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# SHAE SORTWELL

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STATE REPRESENTATIVE • 2<sup>nd</sup> ASSEMBLY DISTRICT

**Hearing Testimony**  
**Assembly Committee on Criminal Justice and Public Safety**  
**April 9, 2025**  
**Assembly Bill 26**

Chairman Spiros and members of the Assembly Committee on Criminal Justice and Public Safety – Thank you for giving me the opportunity to testify on AB 26, relating to battery or threat to jurors and providing a penalty.

Jurors serve, arguably, the most important role in the U.S. judicial system. We entrust ordinary citizens to be fair and impartial judges of each other when accused of crimes. It is vital to the judicial process, and our republic as a whole, that the accused be judged by an unbiased jury of their peers.

The current battery to a juror law, § 940.20 (3), only applies once a verdict or indictment is reached, and the juror is harmed because of that decision. However, jurors can still be abused during a trial in order to impact its decision. Senate Bill 5 updates Wisconsin statutes to protect jurors and their families while they are still convened and deliberating.

Making this change will ensure that everyone in Wisconsin has the opportunity for a fair trial by jury as guaranteed by the 6<sup>th</sup> amendment of the Constitution.

This legislation received a unanimous vote in this committee last session, along with a voice vote on the Assembly floor and a bipartisan vote on the Senate floor this session.

I appreciate the opportunity to testify on this legislation and would gladly answer any questions the committee may have.



# Van H. Wanggaard

Wisconsin State Senator

## Testimony on Assembly Bill 26

Thank you, Chairman Spiros, and members of the Assembly Committee on Criminal Justice and Public safety, for today's hearing on Assembly Bill 26, which will protect jurors, and strengthen our judicial process.

Emotions run high during trials, usually with good reason. In jury trials, the stakes are high. Jurors are faced with difficult choices that can permanently alter lives and families. For that reason, they can become targets for parties involved in a trial.

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 juror. 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. I believe you could make the argument that a threat is much more likely to impact a juror's decision than anything else.

Last summer, I chaired the Study Committee on Recodification of Battery Statutes. The purpose of that committee was to streamline the large number of laws that we have related to battery. One issue that we found with the battery statutes was that some included a threat to batter, while others didn't. Battery to a juror is one that does not and I believe it should.

This bill will ensure that threatening a juror to make a particular decision in a case is treated with the seriousness it deserves.

Additionally, under this bill, a judge may prohibit a convicted person convicted from contacting a juror - similar to the current ability of a judge to prohibit a person from contacting victims or witnesses.

Last session, this bill actually passed both houses on a voice vote, but because of an oversight, the Senate failed to concur in an Assembly Amendment.

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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**Assembly Committee on Criminal Justice and Public Safety**

**April 9, 2025**

**Senate Bill 5 / Assembly Bill 26**

Dear Chairman Spiros and Members of the Committee:

On behalf of the Wisconsin Clerks of Circuit Court Association, we are writing in **support** of Senate Bill 5 / Assembly Bill 26 which provides greater protections for jurors and family members of jurors.

We agree with the bill authors that there is a strong need to protect the safety and independence of jurors in Wisconsin. As Clerks of Court, part of our responsibility is the management of our jury system and the summoning of jurors to serve their civic duty. The safety of each person who comes through our courthouses is always of paramount importance.

There are already many challenges for both courts and jurors in jury service. Time, cost, lost wages, transportation, child care, and other barriers limit participation and can make our juries less representative of our communities. Any battery or threat against a juror or their family would have an even greater chilling effect that could impact impartiality or an individual's desire to serve as a juror.

This bill makes modest changes that would provide protections to both jurors and the integrity of our jury system. For that reason we encourage you to support the passage of this bill.

Thank you for your consideration,

Jeff Okazaki  
Co-Chair, WCCCA Legislative Committee