

SEX OFFENDER REGISTRATION

Criminal Codes Requiring Registration

Any person convicted of, adjudicated or committed for a violation, solicitation, conspiracy or attempt to commit a violation of any of the following crimes since **December 25, 1993**, and those whose conviction in another state/jurisdiction that is comparable, who is in prison, a secured correctional facility, a secured child caring institution, in institutional care, on probation, parole, extended supervision, aftercare supervision, corrective sanctions supervision, conditional transfer or conditional release, shall be required to register:

MANDATORY REGISTRATION

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| 940.22(2) | Sexual Exploitation by Therapist |
| 940.225(1) | First-Degree Sexual Assault** |
| 940.225(2) | Second-Degree Sexual Assault** |
| 940.225(3) | Third-Degree Sexual Assault |
| 940.30 | False Imprisonment (victim was minor and not the offender's child) |
| 940.302(2) | Human Trafficking (if 940.302(2)(a)1b applies) |
| 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 |
| 948.051 | Trafficking of Child |
| 948.055 | Forced Viewing of Sexual Activity |
| 948.06 | Incest with a Child |
| 948.07(1) thru (4) | Child Enticement |
| 948.075 | Use of a Computer to Facilitate a Child Sex Crime |
| 948.08 | Soliciting a Child for Prostitution |
| 948.085 | Sexual Assault of a Child Placed in Substitute Care If 948.085(2) applies** - Effective date for this statute is 04/20/2006 |
| 948.095 | Sexual Assault of a Student by School Staff |
| 948.11(2)(a) or (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 (Not a strike) |
| 980.01 | Sexually Violent Person Commitment** (Not a strike) |

DISCRETIONARY REGISTRATION – COURT ORDERED

The Court may require a person to register if the court determines that the underlying conduct was sexually motivated and in the best interest of public safety.

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| Chapter 940 | Crimes against Life and Bodily Security |
| Chapter 944 | Crimes against Sexual Morality |
| Chapter 948 | Crimes against Children |
| ss. 971.17 | Not Guilty by Reason of Mental Disease |
| ss. 943.01 to 943.15 | Certain Crimes against Property |
| 942.08 | Invasion of Privacy (aka Peeping Tom) |
| 942.09 | Representations Depicting Nudity |

**** Lifetime registration - law effective 5/9/00.**

Lifetime registration also includes 2 or more separate court cases of above-listed crimes

Effective 09/01/2017 – Per Attorney General opinion OAG-02-17 - Lifetime registration also includes 2 or more counts on same court case of above-listed crimes

The statute of 948.085 has been added to the attached Sex Offender Registration - Criminal Codes Requiring Registration. This statute was enacted by 2005 Wisconsin Act 277 and has an effective date of 04/20/2006.

If you'll notice, 948.085 is a discretionary registration, however, 948.085(2) is mandatory lifetime registration. Below is the content of that statute.

948.085 Sexual assault of a child placed in substitute care. Whoever does any of the following is guilty of a Class C felony:

- (1) Has sexual contact or sexual intercourse with a child for whom the actor is a foster parent.
- (2) Has sexual contact or sexual intercourse with a child who is placed in any of the following facilities if the actor works or volunteers at the facility or is directly or indirectly responsible for managing it:
 - (a) A shelter care facility licensed under s. 48.66 (1) (a).
 - (b) A group home licensed under s. 48.625 or 48.66 (1).
 - (c) A facility described in s. 940.295 (2) (m).

History: 2005 a. 277; 2007 a. 97; 2009 a. 28.