
Wisconsin Legislative Council

ACT MEMO



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2021 Wisconsin Act 190 [2021 Senate Bill 419]

Notification to Tribes for a Sexually Violent Person Placed on Supervised Release

BACKGROUND

State statutes provide that a person who has been found to be a sexually violent person may be involuntarily committed to the Department of Health Services for control, care, and treatment. If a person is committed and placed in institutional care, the person may periodically petition the court for supervised release to the community. If a court approves the petition, the court must order the person's county of residence to prepare a report that identifies one appropriate residential option for the person. Among other requirements, when preparing the report, the county must consult with a local law enforcement agency having jurisdiction over the residential option and include in its report any report prepared by the local law enforcement agency.

State statutes also require that, before a person is placed on supervised release by the court, the court notify the municipal police department and county sheriff for the municipality and county in which the person will be residing unless the municipal police department or county sheriff waives its notification rights.

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The act does the following:

- Requires that the court notify the tribal chair of any tribe with tribally owned lands located within any county that has been ordered to prepare a residential option report.
- Requires that the county consult with any tribal law enforcement agency located within the county and include in its report any report prepared by the tribal law enforcement agency.
- Provides that, unless waived by a tribal law enforcement agency, the court must also notify any tribal law enforcement agency located in the county in which the person will be residing of the placement.

Effective date: March 19, 2022

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