

1985 Assembly Bill 489

Date of enactment: April 21, 1986  
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## 1985 Wisconsin Act 292

AN ACT to renumber and amend 48.78; and to create 48.78 (2) of the statutes, relating to permitting disclosure of information about children who are absent from juvenile correctional facilities and granting rule-making authority.

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

SECTION 1. 48.78 of the statutes, as affected by 1985 Wisconsin Act 29, is renumbered 48.78 (1) and amended to read:

48.78 (1) Records kept or information received by the department, county agencies specified in s. 48.56, licensed child welfare agencies, licensed day care centers and licensed maternity hospitals regarding individuals in their care or legal custody shall not be open to inspection or their contents disclosed except as provided under sub. (2), ss. 48.432, 48.433, 48.93 and 48.981 (7) or by order of the court. This ~~section~~ subsection does not apply to the confidential exchange of information between these agencies or other social welfare or law enforcement agencies regarding individuals in the care or legal custody of one of the agencies. This ~~section~~ subsection does not prohibit the department or a county department of public welfare or social services from using in the media a picture or description of a child in the guardianship of the

department or a county department of public welfare or social services for the purpose of finding adoptive parents for that child.

SECTION 2. 48.78 (2) of the statutes is created to read:

48.78 (2) If a child adjudged delinquent on the basis of a violation of s. 941.10, 941.11, 941.20, 941.21, 941.22, 941.23, 941.235, 941.24, 941.26, 941.28, 942.295, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a) or 943.32 (2) or any crime specified in ch. 940 has escaped or has been allowed to leave a secured juvenile correctional facility for a specified time period and in the case of an authorized leave the child is absent from the facility for more than 12 hours after the expiration of the specified period, the department may release the child's name and any information about the child the department determines to be necessary for the protection of the public or to secure the child's return to the facility. The department shall promulgate rules establishing

guidelines for the release of the child's name or information about the child to the public.

**SECTION 3. Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	Old Cross-References	New Cross-References
48.38 (5)(d)	48.78	48.78 (1)
48.64 (4)(a)	48.78	48.78 (1)
51.30 (5)(d)	48.78	48.78 (1)

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