

137686

# Domestic Abuse Incident Report

1989-1990



**NCJRS**

JUL 22 1992

**ACQUISITIONS**

James E. Doyle  
Attorney General

April 1991



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

JAMES E. DOYLE  
ATTORNEY GENERAL

Patricia J. Gorence  
Deputy Attorney General

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P.O. Box 7857  
Madison, WI 53707-7857  
608/266-1221

March, 1991

Dear District Attorneys, Law Enforcement Agencies  
and Victim Service Providers:

Enclosed is our first Domestic Abuse Incident Report. Thank  
you for your efforts in making this report possible.

This report is based upon information supplied by district  
attorneys' offices to the Department of Justice, for incidents of  
domestic abuse in their respective counties. It represents a  
cooperative effort of district attorneys, local law enforcement and  
victim service providers. I commend your hard work.

Sincerely,

A handwritten signature in cursive script that reads "James E. Doyle".

James E. Doyle  
Attorney General

JED:js  
Enclosure



STATE OF WISCONSIN  
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March, 1991

Attorney General James E. Doyle  
Room 114 East  
State Capitol  
Madison, WI 53706

Dear Attorney General Doyle:

I am pleased to present to you our first Domestic Abuse Incident Report. The report contains a great deal of information about domestic abuse incidents referred to District Attorneys' offices by the local law enforcement agencies. The time period covered by the report is from October 1989 through October 1990 with individual county information for all of 1990.

In addition to arrest information, our report provides statistics for the prosecution of domestic abuse cases by District Attorneys. Few states collect prosecution data.

Wisconsin has a proud tradition of serving crime victims. We believe this report will extend that tradition and be a useful tool for all those working to end domestic abuse.

Sincerely,

Carol Latham  
Executive Director  
Office of Crime Victim Services

# Domestic Abuse Incident Report

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# Domestic Abuse Incident Report

## Introduction

This annual report is the first published by the Department of Justice, Office of Crime Victim Services since the implementation of 1987 Wisconsin Act 346 in April of 1989. Its purpose is to provide interested persons with information about domestic abuse incidents as well as prosecution information, domestic abuse homicide information and a breakdown of the information for each county in Wisconsin. Statistics are accompanied by tables and graphs where needed.

The Act 1987 Wisconsin Act 346 was enacted in response "to public perception of the serious consequences of domestic violence to society and to individual victims. The Legislature intended, by passage of this Act, that the official response to cases of domestic violence stress the enforcement of the laws, protect the victim and communicate the attitude that violent behavior is neither excused nor tolerated, that criminal laws be enforced without regard to the relationship of the persons involved, that district attorneys document the extent of domestic violence incidents requiring the intervention of law enforcement agencies, that law enforcement agencies be encouraged to provide adequate training to officers handling domestic violence incidents and that domestic violence be recognized as involving serious criminal offenses and to provide increased protection for the victims of domestic violence."

The law and its accompanying amendments passed in April of 1990, state that law enforcement "shall arrest and take a person into custody if: a) The officer has reasonable grounds to believe that the person is committing or has committed domestic abuse and that the person's actions constitute the commission of a crime; and either or both of the following circumstances are present: 1) The officer has a reasonable basis for believing that continued domestic abuse against the alleged victim is likely, 2) There is evidence of physical injury to the alleged victim."  
(Wisconsin Statutes Section 968.075 (3)).

## Report Methodology

Since the fall of 1989 the Office of Crime Victim Services has requested Wisconsin District Attorneys' Offices to forward monthly arrest, charging, disposition and sentencing information on all domestic abuse incidents submitted to them by law enforcement agencies. District Attorneys have used the Domestic Abuse Incident Reporting Form for this purpose (Appendix C). This information has been compiled and the result is this report.

Though incident reports were requested from October, 1989 to the present, a small number of counties sent 1989 information prior to October. We included this data in the statewide compilation. The information for each county (Appendix B) is for January 1990 to December 1990. The authors wish to point out that the data provided does not speak to how much domestic abuse has actually occurred in Wisconsin in 1989 and 1990 but is indicative of the amount reported to police, given to district attorneys and furnished to the Department of Justice.

## Limitations

While it would be desirable to draw conclusions from the data provided in this report readers must recognize the report's limitations. This report contains statistical information that is indicative of law enforcement/prosecutorial response to domestic abuse incidents. However, since this is a new reporting process and may be subject to changes made to the Mandatory Arrest Law in 1989, any conclusions drawn from this data would be premature. The Department of Justice is encouraging local authorities to examine the information presented here and use it to explore policies and procedures for domestic abuse incidents in their area.

Also, "Unknown," when listed in tables and graphs means the information was not known by the person(s) completing reporting forms in district attorneys' offices.

It will be noted here and throughout the report the names of those counties which did not provide information to the Office of Crime Victim Services. They are: Forest, Iron and LaFayette. Milwaukee, Walworth and Waukesha Counties provided information but did not use the Domestic Abuse Reporting Form used by other counties and therefore are not part of the statewide compilation. The information provided by Milwaukee, Waukesha and Walworth counties is detailed in Appendix B.

## Acknowledgements

The Office of Crime Victim Services would like to thank the many people who helped make this project possible. Our heartfelt thanks to the state's District Attorneys and to Victim/Witness Assistance Coordinators and their support staffs for taking time each month to complete and send the incident forms. We realize how difficult it is to find more time in an already busy schedule and it is appreciated.

Thanks are also extended to Richard Anderson, former director of the Office of Crime Victims Services for overseeing the project's beginnings and providing direction, insight and advice on its development.

Recognition and thanks to Cathi VanNess and Jane Sadusky, both formerly with the Office of Crime Victim Services, for creating the project and implementing it statewide.

Our appreciation is extended to the Review Committee that met to discuss the use of the Domestic Abuse Reporting Form, the data generated by the process and the makeup of this report. The committee members are:

Mr. Greg Grau  
District Attorney  
Marathon County

Ms. Geri Heinz-Fergus  
The Women's Community  
Wausau

Mr. Ken Johnson  
District Attorney  
Lincoln County

Ms. Sue Wolf  
Domestic Abuse Program  
Lac du Flambeau

Ms. Carol Bowe  
Victim/Witness Assistance  
Eau Claire County

Ms. Ramona DeSmith  
Victim/Witness Assistance  
St. Croix County

Ms. Nancy Gustaf  
Deferred Prosecution Unit  
Dane County

Ms. Kathleen Krenek  
Wisconsin Coalition Against  
Domestic Violence  
Madison

Lt. John Liddell  
Chippewa Falls  
Police Department

Deputy Chief Tom Hinz  
Green Bay  
Police Department

Barbara Dickenson  
District Attorney's Office  
Brown County

Project Coordinator and Writer: Tracy Bredeson  
Data Entry: Cheryl Johnson

Wisconsin Department of Justice  
Office of Crime Victim Services

## Executive Summary

Highlights of the first report are listed below:  
The following information includes all Wisconsin counties except Milwaukee, Waukesha, Walworth, LaFayette, Iron and Forest. The homicide information includes all counties.

- \* There were 12,452 incidents of domestic abuse reported to the Office of Crime Victim Services from October, 1989 to October, 1990.
- \* Of the 176 people murdered in Wisconsin in 1989, 80 of the murders were domestic-related. The victim and offender had a familial or past romantic relationship. Twenty-eight men, thirty-five women and seventeen children were domestic homicide victims.
- \* In domestic homicides in 1989, 14 of the 28 men murdered were killed by other men. 32 of the 35 women murdered were killed by men.
- \* Milwaukee County had 117 homicides in 1989. 39 (33%) were domestic related. The rest of Wisconsin had 59 homicides in 1989. 41 (69%) were domestic related.
- \* Of the 12,452 incidents of domestic abuse reported, 11,582 resulted in arrest. This is 93% of the incidents. 9.4% of incidents in 1989 and 7.8% in 1990 resulted in no arrest.
- \* The percentage of male offenders dropped from 85.4% in 1989 to 81.6% in 1990. The percentage of dual arrests (both persons arrested) rose from 5.5% of the arrests in 1989 to 5.7% of the arrests in 1990.
- \* 70% of the incidents involved victims and offenders between the ages of 20 and 39 years of age.
- \* Close to 40% of domestic abuse victims and offenders were married at the time of the incident. Approximately a third of victims and offenders were cohabitants at the time of the incident.
- \* Hands, fists and feet were used as personal weapons in 83% of the incidents in 1989 and 80.9% of the incidents in 1990. Knives were used in approximately 5% of the incidents. Offenders used firearms in 3-4% of the incidents over the reporting period.
- \* Victims were injured in almost half of the incidents in both 1989 and 1990.

- \* 45-46% of the arrest charges in 1989 and 1990 were for assault. This was closely followed by arrest charges for crimes against public peace (43-44% of arrest charges).
- \* A little over 1% of the incidents in the reporting period involved a victim over 60 years of age.
- \* 52% of the charges brought by district attorneys against offenders in 1989 and 55% in 1990 were for crimes against public peace. 35% of the prosecution charges for 1989 and 32.7% for 1990 were for assaults.
- \* 14.2% of arrests for 1989 and 7.5% for 1990 resulted in no charges by district attorneys.

## Recommendations

There are several recommendations and long-term concerns for the domestic abuse incident reporting system. These recommendations are from the Review Committee (identified on page 5), the Office of Crime Victim Services, district attorneys, victim/witness assistance programs, domestic abuse programs, law enforcement and other states that write similiar reports. These recommendations include:

- \* All Wisconsin counties provide incident-based information to the Office of Crime Victim Services in 1991.
- \* Link this data with statistical information from shelter, safe home and domestic abuse crisis line agencies. Many victims of domestic abuse do not contact law enforcement agencies and many contacting law enforcement do not use a victim service agency.
- \* Compare rural and urban data.
- \* Obtain better repeater/prior arrest data for domestic abuse incidents.
- \* Track the time of arrest to the time of prosecution and sentencing.
- \* Track disposition/sentencing information for male offenders versus female offenders.
- \* Add "children present" and "homicide" as fields on the Domestic Abuse Reporting Form.
- \* Compare dual arrest rates and female offender rates with other states having similiar statutory language to Wisconsin.
- \* Obtain better domestic abuse assessment information.
- \* Create a more complete system for obtaining and recording outcomes for municipal/county ordinance violations and deferred prosecution agreements.
- \* Create a means to retrieve specific law enforcement agency data.

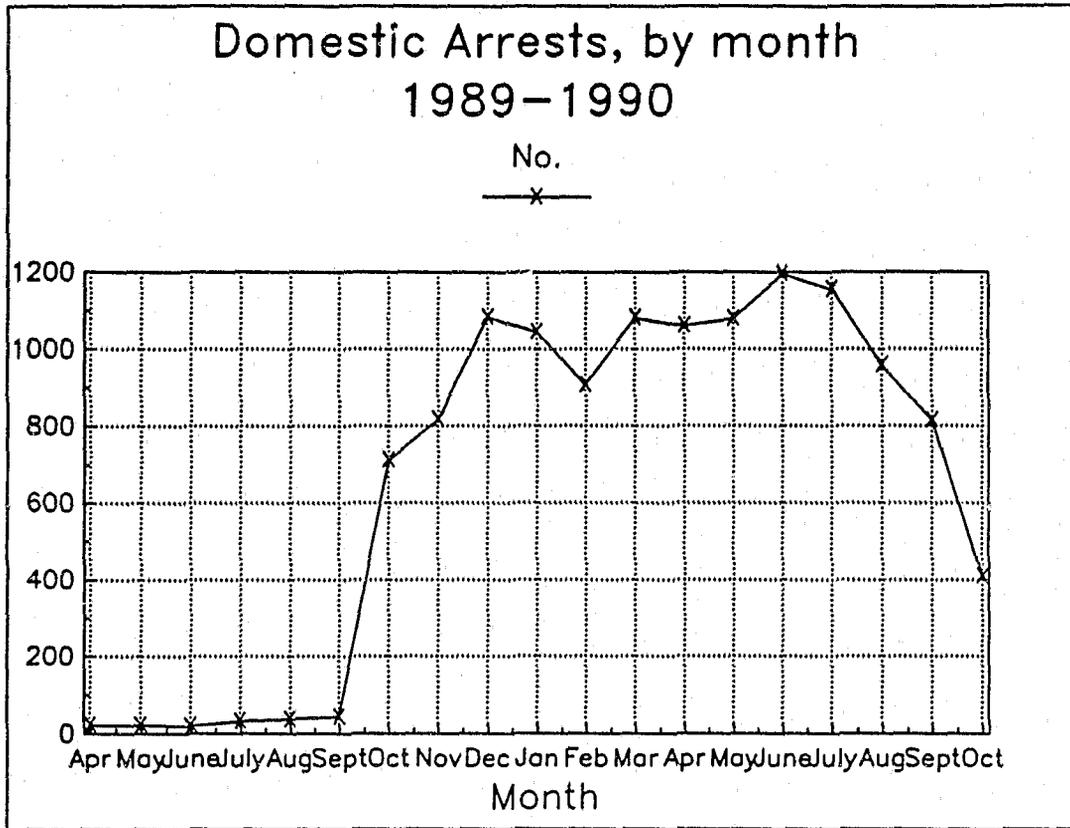
## Arrest Totals

After the implementation of the Mandatory Arrest Law on April 1, 1989, District Attorneys Offices sent information to the Office of Crime Victim Services for 2786 incidents of domestic violence from October to December of 1989 and 9666 in the first 10 months of 1990.\* There is no information available from Forest, Iron and La Fayette counties. The Milwaukee County District Attorney's Office reports 16,692 domestic abuse cases referred to them in 1989 and 10,820 cases for the first ten months of 1990. The Waukesha County District Attorney's Office reports 694 domestic abuse cases referred in 1989 and 881 in 1990. The Walworth County District Attorney's Office reports charging information for 327 domestic abuse cases in 1990.

Chart 1, which follows, indicates the number of arrests per month as reported to the Office of Crime Victim Services for 1989 and 1990 in Wisconsin. Milwaukee, Walworth, Lafayette, Waukesha, Iron and Forest counties are not included because they had not adopted an incident-based domestic abuse reporting system at the time this report was published. Data from Milwaukee, Waukesha and Walworth counties are county-generated computer reports and are included in Appendix B.

Larger counties such as Dane, Brown and Rock require more time to make charging decisions on their high volume of domestic abuse referrals. Thus, arrest data in Chart 1 drops during September and October of 1990. The drop does not necessarily reflect a decrease in the number of arrests for the reporting period. The data provided indicates the information available to the Department of Justice at the time this report was written.

Chart 1



\*1989 figures reflect information given to our office for that year but do not reflect data for all Wisconsin counties. We include them here in order to begin a means of comparison for 1990 data and future reports.

#### Arrest History

The number of prior domestic abuse arrests remains one of the least-known characteristics in domestic abuse incidents. Many reporting agencies indicated it is difficult to discern domestic abuse in past records because the relationship between prior convictions and past domestic abuse is not noted. Reporting agencies are encouraged to start noting in their records convictions of crimes related to domestic abuse.

Table 1

Arrest History Offenders	1989		1990	
	No.	%	No.	%
Incidents-no arrests	112	4.0	758	8.0
Arrests with no priors	440	16.0	1386	14.0
With prior abuse arrests	454	16.3	1713	18.6
With prior abuse arrests same victim	332	11.9	1281	13.9
Unknown	1448	52.0	4528	49.2
Totals	2786	100.0	9666	100.0

Weapons Used

In 1989, weapons were used in 1606 of the 2786 reported incidents (57.6%) and in 1990, weapons were used in 6052 of the 9666 reported incidents (62.6%). Table 2 shows the type of weapons used in reported domestic abuse incidents that involved a weapon. Hands and/or feet were used as personal weapons in a majority of the cases. The "Other" category includes a wide variety of items. Some examples include cigarettes, telephone equipment, dishes or belts and electrical cords.

Table 2

Weapons Used	1989		1990	
	No.	%	No.	%
Knife	77	4.8	323	5.3
Blunt Object	60	3.8	227	3.8
Personal	1332	83.0	4894	80.9
Firearm	65	4.0	176	2.9
Other	64	4.0	323	5.3
Unknown	8	.4	109	1.8
Totals	1606	100%	6052	100%

## Injury Rates

Almost half of the victims in domestic abuse incidents reported to law enforcement in both 1989 and 1990 were injured in the incident. A much smaller percentage sought or received medical attention. Statistics show the number of law enforcement officers injured is one-tenth of one percent of the total number of incidents. However, one Department of Natural Resources officer was killed by a juvenile in 1990 while responding to a domestic abuse incident. Other information about domestic homicides can be found on page 22.

**Table 3**

Injury Rates	1989		1990	
	No.	%	No.	%
<b>Victims</b>				
Incidents-victim injured	1331	47.7	4498	46.5
Required medical attention	240	8.6	857	19.0
Incidents-no injury	760	27.4	2589	27.0
Unknown	455	16.3	1722	17.8
Totals	2786	100.0	9666	100.0
<b>Offenders</b>				
Incidents-offender injured	179	6.4	795	8.0
Required medical attention	30	1.1	189	2.0
Incidents-no injury	1537	55.2	5546	57.0
Unknown	1040	37.3	3136	33.0
Totals	2786	100.0	9666	100.0
<b>Law Enforcement Officers</b>				
Incidents-officer injured	15	.5	35	.4
Required medical attention	4	.1	8	.1
Incidents-no injury	2621	94.2	8217	85.0
Unknown	146	5.2	1406	14.5
Totals	2786	100.0	9666	100.0

## Dual Arrests

Dual arrests account for a little over 5% of all arrests in Wisconsin. A "dual" or "mutual" arrest occurs when two persons involved in the same domestic abuse incident are arrested. Dual arrest data is especially important for states, like Wisconsin, that have statutory language calling for the arrest of the primary physical aggressor in domestic abuse incidents. Presently our system does not track reasons for dual arrests. We encourage reporting agencies to examine their dual arrest data and create policies for appropriate use of dual arrest. Policies should consider use of self defense, the history of the parties involved, violence by both parties and proper investigative techniques.

Table 4

Dual Arrests	1989	1990
Total incidents	2786	9666
Total arrests	2674	8908
Number of dual arrests	152	555
% dual arrests	5.5%	5.7%

#### Arrest Charges

The following illustrates charges for offenders in domestic abuse arrests for 1989 and 1990. The totals indicate the number of charges, not people.

The majority of arrests were for assaults (46.5%), closely followed by arrests for violating public peace (44% for crimes such as disorderly conduct or resisting arrest). Though not included in this table (See Appendix A), a small number of arrests were made in both 1989 and 1990 for auto violations, threats to injure, theft, and possession of a controlled substance. Often crimes such as these occur in the course of a domestic abuse incident (i.e. an offender drives while under the influence and commits a domestic abuse related crime). Included under assaults are arrests for physical abuse of a child when it occurred in conjunction with abuse of an adult victim in a domestic abuse incident (two such charges for 1989 and sixteen for 1990).

**Table 5**

Arrest Charges	1989		1990	
	No.	%	No.	%
Violations of court orders	77	2.4	190	1.7
Homicides	6	.2	8	.1
Assaults/Bodily Security	1451	46.5	4967	45.8
Habitual Offender	5	.2	6	<.1
Sexual Assault	10	.3	33	.3
Property Crimes	166	5.3	732	6.7
Use of dangerous weapons	9	.3	124	1.1
Crimes Viol. Public Peace	1374	44.0	4702	43.3
Bail Jumping	24	.8	99	.9
Totals	3122	100%	10,861	100%

#### Domestic Abuse Incidents and Alcohol/Drug Use

The Domestic Abuse Reporting Form (Appendix C) requests alcohol drug use information on both the offender and the victim in domestic abuse incidents. Data for 1989 and 1990 was reported inconsistently by counties and will not be used in this report. Some reporting agencies responded affirmatively to alcohol/drug use if they knew the parties involved were regular users. Other agencies responded to what information was available in the police reports they received. Information on alcohol/drug use will be included in the 1991 report.

#### Offender Characteristics

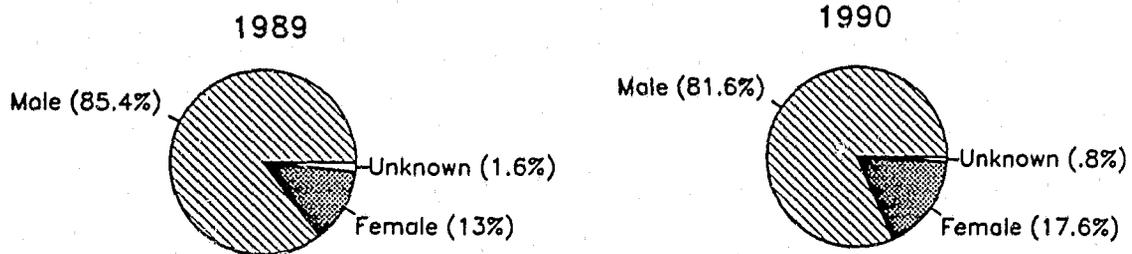
A domestic abuse offender is described as someone having contact with a law enforcement agency as a result of a domestic abuse incident, whether an arrest was made or not, for committing an act that could be considered a crime in a domestic situation as described in Wisconsin Statute 968.075. (See Appendix D, 1987 Wisconsin Act 346).

The majority of domestic abuse offenders coming in contact with a law enforcement agency are male, white and 20-29 years old. The characteristics of offenders are shown in the tables below:

**Table 6**

Offenders-gender	1989		1990	
	No.	%	No.	%
Male	2378	85.4	7889	81.6
Female	363	13.0	1697	17.6
Unknown	45	1.6	80	.8
Total	2786	100%	9666	100%

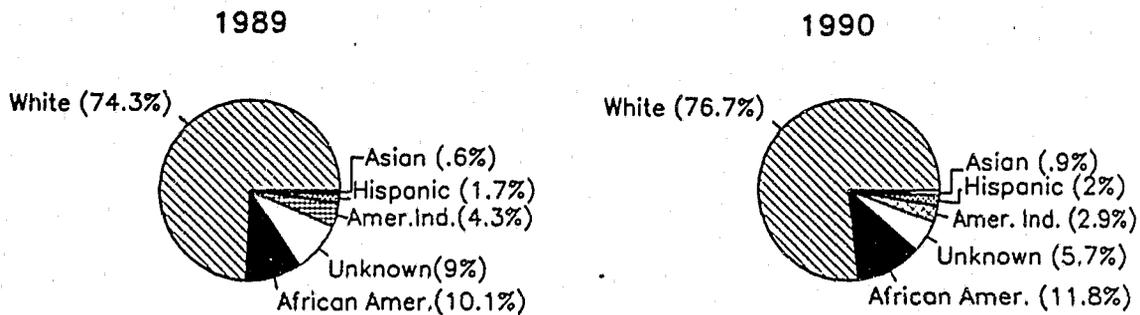
**Chart 2 - Offenders, by gender**



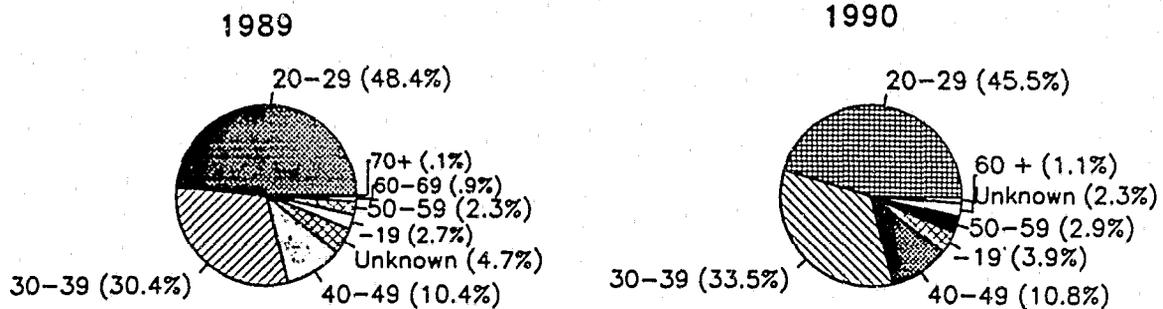
**Table 7**

Offenders-Ethnicity	1989		1990	
	No.	%	No.	%
American Indian	119	4.3	278	2.9
Asian	17	.6	91	.9
African-American	281	10.1	1144	11.8
Hispanic	48	1.7	192	2.0
White	2069	74.3	7412	76.7
Unknown	252	9.0	549	5.7
Total	2786	100%	9666	100%

**Chart 3 - Offenders, by ethnicity.**



**Chart 4 - Offenders, by age**



### Victim Characteristics

A domestic abuse victim is described as someone having contact with a law enforcement agency as a result of a domestic abuse situation where the person is the target of an act that could be considered a crime as defined by Wisconsin Statutes 968.075. (See Appendix D, 1987 Wisconsin Act 346).

The majority of Wisconsin domestic abuse victims are female, white and 20-29 years old. Tables 8 and 9 illustrate characteristics of domestic abuse victims.

**Table 8**

Victims-gender	1989		1990	
	No.	%	No.	%
Male	418	15	1878	19.4
Female	2308	82.8	7629	78.9
Unknown	60	2.2	159	1.6
Total	2786	100%	9666	100%

**Chart 5 - Victims, by gender**

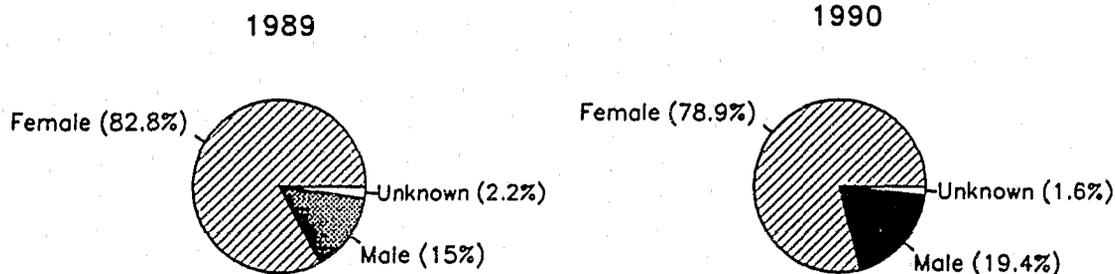


Table 9

Victims-ethnicity	1989		1990	
	No.	%	No.	%
American Indian	98	3.5	224	2.3
Asian	14	.5	81	.8
African-American	208	7.5	857	8.9
Hispanic	27	1.0	138	1.4
White	1963	70.5	7254	75.0
Unknown	476	17.1	1112	11.5
Total	2786	100%	9666	100%

Chart 6 - Victims, by ethnicity

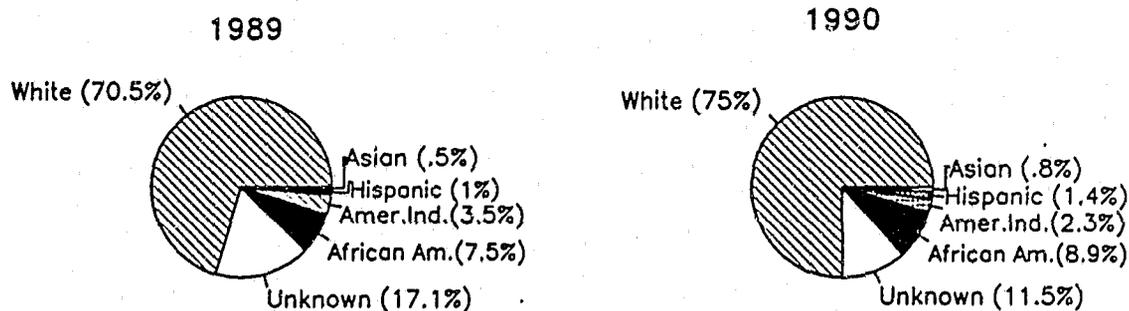
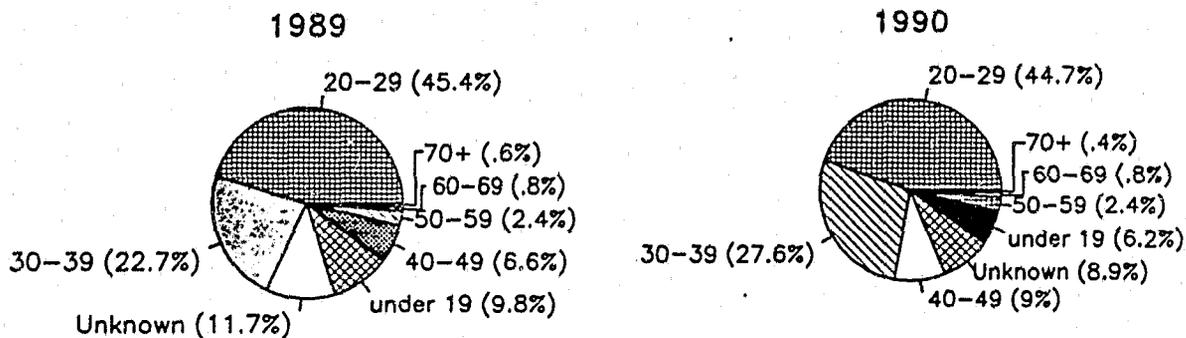


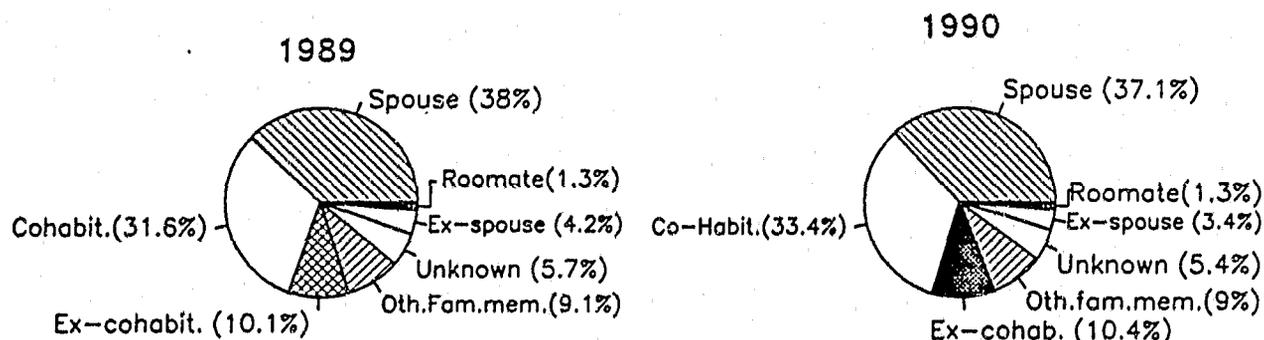
Chart 7 - Victims, by age



### Offender-Victim Comparisons

The relationship between victims and offenders in domestic abuse incidents remained fairly consistent for 1989 and 1990. Most victims/offenders were married or cohabitants. Ex-cohabitants made up approximately 10% of the incidents as did incidents between other family members. Chart 8 illustrates victim/offender relationship for 1989 and 1990.

**Chart 8 - Victim-Offender Relationship**



### Gender of Victims and Gender of Offenders

For both 1989 and 1990, the majority of domestic abuse cases involved a male offender and a female victim (80.2% and 75.9% of all incidents respectively). The number of such cases decreased in 1990. The number of female offender/male victim incidents rose from 10.3% of all incidents in 1989 to 14.5% in 1990. Tables 10 and 11 illustrate victim/offender gender. The percent columns total 100%.

**Table 10** **Victims-1989**

Offenders	female	%	male	%	unknown	%
female	65	2.3	289	10.3	9	.3
male	2235	80.2	128	4.5	15	.5
unknown	8	.2	1	<.1	36	1.3

Table 11

## Victims-1990

Offenders	female	%	male	%	unknown	%
female	271	2.8	1406	14.5	20	.2
male	7326	75.8	464	4.8	99	1.0
unknown	32	.3	8	<.1	40	.4

## Ethnicity of Victims and Ethnicity of Offenders

The total number of domestic abuse incidents for 1989 and 1990 are reflected by ethnicity in Tables 12 and 13. The largest number of incidents occurred between white offenders and white victims (66% in 1989 and 70% in 1990). 11% of the incidents in 1989 and 12% in 1990 occurred between offenders of color and victims of color.

Since data from Milwaukee County is not included in this portion of the report, this data is reliable for the remaining portion of Wisconsin only. As the reporting process continues, this data will be more conclusive. We include it here as a basis for future comparisons.

Table 12

## Victims-1989

Offen.	Afri.Am.	Amer.Ind	Asian	Hispan.	White	Unknown
Afri.Am	197	0	2	2	58	22
Amer.In	1	84	0	1	14	19
Asian	1	0	11	0	2	3
Hispan.	0	0	0	18	21	9
White	9	11	1	1	1827	215
Unknown	0	3	0	0	41	208

Table 13

## Victims-1990

Offen.	Afri.Am.	Amer.Ind	Asian	Hispan.	White	Unknown
Afri.Am	798	0	2	5	231	108
Amer.In	0	192	0	2	45	39
Asian	0	0	66	0	17	8
Hispan.	4	1	1	100	68	18
White	50	24	8	29	6795	506
Unknown	5	7	4	2	98	433

### Victim Age and Offender Age

Most victims and offenders in domestic abuse incidents are in the same age category. The largest number of victims and offenders in a single age category are between 18 and 29 years of age (39% for 1989 and 35% for 1990). Tables 14 and 15 illustrate victim/offender comparison by age.

**Table 14** **Victims-1989**

Offend.	<20-29	30-39	40-49	50-59	60+	Unknown
<20-29	1114	160	35	18	9	137
30-39	312	357	57	9	9	72
40-49	62	96	68	14	4	35
50-59	11	6	20	16	5	5
60+	5	1	2	6	9	5
Unknown	34	13	3	3	1	73

**Table 15** **Victims-1990**

Offend.	<20-29	30-39	40-49	50-59	60+	Unknown
<20-29	3385	756	178	59	20	376
30-39	1230	1451	231	40	25	259
40-49	194	366	339	49	15	81
50-59	39	50	98	53	15	27
60+	7	9	14	28	36	9
Unknown	66	33	13	6	3	100

## Domestic Homicides

In 1989 there were 176 people killed in Wisconsin (including Milwaukee County) in criminal homicides (from the Office of Justice Assistance-Supplemental Homicide Reports). This includes 108 men, 51 women and 17 children.

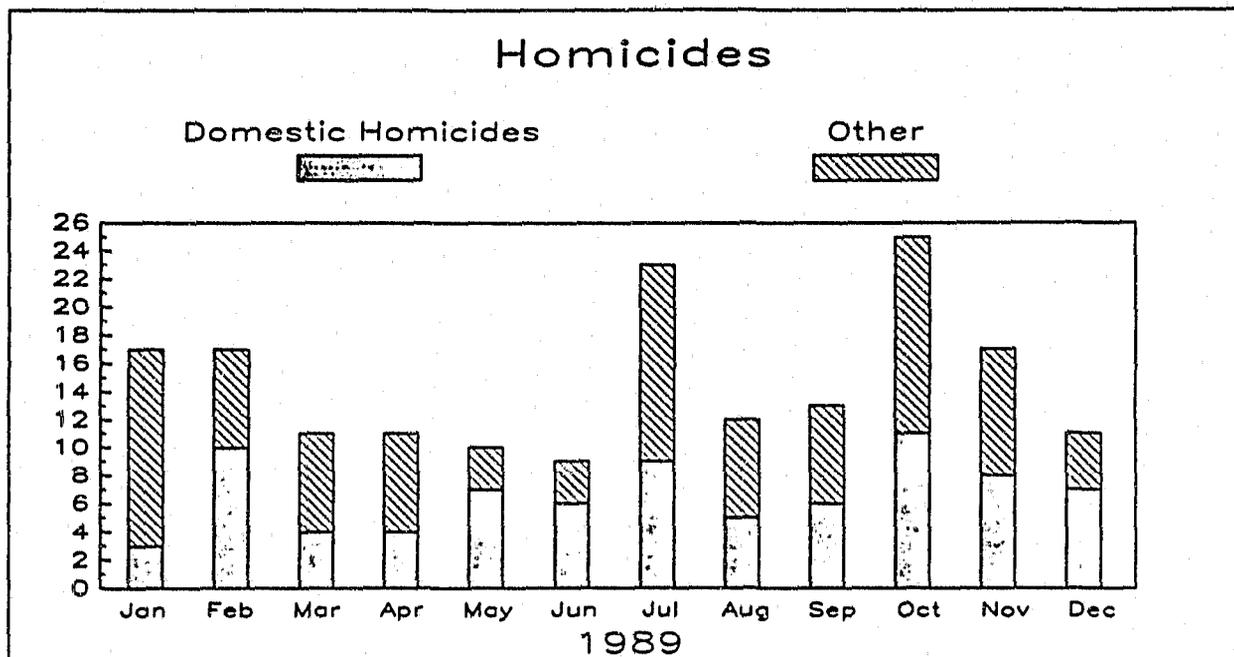
Eighty of these homicides occurred in domestic situations, meaning the victim and the offender had a familial or romantic relationship at the time of the homicide or prior to it. Of the 108 men killed in 1989, 28 were killed in a domestic situation (25.9%). Of the 51 women killed, 35 were killed in a domestic situation (68.6%).

Our data also includes situations (6 out of the 80) in which the offender killed a new partner of the offender's former wife, girlfriend or boyfriend (i.e. the so-called "love triangle" situation).

We have provided statewide domestic homicide data and have included a separate paragraph about Milwaukee County. Milwaukee County has a disproportionate number of the total homicides for Wisconsin (67.6%) and almost half (48.75%) of the domestic homicides. A breakdown of the domestic deaths by offender is also provided.

The one conclusion that can be drawn from the homicide data is that the majority of women killed in Wisconsin die at the hands of a partner or former partner. While men in Wisconsin die in many circumstances, women generally are killed by someone they know intimately. Other conclusions cannot be drawn without looking at the circumstances of individual homicides more closely.

Chart 9 - Homicides and Domestic Homicides



1989 Domestic Homicides

Statewide (including Milwaukee County)

All Homicides-176  
Domestic Homicides-80

Of the 28 men killed in domestic-related homicides in Wisconsin in 1989, three were killed by a stepson or son, eight by a male acquaintance (five in an argument over a mutual girlfriend) three by a wife, one by a grandson, three by a female acquaintance, (the reporting law enforcement agency labeled these homicides as domestic-related. The offender and the victim had a domestic living arrangement), eight by a girlfriend, one by his brother and one was killed by a police officer when the offender was attempting to kill his girlfriend's daughter.

Of the 35 women killed in domestic homicides in Wisconsin in 1989, ten were killed by a boyfriend, one by a girlfriend, seventeen by a husband or ex-husband, four by a son, one by a son-in-law, one by a female acquaintance and one by a female acquaintance over a mutual boyfriend.

Of the 17 children killed in domestic homicides in Wisconsin in 1989, four were killed by their father, three by their mother, one by both parents, four by male babysitters, two by their brothers, one by a male teen relative and two remain unsolved (though investigations have included family members and acquaintances).

1989 Domestic Homicides

Milwaukee County Only

All Homicides-117

Domestic Homicides-39 (18 men, 13 women, 8 children)

Of the eighteen men killed in Milwaukee County in domestic related homicides, eight were killed by a girlfriend, seven were killed by another male (4 of those were in arguments over a mutual girlfriend), two were killed by a female acquaintance and one was killed by a police officer when the offender was attempting to kill his girlfriend's daughter.

Of the thirteen women killed in domestic homicides, six were killed by a husband, six were killed by a boyfriend and one was killed by a female acquaintance.

Of the eight children killed in Milwaukee in domestic homicides, two were killed by their mother, one by their father, one by both parents, three by a male babysitter and one by a male teen relative.

## Prosecution

The following are those charges and dispositions imposed by district attorneys and assistant district attorneys and judges in all Wisconsin counties with the exception of Milwaukee, Walworth, Waukesha, LaFayette, Iron and Forest. Details of charges for Milwaukee, Waukesha and Walworth counties can be found in the Appendix B.

The tables below indicate the total number of charges for each statute and the respective dispositions. Dispositions are grouped together by three categories: **No Disposition** (case pending), **Decline Prosecution** meaning the prosecutor decided not to issue any charges and **Referred to Court** with listings of dispositions decided in court. A disposition of "Other" indicates the charges were read-in with other charges or a warrant was issued for the offender's arrest. The total number of persons receiving charges is not available. A small number of charges were made in several other areas including auto violations, possession of a controlled substance, firearm violations, illegal entry, escape and use of burning materials.

The majority of charges for each year are in the area of crimes against public peace. (52% of all charges for 1989 and 55.1% for 1990). In Wisconsin these crimes include disorderly conduct, resisting/obstructing an officer, recklessly endangering safety and unlawful use of a telephone. The number of charges for these crimes is followed by charges for assaults and threats to bodily security (battery, intimidation of victim/witness, and false imprisonment). These types of charges are 35% of the charges for 1989 and 32.7% for 1990. A detailed list of all charges and their dispositions can be found in Appendix A.

**Table 16**

Violation of Court Orders (No contact orders)	1989		1990	
	No.	%	No.	%
No Disposition	61	68	112	62
Decline Prosecution	2	2	10	6
Referred to Court				
Guilty	10	11	40	22
Dismissed by the Court	14	16	17	9
Deferred Prosecution	1	1	1	<1
Reduced to lesser charges	0	0	1	<1
Other	2	2	1	<1
<b>Totals</b>	<b>90</b>	<b>100</b>	<b>181</b>	<b>100</b>

Table 17

Assaults and Threats to Bodily Security	1989		1990	
	No.	%	No.	%
No Disposition	358	35	1873	56
Decline Prosecution	18	2	72	2
Referred to Court				
Guilty	348	34	688	21
Dismissed by the Court	114	11	261	8
Deferred Prosecution	59	6	128	4
Reduced to lesser charges	123	12	281	8
Acquitted	3	<1	8	<1
Other	7	1	18	<1
Totals	1030	100	3329	100

Table 18

Homicides	1989		1990	
	No.	%	No.	%
No Disposition	1	33	8	89
Referred to Court				
Convicted	1	33	1	11
Other	1	33	0	0
Totals	3	100	9	100

Table 19

Property Crimes	1989		1990	
	No.	%	No.	%
No Disposition	66	48	341	58
Decline Prosecution	2	<1	15	3
Referred to Court				
Guilty	31	23	110	19
Dismissed by the Court	25	18	80	14
Deferred Prosecution	6	4	4	<1
Reduced to lesser charges	5	4	30	5
Acquitted	1	<1	1	<1
Other	2	<1	6	<1
Totals	137	100	587	100

Table 20

Use of Dangerous Weapons	1989		1990	
	No.	%	No.	%
No Disposition	12	33	63	53
Decline Prosecution	0	0	1	<1
Referred to Court				
Guilty	11	31	32	27
Dismissed by the Court	9	25	14	12
Deferred Prosecution	1	3	4	3
Reduced to lesser charges	2	5	3	3
Acquitted	0	0	2	2
Other	1	3	1	<1
Totals	36	100	120	100

Table 21

Sexual Assaults (all degrees)	1989		1990	
	No.	%	No.	%
No Disposition	1	12.5	18	72
Decline Prosecution			1	4
Referred to Court				
Guilty	3	37.5	5	20
Dismissed by the Court	2	25.0	1	4
Deferred Prosecution	1	12.5	0	0
Reduced to lesser charges	1	12.5	0	0
Totals	8	100	27	100

Table 22

Crimes Against Public Peace	1989		1990	
	No.	%	No.	%
No Disposition	400	26	2408	43
Decline Prosecution	29	2	213	4
Referred to Court				
Guilty	579	38	1610	29
Dismissed by the Court	160	11	316	6
Deferred Prosecution	60	4	170	3
Reduced to lesser charges	273	18	845	15
Acquitted	3	<1	10	<1
Other	9	<1	26	<1
Totals	1513	100	5598	100

**Table 23**

Habitual Offender	1989		1990	
	No.	%	No.	%
No Disposition	30	79	99	90
Decline Prosecution			1	<1
Referred to Court				
Guilty	5	13	5	5
Dismissed by the Court	1	3	4	4
Acquitted	0	0	1	<1
Other	2	5	0	0
<b>Totals</b>	<b>38</b>	<b>100</b>	<b>110</b>	<b>100</b>

**Table 24**

Bail Jumping	1989		1990	
	No.	%	No.	%
No Disposition	31	57	122	64
Decline Prosecution			4	2
Referred to Court				
Guilty	13	24	31	16
Dismissed by the Court	10	19	25	13
Deferred Prosecution	0	0	1	<1
Reduced to Lesser Charges	0	0	6	3
Other	0	0	3	2
<b>Totals</b>	<b>54</b>	<b>100</b>	<b>192</b>	<b>100</b>

## Sentencing

Sentencing patterns in domestic abuse cases remained similiar in 1989 and 1990. The sentence imposed most frequently is a fine. This is followed by probation, a withheld sentence and alcohol/drug assessments and treatment. There was a slight increase in the imposition of abuser treatment/counseling (10.4% in 1989 to 11.3% in 1990). There was a decrease in the use of jail- 5.2% in 1989 versus 4.8% of the sentences in 1990 and a decrease in the amount of general counseling imposed. Prison remains the least imposed sentence. The "other" category includes sentences such as payment of court costs, or payment to local domestic abuse agencies or United Way agencies, confiscation of all weapons and apology letters to the officer.

**Table 25**

Sentence Imposed	1989		1990	
	No.	%	No.	%
<b>Incarceration</b>				
Jail	154	5.2	347	4.8
Prison	10	0.3	11	0.2
Jail as a cond/probation	80	2.7	177	2.4
<b>No Sentence</b>				
Sentence Imposed/stayed	55	1.9	198	2.7
Sentence Withheld	294	9.9	636	8.8
<b>Probation</b>	493	16.6	1201	16.6
<b>Monetary/Compensation</b>				
Fines	865	29.2	2275	31.5
Restitution	79	2.7	228	3.2
Community Service	29	1.0	46	0.6
<b>Counseling</b>				
Abuser Treatment/Programs	308	10.4	819	11.3
General	169	5.7	308	4.3
Alcohol/Drug Treatment	233	7.9	520	7.2
<b>No Contact Conditions</b>	46	1.6	136	1.9
<b>Other</b>	148	5.0	323	4.5
<b>Totals</b>	2963	100%	7225	100%

## Domestic Abuse Assessments

Wisconsin law allows for the imposition of a \$50 assessment for persons convicted of crimes related to domestic abuse where a fine is imposed. Assessments are returned to domestic abuse shelter, safe home and crisis line programs through the domestic abuse grant program administered by the Wisconsin Department of Health and Social Services. However, the majority of domestic abuse reports listed "Unknown" as the answer to the assessment question. The following table illustrates assessment information reported.

Table 26

\$50 Assessment Imposed	1989		1990	
	No.	%	No.	%
Arrests with Assessment	406	15.2	1086	12.2
Arrests with No Assessment	789	29.5	2188	24.6
Unknown Response	1479	55.3	5634	63.2
Total	2674	100%	8908	100%

Appendix A

## Appendix A

### Arrest Charges

<u>Arrest Offense</u>	<u>1989</u>	<u>1990</u>
Possession-controlled substance	5	16
Fraudulent appl. for drivers lic.	0	1
Driving after revocation	2	9
Fleeing from police officer(auto)	0	2
Reckless driving	0	1
Operating while under influence	5	6
Intoxicants in motor vehicles	0	1
Rules for auto accident scenes	1	0
Emergency detention	0	1
Violation-dom. ab. restraining order	69	155
Violation-child abuse restr. order	1	1
Violation-harassment order	3	25
Parties to a crime	2	6
Intent to commit a crime	2	7
Habitual offender	3	4
Domestic abuse off.-increased penalty	2	2
1st degree homicide	3	4
1st degree reckless homicide	1	1
2nd degree intentional homicide	1	1
Homicide-intoxicated use of car or gun	0	2
Homicide-negligent use of vehicle	1	0
Battery; aggravated battery	1408	4881
Battery-special circumstances	4	15
Sexual Assault-1st degree	5	13
Sexual Assault-2nd degree	2	13
Sexual Assault-3rd degree	3	7
Reckless injury	2	3
Injury-negligent use of fire/weapon	2	10
False Imprisonment	7	31
Intimidation of victim/witness-misdom.	4	14
Intimidation of victim/witness-felony	1	7
Violation of court orders	0	1
Negligent operation of vehicle	0	4
Negligent use of burning materials	0	1
Endangering safety-dangerous weapon	11	124
Disarming a peace officer	1	0
Carrying a concealed weapon	1	17
Possession of a switchblade	0	3
Possession of short-barreled shotgun	1	3
Possession of a firearm	1	5
Recklessly endangering safety	9	23
Obstructing emergency personnel	0	2
Criminal damage to property	149	608
Arson of buildings	0	2
Burglary	3	14
Entry into locked vehicle	1	0
Criminal trespass to dwellings	25	99
Entry into locked building	0	4

Theft	3	25
Operating vehicle w/out consent	1	8
Threats to injure or accuse of crime	8	11
Robbery	2	0
Resisting or obstructing an officer	65	221
Escape	2	7
Bail Jumping	24	99
Bribery of a witness	0	1
Disorderly Conduct	1267	4544
Unlawful use of telephone	5	13
Harassment	4	11
Vagrancy	9	2
Physical abuse of a child	2	16
Possession of child pornography	0	1
Neglect of a child	0	1
Totals	3133	11109

Appendix A

Prosecution  
Charges and Dispositions

The following are those charges and dispositions imposed by district attorneys and assistant district attorneys and judges in all Wisconsin counties with the exception of Milwaukee, Walworth, Waukesha, LaFayette, Forest and Iron Counties. "No Disposition" means the charge is still pending. The tables indicate the total number of charges for each statute and the respective dispositions. The total number of people charged is not available for this year's report.

1989

Domestic Abuse

Injunction Violations

No Disposition-30  
Decline Prosecution-2  
Convicted-5  
Dismissed by Court-12  
Deferred Prosecution-1  
Total-62

Harassment Injunction  
Violations

No Disposition-30  
Guilty Plea-4  
Dismissed by Court-2  
Warrant Issued-2  
Convicted-1  
Total-39

Child Abuse

Injunction Violations

No Disposition-1

Habitual Offender

No Disposition-30  
Guilty pPlea-4  
Dismissed by Court-1  
Warrant Issued-2  
Convicted-1  
Total-38

Homicides

No Disposition-1  
Convicted-1  
Read In-1  
Total-3

Sexual Assault

No Disposition-1  
Dismissed by Court-2  
Guilty Plea-3  
Deferred Pros.-1  
Reduc./Less Charge-1  
Total-8

1989 (continued)

Battery

No Disposition-351  
Decline Prosecution-18  
Guilty Plea-226  
Convicted-106  
Dismissed by Court-106  
Deferred Prosecution-59  
Reduced to Ordinance Viol.-84  
Reduced-Less. Chg.-37  
Acquitted-3  
Warrant Issued-3  
No Contest Plea-13  
Read In-4  
Total-1010

False Imprisonment

No Disposition-3  
Dismissed-2  
Total-5

Recklessly Endangering  
Safety

No Disposition-10  
Convicted-2  
Reduced-Less. Chg.-1  
Guilty Plea-2  
Total-15

Criminal Damage  
to Property

No Disposition-52  
Decline Prosecution-2  
Guilty Plea-24  
Convicted-5  
Acquitted-1  
Dismissed by Court-16  
Deferred Prosecution-6  
Reduced-Ordinance Viol.-2  
Reduced-Less. Chg.-1  
Read In-2  
No Contest Plea-1  
Total-112

Endangering Safety by  
Use of dangerous weapon

No Disposition-12  
Guilty Plea-6  
Dismissed by Court-9  
Deferred Prosecu.-1  
Warrant Issued-1  
Reduced-Less. Chg.-2  
Total-36

Intimidation of  
Victim/Witness

No Disposition-4  
Guilty Plea-3  
Dismissed by Court-4  
Total-11

Bail Jumping

No Disposition-31  
Guilty Plea-2  
Convicted-11  
Dismissed by Court-10  
Total-54

Unlawful Use of Phone

No Disposition-1  
Dismissed-4  
Warrant Issued-1  
Deferred Prosecution-1  
Total-7

Physical Abuse of Child

Dismissed by Court-2  
Reduced to Less Chg.-2  
Total-4

1989 (continued)

Criminal Trespass  
to Dwelling

No Disposition-14  
Guilty Plea-7  
Convicted-2  
Dismissed-9  
Reduced-Ordinance Viol.-2  
Reduced-Less. Chg.-1  
Total-34

Disorderly Conduct

No Disposition-371  
Decline Prosecution-28  
Guilty Plea-378  
Convicted-158  
Acquitted-3  
Dismissed by Court-139

Resisting/Obstructing  
An Officer

No Disposition-18  
Decline Prosecu.-1  
Guilty Plea-12  
Convicted-8  
Dismissed by Court-17  
Deferred Prosecution-1  
Reduced-Ordinance Vio-3  
Warrant Issued-1  
No Contest Plea-1  
Read In-1  
Total-63

Disorderly Conduct(cont.)

Deferred Prosecution-58  
Reduced-Ordinance Vio-265  
Reduced-Less. Chg.-4  
Warrant Issued-3  
No Contest Plea-18  
Read In-3  
Total-1428

1990

**Prosecution and Dispositions**

Domestic Abuse  
Injunction Violation

No Disposition-88  
Decline Prosecution-9  
Guilty Plea-24  
Convicted-5  
Dismissed by Court-14  
Reduced-Ordinance Viol.-1  
Deferred Prosecution-1  
Warrant Issued-1  
Total-148

Harassment  
Injunction Violation

No Disposition-24  
Decline Prosecution-0  
Guilty Plea-2  
Convicted-5  
Dismissed by Court-3  
Reduced-Ordinance Viol.-0  
Total-34

Battery  
(special circumstances)

No Disposition-4  
Guilty Plea-2  
Read In-1  
Dismissed by Court-2  
Convicted-1  
Reduced-Ordinance Viol.-1  
Total-11

Battery

No Disposition-1819  
Guilty Plea-446  
Decline Prosecution-71  
Convicted-196  
Reduced-Ordinance Viol.-168  
Deferred Prosecution-122

Habitual Offender

No Disposition-99  
Decline Prosecution-1  
Guilty Plea-3  
Acquitted-1  
Dismissed by Court-4  
Convicted-1  
No Contest Plea-1  
Total-110

Homicides

1st degree Intentional  
    No Disposition-6  
    Convicted-1  
2nd degree Reckless  
    No Disposition-1  
Reckless Use of Auto  
    No Disposition-1  
Total-9

Sexual Assault

No Disposition-18  
Guilty Plea-4  
Convicted-1  
Decline Prosecution-1  
Deferred Prosecution-2  
Dismissed by Court-1  
Total-27

Battery(cont.)

Acquitted-7  
Dismissed by Court-234  
Reduced to Lesser Chg.-108  
No Contest Plea-33  
Read In-10  
Warrant Issued-6  
Total-3220

1990 (continued)

False Imprisonment

No Disposition-22  
Guilty Plea-1  
Dismissed-7  
Deferred Prosecution-1  
Reduced-Lesser Charge-2  
Total-33

Endangering Safety by  
Use of a Dangerous Weapon

No Disposition-63  
Decline Prosecution-1  
Guilty Plea-23  
Convicted-7  
Acquitted-2  
Dismissed by Court-14

Recklessly Endangering Safety

No Disposition-15  
Decline Prosecution-1  
Dismissed by Court-2  
Deferred Prosecution-2

Criminal Damage to Property

No Disposition-275  
Guilty Plea-67  
No Contest Plea-6  
Deferred Prosecution-3  
Reduced-Lesser Chg.-6

Resisting/Obstructing an Officer

No Disposition-142  
Guilty Plea-35  
Convicted-15  
Dismissed by Court-24  
Decline Prosecution-1

Intimidation of  
Victim/Witness

No Disposition-19  
Dismissed by Court-11  
Deferred Prosecution-2  
Read In-1  
No Contest-2  
Convicted-4  
Total-39

Endangering Safety by  
Use of Weapon (contin.)

Reduced-Lesser Charge-3  
Read In-1  
Deferred Prosecution-4  
No Contest Plea-2  
Total-120

Recklessly End.(cont.)

Convicted-1  
Reduced-Lesser Chg.-2  
Guilty Plea-1  
Total-24

Criminal Damage(cont.)

Decline Prosecution-12  
Convicted-15  
Dismissed by Court-62  
Reduced-Ordinance-20  
Read In-5  
Total-471

Resisting(cont.)

Reduced-Ordinance-5  
Reduced-Lesser Chg.-4  
Read In-1  
No Contest Plea-1  
Total-228

1990 (continued)

Criminal Trespass to Land/Dwelling

No Disposition-66  
Decline Prosecution-3  
Guilty Plea-16  
Convicted-4  
Acquitted-1  
Read In-1

Bail Jumping

No Disposition-122  
Guilty Plea-12  
Convicted-17  
Acquitted-0  
Dismissed by Court-25  
Reduced-Ordinance Viol-2

Disorderly Conduct

No Disposition-2251  
Decline Prosecution-211  
Guilty Plea-974  
Convicted-485  
Acquitted-10  
Dismissed by Court-290

Physical Abuse of a Child

No Disposition-9  
Reduced-Lesser Chg.-2  
Dismissed by Court-7  
Decline Prosecution-1

Criminal Trespass(cont.)

Dismissed by Court-18  
Deferred Prosecution-1  
No Contest Plea-2  
Reduced-Ordinance-3  
Reduced-Lesser Chg.-1  
Total-116

Bail Jumping(cont.)

Deferred Prosecution-1  
No Contest Plea-2  
Reduced-Lesser Chg.-4  
Read In-3  
Decline Prosecution-4  
Total-192

Disorderly Cond.(cont.)

Deferred Prosecution-168  
Reduced-Ordinance-818  
Reduced-Lesser Chg.-16  
Warrant Issued-6  
No Contest Plea-98  
Read In-19  
Total-5346

Child Abuse(cont.)

Guilty Plea-3  
Deferred Prosecution-3  
Acquitted-1  
Total-26

**Appendix B  
County Data**

## Appendix B

### County Data

Appendix B contains domestic abuse incident data for individual counties. The data represents information supplied by district attorneys offices and some law enforcement agencies who used the Domestic Abuse Reporting Form developed by the Department of Justice. The table represents information for 1990.

A brief explanation of the data follows:

-Column 1 is the total number of domestic abuse incidents that occurred in a county and were reported to the district attorney's office.

-Column 2 is the total number of persons arrested in those incidents.

-Column 3 is the number of dual arrests that occurred out of the total number of arrests.

-Column 4 is the total number of arrest charges.

-Column 5 is the total number of prosecution charges.

-Column 6 is the total number of people charged.

-Column 7 is the number of male offenders (arrested and not arrested).

-Column 8 is the number of female offenders (arrested and not arrested).

-Column 9 is the total number of incidents that have received a sentence.

-Column 10 is the total number of sentences imposed.

-Column 11 is the total number of prosecutions with the \$50 domestic abuse assessment imposed.

-Column 12 is the total number of unknown answers to the assessment question on the reporting form.

A brief explanation about some of the counties:

Fond du Lac County indicates that the numbers in this report represent approximately 1/5 of the total number of domestic abuse cases handled by its District Attorney's Office in 1990. The Milwaukee County District Attorney's Office reviewed 13,989 domestic abuse cases in 1990, disposed of 14,086, charged 1,848 cases, diverted 285 cases (offender sent to counseling prior to charging) and did not charge 11,953 cases.

Waukesha County was able to provide some arrest and charging data but was unable to provide sentencing data. Waukesha County received convictions on 309 domestic abuse cases at the time this report was written.

Walworth County was able to provide charging information for 327 cases. They also provided some arrest information but no sentencing information.

The County table is followed by two maps illustrating the number of incidents and arrests for each county in Wisconsin that reported domestic abuse incident information to the Department of Justice. The figures represent the number of incidents and arrests referred to district attorneys. In counties where the number of incidents exceeds the number of arrests, incidents without an arrest were still forwarded to district attorneys for charging decisions. In counties where the number of arrests exceeds the number of incidents, there were situations where more than one person was arrested in an incident.

DOMESTIC ABUSE REPORTS, BY COUNTIES  
1990

COUNTY	Total Incid.	Persons Arr.	Dual Arr.	Arrest Charges	Prosec. Charges	# People Charged
Adams	56	50	3	57	39	59
Ashland	138	131	1	149	169	136
Barron	190	184	13	205	221	193
Bayfield	46	45	2	50	48	45
Brown	607	533	30	647	642	512
Buffalo	6	4	0	6	6	4
Burnett	35	24	0	38	36	33
Calumet	49	45	3	52	51	45
Chippewa	114	110	8	123	122	99
Clark	41	33	3	32	38	35
Columbia	140	135	13	160	196	142
Crawford	29	24	1	25	23	22
Dane	1734	1787	119	2265	2784	1787
Dodge	199	159	14	187	207	163
Door	40	38	0	62	62	40
Douglas	259	237	18	278	329	269
Dunn	79	84	9	90	91	84
Eau Claire	362	381	46	473	490	361
Florence	1	1	0	1	1	1
Fond du Lac	111	105	10	128	109	94
Forest						
Grant	147	117	1	145	164	133
Green	92	83	2	121	120	86
Green Lake	18	17	0	20	20	18
Iowa	16	18	3	26	31	19
Iron						
Jackson	67	55	0	67	90	63
Jefferson	97	97	9	141	152	104
Juneau	88	55	4	57	62	58
Kenosha	602	580	24	698	790	600
Kewaunee	28	29	6	41	44	27
La Crosse	194	200	13	273	285	200
La Fayette						
Langlade	26	28	3	35	36	26
Lincoln	55	48	1	57	61	48
Manitowoc	313	316	20	382	368	303
Marathon	318	312	27	371	375	341
Marinette	34	30	0	40	42	27
Marquette	30	31	1	42	41	31
Milwaukee	13989					2133
Monroe	131	125	18	145	148	126
Oconto	49	42	2	42	53	42
Oneida	87	89	5	115	113	88
Outagamie	193	181	10	225	291	199
Ozaukee	84	77	0	88	97	81
Pepin	4	3	0	6	6	4
Pierce	80	52	3	71	79	74
Polk	67	64	4	73	97	71

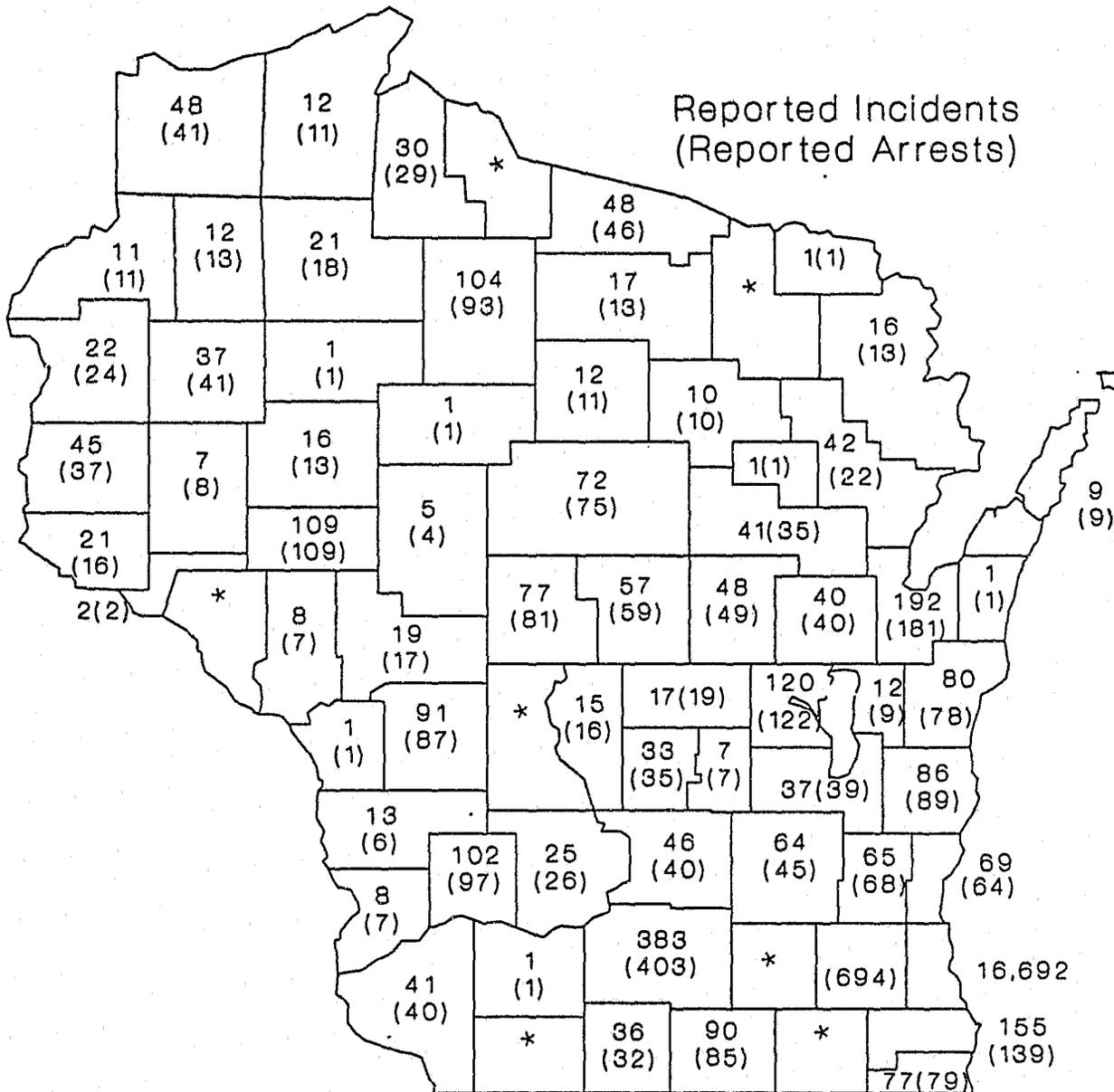
COUNTY	Total Incid.	Persons Arr.	Dual Arr.	Arrest Charges	Prosec. Charges	# People Charged
Portage	169	191	22	215	244	189
Price	56	46	0	57	63	54
Racine	1209	838	42	1448	1592	1224
Richland	45	33	1	33	60	43
Rock	650	641	32	823	913	678
Rusk	44	45	5	58	64	49
St. Croix	235	193	12	227	264	194
Sauk	102	100	0	115	120	100
Sawyer	106	86	0	107	120	102
Shawano	166	152	14	189	255	179
Menominee	8	9	1	12	14	9
Sheboygan	279	293	41	377	436	313
Taylor	28	31	5	38	38	31
Trempealeau	53	43	0	54	68	53
Vernon	61	48	3	57	66	49
Vilas	95	76	0	90	119	89
Walworth					441	327
Washburn	42	40	0	44	44	42
Washington	411	310	2	490	564	396
Waukesha				881	642	
Waupaca	204	217	33	237	310	235
Waushara	62	59	0	110	117	61
Winnebago	417	420	22	479	509	435
Wood	292	252	11	314	333	287
Totals	25779	10882	695	14764	16625	14165

DOMESTIC ABUSE REPORTS, BY COUNTIES  
1990 - Continued

COUNTY	Offenders		Incid w/ Sent.	Sent. Imposed	No. Assmts.	Assmts. Unknown
	Male	Female				
Adams	45	11	39	66	19	15
Ashland	105	31	45	110	14	84
Barron	153	37	83	124	12	98
Bayfield	43	2	37	78	36	5
Brown	503	97	276	954	101	231
Buffalo	5	1	1	1	1	2
Burnett	30	4	10	16	1	23
Calumet	41	6	13	29	15	26
Chippewa	98	13	61	119	16	34
Clark	35	6	20	64	3	28
Columbia	109	29	14	31	0	115
Crawford	28	1	17	39	1	20
Dane	1469	262	174	267	37	1481
Dodge	152	30	30	71	12	110
Door	37	3	23	86	4	33
Douglas	230	27	34	89	15	193
Dunn	62	15	17	20	0	74
Eau Claire	288	68	213	441	57	136
Florence	0	1	1	1	0	1
Fond du Lac	88	23	16	42	9	62
Forest						
Grant	124	23	78	127	59	41
Green	82	9	40	44	7	33
Green Lake	17	1	13	17	3	10
Iowa	13	3	14	24	11	1
Iron						
Jackson	59	8	37	141	20	14
Jefferson	87	10	18	49	0	71
Juneau	77	10	12	17	0	29
Kenosha	451	146	173	302	2	375
Kewaunee	22	6	14	39	7	13
LaCrosse	152	42	141	326	38	50
LaFayette						
Langlade	22	4	12	32	8	11
Lincoln	48	7	26	88	8	25
Manitowoc	259	48	120	263	51	156
Marathon	267	49	152	424	54	252
Marinette	34	0	13	14	5	9
Marquette	27	3	16	20	0	11
Milwaukee						
Monroe	104	25	62	155	36	59
Oconto	47	1	26	57	0	21
Oneida	70	14	33	86	9	53
Outagamie	160	31	46	117	18	117
Ozaukee	75	9	32	75	20	31
Pepin	4	0	1	3	0	2
Pierce	64	12	34	102	1	7
Polk	60	7	9	11	0	57

COUNTY	Offenders		Incid w/ Sent.	Sent. Imposed	No. Assmts.	Assmts. Unknown
	Male	Female				
Portage	140	28	54	211	26	109
Price	46	6	15	65	12	24
Racine	973	227	293	670	0	740
Richland	39	6	14	40	9	20
Rock	513	136	270	368	69	424
Rusk	34	10	17	22	0	32
St. Croix	196	39	70	106	0	77
Sauk	81	21	4	8	2	93
Sawyer	94	12	54	93	46	31
Shawano	142	24	121	463	115	29
Menominee	6	2	8	39	7	1
Sheboygan	214	55	243	520	193	69
Taylor	23	5	21	31	7	21
Trempealeau	46	7	22	35	1	23
Vernon	46	14	16	34	6	31
Vilas	76	17	17	58	3	72
Walworth	253	74				
Washburn	38	2	17	26	5	22
Washington	316	94	99	179	2	245
Waukesha				309		
Waupaca	159	45	111	374	26	109
Waushara	54	6	27	56	25	33
Winnebago	344	72	212	492	53	184
Wood	240	51	137	569	123	73
Totals	9919	2088	4088	9949	1440	6681

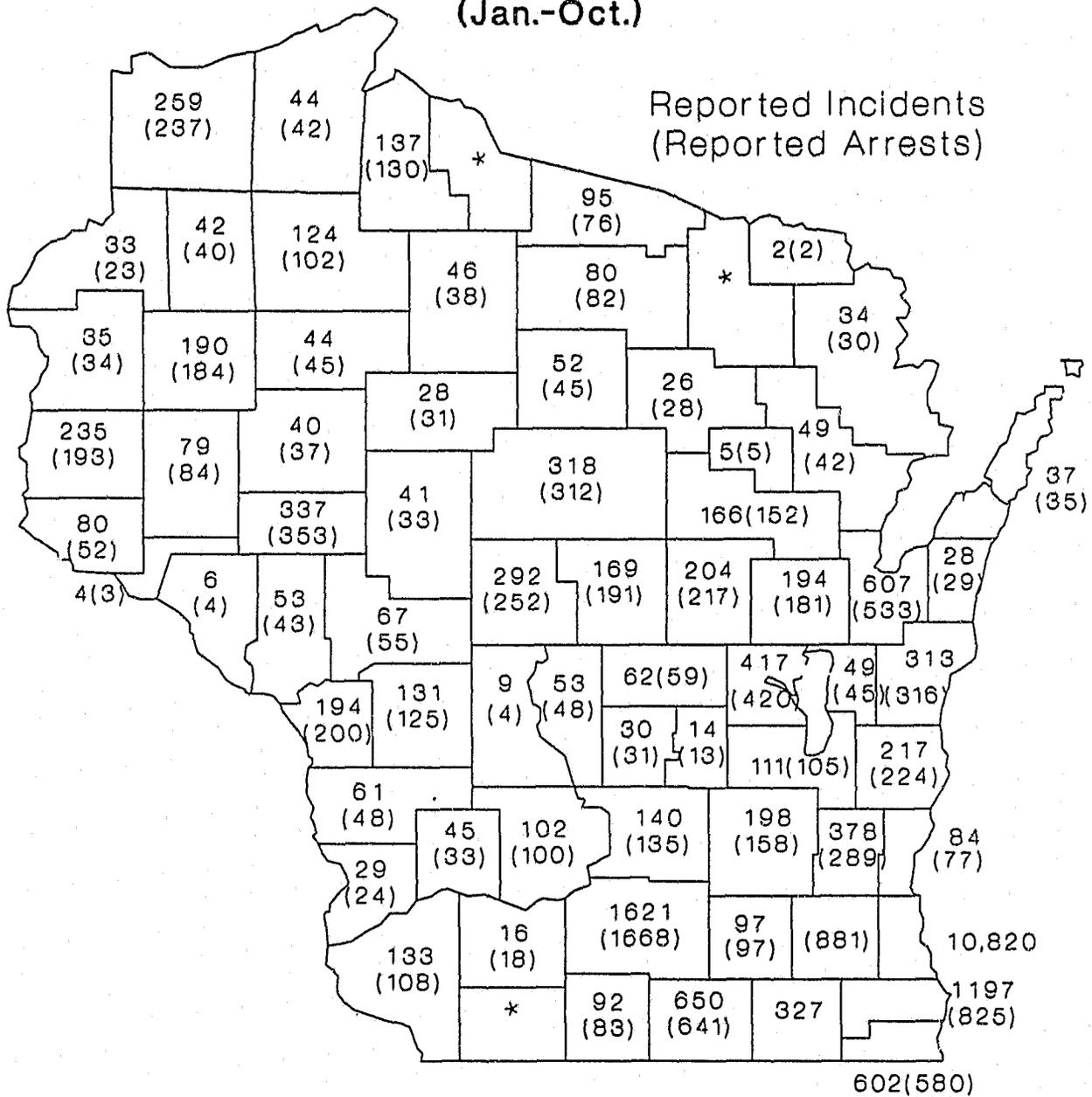
# Incidents and Arrests 1989



\* None Reported to  
Department of Justice

# Incidents and Arrests 1990

(Jan.-Oct.)



\* None Reported to  
Department of Justice

**Appendix C**  
**Domestic Abuse Incident Report Form**

# DOMESTIC ABUSE REPORT

WISCONSIN DEPARTMENT OF JUSTICE  
Office of Crime Victim Services  
DJ-CVC-23, 10/89

County \_\_\_\_\_  
Law Enforcement Agency \_\_\_\_\_  
District Attorney Case # \_\_\_\_\_  
or Offender Name \_\_\_\_\_  
Circuit Court Case # \_\_\_\_\_

Completion of this form meets  
the requirements of s. 968.075  
Wisconsin Statutes

**INSTRUCTIONS:** Circle, check or enter appropriate response. See reverse side for further instructions.

## Section I - Incident

1. Date (Mo/Day/Yr) / /	2. Alcohol used? Yes No Unk	3. By whom? Victim Offender	4. Drugs used? Yes No Unk	5. By whom? Victim Offender
6. Weapon(s) involved? Yes No Unk		7. If yes, what? Firearm Blunt Object Knife/Cutting Instrument Personal (hands, feet, etc.) Other _____ <input type="checkbox"/> Threat only		
8. Law Enforcement Response: <input type="checkbox"/> Arrest <input type="checkbox"/> No arrest/probable cause (Report to DA under §968.075(4)) <input type="checkbox"/> Dual arrest		9. Arrest Offense(s) (Cite statute(s)) _____ _____ _____		10. Officer injured? Yes No Unk
				11. Required medical treatment? Yes No Unk

## Section II - Victim Information

12. Date of Birth (Mo/Day/Yr) / /	13. Sex Male Female	14. Ethnicity: White Hispanic Black American Indian Asian Unknown			
15. Victim Relationship to Offender: <input type="checkbox"/> Spouse <input type="checkbox"/> Co-habitant (e.g., boyfriend, girlfriend) <input type="checkbox"/> Ex-Spouse <input type="checkbox"/> Ex-co-habitant <input type="checkbox"/> Other family member <input type="checkbox"/> Roommate (dorm, rooming house)			16. Victim injured? Yes No Unk		
			17. Required medical treatment? Yes No Unk		

## Section III - Offender Information

18. Date of Birth (Mo/Day/Yr) / /	19. Sex Male Female	20. Ethnicity: White Hispanic Black American Indian Asian Unknown			
21. Prior Domestic Abuse Arrests? Yes No Unk	22. If yes, how many? _____	23. Same Victim? Yes No Unk	24. Offender injured? (this incident) Yes No Unk	25. Required medical treatment? Yes No Unk	

## Section IV - Charging and Disposition

26. Charge(s) issued (Cite statute(s)) _____ _____ _____	27. Disposition: Enter codes (See reverse side) _____ _____ _____	If no charge issued <input type="checkbox"/> Check here
---	--	--

## Section V - Sentence

28. Sentence Imposed: (Check each box that applies)

<input type="checkbox"/> Sentence of incarceration -jail	<input type="checkbox"/> Sentence imposed, but stayed	<input type="checkbox"/> Community service
<input type="checkbox"/> Sentence of incarceration -prison	<input type="checkbox"/> Sentence withheld	<input type="checkbox"/> Counseling (specialized abuser treatment program)
<input type="checkbox"/> Jail as condition of probation	<input type="checkbox"/> Probation	<input type="checkbox"/> Alcohol/drug treatment
	<input type="checkbox"/> Fine	<input type="checkbox"/> Counseling (general)
	<input type="checkbox"/> Restitution	<input type="checkbox"/> No contact conditions
		<input type="checkbox"/> Other (specify) _____

29. Domestic Abuse Assessment Imposed? Yes No Unk \_\_\_\_\_

**Appendix D**  
**1987 Wisconsin Act 346**  
**1989 Wisconsin Act 293**

# STATE OF WISCONSIN

1987 Assembly Bill 224

Date of enactment: April 21, 1988  
Date of publication\*: May 2, 1988

## 1987 Wisconsin Act 346

AN ACT to create 939.621 and 968.075 of the statutes, relating to arrest, domestic abuse and providing penalties.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1. Legislative intent and purpose.** (1) The legislature finds that societal attitudes have been reflected in policies and practices of law enforcement agencies, prosecutors and courts. Under these policies and practices, the treatment of a crime may vary widely depending on the relationship between the criminal offender and the victim of the crime. Only recently has public perception of the serious consequences of domestic violence to society and to individual victims led to the recognition of the necessity for early intervention by the criminal justice system.

(2) The legislature intends, by passage of this act, that:

(a) The official response to cases of domestic violence stress the enforcement of the laws, protect the victim and communicate the attitude that violent behavior is neither excused nor tolerated.

(b) Criminal laws be enforced without regard to the relationship of the persons involved.

(c) District attorneys document the extent of domestic violence incidents requiring the intervention of law enforcement agencies.

(d) Law enforcement agencies be encouraged to provide adequate training to officers handling domestic violence incidents.

(3) The purpose of this act is to recognize domestic violence as involving serious criminal offenses and to provide increased protection for the victims of domestic violence.

**SECTION 2.** 939.621 of the statutes is created to read:

**939.621 Increased penalty for certain domestic abuse offenses.** If a person commits an act of domestic abuse, as defined in s. 968.075 (1) (a) and the act constitutes the commission of a crime, the maximum term of imprisonment for that crime may be increased by

not more than 2 years if the crime is committed during the 24 hours immediately following an arrest for a domestic abuse incident, as set forth in s. 968.075 (5). The 24-hour period applies whether or not there has been a waiver by the victim under s. 968.075 (5) (c). The victim of the domestic abuse crime does not have to be the same as the victim of the domestic abuse incident that resulted in the arrest. The penalty increase under this section changes the status of a misdemeanor to a felony.

**SECTION 3.** 968.075 of the statutes is created to read:

**968.075 Domestic abuse incidents; arrest and prosecution.** (1) **DEFINITIONS.** In this section:

(a) "Domestic abuse" means any of the following engaged in by an adult person against his or her spouse, former spouse or adult relative or against an adult with whom the person resides or formerly resided:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s. 940.225 (1), (2) or (3).
4. A physical act, or a threat in conjunction with a physical act, which may cause the other person reasonably to fear imminent engagement in the conduct described under subd. 1, 2 or 3.

(b) "Law enforcement agency" has the meaning specified in s. 165.83 (1) (b).

(c) "Relative" means a parent, grandparent, step-parent, brother, sister, first cousin, nephew, niece, uncle, aunt, stepbrother, stepsister, child, stepchild, father-in-law, mother-in-law, daughter-in-law or son-in-law.

(2) **MANDATORY ARREST.** Notwithstanding s. 968.07, a law enforcement officer shall arrest and take a person into custody if:

\* Section 991.11, WISCONSIN STATUTES 1985-86: Effective date of act. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment]

(a) The officer has reasonable grounds to believe that the person is committing or has committed domestic abuse and that the person's actions constitute the commission of a crime; and

(b) Either or both of the following circumstances are present:

1. The officer has a reasonable basis for believing that there is a possibility of continued violence against the alleged victim.

2. There is evidence of physical injury to the alleged victim.

(3) LAW ENFORCEMENT POLICIES. (a) Each law enforcement agency shall develop, adopt and implement written policies regarding arrest procedures for domestic abuse incidents. The policies shall include, but not be limited to, the following:

1. Statements emphasizing that:

a. In most circumstances, other than those under sub. (2), a law enforcement officer should arrest and take a person into custody if the officer has reasonable grounds to believe that the person is committing or has committed domestic abuse and that the person's actions constitute the commission of a crime.

b. When the officer has reasonable grounds to believe that spouses, former spouses or other persons who reside together or formerly resided together are committing or have committed domestic abuse against each other, the officer does not have to arrest both persons, but should arrest the person whom the officer believes to be the primary physical aggressor. In determining who is the primary physical aggressor, an officer should consider the intent of this section to protect victims of domestic violence, the relative degree of injury or fear inflicted on the persons involved and any history of domestic abuse between these persons, if that history can reasonably be ascertained by the officer.

c. A law enforcement officer's decision as to whether or not to arrest under this section may not be based on the consent of the victim to any subsequent prosecution or on the relationship of the persons involved in the incident.

d. A law enforcement officer's decision not to arrest under this section may not be based solely upon the absence of visible indications of injury or impairment.

2. A procedure for the written report and referral required under sub. (4).

3. A procedure for notifying the alleged victim of the incident of the provisions in sub. (5).

(b) In the development of these policies, each law enforcement agency is encouraged to consult with community organizations and other law enforcement agencies with expertise in the recognition and handling of domestic abuse incidents.

(c) This subsection does not limit the authority of a law enforcement agency to establish policies that require arrests under more circumstances than those set forth in sub. (2).

(4) REPORT REQUIRED WHERE NO ARREST. If a law enforcement officer does not make an arrest under this section when the officer has reasonable grounds to believe that a person is committing or has committed domestic abuse and that person's acts constitute the commission of a crime, the officer shall prepare a written report stating why the person was not arrested. The report shall be sent to the district attorney's office, in the county where the acts took place, immediately after investigation of the incident has been completed. The district attorney shall review the report to determine whether the person involved in the incident should be charged with the commission of a crime.

(5) CONTACT PROHIBITION. (a) 1. Unless there is a waiver under par. (c), during the 24 hours immediately following an arrest for a domestic abuse incident, the arrested person shall avoid the residence of the alleged victim of the domestic abuse incident and, if applicable, any premises temporarily occupied by the alleged victim, and avoid contacting or causing any person, other than attorneys for the arrested person and alleged victim, to contact the alleged victim.

2. An arrested person who intentionally violates this paragraph shall be required to forfeit not more than \$1,000.

(b) 1. Unless there is a waiver under par. (c), a law enforcement officer or other person who releases a person arrested for a domestic abuse incident from custody less than 24 hours after the arrest shall inform the arrested person orally and in writing of the requirements under par. (a), the consequences of violating the requirements and the provisions of s. 939.621. The arrested person shall sign an acknowledgement on the written notice that he or she has received notice of, and understands the requirements, the consequences of violating the requirements and the provisions of s. 939.621. If the arrested person refuses to sign the notice, he or she may not be released from custody.

2. If there is a waiver under par. (c) and the person is released under subd. 1, the law enforcement officer or other person who releases the arrested person shall inform the arrested person orally and in writing of the waiver and the provisions of s. 939.621.

3. Failure to comply with the notice requirement under subd. 1 regarding a person who is lawfully released from custody bars a prosecution under par. (a), but does not affect the application of s. 939.621 in any criminal prosecution.

(c) At any time during the 24-hour period specified in par. (a), the alleged victim may sign a written waiver of the requirements in par. (a). The law enforcement agency shall have a waiver form available.

(d) The law enforcement agency responsible for the arrest of a person for a domestic abuse incident shall notify the alleged victim of the requirements under

par. (a) and the possibility of, procedure for and effect of a waiver under par. (c).

(e) Notwithstanding s. 968.07, a law enforcement officer shall arrest and take a person into custody if the officer has reasonable grounds to believe that the person has violated par. (a).

(6) **CONDITIONAL RELEASE.** A person arrested and taken into custody for a domestic abuse incident is eligible for conditional release. Unless there is a waiver under sub. (5) (c), as part of the conditions of any such release that occurs during the 24 hours immediately following such an arrest, the person shall be required to comply with the requirements under sub. (5) (a) and to sign the acknowledgement under sub. (5) (b). The arrested person's release shall be conditioned upon his or her signed agreement to refrain from any threats or acts of domestic abuse against the alleged victim or other person. The person is not eligible for release on his or her own recognizance pursuant to a citation issued under s. 800.02 or 968.085.

(7) **PROSECUTION POLICIES.** Each district attorney's office shall develop, adopt and implement written policies encouraging the prosecution of domestic abuse offenses. The policies shall include, but not be limited to, the following:

(a) A policy indicating that a prosecutor's decision not to prosecute a domestic abuse incident should not be based:

1. Solely upon the absence of visible indications of injury or impairment;

2. Upon the victim's consent to any subsequent prosecution of the other person involved in the incident; or

3. Upon the relationship of the persons involved in the incident.

(b) A policy indicating that when any domestic abuse incident is reported to the district attorney's

office, including a report made under sub. (4), a charging decision by the district attorney should, absent extraordinary circumstances, be made not later than 2 weeks after the district attorney has received notice of the incident.

(8) **EDUCATION AND TRAINING.** Any education and training by the law enforcement agency relating to the handling of domestic abuse complaints shall stress enforcement of criminal laws in domestic abuse incidents and protection of the alleged victim. Law enforcement agencies and community organizations with expertise in the recognition and handling of domestic abuse incidents shall cooperate in all aspects of the training.

(9) **ANNUAL REPORT.** (a) Each district attorney shall submit an annual report to the department of justice listing all of the following:

1. The number of arrests for domestic abuse incidents in his or her county as compiled and furnished by the law enforcement agencies within the county.

2. The number of subsequent prosecutions and convictions of the persons arrested for domestic abuse incidents.

(b) The listing of the number of arrests, prosecutions and convictions under par. (a) shall include categories by statutory reference to the offense involved and include totals for all categories.

**SECTION 4. Nonstatutory provisions.** Each law enforcement agency and each district attorney's office shall develop written policies under section 968.075 (3) and (7) of the statutes, as created by this act, so that the policies are in effect on or before April 1, 1989.

**SECTION 5. Effective dates.** This act takes effect on April 1, 1989, except as follows:

(1) The creation of section 968.075 (3) and (7) of the statutes and SECTION 4 of this act take effect on the day after publication.

## STATE OF WISCONSIN

1989 Assembly Bill 249

Date of enactment: April 23, 1990  
Date of publication\*: May 7, 1990

# 1989 Wisconsin Act 293

AN ACT to repeal 968.075 (1) (c); to renumber and amend 968.075 (2); to amend 968.075 (1) (a) (intro.) and 4, 968.075 (3) (a) 3, 968.075 (5) (a) 1 and 968.075 (6); and to create 968.075 (2) (b) and 968.075 (6m) of the statutes, relating to domestic abuse incidents.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 968.075 (1) (a) (intro.) and 4 of the statutes are amended to read:

968.075 (1) (a) (intro.) "Domestic abuse" means any of the following engaged in by an adult person against his or her spouse, ~~or former spouse or adult relative or~~, against an adult with whom the person resides or formerly resided or against an adult with whom the person has created a child:

4. A physical act, ~~or a threat in conjunction with a physical act, which~~ that may cause the other person reasonably to fear imminent engagement in the conduct described under subd. 1, 2 or 3.

SECTION 2. 968.075 (1) (c) of the statutes is repealed.

SECTION 3. 968.075 (2) of the statutes is renumbered 968.075 (2) (a), and 968.075 (2) (title), (a) (intro.) and 2. a, as renumbered, are amended to read:

968.075 (2) (title) CIRCUMSTANCES REQUIRING ARREST. (a) (intro.) Notwithstanding s. 968.07 and except as provided in par. (b), a law enforcement officer shall arrest and take a person into custody if:

2. a. The officer has a reasonable basis for believing that ~~there is a possibility of continued violence domestic abuse against the alleged victim is likely.~~

SECTION 4. 968.075 (2) (b) of the statutes is created to read:

968.075 (2) (b) If the officer's reasonable grounds for belief under par. (a) 1 are based on a report of an alleged domestic abuse incident, the officer is required to make an arrest under par. (a) only if the report is received, within 28 days after the day the incident is alleged to have occurred, by the officer or the law enforcement agency that employs the officer.

SECTION 5. 968.075 (3) (a) 3 of the statutes is amended to read:

968.075 (3) (a) 3. A procedure for notifying the alleged victim of the incident of the provisions in sub. (5), the procedure for releasing the arrested person and the likelihood and probable time of the arrested person's release.

SECTION 6. 968.075 (5) (a) 1 of the statutes is amended to read:

968.075 (5) (a) 1. Unless there is a waiver under par. (c), during the 24 hours immediately following an arrest for a domestic abuse incident, the arrested person shall avoid the residence of the alleged victim of the domestic abuse incident and, if applicable, any premises temporarily occupied by the alleged victim, and avoid contacting or causing any person, other than law enforcement officers and attorneys for the arrested person and alleged victim, to contact the alleged victim.

SECTION 7. 968.075 (6) of the statutes is amended to read:

968.075 (6) CONDITIONAL RELEASE. A person arrested and taken into custody for a domestic abuse incident is eligible for conditional release. Unless there is a waiver under sub. (5) (c), as part of the conditions of any such release that occurs during the 24 hours immediately following such an arrest, the person shall be required to comply with the requirements under sub. (5) (a) and to sign the acknowledgment under sub. (5) (b). The arrested person's release shall be conditioned upon his or her signed agreement to refrain from any threats or acts of domestic abuse against the alleged victim or other person. ~~The person is not eligible for release on his or her own recognizance pursuant to a citation issued under s. 800.02 or 968.085.~~

\* Section 991.11, WISCONSIN STATUTES 1987-88: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

SECTION 8. 968.075 (6m) of the statutes is created to read:

968.075 (6m) OFFICER IMMUNITY. A law enforcement officer is immune from civil and criminal liabil-

ity arising out of a decision by the officer to arrest or not arrest an alleged offender, if the decision is made in a good faith effort to comply with this section.

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