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# RON TUSLER

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STATE REPRESENTATIVE • 3<sup>rd</sup> ASSEMBLY DISTRICT

**Testimony in Support of Assembly 121  
Assembly Committee on Judiciary  
May 7, 2025**

Members of the Assembly Committee on Judiciary,

Thank you for the opportunity to testify today in support of Assembly Bill 121, a commonsense modernization of Wisconsin's battery laws.

Our criminal code hasn't always aged gracefully. Over time, the battery statutes, like many areas of law, have expanded in a piecemeal fashion. What we're left with is a patchwork of provisions that can overlap, contradict, or confuse the very people responsible for enforcing them. AB 121 is a straightforward attempt to fix that.

This bill is the result of months of focused work through the Study Committee on Recodification of Battery Statutes. Our committee included a district attorney, a circuit court judge, a public defender, a sheriff, and lawmakers from both sides of the aisle, including Sen. Wanggaard as Chair, and me as Vice-Chair. In other words, we brought all three branches of government to the table, and we agreed unanimously on this proposal.

Assembly Bill 121 takes ten separate battery statutes and consolidates them into five core categories: general battery, battery by certain people, battery to certain people, battery to an unborn child, and battery to an elder person. Battery to an unborn child and elder person were kept separated out due to the unique elements of those crimes.

Each retains its legal intent and penalties, but the layout is clearer, more accessible, and more intuitive to use. No legal protections are lost. No new defenses are created. But what we do gain is a more user-friendly criminal code, something that benefits law enforcement, attorneys, judges, and defendants alike.

A clearer statute means fewer charging errors, fewer delays in court, and fewer misunderstandings about the law. And that, ultimately, means a stronger and more efficient justice system.

I urge the committee to support this smart, nonpartisan update to our laws. Thank you for your time and consideration. I am happy to take questions from the committee on Assembly Bill 121.



# Van H. Wanggaard

Wisconsin State Senator

## Testimony on Assembly Bill 121

Thank you, Chairman Tusler, and committee members, for hearing Assembly Bill 121, which would reorganize Wisconsin's battery statutes.

Last year, I chaired the Study Committee on Recodification of Battery Statutes. The Committee's goal was to reorganize, consolidate, modernize, and resolve any conflicts or ambiguities in the existing laws.

It was a slightly unique study committee because our work didn't depend on public testimony. Rather, our committee was composed of members from organizations that have experience working with these laws and will be affected by a change to them. That included a member from the state public defender's office, a circuit court judge, a district attorney, and a county sheriff.

Members came from each corner of the judicial process, and the fact that we were able to unanimously agree on the final draft is a testament to the constructive discussions the committee was able to have.

Because it is a highly technical bill, I won't go into great detail, however, I do want to highlight a few changes this bill makes and doesn't make.

This proposal would condense the current 10 battery statutes to just 5: general battery, battery by certain people, battery to certain people, battery to an unborn child, and battery to an elder person. Battery to an unborn child and elder person were kept separated out due to the unique elements of those crimes. It's important to note that there are no substantive changes to any elements of any crime that is included in this recodification.

I believe this bill will help clarify the battery statutes to make them easier for everyone involved in the justice system, from the police on the street, to the prosecutors, defense attorneys, and judges in the courtroom.

Thank you for considering the committee's recommendations and Assembly Bill 121. I urge your support.

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To: Members, Assembly Committee on Judiciary  
From: Badger State Sheriffs' Association  
Wisconsin Sheriffs and Deputy Sheriffs Association  
Date: May 7, 2025  
**RE: Support for Assembly Bill 121 – Recodification of Battery Statutes**

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BSSA and WS&DSA submit these comments **in support of AB 121**.

Battery offenses remain among the most frequently charged crimes in Wisconsin. However, the statutes governing these offenses have become increasingly complex and disjointed, spread across multiple sections of the criminal code. AB 121 addresses this by consolidating and clarifying the battery statutes into a more logical, cohesive structure.

Importantly, this bill does **not** change the underlying elements or penalties of battery-related crimes. Instead, it improves the usability and accessibility of the law for those who apply it daily—law enforcement, prosecutors, defense counsel, judges, and the public. AB 121 fosters consistency in interpretation and application by aligning terminology and organizing related provisions together.

While this kind of statutory clean-up may not draw headlines, it plays a critical role in the fair and efficient administration of justice. A more streamlined and organized code reduces confusion, minimizes charging errors, and makes it easier to train officers and legal practitioners. We appreciate the thoughtful and collaborative effort behind this legislation and urge the committee to support AB 121.

Thank you for your time and consideration.