not want jurors to be influenced or biased based on being threatened or hurt for doing their civic duty. Unfortunately, that is not the only way to influence a juror.

Threats against a juror's family can have a similar negative influence on a jury. You can imagine how someone saying "If you don't rule for me, I'm going to rape your daughter," would cause a juror pause. A person naturally wants to protect their family. This bill cleans up this loophole by creating a new Class I Felony, for battery or the threat of battery, to a member of a juror's family.

The bill also allows a judge to prohibit a person convicted of a crime from contacting a juror. This is similar to the current ability of a judge to prohibit a person from contacting victims or witnesses.

This is a common sense bill, designed to protect jurors, their families and our justice system. I hope it has your support.

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