

**Element Sheet – Criminal Damage to Property**  
**943.01(2)**

1. The defendant caused damage to physical property.
  - a. “Damage” includes anything from mere defacement to total destruction.
2. The defendant intentionally caused the damage.
  - a. “Intentionally” means the defendant must have had the mental purpose to damage the property or was aware that the conduct was practically certain to cause that result.
3. The property belonged to another person.
4. The defendant caused the damage without the consent of (name of owner; agent, etc).
5. The defendant knew the property belonged to another person and knew that the other person did not consent to the damage.
6. *The presence of one of the following elements (from sub. (2)) increases the penalty for this offense from a misdemeanor to a felony:*
  - a. The property was reduced in value by more than \$2,500.
  - b. The property was a vehicle or highway and the damage was of a kind which is likely to cause injury to a person or further property damage.
  - c. The property belonged to a person who was or is a grand or petit juror and the damage was caused by reason of any verdict or indictment assented to by the owner.
  - d. The property is on state-owned and is listed on the registry under sub. (5).
  - e. The property is a rock art site listed on the national register of historic places in Wisconsin.
  - f. The property is plant material used in research.