

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Close, Dingfelder, Kruse, Roblan, Prozanski

Nays: 0

Exc.: 0

Prepared By: Mike Schmidt, Counsel

Meeting Dates: 2/12, 4/17

WHAT THE MEASURE DOES: Creates the crime of threatening a public official where person delivers a message that a reasonable person would view as threatening and that one would expect to be followed by unlawful acts. Makes first violation of this statute a Class A misdemeanor. Makes conviction under this statute a Class C felony where convicted person already has previous conviction of same. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Similar versions of this law exist in other states
- Public officials sometimes find themselves the objects of misplaced frustration and anger due to their position, a few people take action on that frustration to levels that put multiple people in legitimate fear for their safety

EFFECT OF COMMITTEE AMENDMENT: Makes threatening a public official a Class A misdemeanor for a first conviction. Makes threatening a public official a Class C felony for a second conviction if they have previously been convicted of the same offense.

BACKGROUND: Judges from around the state have been targeted by threats from people whose cases they have presided over because of the job that they are obligated to perform. Threats to judicial officials have negative external costs that go beyond the individual concerns of the threatened person, including but not limited to security details being required to accompany judges and their staff to and from work, the families of judges being placed in fear, the integrity of the judicial system, and that schools and workplaces attended by family members of threatened persons are placed on higher alert. Senate Bill 92 A would raise the crime seriousness of the threats made against judicial officers when the threats are related to the performance of the jobs that the judicial officers are mandated to carry out.