



# Van H. Wanggaard

Wisconsin State Senator

## Testimony on Senate Bill 5

Thank you, committee members, for today's hearing on Senate Bill 5, that Representative Sortwell and I have authored, 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, 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.

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.



---

# SHAE SORTWELL

---

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

**Hearing Testimony**  
**Senate Committee on Judiciary and Public Safety**  
**February 18, 2025**  
**Senate Bill 5**

Chairman Wanggaard, my co-author, and members of the Senate Committee on Judiciary and Public Safety – Thank you for giving me the opportunity to testify on SB 5, 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.

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