



Barred Offenses – Residential Care Centers, Group Homes, Shelter Cares, and Child Placing Agencies

These tables list crimes and other offenses and their impact on a person's ability to operate, work at, or live as a non-client resident in residential care centers, group homes, shelter care facilities, and child placing agencies.

Regulatory approval, employment, nonclient residency at, and contracting with an entity are barred as follows:

Wis. Stat.	Conviction or Delinquency Adjudications on or after 10 th birthday that require rehabilitation approval
940.01	1 st degree intentional homicide
940.02	1 st degree reckless homicide
940.03	Felony murder
940.05	2 nd degree intentional homicide
940.12	Assisting suicide
940.19 (2), (4), (5), or (6), 2023 Stats.	Battery (felony)
940.19 (3), 1999 Stats.	Battery (felony)
940.198 (2), 2023 Stats.	Battery to an Elder Person- Intentional Causation of Bodily Harm
940.22 (2) or (3)	Sexual exploitation by therapist; duty to report
940.225 (1), (2) or (3)	1 st , 2 nd , 3 rd degree sexual assault
940.285 (2)	Abuse of vulnerable adults (misdemeanor or felony)
940.29	Abuse of residents of a penal facility
940.295	Abuse or neglect of patients and residents (misdemeanor or felony)
940.302 (2) if s.940.302 (2)(a)1.b. applies	Human trafficking for purposes of a commercial sex act
940.60 (2) or (3)(a), (b), or (c)	Battery (felony)
940.66 (2)	Battery to an Elder Person – Intentional Causation of Bodily Harm
942.09 (2)	Representations depicting nudity (felony)
948.02 (1) or (2)	1 st and 2 nd degree sexual assault of a child
948.025	Repeated acts of sexual assault of the same child
948.03 (2) or (5)(a)1., 2., 3., or 4.	Physical abuse of a child, intentional causation of bodily harm, or engaging in repeated acts of physical abuse to the same child
948.05	Sexual exploitation of a child
948.051	Trafficking 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
948.08	Soliciting a child for prostitution
948.081	Patronizing a child
948.085	Sexual assault of a child placed in substitute care
948.11 (2)(a) or (am)	Exposing a child to harmful material or harmful descriptions or narrations (felony)

948.12	Possession of child pornography
948.125	Possession of virtual child pornography
948.13	Child sex offender working with children
948.21	Neglecting a child
948.215	Chronic neglect of a child
948.30	Abduction of another's child; constructive custody
948.53	Child unattended in child care vehicle

Other Offenses that Require Rehabilitation Approval

Finding by a governmental agency of abuse or neglect of a client,
or of misappropriation of a client's property

Finding by a governmental agency of child abuse or neglect

Under Ethan's Law, residential care centers, group homes, shelter care facilities, and child-placing agencies are barred from employing or contracting with a caregiver or congregate care worker who has been charged with any of the offenses below if the charge was pleaded no contest to or was dismissed or amended as part of a plea agreement. These same prohibitions apply to nonclient residents.

Wis. Stat.	Charges that require a rehabilitation approval if person was charged, and charge was pleaded no contest to, or was dismissed or amended as part of a plea agreement
948.02 (1) or (2)	1st and 2nd degree sexual assault of the same child
948.025	Repeated acts of sexual assault of the same child
948.03 (2) or (5)(a)1., 2., 3., or 4.	Physical abuse of a child, intentional causation of bodily harm, or engaging in repeated acts of physical abuse to the same child
948.05	Sexual exploitation of a child
948.051	Trafficking 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
948.08	Soliciting a child for prostitution
948.081	Patronizing a child
948.085	Sexual assault of a child placed in substitute care
948.11 (2)(a) or (am)	Exposing a child to harmful material or harmful descriptions or narrations (felony)
948.12	Possession of child pornography
948.125	Possession of virtual child pornography
948.13	Child sex offender working with children
948.21	Neglecting a child
948.215	Chronic neglect of a child
948.30	Abduction of another's child; constructive custody
948.53	Child unattended in child care vehicle

Note 1: Any comparable offense under federal or another state's law has the same effect as crimes and offenses included on this list.

Note 2: Rehabilitation approval information can be found at <https://dcf.wisconsin.gov/rehab-review>.

The Department of Children and Families is an equal opportunity employer and service provider. If you have a disability and need to access services, receive information in an alternate format, or need information translated to another language, please call the Department of Children and Families at (608) 266-8787. Individuals who are deaf, hard of hearing, deaf-blind or speech disabled can use the free Wisconsin Relay Service (WRS) – 711 to contact the department.