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Wisconsin Department of Corrections Sex Offender Registry Program

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Sex Offender Registry Program Background

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Wisconsin's Sex Offender Registry is maintained by the Wisconsin Department of Corrections Sex Offender Registration Program, commonly referred to as SORP. On June 1, 1997, Wisconsin Act 440, the Sex Offender Registration and Community Notification law, became effective, allowing for the collecting and dissemination of information related to certain sex offenders.

All information included in the Registry is available to law enforcement agencies. Victims, neighborhood watch groups and the general public also have access. However, access for each of these groups is limited to certain types of information.

Public notification has been in place as a national law for several years. In 1994, the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act was enacted. The Jacob Wetterling Act required all states to establish stringent registration programs for sex offenders by September 1997, including the identification and lifetime registration of "sexual predators." The Jacob Wetterling Act is a National law that is designed to protect children and was named after Jacob Wetterling, an eleven year old boy who was kidnapped in October 1989. Jacob is still missing. Megan's Law, the first amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Act, was passed in October 1996. Megan's Law mandated all states to develop notification protocol that would allow public access to information about sex offenders in the community. Megan's Law was named after Megan Kanka, a seven-year-old girl who was sexually assaulted and murdered by a twice-convicted child molester in her New Jersey neighborhood.

Sex offenders pose an ongoing risk of engaging in sex offenses even after being released from incarceration or commitment. Protection of the public from sex offenders is a paramount governmental interest. Persons found to have committed a sex offense have a reduced expectation of privacy because of the public's interest in public safety. Registration, while on supervision and following the expiration from sentence, serves as a means for monitoring and tracking the whereabouts of sex offenders in the community.

Community Notification, or the release of relevant offender information about sex offenders to law enforcement, public/private entities and the general public, will further the governmental interests of public safety and enhance strategies for crime detection and prevention.

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Wisconsin Statute 301.45 required the Wisconsin Department of Corrections to create a Sex Offender Registry Program for individuals adjudicated, convicted, and/or committed under included offenses, or comparable offenses in other state and federal jurisdictions. Under Wisconsin Statute 301.45, a registrant must report his/her **Residence, Employment, and School Enrollment**, while under supervision and for 15 years from discharge, or for life, whichever applies. The registrant must report any changes of **Residence, Employment, and School Enrollment** within 10 days of the effective change. Registrants are also required to complete an annual verification form. In addition, registrants are subject to periodic, random verification checks conducted by the Wisconsin Sex Offender Registry Program.

Who is required to register?

Mandatory Registration: All offenders who are convicted of any included offense (WI ss. 301.45) or whose compliance is mandated by the court, shall be required to register with the Wisconsin Department of Corrections. This includes juveniles, probationers, parolees, adult offenders entering Wisconsin supervision from another state, adult offenders leaving Wisconsin supervision to another state, and persons entering this state under a federal, tribal or military conviction for a sexual offense.

People who are convicted of, adjudicated or committed for a violation, solicitation, conspiracy or attempt to commit a violation of any registerable offense on or after 12/25/1993 must register. Registration is also required for people who have been in prison, on probation or parole or in a mental or county correctional institution since 12/25/93 for a registerable offense.

Additionally, the following sex offenders are required to register in Wisconsin if they live, work or attend school in Wisconsin:

1. any sex offender who is required to register with another state/jurisdiction
2. any sex offender convicted in a military, tribal, or federal court
3. any sex offender who has been convicted in another state of an offense comparable to one of Wisconsin's registerable offenses
4. any juvenile who is on supervision and enters Wisconsin under the Interstate Compact Agreement

Please consult WI Statute 301.45 for a detailed description of the specific circumstances that require registration. You can access specific [statutes](#) from this Web site.

Registerable offenses are:

940.225(1)	First Degree Sexual Assault**
940.225(2)	Second Degree Sexual Assault**
940.225(3)	Third Degree Sexual Assault
940.22(2)	Sexual Exploitation by Therapist
940.30	False Imprisonment-victim was minor and not the offender's child
940.31	Kidnapping -victim was minor and not the offender's child
944.01	Rape (old statute)
944.06	Incest

944.10	Sexual Intercourse with a Child (old statute)
944.11	Indecent Behavior with a Child (old statute)
944.12	Enticing Child for Immoral Purposes (old statute)
948.02(1)	First Degree Sexual Assault of a Child**
948.02(2)	Second Degree Sexual Assault of a Child**
948.025	Repeated Acts of Sexual Assault of a Child**
948.05	Sexual Exploitation of a Child
948.055	Causing a child to View or Listen to Sexual Activity
948.06	Incest with a Child
948.07	Child Enticement
948.075	Use of a Computer to Facilitate a Sex Crime
948.08	Soliciting a Child for Prostitution
948.095	Sexual Assault of a Student by School Instructional Staff
948.11(2)(a)-(am)	Exposing Child to Harmful Material-felony sections
948.12	Possession of Child Pornography
948.13	Convicted Child Sex Offender Working with Children
948.30	Abduction of Another's Child
971.17	Not Guilty by Reason of Mental Disease-of a listed sex offense
975.06	Sex Crimes Law Commitment
980.01	Sexually Violent Person Commitment**

** Indicates Mandatory Life Time Registration

Any individual that has been committed under 980.01 Sexually Violent Person Law must complete a SORP address verification form **every** 90 days for **life**.

Discretionary Registration The Court has discretion under Wisconsin statutes to require in a court order that a person register for violating the following statutes if the court determines that the underlying conduct was sexually motivated and registration is in the best interest of public safety:

Chapter 940	Crimes Against Life and Bodily Security
Chapter 944	Crimes Against Sexual Morality
Chapter 948	Crimes Against Children
971.17	Not Guilty by Reason of Mental Disease or Defect
943.01-943.15	Certain Crimes Against Property
942.08	Invasion of Privacy

Additionally, the following offenders are required to register in Wisconsin beginning December 1, 2000 **unless** the person was released from confinement or placed on supervision for the offense more than ten years before she/he enters Wisconsin:

- Any sex offender convicted in any military, tribal, or federal court who resides, works or attends school within Wisconsin

- Any sex offender who is required to register in another state and who resides, works or attends school within Wisconsin
- Any juvenile who has been adjudicated delinquent in another state based on a sex offense and who is under supervision in Wisconsin under the Interstate Compact for the placement of juveniles

It is important to note that the law is not intended to impose additional "punishment" on the offender but rather to increase offender accountability through enhanced information sharing within and between the criminal justice system and the community.

What type of information is maintained in the Registry?

At a minimum, the following are the Registry data items that are maintained and updated on all sex offenders in the Registry:

Descriptive Information

- Registrant Name and Aliases
- Date of Birth
- Gender
- Race
- Height, Weight
- Hair and Eye Color
- Markings (tattoos, scars,...)

Offense Information

- Conviction Statute(s) requiring registration
- Date of Conviction or Commitment
- County(ies) of Conviction
- Date Placed on Supervision
- Date Released from Confinement
- Date Entered into State, if applicable
- Date Ordered to Comply with Registry
- Date Discharged from Sentence or Commitment

Location Information

- Registrant Home Address
- Name and Address of Employer
- Name and Address of School Enrolled, if applicable
- Make, Model and License Number of Vehicle(s)
- Date Information Last Updated

How long are offenders required to register?

Registrants are required to register while on supervision and for a minimum of 15 years following expiration from sentence or commitment.

Life-time registration is required for any person committed under Chapter 980

Sexually Violent Person or for a two strike case (cases where the offender has been convicted of a sex offense, as defined by the aforementioned included offenses, on two or more **separate** occasions). A previous conviction can include a conviction from another state that is comparable to one of the crimes requiring registration. Offenses/Dispositions that **do not** constitute a strike are:

- Juvenile adjudications
- Read-ins
- Convictions that have been reversed, set aside, or vacated

Some offenders who are convicted of a single sex crime are required to register for life (refer to statute list above).

How often is the information updated?

At a minimum, each registrant is required to update information on the Registry on an annual basis throughout the required period of registration.

Chapter 980 commitments (Sexually Violent Persons) under supervised release are required to verify the information in the Registry, at a minimum, every 90 days.

All registrants will be required to provide updated information whenever there is a change in **Residence, School Enrollment, and Employment**. Depending on supervision status, this update must occur within 10 calendar days prior to or after the change has occurred.

Verification

Sex Offender Registration Program is responsible for the verification of the registrant's information. The registration and verification process is designed to ensure information contained in the Registry is accurate, and to track registrant compliance with the Registry requirements while on supervision and following discharge from supervision.

Sanctions for Non-Compliance and/or Providing False Information

A registrant who knowingly fails to comply with any requirement of the Registry or provides false information is guilty of a Class H Felony and may be fined not more than \$10,000 or imprisoned for not more than 6 years, or both.

Additionally, for cases on active supervision, providing false information is a rules violation and can result in sanctions, custody, revocation of supervision and/or potentially additional prosecution.

If it is determined that there is probable cause to believe that a person has knowingly failed to comply with any requirement to provide information as required, the DOC Sex Offender Registry Program will notify and provide the necessary information to the respective District Attorney to pursue prosecution. The Department will recommend aggressive prosecution on all cases where there is evidence of non-compliance or providing false information to the Registry.

Removal from Registry

There are three methods for removing an individual from the Registry, or making his/her records "inactive":

1. **Period of Registration Completed** Registrants who have completed their required term of registration, 15 years following expiration from sentence, will have their records made "Inactive" on the Registry. These individuals will receive a "Notice of Termination" of their obligation to register.
2. **Record Expungement** Registrants may request expungement of all pertinent information in the Registry on the grounds that his/her conviction, delinquency, adjudication or commitment has been reversed, set aside or vacated. The DOC must purge all information in the Registry concerning an individual when DOC receives the confirmation.
3. **Death** Death of a registrant will be verified by the Registration Specialist. Upon verification, these records will be made "Inactive" in the Registry.

It is very important to note that the Registry contains the information pertaining to only those individuals **convicted and adjudicated** of sex offenses. Sexual assault in general is the most under-reported crime, and many sex offenders live in the community without anyone's knowledge other than the victim's.



Call anytime (608)240-5830
Office hours 7:45-4:30 Mon-Fri
Other times please leave a message

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