



# ANDRÉ JACQUE

STATE SENATOR • 1<sup>ST</sup> SENATE DISTRICT

Phone: (608) 266-3512

Fax: (608) 282-3541

Sen.Jacque@legis.wi.gov

State Capitol · P.O. Box 7882

Madison, WI 53707-7882

*Testimony in Support of SB 47 before the Assembly Committee on Criminal Justice and Public Safety  
State Senator André Jacque*

Chairman Wanggaard and Colleagues on the Senate Committee on Judiciary and Public Safety,

Thank you for the opportunity to testify before you today in support of Senate Bill 47, legislation Rep. Spiros and I have re-introduced to close a loophole in Wisconsin trespassing law. SB 47 has been requested by prosecutors looking to properly charge cases involving domestic abuse and gang-related violence.

Last year, this legislation enjoyed very strong bi-partisan support and passed the State Assembly on a voice vote. It also passed this Senate committee unanimously but unfortunately was not brought to the floor as time ran out at the end of session.

Under current law, a person entering into any building or dwelling or certain other places with the intent to steal is guilty of a Class F felony, while entering those same locations with the intent to cause bodily harm is generally only chargeable as a misdemeanor. In other words, it is a felony to attempt to steal tools from someone's garage but only a misdemeanor to come in to their house or apartment to try to beat them up. When compared to other trespassing laws, there is little parity, letting otherwise violent criminals go free with a slap on the wrist. For general reference, the Brown County District Attorney estimates that his office is limited to charging a lesser penalty for attempted batterers under this scenario approximately 5 to 10 times every year.

SB 47 provides a common sense fix to remove the disproportionate treatment of property crimes over crimes against bodily security by raising the penalty for entering with intent to commit battery to also be a Class F Felony.

Thank you for your consideration of SB 47.