

1993 Senate Bill 408

Date of enactment: April 8, 1994
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1993 WISCONSIN ACT 228

AN ACT *to amend* 48.299 (1) (b) and 48.396 (2); and *to create* 48.396 (2m) of the statutes, **relating to:** disclosure of certain information regarding a child who has been adjudicated delinquent for committing homicide, armed robbery or sexual assault.

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

SECTION 1m. 48.299 (1) (b) of the statutes is amended to read:

48.299 (1) (b) ~~Any Except as provided in ss. 48.375 (7) (e) and 48.396, any~~ person who divulges any information which would identify the child or the family involved in any proceeding under this chapter shall be subject to ch. 785. This paragraph does not preclude a victim of the child's act from commencing a civil action based upon the child's act.

SECTION 1r. 48.396 (2) of the statutes, as affected by 1993 Wisconsin Act (Senate Bill 548), is amended to read:

48.396 (2) Records of the court assigned to exercise jurisdiction under this chapter and of courts exercising jurisdiction under s. 48.16 or 48.17 (2) shall be entered in books or deposited in files kept for that purpose only. They shall not be open to inspection or their contents disclosed except by order of the court assigned to exercise jurisdiction under this chapter or as permitted under this section or s. 48.375 (7) (e). Upon request of the department to review court records for the purpose of monitoring and conducting periodic evaluations of activities as required by and implemented under 45 CFR 1355, 1356 and 1357, the court shall open those records for inspection by authorized representatives of the department. Upon request of the federal government to review court

records for the purpose of monitoring and conducting periodic evaluations of activities as required by and implemented under 45 CFR 1355, 1356 and 1357, the court shall open those records for inspection by authorized representatives of the federal agency. Upon request of a law enforcement agency to review court records for the purpose of investigating a crime that might constitute criminal gang activity, as defined in s. 941.38 (1) (b), the court shall open for inspection by authorized representatives of the law enforcement agency the records of the court relating to any child who has been found to have committed a delinquent act at the request of or for the benefit of a criminal gang, as defined in s. 939.22 (9), that would have been a felony under ch. 161 or under chs. 939 to 948 if committed by an adult.

SECTION 2. 48.396 (2m) of the statutes is created to read:

48.396 (2m) Notwithstanding sub. (2), upon request, a court shall disclose to the requester the name and age of a child who has been adjudicated delinquent for committing a violation of s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.225 (1) or (2) or 943.32 (2), the nature of the violation committed by that child and the disposition under s. 48.34 imposed on that child as a result of that violation. The requester may further disclose the information to anyone.

SECTION 3. Initial applicability. This act first applies to children who are adjudicated delinquent on the effective date of this SECTION.