



State Senator
Rick Gudex

District 18

April 23, 2015

To: The Senate Committee on Judiciary and Public Safety
From: Sen. Rick Gudex
Re: Senate Bill 117

Mr. Chairman, members of the committee, thank you for hearing this important and bipartisan bill today.

We all know how important our legal system is, and we all understand that a fair and objective legal system can't work properly if the people who work in that system have to do so in fear. That's why the law currently provides greater legal protection for police, who risk being violently targeted by the people they deal with every day. Battery against a police officer who's just doing his or her job carries a higher potential penalty than battery against an average citizen.

Judges, very reasonably, receive even more protection. Threats against a judge carry higher penalties when the threat is made because of an official action that judge took. Same goes for battery against a judge. A judge's family receives the same protection.

It has to be this way. A judge has to be free to rule according to the law, free from any fear of reprisal or revenge. This law makes a lot of sense.

But there are others in the legal system who also need that assurance that they and their families are protected. This bill expands the same protections to police and to prosecutors and their families.

Far from creating a second class of citizens who get more protection under the law than the rest of us, this bill recognizes our compelling interest in a fair and independent legal system.

There is an amendment to this bill that you should have in front of you, along with a brief explanation of what it does. This amendment was first introduced in the Assembly following their public hearing to address some concerns that were raised with the bill.

Thank you for your attention. I will be happy to answer any questions.



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Good morning Mr. Chairman and committee members, thank you for holding this hearing on Senate Bill 117. SB 117 was drafted at the request of the Wisconsin Chiefs of Police Association and the Wisconsin Department of Justice.

Under current law, any person who knowingly harms or even threatens to harm a judge or a member of his or her family while the judge is acting in his or her official capacity is guilty of a Class H felony (max imprisonment of 6 years and a fine of \$10,000.00). Current law also stipulates a Class H felony for intentionally harming a police officer acting in his or her official capacity, but does not extend the same protections against threats to the officers or to threats or harm to members of their families. Nor are there any special protections against harming or threatening to harm prosecutors or members of their families.

Consider that the same potentially dangerous criminals that appear before our judges are also prosecuted by our district attorneys and are encountered by law enforcement during criminal investigations and arrests. According to members of law enforcement, threats are not uncommon.

Those who serve our communities and state as members of law enforcement or of the court system should not be subjected to threats from those they protect us from and neither should their family members. This bill makes that very clear.

Under SB 117, any person who commits or threatens to commit bodily harm to a judge, law enforcement officer, prosecutor or their families in response to any action taken by the judge, law enforcement officer or prosecutor will be subject to prosecution for a Class H felony.