GRANT F. LANGLEY

City Attorney

RUDOLPH M. KONRAD LINDA ULISS BURKE VINCENT D. MOSCHELLA Deputy City Attorneys



HAND DELIVERED

June 6, 2007

To the Honorable Committee on Public Safety Room 205, City Hall

Re: Common Council File No. 070237/an ordinance relating to residency

restrictions for sex offenders

Dear Committee Members:

We are writing to request that the above matter be held for one cycle. It is currently scheduled to be heard on June 7, 2007. We have informed Alderman Bohl's office of this request and the reasons for it.

Linda Burke and Eloisa D León of this office have been working closely with the Legislative Reference Bureau to draft an ordinance on residency restrictions for sex offenders. We are close to finalizing a draft that we believe could be defended in good faith against pre-emption and constitutional challenges, yet still accomplish the sponsors' goals.

In addition, we had previously scheduled a meeting with the Department of Corrections, which enforces placement of sex offenders, to discuss this matter with them. That meeting is scheduled for the morning of June 7, 2007. Also, we are conversing with other municipal attorneys in an attempt to achieve a level of uniformity in our enactments.

Finally, we are attaching a report released on May 21 by the State's Special Committee on Placement of Sex Offenders. The Joint Legislative Council recommends a bill for introduction that would, among other things, prohibit a person from going to places where children congregate and where it would be in

BRUCE D. SCHRIMPF ROXANE L. CRAWFORD SUSAN D. BICKERT STUART S. MUKAMAL THOMAS J. BEAMISH **MAURITA F. HOUREN** JOHN J. HEINEN MICHAEL G. TOBIN DAVID J. STANOSZ SUSAN E. LAPPEN JAN A. SMOKOWICZ PATRICIA A. FRICKER **HEIDI WICK SPOERL KURT A. BEHLING GREGG C. HAGOPIAN ELLEN H. TANGEN MELANIE R. SWANK** JAY A. UNORA **DONALD L. SCHRIEFER** EDWARD M. EHRLICH **LEONARD A. TOKUS** VINCENT J. BOBOT MIRIAM R. HORWITZ MARYNELL REGAN G. O'SULLIVAN-CROWLEY KATHRYN M. ZALEWSKI MEGAN T. CRUMP **ELOISA DE LEÓN** ADAM B. STEPHENS KEVIN P. SULLIVAN **BETH CONRADSON CLEARY** THOMAS D. MILLER Assistant City Attorneys

THOMAS O. GARTNER

Hon. Committee on Public Safety June 6, 2007 Page 2

the best interest of public protection to prohibit the person from going, as a condition of probation, parole, or extended supervision for a violation relating to sexual assault of a child. A sentencing court would be required to impose these conditions. Depending on the actual legislation ultimately adopted, it may preclude individual communities from imposing stricter or different requirements.

For all of these reasons, we ask that this file be held for an additional cycle.

Very truly yours,

GRANTFILANGLEX

City Attorney

LINDA ULISS BURKE Deputy City Attorney

LUB:bl Enc.

c: Mr. Ronald Leonhardt Mr. Barry Zalben Alderman James Bohl, Jr.

> Alderman Tony Zielinski Alderman Joseph Dudzik

Ms. Eloisa De León

1033-2007-286/120068



WISCONSIN LEGISLATIVE COUNCIL REPORT TO THE LEGISLATURE

SPECIAL COMMITTEE ON PLACEMENT OF SEX OFFENDERS

[2007 ASSEMBLY BILL 332]

May 21, 2007

RL 2007-08

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Special Committee on Placement of Sex Offenders

Prepared by: Anne Sappenfield and Don Salm, Senior Staff Attorneys May 21, 2007

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PART I

KEY PROVISIONS OF COMMITTEE RECOMMENDATION

The Joint Legislative Council recommends the following for introduction in the 2007-08 Session of the Legislature.

2007 Assembly Bill 332

2007 Assembly Bill 332, relating to the sex offender registry, child safety zones, disclosure of sexually violent person information to law enforcement, and sex offender information to post-secondary educational institutions, does the following:

- Permits the Department of Health and Family Services (DHFS) to release information relating to a person committed or detained as a sexually violent person to a law enforcement agency.
- Requires the Department of Corrections (DOC) to prohibit a person from going to places or
 entering zones containing places where children congregate and where it would be in the
 best interest of public protection to prohibit the person from going, as determined by DOC,
 as a condition of probation, parole, or extended supervision for a violation or first- or
 second-degree sexual assault of a child. In addition, requires the sentencing court to
 impose such conditions during any part of the person's sentence or period of probation.
- Requires a person registered as a sex offender to register every six months in person. At
 that time, DOC is required to photograph the person and update the registry with the most
 current photograph.
- Requires a registered sex offender to provide as part of his or her registry information his or her email account and the Internet address of any website he or she maintains.
- Requires DOC to make specified information, currently made available to law enforcement
 agencies, available to the director of security for a postsecondary educational institution
 when a person registers as a sex offender if the postsecondary educational institution is
 located in the community in which the person is residing, is employed, or is attending
 school. However, no information concerning a minor who is registered as a sex offender or
 concerning a juvenile delinquency adjudication requiring sex offender registration may be
 disclosed to a director of security for a postsecondary educational institution.
- Requires DOC to provide a director of security for a postsecondary educational institution
 with information obtained through the global positioning system (GPS) for tracking certain
 sex offenders upon request of the director of security.
- Expands the information relating to registered sex offenders that must be included on the
 Internet site maintained by DOC to include: (a) the geographic area of any current
 employer of the person or any business the person is operating and the geographic area of
 any school the person is attending if the person is a sexually violent person or a high-risk
 sex offender [The bill draft creates a definition of "high-risk sex offender."]; (b) a full-body

photograph of the person; (c) two or more current color photographs of the person; and (d) a specific description of any distinguishing marks on the person's body.

Requires DOC to include on the sex offender Internet site links to other state agency
websites that provide information on the prevention and identification of sexual abuse and
other sex crimes and information on how to report suspected sexual abuse or other sex
crimes.

PART II COMMITTEE ACTIVITY

Assignment

The Joint Legislative Council established the Special Committee on Placement of Sex Offenders and appointed the chairperson by a June 9, 2006 mail ballot. The Special Committee was directed to study current policies and practices of DOC relating to placement of persons who have been convicted of a sex offense in the community. The Special Committee was also directed to review current statutes relating to placement of sex offenders and determine whether additional statutory requirements on where such offenders may be placed would enhance public safety. Finally, the Special Committee was directed to study the effect of placing additional statutory requirements on the ability to place offenders and the impact of additional requirements on urban and rural areas of Wisconsin.

Membership of the Special Committee, appointed by an August 1, 2006 mail ballot, consisted of one Senator, two Representatives, and 8 public members. A list of committee members is included as **Appendix 3** to this report.

Summary of Meetings

The Special Committee held four meetings in Madison on the following dates:

September 14, 2006 November 30, 2006 January 4, 2007 February 15, 2007

At the September 14, 2006 meeting, the Special Committee heard testimony from several invited speakers. Steve Watters, Director of the Sand Ridge Secure Treatment Center for sexually violent persons, DHFS, described the process for supervised release of sexually violent persons (committed under ch. 980, Stats.) and the process for placing these persons in the community. Bill Grosshans, Melissa Roberts, and Doug Milsap, Division of Community Corrections, DOC, described: (1) how sex offenders who are on probation, parole, and extended supervision are supervised in the community; (2) the factors taken into account in determining where these sex offenders may reside; and (3) current technology that is used to track offenders' locations. Mike Murray, Policy Specialist, Wisconsin Coalition Against Sexual Assault, discussed the impact of a sexual assault on the victim and how policy relating to placement of sex offenders should recognize that different victims have different needs. He stressed his support for targeting limited public resources to supervision of sex offenders who are the most likely to re-offend.

At the November 30, 2006 meeting, the Special Committee heard testimony from Sandy Maher-Johnson, a representative from Citizens for a Safe Wisconsin, a grass-roots organization that advocates for more severe sanctions and more extensive supervision of sex offenders. She made recommendations concerning placement of sexually violent persons, providing a coordinated approach to sex offender supervision, changes to the sex registry website, and more severe penalties for offenses such as failing to register as a sex offender. The committee also heard testimony from William Kruzicki, U.S. Marshall, and Melissa Roberts, DOC, on a recently enacted federal law that will affect sex offender registration on the federal and state levels. Steve Watters and Dr. David Thornton, Sand Ridge Secure Treatment Center, DHFS, presented information to the committee on the treatment of sexually violent persons at Sand Ridge and research on sex offenders and appropriate sex offender treatment. Diane Murphy, Mayor of Neillsville, discussed concerns she has regarding a Transitional Living Program that DOC proposes to establish in downtown Neillsville. Kathy Walter, Field Supervisor, Division of Community Corrections, DOC, described her work in a probation and parole office supervising sex offenders. She emphasized the importance of strict and intensive supervision, sex

offender treatment, and polygraph examinations of sex offenders on community supervision. She also stated that she believes it is very important that sex offenders on community supervision have stable housing that is accessible to the person's probation and parole agent.

At the <u>January 4, 2007 meeting</u>, **Steve Watters**, Director, and **Deb McCulloch**, Community Services Director, Sand Ridge Secure Treatment Center, DHFS, described the Supervised Release Program for sexually violent persons. **Melissa Roberts**, DOC, and **Tom Snyder**, Captain of Investigative Services, Madison Police Department, discussed the community notification process related to released sex offenders. **Brian Bridges**, Captain of Field Services, University of Wisconsin (UW)-Madison Police Department, described UW-Madison's policies for keeping track of, and finding out about, convicted sex offenders on campus. **Mary Anne Snyder**, Executive Director, and **Norma Sampson**, Communications Director, Children's Trust Fund, discussed a new campaign, including a website, to prevent sexual abuse of children.

The committee then discussed various options for changes in laws relating to placement of, and enhanced notification and information about, sexually violent persons on supervised release and sex offenders released to probation, parole, or supervision, and directed the staff to draft various options in bill form for committee consideration.

At the <u>February 15, 2007 meeting</u>, the Special Committee heard testimony from **Dr. Anna Salter**, a psychologist with DOC. She presented information on the main types of sex offenders who offend against children and those who offend against adults. She described research showing that approximately 51-62% of offenders are at low risk for committing additional sex offenses and 10-12% are at high risk of reoffense. She described current risk assessment instruments and the effectiveness of sex offender treatment. She noted that effective treatment appears to reduce the risk of recidivism by as much as 40%.

The committee voted to include in its final recommendation bill drafts requiring the inclusion of additional information on DOC's sex offender registry website, requiring registered sex offenders to register with DOC every six months in person and have his or her photograph updated at that time, releasing specified information to law enforcement relating to sexually violent persons, requiring sentencing courts and DOC to establish child safety zones as a condition of supervision for certain child sex offenders, disclosing sex offender registry and GPS tracking information to directors of security for postsecondary educational institutions, creating a definition of "high-risk sex offender," and requiring registered sex offenders to provide DOC with the offender's email address and any Internet site maintained by the offender.

The committee withdrew from consideration bill drafts permitting placement of sexually violent persons on supervised release in Huber facilities and requiring placement of sexually violent persons in their city, town, or village of residence.

PART III

RECOMMENDATION INTRODUCED BY THE JOINT LEGISLATIVE COUNCIL

This part of the report provides background information on, and a description of, the bill as recommended by the Special Committee on Placement of Sex Offenders.

Release of Information to Law Enforcement Regarding Sexually Violent Persons

Background

Under a provision in the Mental Health Act (ch. 51, Stats.), treatment records of an individual may be released without informed written consent under certain specified circumstances. One of these circumstances, set forth in s. 51.30 (4) (b) 16., Stats., permits such a release, if authorized by the secretary of DHFS, to a law enforcement officer, upon request, if the individual was admitted under ch. 971 (not responsible by reason of mental disease or defect) or 975 (the sex crimes law), Stats., or transferred under other specified statutory provisions. That subdivision limits the information that is permitted to be released to certain specified information, including information as to the individual's whereabouts during any time period. Individuals committed under ch. 980 as sexually violent persons are not included in s. 51.30 (4) (b) 16. Thus, this ch. 51 provision treats the disclosure of information related to ch. 980 patients differently from other high-risk mental health patients (i.e., patients who are committed, in part, because of their commission of a crime).

The committee received testimony from DHFS that having the authority to release information relating to sexually violent persons to a law enforcement officer would enhance public safety by informing law enforcement when a sexually violent person is in the area and would be consistent with how records of other high-risk mental health patients are released.

Description

The bill revises s. 51.30 (4) (b) 16. to make it apply to individuals committed or detained under ch. 971, 975, or 980 thus permitting a law enforcement officer to obtain the information set forth in that subdivision about ch. 980 commitments, including the individual's whereabouts during any time period. The bill draft also:

- 1. Modifies the focus of the current provision on inpatient commitments by substituting "committed or detained" for "admitted." This change permits DHFS to provide this information relating to patients on supervised release in the community.
- 2. Deletes the language in this provision that allows DHFS to provide this information only "upon request" of a law enforcement officer.

Child Safety Zones

Background

Under current law, persons under correctional supervision for a sex offense may be prohibited, on a case-by-case basis, from going to certain places. However there is no general prohibition on where sex offenders, in general, may go or live. Committee members raised concerns about creating uniform

zones where no sex offender may go because that may not be appropriate for every sex offender and may prevent sex offenders from being placed in urban areas of the state.

Description

The bill requires DOC to prohibit a person, as a condition of probation, parole, or extended supervision for a violation of first- or second-degree sexual assault or engaging in repeated acts of sexual assault of the same child, from going to places or entering zones containing places where children congregate and where it would be in the interest of public protection to prohibit the person from going, as determined by DOC, during any part of the person's period of probation, parole, or extended supervision.

The bill also requires the court to impose such conditions during any part of the person's sentence or period of probation when sentencing a person for first- or second-degree sexual assault or engaging in repeated acts of sexual assault of the same child.

Sex Offender Registry Information

Background

Under current law, a person must register with DOC as a sex offender if he or she has been convicted of certain sex offenses, found not guilty of certain sex offenses by reason of mental disease or defect, or adjudicated delinquent on the basis of certain sex offenses.

DOC may require a person registered as a sex offender to provide DOC with his or her fingerprints, a recent photograph, and certain other information including the address at which he or she is or will be residing, the name and address of the place at which he or she is or will be employed, and the name and location of any school in which he or she is or will be enrolled. If any information contained in DOC's registry of sex offenders changes, the registrant must provide DOC with the updated information within 10 days after the change occurs, except that, if the registrant is on parole or extended supervision and the registrant knows that the address of his or her residence will be changing, the registrant must provide DOC with the updated information before the change in address occurs, or, if the registrant did not know that his or her address would be changing, the registrant must provide DOC with that updated information within 24 hours after the change in address occurs.

Description

Under the bill, a person who is required to register with DOC as a sex offender must also provide, and update, his or her email account and the Internet address of any website he or she maintains.

Annual Sex Offender Registration

Background

Under current law, in general, a person who is registered as a sex offender must register annually with DOC, as directed by DOC. At that time, the person must provide DOC with information such as his or her current address and the name and location of any employer or school the person attends.

A person who is subject to lifetime sex offender registration and has been found to be a sexually violent person must register every 90 days, as directed by DOC.

Currently, for some sex offender registrants, the registry information is updated through the mail. Committee members raised concerns that face-to-face contact with registrants may be too infrequent and received testimony on the advantages of having photos on the sex offender registry Internet site updated more frequently.

Description

The bill requires a person registered as a sex offender to register every six months and to provide DOC with the registry information in person. At the time of the registration, DOC must photograph the person and then update the registry with the person's most current photograph.

The bill maintains the requirement that certain persons subject to lifetime sex offender registration register every 90 days but requires that registration be in person at least once every six months. At the time of in-person registration, DOC must photograph the person and then update the registry with the person's most current photograph.

Information Provided to Postsecondary Educational Institutions

Background

Under current law, when a person is registered as a sex offender with DOC, DOC must immediately make specified information available to the police chief of any community and the sheriff of any county in which the person is residing, is employed, or is attending school. DOC must make the information available through a direct electronic data transfer system. Also under current law, DOC is required to provide the police chief of any community and the sheriff of any county in which the person is residing, is employed, or is attending school with special bulletin notices relating to certain sex offenders and may provide special bulletin notice concerning any sex offender.

The committee received testimony that universities whose security is comprised of non-sworn officers do not have access to the same sex offender registry information that is available to law enforcement although such security has law enforcement duties.

Description

The bill requires DOC to make information currently available to law enforcement available to the director of security for any postsecondary educational institution in the community in which the person is residing, is employed, or is attending school. Postsecondary educational institution is defined as a public or private college or university, or a vocational or technical institution or school.

However, under the bill, DOC may not provide information to a director of security that relates to a child who is registered as a sex offender or that relates to a juvenile delinquency adjudication for a sex offense.

The bill also requires DOC to provide a director of security for a postsecondary educational institution with information obtained through the global positioning tracking system for certain sex offenders, upon request of the director of security. The information provided and the manner in which it is provided is determined by DOC.

Information on Sex Offender Registry Internet Site

Background

Under current law, DOC is required to provide access to information concerning registered sex offenders by creating and maintaining an Internet site and by any other means that DOC determines is appropriate. DOC must provide the following information on a registered sex offender on the site:

- 1. If the person is a sexually violent person under ch. 980, Stats., a notice, written in red letters, of that status.
- 2. A current color photograph of the person, if available, and a physical description including sex, race, height, weight, eye color, and hair color.
- 3. The person's name and home address.
- 4. Whether the person has responded to the last contact letter from DOC.
- 5. The crime committed for which the person must register.
- 6. Any conditions of the person's supervised release, except for any condition that may reveal the identity of the victim of the crime that the person committed for which he or she must register.
- 7. The date, time, and place of any scheduled hearings for supervised release or discharge under ch. 980, Stats.
- 8. The name of the judge who authorized supervised release or discharge for the person.
- 9. The most recent date on which the information was updated.

Description

The bill requires DOC to include links to other state agency websites that provide information on the prevention and identification of sexual abuse and other sex crimes and information on how to report suspected sexual abuse or other sex crimes.

The bill also requires the sex offender registry Internet site to include a full-body photograph of each person and also two or more color photographs of each person. The color photographs must be updated at least every six months. If one or more current color photographs of the person are impossible to obtain, on or more other photographs of the person may be used.

Finally, the bill requires the sex offender registry Internet site to include the geographic area of any current employer of the person or any business the person is operating and the geographical area of any school the person is attending if the person is a sexually violent person or is a high-risk sex offender. Under the bill draft, "high-risk sex offender" is defined as a person who has been found to have committed a sex offense for which sex offender registration is required, or to have violated a comparable federal law or law of another state, and who meets, as determined by DOC, one of the following criteria:

Has been found to have committed offenses involving two separate victims if at least one of
the victims was a victim of a serious sex offense, as defined in s. 304.06 (2m) (a), Stats., and
one victim was the victim of such a serious sex offense or a serious felony, as defined in s.
939.62 (2m) (a) 2m., Stats.

- Has been found to have committed a serious child sex offense, as defined in s. 939.62 (2m) (am) 1m., Stats., involving a victim less than 12 years of age and the offense was directed toward a person with whom a relationship had been established or exploited for the purpose of victimization, a person of casual acquaintance, or a stranger.
- Has been found to have committed a serious sex offense, as defined in s. 304.06 (2m) (a), Stats., or a serious child sex offense, as defined in s. 939.62 (2m) (am) 1m., Stats., involving a victim 12 years of age or older and the offense was directed toward a person with whom a relationship had been established or exploited for the purpose of victimization, a person of casual acquaintance, or a stranger.
- Meets criteria established by DOC, by administrative rule.

Appendix 1

Committee and Joint Legislative Council Votes

LRB-2293/1 was recommended by the Special Committee on Placement of Sex Offenders to the Joint Legislative Council for introduction in the 2007-08 Session of the Legislature.

Special Committee Vote

The Special Committee voted to recommend WLC: 0092/1 to the Joint Legislative Council for introduction in the 2007-08 Session of the Legislature. The vote on the draft was as follows:

• WLC: 0092/1, relating to disclosure of information regarding sexually violent persons, creating a definition of "high-risk sex offender," child safety zones, sex offender registry requirements, the sex offender registry website, and disclosure of sex offender registry and global positioning system tracking information to postsecondary educational institutions by a vote of Ayes, 10 (Reps. Bies and Suder; Sen. Taylor; and Public Members Eberhard, Kirn, Maher-Johnson, Marshall, Rickard, Stephens, and Skwierawski); Noes, 0; and Not Voting, 1 (Public Member Flanagan).

Joint Legislative Council Vote

At the May 10, 2007 meeting, the Joint Legislative Council voted as follows on the recommendation of the committee:

• Rep. Wieckert moved, seconded by Rep. Fitzgerald, that LRB-2293/2, relating to disclosure of information regarding sexually violent persons, creating a definition of high-risk sex offender, child safety zones, sex offender registry requirements, the sex offender registry Web site, and disclosure of sex offender registry and global positioning system tracking information to postsecondary educational institutions, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 18 (Sens. Risser, Breske, Carpenter, Coggs, Darling, Fitzgerald, Harsdorf, Miller, and Robson; and Reps. Wieckert, Ballweg, Berceau, Fitzgerald, Gottlieb, Huebsch, Kaufert, Pocan, and Schneider; and); Noes, 0; and Absent, 4 (Sens. Decker and Lasee; and Reps. Kreuser and Rhoades).

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Appendix 2

Joint Legislative Council

[Joint Legislative Council Members Who Selected and Appointed Committee and Its Membership]

Co-Chair ALAN LASEE Senate President 2259 Lasee Road De Pere, WI 54115

Co-Chair STEVE WIECKERT Representative 1 Weatherstone Drive Appleton, WI 54914

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MARK MILLER 4903 Roigan Terrace Monona, WI 53716

DAVID ZIEN President Pro Tempore 1716 63rd Street Eau Claire, WI 54703

SCOTT FITZGERALD N4692 Maple Road Juneau, WI 53039

5008 Risser Road Madison, WI 53705

GLENN GROTHMAN 111 South 6th Avenue West Bend, WI 53095

JUDY ROBSON Minority Leader 2411 E. Ridge Road Beloit, WI 53511

FRED A. RISSER

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MICHAEL HUEBSCH Majority Leader 419 West Franklin West Salem, WI 54669

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PEDRO COLON 338 West Walker Street Milwaukee, WI 53204

DEAN KAUFERT 1360 Alpine Lane Neenah, WI 54956

DAVID TRAVIS 5440 Willow Road Waunakee, WI 53597

STEPHEN J. FREESE Speaker Pro Tempore 310 East North Street Dodgeville, WI 53533

JIM KREUSER Minority Leader 3505 14th Place Kenosha, WI 53144

JOHN GARD Speaker 481 Aubin Street, P.O. Box 119 Peshtigo, WI 54157

ANN NISCHKE 202 W. College Avenue Waukesha, WI 53186

This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the co-chairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

Joint Legislative Council

[Current Joint Legislative Council Members Who Received Committee Report]

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Representative 1 Weatherstone Drive Appleton, WI 54914

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President Pro Tempore 2957 South 38th Street Milwaukee, WI 53215

SCOTT FITZGERALD

Minority Leader N4692 Maple Road Juneau, WI 53039

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Majority Leader 2411 E. Ridge Road Beloit, WI 53511

ALBERTA DARLING

1325 West Dean Road River Hills, WI 53217

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TERESE BERCEAU

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Speaker 419 West Franklin West Salem, WI 54669

DEAN KAUFERT 1360 Alpine Lane Neenah, WI 54956

JIM KREUSER Minority Leader 3505 14th Place Kenosha, WI 53144

MARK POCAN 309 N. Baldwin Street Madison, WI 53703

KITTY RHOADES

708 4th Street Hudson, WI 54016

MARLIN SCHNEIDER

3820 Southbrook Lane Wisconsin Rapids, WI 54494

JEFF FITZGERALD

Majority Leader 910 Sunset Horicon, WI 53032

MARK GOTTLIEB

Speaker Pro Tempore 1205 Noridge Trail Port Washington, WI 53074

This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the cochairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

Appendix 3

Placement of Sex Offenders

Representative Garey D. Bies, Co-Chair 2520 Settlement Road Sister Bay, WI 54234

Senator Lena C. Taylor 3407 West Highland Drive Milwaukee, WI 53208

Mel Flanagan Milwaukee County Circuit Court, Branch 4 821 W. State St. Milwaukee, WI 53233-1427

Sandy Maher-Johnson Citizens for a Safe Wisconsin 7804 Stonewood Circle Franklin, WI 53132

Larry Rickard W194 S8476 Providence Way Muskego, WI 53150

Marla Stephens State Public Defender, Appellate Division 735 N. Water St. #912 Milwaukee, WI 53202 Representative Scott Suder, Co-Chair 102 South 4th Avenue Abbotsford, WI 54405

Susan Eberhard UW-Stout 250 Vocational Rehabilitation Bldg. P.O. Box 790 Menomonie, WI 54751

Kerry Kirn Clark County 517 Court Street #308 Neillsville, WI 54456

Terry Marshall ATTIC Correctional Services, Inc. 601 Atlas Avenue Madison, WI 53707-7370

Audrey Skwierawski Asst. D.A., Milwaukee County 231 West State Street Milwaukee, WI 53233

STUDY ASSIGNMENT: The committee is directed to study current policies and practices of the Department of Corrections relating to placement of persons who have been convicted of a sex offense in the community. The special committee shall also review current statutes relating to placement of sex offenders and determine whether additional statutory requirements on where such offenders may be placed would enhance public safety. The special committee shall also study the effect of placing additional statutory requirements on the ability to place offenders and the impact of additional requirements on urban and rural areas of Wisconsin.

11 MEMBERS: 1 Senator, 2 Representatives, and 8 Public Members.

LEGISLATIVE COUNCIL STAFF: Don Salm and Anne Sappenfield, Senior Staff Attorneys; and Kelly Mautz, Support Staff.

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Committee Materials List

(Copies of documents are available at www.legis.state.wi.us/Ic)

Report to the Legislature

Report to the Legislature 2007-08, Special Committee on Placement of Sex Offenders (April 27, 2007).

Recommendation to the Joint Legislative Council (May 10, 2007)

- <u>Proposed</u> Report to the Legislature 2007-08, Special Committee on Placement of Sex Offenders (April 27, 2007).
- LRB-2293/2, relating to the sex offender registry, child safety zones, disclosure of sexually violent
 person information to law enforcement, and sex offender information to post-secondary educational
 institutions.

February 23, 2007 Mail Ballot

<u>WLC: 0092/1</u>, relating to disclosure of information regarding sexually violent persons, creating a
definition of "high-risk sex offender," child safety zones, sex offender registry requirements, the sex
offender registry website, and disclosure of sex offender registry and global positioning system
tracking information to postsecondary educational institutions.

February 15, 2007 Meeting Notice Agenda Audio Minutes

- WLC: 0071/1, relating to the sex offender website (January 31, 2007).
- WLC: 0072/1, relating to requiring persons registered as sex offenders to register every 6 months in person and have a photograph taken (January 31, 2007).
- <u>WLC: 0076/1</u>, relating to additional information on department of corrections Internet site regarding sex offenders (February 5, 2007).
- WLC: 0077/1, relating to placement of sexually violent person in municipality of residence (February 5, 2007).
- WLC: 0079/1, relating to placement in Huber facility (February 2, 2007).
- WLC: 0080/1, relating to release of additional information to law enforcement under ch. 51 (February 6, 2007).
- WLC: 0082/1, relating to child safety zones (February 6, 2007).
- <u>WLC: 0083/1</u>, relating to providing sex offender registry information to the director of security of a
 postsecondary educational institution in a community where a sex offender is residing, is employed,
 or is attending school (February 6, 2007).
- WLC: 0084/1, relating to creating definitions of "high-risk sex offender" and "predatory" (February 6, 2007).
- WLC: 0085/1, relating to providing information obtained through the global positioning tracking system to the director of security for a postsecondary educational institution (February 6, 2007).
- WLC: 0086/1, relating to information provided by a person required to register as a sex offender (February 7, 2007).
- Letter from Steve Olson, Alderman, Dist. 1, City of Franklin (February 5, 2007).
- <u>Pamphlet</u>, An Overview of Sex Offender Management, Center for Sex Offender Management (July 2002).
- Report, Myths and Facts About Sex Offenders, Center for Sex Offender Management (August 2000).
- Report, Recidivism of Sex Offenders, Center for Sex Offender Management (May 2001).
- <u>Letter</u> to Mary Anne Snyder, Executive Director, Children's Trust Fund, from Co-Chair Suder and Co-Chair Bies (February 15, 2007).

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- Memo No. 4, Options for Legislation (December 20, 2006; Revised December 26, 2006)
- Letter, to Co-Chair Bies and Co-Chair Suder from Public Member Larry Rickard (December 21, 2006)
 o Enclosure
- <u>Handout</u>, from Mary Anne Snyder, Executive Director, and Norma Sampson, Communications Director, Children's Trust Fund
- Memorandum, from Steve Watters, Sand Ridge Secure Treatment Center (January 4, 2007)

- Presentation, by Deb McCulloch, MMSW, Community Services Director (January 4, 2007)
- <u>Presentation</u>, by Melissa Roberts, Director of Sex Offender Programs, Department of Corrections (DOC)
 - o <u>Handout</u>, Sex Offender Community Notification Meeting, from Melissa Roberts, DOC
 - Handout, Sex Offender Community Notification: Assessing the Impact in Wisconsin, from Melissa Roberts, DOC

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- Response to initial committee meeting, from Susan Eberhard, committee member (September 27, 2006)
- <u>Letter</u>, from Representative Mary Williams, to Representative Garey Bies and Representative Scott Suder, Co-Chairs, Special Committee on Placement of Sex Offenders (September 21, 2006)
- Memo No. 2, Suggestions for Consideration by the Special Committee (November 13, 2006)
- Memo No. 3, GPS Tracking and Exclusion Zones Under 2005 Wisconsin Act 431 (November 21, 2006)
- Memorandum, 2006 National Symposium on Sex Offender Management and Accountability, from Public Member Mel Flanagan, Milwaukee Circuit Court Branch 4 (October 24, 2006)
- Report, Level Three Sex Offenders Residential Placement Issues, 2003 Report to the Legislature, Minnesota Department of Corrections (January 2003)
- Report, The Impact of Residency Restrictions on Sex Offenders and Correctional Management Practices: A Literature Review, California State Library (August 2006)
- The Sex Offender Registration and Notification Provisions, from the Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248)
- Wisconsin Sex Offender Registration and Community Notification, Working Together to Make a Difference; A Manual for Law Enforcement, DOC (April 2004)
- Presentation, Housing of Sex Offenders in Wisconsin, Citizens for a Safe Wisconsin, Inc. (November 30, 2006)

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- Memo No. 1, Current Statutes Relating to Placement of Sex Offenders and Persons Committed Under ch. 980, Stats., in Residential Areas (September 5, 2006)
- <u>Presentation</u>, Wisconsin's Sexually Violent Persons Law, Chapter 980, by Steve Watters, Director, Sand Ridge Secure Treatment Center (September 14, 2006)
- Sex Offender Residence Restrictions, distributed by Mike Murray, Policy Specialist, Wisconsin Coalition Against Sexual Assault, Inc. (undated)
- <u>Handout</u>, Iowa County Attorneys Association Statement on Sex Offender Residency Restrictions in Iowa, distributed by Mike Murray, Policy Specialist, Wisconsin Coalition Against Sexual Assault, Inc. (January 20, 2006)
- Handout, Facts About Adult Sex Offenders, distributed by Mike Murray, Policy Specialist, Wisconsin Coalition Against Sexual Assault, Inc. (undated)
- Press Release, National Sexual Offender Treatment/Assault Prevention Group Files Brief with the Supreme Court in Opposition to Sex Offender Residency Restrictions Claiming that Such Laws Harm Children, distributed by Mike Murray, Policy Specialist, Wisconsin Coalition Against Sexual Assault, Inc. (November 3, 2005)
- <u>Testimony</u>, to Nebraska Judiciary Committee by Elizabeth Barnhill, Iowa Coalition Against Sexual Assault, distributed by Mike Murray, Policy Specialist, Wisconsin Coalition Against Sexual Assault, Inc. (February 16, 2006)