



# WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

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## GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

*Daniel Winkleski*

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Name of Individual Certifying this Document/Proposed Document

*Warden - NICE*

\_\_\_\_\_  
Title

*Daniel Winkleski*

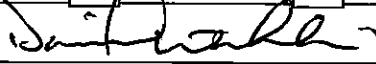
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Signature

*04-16-2020*

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Date Signed

Department of Corrections – Wisconsin  
Office of the Secretary  
Wis. Stat. § 227.112(6)  
DOC-2910 (6/2019)

**DIVISION OF ADULT INSTITUTIONS FACILITY PROCEDURE**

<b>Facility:</b> New Lisbon Correctional Institution		
<b>Original Effective Date:</b> 11/05/04	<b>Facility Procedure #:</b> 900.06.05	<b>Page</b> 1 of 4
<b>New Effective Date:</b> 05/15/2020	<b>Supersedes Number:</b> 900.06.05	<b>Dated:</b> 08/30/13
<b>Chapter:</b> Treatment		
<b>Subject:</b> Review of Inmate Legal and Social Service Records		
<b>Required Posting or Restricted:</b>	<input checked="" type="checkbox"/> Inmate	<input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted
<b>Warden's/Center Superintendent's Approval:</b> 		

**PURPOSE**

To establish guidelines for review and reproduction of inmate Legal and Social Service records.

**REFERENCES**

Wisconsin Statute 19.31 -19.39, 19.85  
 Executive Directive 21  
 Records Office Procedure 056, 063  
 Open Records Law

**DEFINITIONS, ACRONYMS, AND FORMS**

DOC – Department of Corrections

DOC-184 – Disbursement Request

DOC-761 – Interview/Information Request

DOC-1160 – Record Request Response

DOC-1163 – Authorization of Disclosure of Non-Health Confidential Information

DOC-1163A – Authorization for Use and Disclosure of Protected Health Information (PHI)

RH – Restricted Housing

**FACILITY PROCEDURE****I. Inmate Legal and Social Service Record Reviews**

- A. Requests to review Legal and Social Service records shall be sent to the Records Office using the DOC-761. Requests will be processed in order of receipt.
- B. Record reviews are limited to one hour.
- C. Inmates will be limited to reviewing their Legal and Social Service records once every six months. Exceptions may be made 30 days prior to a Parole Board hearing or if proof of a pending court process is provided which would necessitate review of the records.
- D. Record reviews for general population inmates will be held in designated areas. Reviews for RH inmates will be coordinated with RH staff and will take place in the RH unit under staff supervision.

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<b>Facility:</b> New Lisbon Correctional Institution		
<b>New Effective Date:</b> 05/15/2020	<b>Facility Procedure #:</b> 900.06.05	<b>Page</b> 2 of 4
<b>Chapter:</b> Treatment		
<b>Subject:</b> Review of Inmate Legal and Social Service Records		

- E. Inmates in adjustment, control, or observation status will be scheduled for record reviews after they have been removed from that particular status.
- F. Inmates may not remove, add or alter any documents contained within the records. Inmates who do so will be subject to discipline.

**II. Inmate Document Requests**

- A. The inmate must have sufficient funds in his account in order to receive requested copies, which will be verified by records staff prior to processing the request.
- B. There is a charge of 15 cents per copy for photocopying of records. Documents copied on the front and back are considered two copies.
- C. Inmates will be provided materials to designate the pages to be copied.
- D. A DOC-184 must be submitted at the time of the request.
- E. Copies may also be requested via a DOC-761, specifying the requested documents and accompanied by a completed DOC-184.

**III. Challenges of Content**

There is no provision in the Open Records Law for an inmate to challenge the content of his records. If an inmate wishes to challenge a portion of his record, he should write the originator of the challenged document, stating the nature of the challenge and the requested change.

**IV. Outside Persons or Agencies Review of Inmate Records**

- A. The review of inmate records within the institution is specifically governed by Sections 19.35 - .37 and 19.85 of the Wisconsin Statutes.
- B. Outside persons/agencies requesting to review inmate records must make arrangements with the Records Custodian.
- C. The Records Custodian will approve or deny the request based upon provisions of Sections 19.32 - .39.
- D. Once approved, the Records Custodian will schedule a review date. The Offender Records Supervisor may be consulted to determine if the request is authorized under the Open Records Law.
- E. Records reviews must be supervised, unless the person represents a state or federal employing agency.

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<b>Facility:</b> New Lisbon Correctional Institution		
<b>New Effective Date:</b> 05/15/2020	<b>Facility Procedure #:</b> 900.06.05	<b>Page</b> 3 of 4
<b>Chapter:</b> Treatment		
<b>Subject:</b> Review of Inmate Legal and Social Service Records		

F. Outside persons or agencies may not remove, add or alter any documents contained within the records.

**V. Outside Persons or Agencies Document Requests**

- A. There is a charge of 15 cents per copy for photocopying of records. Documents copied on the front and back are considered two copies.
- B. Document requests should be directed to the Record Custodian in writing.
- C. Record Custodians will respond to request for copies on the DOC-1160. If a request is denied, the reason and the signature of the denying party must be provided to the requestor with a copy placed in the record.
- D. A copy of the DOC-1160 will be maintained by the Record Custodian for three years.
- E. Materials deemed confidential by statute may not be copied without a DOC-1163 and DOC-1163A signed by the subject of the record (In lieu of the DOC-1163s, another type of release authorization form may be permitted so long as it provides and reflects all of the same information, is signed, and informed consent of the subject is given).
- F. Redaction of documents will be done by the Records Custodian.
- G. Presentence Investigations (PSIs) may not be released without authority of the trial courts.

**RESPONSIBILITIES****I. Staff****A. All Staff**

Refer record review request to the Record Custodian.

**B. Record Custodian**

1. Ensure maintenance of inmate legal and social service records.
2. Ensure inmates are limited to reviewing their Legal and Social Service records once every six months. Exceptions may be made 30 days prior to a Parole Board hearing or if proof of a pending court process is provided which would necessitate review of the records.
3. Facilitate inmate record reviews and process requests for documents.
4. Ensure inmate record reviews are scheduled in order of receipt.
5. Limit inmate record reviews to one hour.
6. Provide inmate materials to indicate the pages they request to have copied.
7. Ensure inmate funds are sufficient prior to processing requests for documents.
8. Process photocopy requests.
9. Authorize and submit DOC-184 for the cost of photocopies.

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<b>Facility:</b> New Lisbon Correctional Institution		
<b>New Effective Date:</b> 05/15/2020	<b>Facility Procedure #:</b> 900.06.05	<b>Page</b> 4 of 4
<b>Chapter:</b> Treatment		
<b>Subject:</b> Review of Inmate Legal and Social Service Records		

- 10. Provide documents and facilitate reviews to outside persons/agencies in compliance with state law and DOC policy.
- 11. Deny requests as necessary in accordance with state law and DOC policy.

**II. Inmates**

- A. Submit DOC-761 to the Records Custodian to request record reviews or documents.
- B. Designate pages to be copied during record reviews.
- C. Complete DOC-184 for requested photocopies.
- D. Provide proof of need to the Records Custodian if record review is required prior to next eligible review date.