
Wisconsin Legislative Council

ACT MEMO



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April 9, 2024

2023 Wisconsin Act 230
[2023 Assembly Bill 237]

**Victim and Public Notification
About Certain Releases
From Prison**

BACKGROUND

Wisconsin’s sentencing laws allow for certain forms of discretionary release. As relevant to the act, certain individuals confined in state prison are eligible for release on parole, for release to extended supervision because of advanced age or an extraordinary health condition, or for release on extended supervision after serving at least 20 years of a life sentence, if deemed eligible by the sentencing court. An eligible individual must petition the Parole Commission for release on parole, and must petition a court for discretionary releases to extended supervision.

2023 WISCONSIN ACT 230

Act 230 makes changes relating to victim notification prior to prison releases, victim statements regarding petitions for release, and law enforcement notification of the public when a person who committed a serious violent crime will be released in the area.

First, the act requires the Department of Corrections (DOC) to provide earlier notice to victims and witnesses who testified in a court proceeding when an individual who committed certain crimes will be released on parole or extended supervision. Prior law required DOC to send a notice to the last-known address of a victim or testifying witness at least seven days before an individual convicted of certain crimes¹ was released, if the victim or witness requested notification. Act 230 lengthens the notice period by requiring DOC to send notification at least 30 days before release, rather than seven days.

Second, the act expands a victim’s ability to provide input when an individual is petitioning for discretionary release on parole or extended supervision. Prior law allowed victims to provide statements at a court hearing or Parole Commission hearing on such a petition. Act 230 guarantees a victim the ability to make either a written or an oral statement and to use visual aids, and requires the Parole Commission to consider statements provided by a victim whether they are received before or at the interview or hearing.

Finally, Act 230 provides that law enforcement may share information regarding certain individuals released on parole or extended supervision with the public. Under prior law, DOC was required to notify the municipal police department and county sheriff (“law enforcement”) for the area where individuals releasing on parole or extended supervision would be residing, but did not address law

¹ The victim notification requirement applies to release of prisoners convicted of any of the following offenses: s. 940.01, Stats., *First-degree intentional homicide*; 940.03, Stats., *Felony murder*; 940.05, Stats., *Second-degree intentional homicide*; 940.225 (1) or (2), Stats., *First- or second-degree sexual assault*; 948.02 (1) or (2), Stats., *First- or second-degree sexual assault of a child*; 948.025, Stats., *Repeated sexual assault of the same child*; 948.06, Stats., *Incest with a child*; 948.07, Stats., *Child enticement*; or 948.085, Stats., *Sexual assault of a child placed in substitute care*. [s. 304.063 (2) (intro.), Stats.]

enforcement notification of the general public. Act 230 clarifies that law enforcement receiving notice about the release of individuals convicted of serious violent crimes² may disseminate the information to the general public, if the police chief or sheriff believes the information is necessary to protect the public.

Effective date: March 29, 2024. The changes in the act first apply to a person eligible for parole or release to extended supervision on March 29, 2024.

For a full history of the bill, visit the Legislature's [bill history page](#).

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²“Serious violent crime” includes the following offenses: s. 940.02, Stats., *First-degree reckless homicide*; 940.03, Stats., *Felony murder*; 940.05, Stats., *Second-degree intentional homicide*; 940.09, Stats., *Homicide by intoxicated use of vehicle or firearm*; 940.19 (5), Stats., *Aggravated battery*; 940.21, Stats., *Mayhem*; 940.305, Stats., *Taking hostages*; 940.31, Stats., *Kidnapping*; 941.327 (2) (b) 2., 3., or 4., Stats., *Tampering with household products*; 943.02, Stats., *Arson of buildings; damage of property by explosives*; 943.23 (1g), Stats., *Carjacking*; 943.32 (2), Stats., *Armed robbery*; 943.87, Stats., *Robbery of a financial institution*; 948.03 (2) (a), Stats., *Child abuse* (intentionally causing bodily harm); 948.03 (5), Stats., *Child abuse* (engaging in repeated acts of physical abuse against the same child); 948.051, Stats., *Trafficking of a child*; or 948.30 (2), Stats., *Abduction of another's child* (by force or threat of imminent force). [s. 939.619 (1), Stats.]