



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 99

**Assembly
Amendment 2**

Memo published: March 31, 2005

Contact: Rachel E. Letzing, Staff Attorney (266-3370)

Under current law, a person who is convicted or adjudicated delinquent of a sex offense generally must register with the Department of Corrections (DOC) as a sex offender. Information from the sex offender registry is available to police chiefs and sheriffs who may provide that information on their own initiative to certain organizations (e.g., schools, day care providers, and certain government agencies) and individuals. Organizations may request information relating to specific sex offender registrants from DOC and individuals may request information from DOC or a police chief or sheriff. A police chief or sheriff may also provide information to the general public if the police chief or sheriff determines that doing so is necessary to protect the public.

Current law, however, prohibits DOC or a police chief or sheriff from disseminating the following information to organizations, individuals, or the general public:

- Any information concerning a child who is required to register.*
- If the person required to register is an adult, any information concerning a juvenile proceeding in which the person was involved.

Assembly Bill 99 provides that a police chief or sheriff may provide information from the sex offender registry concerning a registrant who is a child or concerning a juvenile proceeding in which the registrant was involved to an organization, an individual, or the general public if he or she determines that doing so is necessary to protect the public. The bill also authorizes the DOC to provide this information in response to a request from an organization for information relating to specific sex offender registrants if DOC believes that doing so is necessary to protect the public.

*A child may be waived into adult criminal court for committing specified offenses on or after his or her 14th birthday or for committing any offense on or after his or her 15th birthday. Seventeen-year olds are considered adults for purposes of criminal prosecution, so the adult criminal court has jurisdiction over any offense committed by a 17-year old.

Assembly Amendment 2 provides that DOC, in response to a request from an organization for information relating to specific sex offender registrants, may not provide any information concerning a child required to register or, if the person required to register is an adult, any information concerning a juvenile proceeding in which the person was involved.

Legislative History

Assembly Amendment 2 was offered by Representative Friske. It was adopted by the Assembly on a voice vote. The Assembly then passed the bill, as amended, on a vote of Ayes, 91; Noes, 5.