

Wis. Stat. § 301.45 covers sex offender registration in Wisconsin.

Definitions

"Employed or carrying on a vocation" means employment or vocational activity that is full-time or part-time for a continuous period of time exceeding 14 days or for an aggregate period of time exceeding 30 days during any calendar year, whether financially compensated, volunteered or for the purpose of government or educational benefit.

"Found to have committed a sex offense by another jurisdiction" means any of the following:

1. Convicted or found not guilty or not responsible by reason of mental disease or defect for a violation of a law of another state that is comparable to a sex offense.
2. Convicted or found not guilty by reason of mental disease or defect for a violation of a federal law that is comparable to a sex offense.
3. Convicted or found not guilty or not responsible by reason of mental disease or defect in the tribal court of a federally recognized American Indian tribe or band for a violation that is comparable to a sex offense.
4. Sentenced or found not guilty by reason of mental disease or defect by a court martial for a violation that is comparable to a sex offense.

"Sex offense" means a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.051, 948.055, 948.06, 948.07 (1) to (4), 948.075, 948.08, 948.085, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or 948.30, of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or of s. 940.30 or 940.31 if the victim was a minor and the person who committed the violation was not the victim's parent.

"Student" means a person who is enrolled on a full-time or part-time basis in any public, private, or tribal educational institution, including a secondary school, a business, trade, technical or vocational school, or an institution of higher education.

All convicted sex offenders are required to register, except certain juvenile offenders and those convicted of some privacy-related offenses.

What information Must Be Provided, by Whom and When

The department shall maintain a registry of all persons required to register, which will contain all of the following with respect to each person:

1. The person's name, including any aliases used by the person.

2. Information sufficient to identify the person, including date of birth, gender, race, height, weight and hair and eye color.

3. The statute the person violated that subjects the person to the requirements of this section, the date of conviction, adjudication or commitment, and the county or, if the state is not this state, the state in which the person was convicted, adjudicated or committed.

4. Whichever of the following is applicable:

a. The date the person was placed on probation, supervision, conditional release, conditional transfer or supervised release.

b. The date the person was or is to be released from confinement, whether on parole, extended supervision or otherwise, or discharged or terminated from a sentence or commitment.

c. The date the person entered the state.

d. The date the person was ordered to comply with this section.

5. The address at which the person is or will be residing.

6. The name of the agency supervising the person, if applicable, and the office or unit and telephone number of the office or unit that is responsible for the supervision of the person.

7. The name or number of every e-mail account the person uses, the Internet address of every Web site the person creates or maintains, every Internet user name the person uses, and the name and Internet address of every public or private Internet profile the person creates, uses, or maintains. The department may not place the information provided under this subdivision on any registry that the public may view but shall maintain the information in its records on the person. This subdivision applies only to an account, Web site, Internet address, or Internet profile the person creates, uses, or maintains for his or her personal, family, or household use.

8. The name and address of the place at which the person is or will be employed.

9. The name and location of any school in which the person is or will be enrolled.

10. For a person covered under sub. (1g) (dt), a notation concerning the treatment that the person has received for his or her mental disorder, as defined in s. 980.01 (2).

11. The most recent date on which the information in the registry was updated.

The department of health services or the person required to register will provide the required information in accordance with whichever of the following is applicable:

1. Within 10 days after the person is placed on probation, supervision, aftercare supervision, conditional release or supervised release.
2. If the person is being released from a prison sentence and placed on parole or extended supervision, before he or she is released.
3. If the person is on parole, extended supervision, probation, or other supervision from another state, before the person enters this state.
4. If the person is registered as a sex offender in another state or is registered as a sex offender with the federal bureau of investigation under 42 USC 14072, within 10 days after the person enters this state to take up residence or begin school, employment or his or her vocation.
5. If the person has been found to have committed a sex offense by another jurisdiction, within 10 days after the person enters this state to take up residence or begin school, employment or his or her vocation.
6. No later than 10 days before the person is terminated or discharged from a commitment.
7. If the person is being released from prison because he or she has reached the expiration date of his or her sentence, no later than 10 days before being released from prison.
8. If none of the above provisions apply, within 10 days after the person is sentenced or receives a disposition.

The department may require a registrant to provide the department with his or her fingerprints, a recent photograph of the person and any other information required the person has not previously provided. The department may require the person to report to a place designated by the department, including an office or station of a law enforcement agency, for the purpose of obtaining the person's fingerprints, the photograph or other information.

Registrants are required to provide current, accurate information at least once a year, and must quickly notify the department of any changes to status or the information he or she is required to provide, including address, employment, school attendance, etc.

No registered person covered who is on parole or extended supervision may establish a residence or change his or her residence unless he or she has complied with all of the applicable requirements.

Release from Requirements for Persons who Committed a Sex Offense in Wisconsin.

A registrant no longer has to register when the following applicable criterion is met:

1. If the person has been placed on probation or supervision for a sex offense, 15 years

after discharge from the probation or supervision imposed for the sex offense.

2. If the person has been sentenced to prison for a sex offense or placed in a juvenile correctional facility or a secured residential care center for children and youth for a sex offense, 15 years after discharge from parole, extended supervision, or aftercare supervision for the sex offense.

3. If the person has been sentenced to prison for a sex offense and is being released from prison because he or she has reached the expiration date of the sentence for the sex offense, 15 years after being released from prison.

4. If the person has been committed to the department of health services and is in institutional care or on conditional transfer or conditional release for a sex offense, 15 years after termination of the commitment for the sex offense or discharge from the commitment for the sex offense.

5. If the person has been committed for specialized treatment, 15 years after discharge from the commitment under.

6. If the above provisions not apply, 15 years after the date of conviction for the sex offense or 15 years after the date of disposition of the sex offense, whichever is later.

Sex offenders are required to register for life if any of the following conditions apply:

1. The person has, on 2 or more separate occasions, been convicted or found not guilty or not responsible by reason of mental disease or defect for a sex offense, or for a violation, or the solicitation, conspiracy or attempt to commit a violation, of a federal law, a military law, a tribal law or a law of any state that is comparable to a sex offense. A conviction or finding of not guilty or not responsible by reason of mental disease or defect that has been reversed, set aside or vacated is not a conviction or finding for purposes of determining under this subdivision whether a person has been convicted on 2 or more separate occasions.

2. The person has been convicted or found not guilty or not responsible by reason of mental disease or defect for a violation, or for the solicitation, conspiracy or attempt to commit a violation, of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.085 (2). A conviction or finding of not guilty or not responsible by reason of mental disease or defect that has been reversed, set aside or vacated is not a conviction or finding for purposes of this subdivision.

3. The person has been found to be a sexually violent person, regardless of whether the person has been discharged from the sexually violent person commitment, except that the person no longer has to comply with this section if the finding that the person is a sexually violent person has been reversed, set aside or vacated.

4. The court that ordered the person to comply with the reporting requirements also ordered the person to comply with the requirements until his or her death.

Release from Requirements for Persons who Committed a Sex Offense in Another Jurisdiction

A registrant no longer has to comply with this section when the following applicable criterion is met:

1. If the person is on parole, extended supervision, probation, or other supervision from another state, 15 years after discharge from that parole, extended supervision, probation, or other supervision or the period of time that the person is in this state, whichever is less.
2. If the person is registered as a sex offender in another state or is registered as a sex offender with the federal bureau of investigation under 42 USC § 14072, whichever of the following is less:
 - a. The period of time that the person is a resident of this state, a student in this state or employed or carrying on a vocation in this state.
 - b. The period of time that the person is registered as a sex offender in another state or with the federal bureau of investigation, or 10 years from the date on which the person was released from prison or placed on parole, probation, extended supervision or other supervised release for the sex offense which subjects the person to the requirements of this section, whichever is greater.
3. If the person has been found to have committed a sex offense by another jurisdiction and subd. 2. does not apply, whichever of the following is less:
 - a. The period of time that the person is a resident of this state, a student in this state or employed or carrying on a vocation in this state.
 - b. Ten years from the date on which the person was released from prison or placed on parole, probation, extended supervision or other supervised release for the sex offense that subjects the person to the requirements of this section.

A registrant shall continue to comply with the requirements of this section for as long as the person is a resident of this state, a student in this state or employed or carrying on a vocation in this state if one or more of the following apply:

1. The person is registered as a sex offender in another state or is registered as a sex offender with the federal bureau of investigation under 42 USC § 14072 and the person is required to register with that other state or with the federal bureau of investigation until his or her death.
2. The person has been convicted or found not guilty or not responsible by reason of mental disease or defect, or for the solicitation, conspiracy or attempt to commit a violation, of a federal law, a military law, a tribal law or a law of any state. A conviction or finding of not guilty or not responsible by reason of mental disease or defect that has been

reversed, set aside or vacated is not a conviction or finding for purposes of this subdivision.

3. The person has, on 2 or more separate occasions, been convicted or found not guilty or not responsible by reason of mental disease or defect for a sex offense or for a violation, or the solicitation, conspiracy or attempt to commit a violation, of a federal law, military law, tribal law or law of any state that is comparable to a sex offense. A conviction or finding of not guilty or not responsible by reason of mental disease or defect that has been reversed, set aside or vacated is not a conviction or finding for purposes of determining under this subdivision whether a person has been convicted on 2 or more separate occasions.

4. A determination has been made as provided under 42 USC 14071 (a) (2) (A) or (B) that the person is a sexually violent predator, or lifetime registration by the person is required under measures approved by the attorney general of the United States under 42 USC 14071 (a) (2) (C).

Penalties for Non-Compliance

Whoever knowingly fails to comply with any requirement to provide information is subject to the following penalties:

1. Except as provided in subd. 2., the person is guilty of a Class H felony.

2. The person may be fined not more than \$10,000 or imprisoned for not more than 9 months or both if all of the following apply:

a. The person was ordered to comply with the reporting requirements under this section based on a finding that he or she committed or solicited, conspired, or attempted to commit a misdemeanor.

b. The person was not convicted of knowingly failing to comply with any requirement to provide information before committing the present violation.

Whoever intentionally violates his or her duty to register and report is subject to the following penalties:

1. Except as provided in subd. 2., the person is guilty of a Class H felony.

2. The person may be fined not more than \$10,000 or imprisoned for not more than 9 months or both if all of the following apply:

a. The person was ordered to comply with the reporting requirements under this section based on a finding that he or she committed or solicited, conspired, or attempted to commit a misdemeanor.

b. The person was not convicted of another offense before committing the present violation.

Whoever knowingly fails to keep information confidential as required may be fined not more than \$500 or imprisoned for not more than 30 days or both.

A district attorney or, upon the request of a district attorney, the department of justice may prosecute a knowing failure to comply with any requirement to provide information. If the department of corrections determines that there is probable cause to believe that a person has knowingly failed to comply with any requirement to provide information or has intentionally violated their reporting requirement, the department shall forward a certified copy of all pertinent departmental information to the applicable district attorney.

Notice to Other Jurisdictions Concerning Noncompliance

If the department has reasonable grounds to believe that a person who has failed to comply with reporting and registration requirements is residing in Wisconsin, is a student in this state, or is employed or carrying on a vocation in this state and that the person, the department shall notify the state agency responsible for the registration of sex offenders in any state in which the person is registered that it believes the person is not complying with the requirements of this section. If the person is registered with the federal bureau of investigation under 42 USC 14072, the department shall notify the Federal Bureau of Investigation that it believes the person is not complying with the requirements of this section.

Information Maintenance and Expungement

The department shall maintain information provided as a result of an offender's duty to register. The department shall keep the information confidential except as provided above, except as needed for law enforcement purposes and except to provide, in response to a request for information made by the Department of Children and Families or a county child support agency, the name and address of an individual registered under this section, the name and address of the individual's employer and financial information related to the individual.

A person about whom information is maintained in the registry may request expungement of all pertinent information in the registry if any of the following applies:

1. The person's conviction, delinquency adjudication, finding of need of protection or services or commitment has been reversed, set aside or vacated.
2. A court has determined that the person is not required to comply with the reporting requirements under this section.

The department shall purge all of the information maintained in the registry from a person no longer required to register if the department receives all of the following:

1. The person's written request for expungement.
2. A certified copy of the court order reversing, setting aside or vacating the conviction, delinquency adjudication, finding of need of protection or services or commitment or a certified copy of the court's determination.
3. Notice under that a court has expunged the record of the person's delinquency adjudication for the violation.
4. The department issues a certificate of discharge.
5. Notice that the person has satisfied conditions of the court order requiring the person to register.

The department may require a person who must register as a sex offender to pay an annual fee to partially offset its costs in monitoring persons who must register as sex offenders. The department shall establish any such fee by rule, but the fee may not exceed \$100.

Wisconsin is a mandatory Public Law 280 state that has retroceded criminal jurisdiction back to the Menominee Reservation.