

**STATEMENT OF SCOPE OF PROPOSED RULE
DEPARTMENT OF CORRECTIONS**

SUBJECT: Amending DOC 328, relating to the use of a risk assessment instrument in the supervision of probationers, parolees, and persons on extended supervision.

DESCRIPTION OF THE OBJECTIVE OF THE RULE: The objective of the rule is to amend chapter DOC 328 to reflect changes in the law under 2009 Wis. Act 28, providing for the use of a risk assessment instrument in the supervision of offenders.

DESCRIPTION OF EXISTING POLICIES AND NEW POLICIES INCLUDED IN THE PROPOSED RULE AND AN ANALYSIS OF POLICY ALTERNATIVES:

Currently, the Department is in the process of developing rules to amend chapter DOC 328. The Department intends to include in its proposed amendments changes necessitated by the passage of 2009 Wis. Act 28.

There is no alternative means to address the need for revisions as discussed above.

STATUTORY AUTHORITY: ss. 227.11 (2), 301.02, 301.03 (2), and 302.11 (8), Statutes

ESTIMATE OF THE AMOUNT OF TIME STATE EMPLOYEES WILL SPEND DEVELOPING THE PROPOSED RULE AND OF OTHER RESOURCES NECESSARY TO DEVELOP THE RULE:

The Department estimates that it will take approximately 400 hours to develop this rule, including drafting the rule and complying with rulemaking requirements.

DESCRIPTION OF ALL OF THE ENTITIES THAT WILL BE AFFECTED BY THE RULE.

This rule will affect persons on probation, parole, or extended supervision, and Department staff.

SUMMARY OF AND PRELIMINARY COMPARISON WITH ANY EXISTING OR PROPOSED FEDERAL REGULATION THAT IS INTENDED TO ADDRESS THE ACTIVITIES TO BE REGULATED BY THE PROPOSED RULE.

There are no federal regulations which address the supervision of persons on community supervision for violations of Wisconsin criminal statutes. However, under 4 USCA § 112, Congress has authorized the Interstate Corrections Compact which

Wisconsin adopted and is found in § 302.25, Wis. Stats. The ICC permits participating states to cooperate among themselves in the supervision of inmates and offenders.

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Rick Raemisch
Secretary
Department of Corrections