



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 338
[2013 Assembly Bill 612]

Presentence Investigation Reports

Under state law, if a person is convicted of a crime, the court may order the preparation of a presentence investigation report. The report is generally confidential and may not be made available to any person, except upon specific authorization of the court. However, the district attorney, the defendant's attorney, and, in some cases, an assistant attorney general are entitled to have and keep a copy of the report but must keep the report confidential. If the defendant is not represented by counsel, the defendant is entitled to view the report but may not keep a copy of it, and the defendant must keep the information in the report confidential.

2013 Wisconsin Act 338 provides that the victim of the crime is also entitled to view certain parts of the presentence investigation report. Specifically, under the Act, the victim is entitled to view all sentencing recommendations included in the report and any portion of the report that contains information pertaining to the victim. A victim who views any contents of a presentence investigation report may not keep a copy of any portion of the report and must keep the information he or she views confidential.

Effective date: April 25, 2014.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.