

Tommy G. Thompson  
Governor

Michael J. Sullivan  
Secretary



Mailing Address  
149 East Wilson Street  
Post Office Box 7925  
Madison, WI 53707-7925  
Telephone (608) 266-2471

**State of Wisconsin**  
**Department of Corrections**

STATE OF WISCONSIN            )  
  ) SS  
DEPARTMENT OF CORRECTIONS )

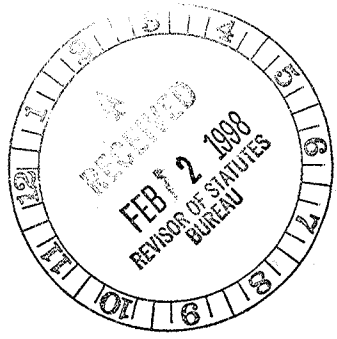
I, Michael J. Sullivan, Secretary, Department of Corrections, and custodian of the official records, certify that the annexed rules, relating to administrative confinement of inmates, were duly approved and adopted by the Department on January 30, 1998.

I further certify that this copy has been compared by me with the original on file in this Department and that it is a true copy of the original, and of the whole of the original.

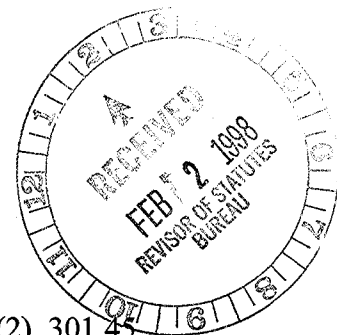
IN TESTIMONY WHEREOF, I have hereunto  
Set my hand and affixed the official seal of the  
Department of Corrections  
149 E. Wilson Street in the City of  
Madison, this 30 day of January 1998.

SEAL

*Michael J. Sullivan*  
Michael J. Sullivan  
Secretary *By AMB:ci*



PROPOSED ORDER  
OF  
DEPARTMENT OF CORRECTIONS  
PROMULGATING RULES



Under the authority vested in the Department of Corrections by s. 227.11 (2), 301.45 (8), and 301.46 (8), Stats., the Department of Corrections hereby creates DOC ch. 332, relating to registration and community notification of sex offenders.

Statutory authority: s. 301.45 (8), 301.46 (8), and 227.11(2), Stats.  
Statutes interpreted: s. 301.45 (1) through (9), and 301.46 (1) through (9), Stats.

Analysis by the Department of Corrections

These rules are pursuant to recently enacted legislation, s. 301.45 and 301.46, Stats., relating to sex offender registration and access to information concerning sex offenders. These rules require that sex offenders register information with the sex offender registry at regular intervals, update information, and verify the accuracy of information. These rules specify the type of information that must be provided and the methods of registration, updating and verification.

These rules identify how the department of corrections will maintain the sex offender registry and under what circumstances information in the registry can be expunged. These rules require supervising agencies to notify offenders of the registration requirement, but alert offenders that failure to receive notice is not a defense to any penalty for failure to register. In addition to criminal penalties for failure to register provided at s. 301.45 (6), Stats., these rules provide that for offenders on supervision failure to register is a violation of that supervision. These rules direct the department to notify district attorneys of any intentional failure to provide registry information.

These rules allow access to registry information by law enforcement. In addition, victims, community entities, and the general public are allowed various levels of access to registry information. These rules clarify that access by entities, victims, and the general public to selected information contained in the sex offender registry is available upon request and when identifying information concerning a particular offender is supplied by the requester.

SECTION 1. Chapter DOC 332 is created to read: SEX OFFENDER  
REGISTRATION AND COMMUNITY NOTIFICATION REQUIREMENTS

DOC 332.01 APPLICABILITY. This chapter interprets s. 301.45, and 301.46, Stats.

DOC 332.02 DEFINITIONS. Unless otherwise indicated in this chapter:

- (1) "Department" means the department of corrections.

DOC 332.03 PERSONS REQUIRED TO REGISTER. Any person meeting the reporting prerequisites specified at s. 301.45 (1), Stats., shall register with the department of corrections sex offender registry.

DOC 332.04 MAINTENANCE OF REGISTRY. (1) The department shall maintain a registry of all persons subject to registration requirements.

(2) Persons subject to registration shall complete, sign, and submit a form designated by the department that requires:

- (a) All of the information specified at s. 301.45 (2) (a), Stats., and;
- (b) Any other information that the department deems necessary to aid law enforcement or furthers the interests of public protection. Information under this paragraph shall only be made available to the department and law enforcement.

(3) The department shall expunge registry information concerning any person only when the department receives either:

- (a) The information specified at s. 301.45 (7) (c) 1. and 2., Stats., or;
- (b) A death certificate from the Bureau of Vital Statistics concerning the person registered.

(4) The department may request the assistance of any county, circuit court, the department of health and family services, the department of transportation, or the department of workforce development in obtaining registry information.

DOC 332.05 REGISTRATION TIMELINES. When a person subject to registration is on supervision the supervising department or agency shall provide all of the information required under s. DOC 332.04 (2), to the department of corrections in accordance with s. 301.45 (2) (e), Stats.

DOC 332.06 REGISTRATION FREQUENCY, DURATION, VERIFICATION, AND UPDATING. (1) Persons subject to registration shall continue to provide information annually or at 90 day intervals as required by s. 301.45 (3), Stats., on the designated department form until released from the registration obligation as provided at s. 301.45 (5), Stats.

(2) Persons shall update information in accordance with the following:

(a) Unless par. (b) applies, whenever information required by DOC 332.04 (2), changes the person shall notify the department of the change within 10 days by registering the change with the department's 1-888 telephonic registration system or by completing, signing, and submitting the designated DOC form.

(b) Persons on supervision to the department shall provide advance written notification to the department of any changes in employment, residence, school enrollment and vehicle information or in the case of emergency within 72 hours of the change by contacting the supervising agent.

(3) A person who is subject to registration and who is moving from this state to another state must comply with s. 301.45 (4m), Stats.

(4) Persons subject to registration who receive any notice from the department requesting verification of registry information shall verify the accuracy of registry information and provide any updated information within 10 days of the receipt of the notice by signing and returning a confirmation receipt and designated form to the department.

(5) Failure to receive notice of registration requirements under s.301.45 (3) (b), is not a defense to liability under s. 301.45 (6), Stats.

(6) In addition to penalties provided at s. 301.45 (6), Stats., failure to comply with registration requirements, including but not limited to signing the registration form, verifying information, updating information, or providing true and accurate information when the person is on probation, parole, supervised release, conditional discharge, or aftercare supervision is a violation of that supervision.

(7) The department shall notify the district attorney in the county where the offender resides of any intentional non-compliance with the obligation to register, update registry information or verify registry information.

DOC 332.07 ACCESS TO REGISTRY INFORMATION. (1) The department shall allow access to registry information to law enforcement agencies in accordance with s. 301.46 (2) and (6) (b), Stats.

(2) In addition to the information provided to law enforcement agencies under sub. (1) the department may provide law enforcement with any other information concerning persons subject to registration.

(3) The department shall provide access to registry information to agencies and organizations other than law enforcement in accordance with s. 301.46 (4), Stats.

(4) The department shall provide access to registry information to victims in accordance with s. 301.46 (3), Stats.

(5) The department may provide access to registry information to the general public in accordance with s. 301.46 (5), Stats.

DOC 332.08 PERIOD OF ACCESS TO REGISTRY. (1) Except as provided in sub. (2), the department may continue to provide access to registry information concerning persons subject to registration only until the person is released from registration requirements under s. 301.45 (5), Stats.

(2) The department may provide registry access to law enforcement agencies regardless of whether the person is still subject to registration requirements.

DOC 332.09 BULLETINS TO LAW ENFORCEMENT. (1) The department shall provide bulletins to law enforcement agencies in accordance with s. 301.46 (2m), Stats.

DOC 332.10 NOTIFICATION OF VICTIMS. (1) In this subsection:

(a) "Member of the family" has the meaning given at s. 301.46 (3) (a) 1., Stats.

(b) "Victim" has the meaning given at s. 301.46 (3) (a) 2., Stats.

(2) Victims and family members may request information concerning persons registered by either:

- (a) Obtaining a victim identification number and contacting the department's 1-800 telephone information system or;
- (b) Completing and submitting to the department the form designated to request written notifications.

DOC 332.11 ACCESS TO REGISTRY BY COMMUNITY ENTITIES. (1) The department shall provide access to community entities specified at s. 301.46 (4) (a), Stats., that request information about a specific person registered under s. DOC 332.04. Entities requesting information under this par. shall be provided information when the entity does all of the following:

- (a) Submits a request to the department's 1-800 telephonic information access system.
- (b) Specifies by name the person about whom information is requested and;
- (c) Provides the date of birth, and either the social security number or drivers license number of the person about whom information is requested.

(2) A neighborhood watch program authorized under s. 60.23 (17m), Stats., or by the law enforcement agency of a city or village may request the names and information concerning all persons registered under this chapter who reside, are employed or attend school in the entity's community, district, jurisdiction or other geographical area of activity. Requests for information under this subsection shall be in writing on the form designated by the department.

(3) In response to a request under sub. (1) or (2), the department shall provide all of the information specified at 301.46 (4) (b), Stats.

(4) Information provided by the department under this section shall not include any information specified at s. 301.46 (4) (ag), Stats.

DOC 332.12 ACCESS TO REGISTRY BY GENERAL PUBLIC. (1) The department may in the interest of public protection provide information to a person not provided access to registry information under other sections when the person requests information and when the person does all of the following:

- (a) Submits a request to the department's 1-800 telephonic information access system or files a written request for information on the form designated by the department.
- (b) Specifies by name the person about whom information is requested and;
- (c) Provides the date of birth, and either the social security number or drivers license number of the person about whom information is requested.

(2) When the department grants access to information in response to a request under sub. (1), all of the information specified at s. 301.46 (5) (b), Stats., shall be provided:

(3) In response to a request under sub. (1), the department shall not provide any information specified at 301.46 (5) (c), Stats.

DOC 332.13 MISUSE OF REGISTRY INFORMATION. Persons who commit crimes using information that is disclosed under the provisions of this chapter are subject to the

penalty provided for the crime committed and any increased penalty provided under s. 939.646, Stats.

FISCAL ESTIMATE

A copy of the fiscal estimate is attached.

Dated: Jan. 30, 1998 Agency: Michael J. Sullivan  
MICHAEL J. SULLIVAN, Secretary *By PMS*  
Department of Corrections

## Chapter DOC 332

### APPENDIX

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**Note DOC 332.04.** The registration form required by subsection (2) is DOC-1759. This form can be obtained by writing to: Wisconsin Department of Corrections-Sex Offender Registry Program, P.O. Box 7925, Madison, WI 53707-7925 or by contacting the nearest Division of Community Corrections field office.

**Note DOC 332.06** The Registration form required by subsection (1), paragraph (a), is DOC-1796. This form can be obtained by writing to: Wisconsin Department of Corrections-Sex Offender Registry Program, P.O. Box 7925, Madison, WI 53707-7925.

The telephonic registration number referred to in subsection (2) is subject to change by the telephone service provider, but as of August 1, 1997 the number is 1-888-963-3363.

The registration form required by subsection (2) is DOC-1796-A. This form can be obtained by writing to: Wisconsin Department of Corrections-Sex Offender Registry Program, P.O. Box 7925, Madison, WI 53707-7925.

**Note DOC 332.10** The victim identification number referred to in subsection (2) paragraph (a) can be obtained by contacting the department's victim witness coordinator in any district attorneys' office or the department's victim advocate. The 1-800 telephonic number referred to in this paragraph is subject to change by the telephone service provider, but as of August 1, 1997 was 1-800-398-2403.

When a person obtains a victim identification number additional information concerning the offender is available through the telephonic system that s. 301.46 (3), Stats., allows to be made available only to victims and law enforcement.

The form required by subsection (2), paragraph (b), to request written notifications is found in pamphlet DOC-20. This pamphlet can be obtained by writing to: Wisconsin Department of Corrections-Sex Offender Registry Program, P.O. Box 7925, Madison, WI 53707-7925, or by contacting the victim witness coordinator in any district attorney's office.

**Note DOC 332.11** The 1-800 telephonic information system referred to in subsection (1) paragraph (a) is subject to change by the telephone service provider, but as of August 1, 1997, was 1-800-398-2403.

The form required by subsection (2) for neighborhood watch programs to obtain geographical information is DOC-1815. This form can be obtained by writing to: Wisconsin Department of Corrections-Sex Offender Registry Program, P.O. Box 7925, Madison, WI 53707-7925.

**Note DOC 332.12** The telephonic information system number referred to in subsection (1), paragraph (a), is subject to change by the telephone service provider, but as of August 1, 1997 was 1-800-398-2403. More information concerning the department's telephonic information system can be obtained by requesting pamphlet DOC-22.

The form required by subsection (1), paragraph (a) is DOC-1814, which can be obtained by contacting: Wisconsin Department of Corrections-Sex Offender Registry Program, P.O. Box 7925, Madison, WI 53707-7925.



LRB or Bill No /Adm. Rule No  
Adm. Rule DOC 332  
Amendment No. if Applicable

FISCAL ESTIMATE  
DOA-2048 N(R10/94)

- ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

Subject

Relating to Implementation of Sex Offender Registration and Community Notification

Fiscal Effect

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget:  Yes     No

- Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation

Decrease Costs

Local:  No local government costs

1.  Increase Costs  
     Permissive     Mandatory  
2.  Decrease Costs  
     Permissive     Mandatory

3.  Increase Revenues  
     Permissive     Mandatory  
4.  Decrease Revenues  
     Permissive     Mandatory

5. Types of Local Governmental Units Affected:  
 Towns       Villages       Cities  
 Counties     Others \_\_\_\_\_  
 School Districts       WTCS Districts

Fund Sources Affected

- GPR    FED    PRO    PRS    SEG    SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

The creation of Adm. Rule DOC 332 relates to registration and community notification.

The Legislature directed the Department of Corrections to implement a sex offender registry, notify sex offenders of registration procedures, and inform law enforcement, victims and the public of the right to access information. The Department is required to implement these programs by June 1, 1997.

This Administrative Rule should not have a Departmental fiscal effect separate from the statutory effect.

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)  
Department of Corrections  
C. Halpin 267-0934

Authorized Signature/Telephone No.  
*Robert Margolies*  
Robert Margolies/266-2931

Date  
May 22, 1997

Tommy G. Thompson  
Governor

Michael J. Sullivan  
Secretary



Mailing Address  
149 East Wilson Street  
Post Office Box 7925  
Madison, WI 53707-7925  
Telephone (608) 266-2471

## State of Wisconsin Department of Corrections

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January 30, 1998

Mr. Bruce Munson  
Revisor of Statutes Bureau  
131 West Wilson Street, Room 800  
Madison, Wisconsin 53703-3222

Dear Mr. Munson:

Pursuant to s. 227.20, Stats., the Department of Corrections submits a certified and uncertified copy of DOC 332, relating to registration of sex offenders.

Sincerely,

*Michael J. Sullivan*  
Michael J. Sullivan *By AMBie*

Attachments

