

1987 Assembly Bill 908

Date of enactment: **April 8, 1988**
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1987 Wisconsin Act **227**

AN ACT to amend 972.15 (4); and to create 972.15 (5) of the statutes, relating to presentence investigation reports.

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

SECTION 1. 972.15 (4) of the statutes is amended to read:

972.15 (4) After sentencing, unless otherwise authorized under sub. (5) or ordered by the court, the

presentence investigation report shall be confidential and shall not be made available to any person except upon specific authorization of the court.

SECTION 2. 972.15 (5) of the statutes is created to read:

972.15 (5) The department may use the presentence investigation report for correctional programming, parole consideration or care and treatment of any person sentenced to imprisonment, placed on probation, released on parole or committed to the department under ch. 51 or 971 or any other person in the custody of the department or for research purposes. The department may make the report available to other agencies or persons to use for purposes related to correctional programming, parole consideration, care and treatment, or research. Any use of the report under this subsection is subject to the following conditions:

(a) If a report is used or made available to use for research purposes and the research involves personal contact with subjects, the department, agency or per-

son conducting the research may use a subject only with the written consent of the subject or the subject's authorized representative.

(b) The department or the agency or person to whom the report is made available shall not disclose the name or any other identifying characteristics of the subject, except for disclosure to appropriate staff members or employees of the department, agency or person as necessary for purposes related to correctional programming, parole consideration, care and treatment, or research.

SECTION 3. Initial applicability. This act first applies to the use of presentence investigation reports on the effective date of this SECTION, regardless of the date the presentence investigation report is completed.