

City of Waukesha weighs reducing restrictions on where sex offenders can live

Darryl Enriquez, darryl.enriquez@jrn.com

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(Photo: Submitted)

The common council is considering a recommendation to cut in half the radius of child safety zones that protect youngsters from convicted sex offenders.

Aldermen are expected to vote Tuesday, June 6, on an issue that was revived by a recent court decision that affects Waukesha as well as other communities.

The city is named in a federal lawsuit that contends sex offenders are unfairly excluded from living in most of the city. The pending vote is in response to that court action.

On April 17, a federal court ruled village of Pleasant Prairie restrictions on where sex offenders could reside were too restrictive and therefore unconstitutional. The Pleasant Prairie law made 90 percent of village off limits to sex offender housing.

The court believes the tight restrictions are simply another layer of punishment for sex-offender crimes, which the convicted should not have to suffer, according to federal court records.

Backing down

City Attorney Brian Running conveyed that message to aldermen on May 22 at City Hall, and encouraged a committee to recommend to the council a reduction local safety zones. The committee responded by recommending safety zone reductions from 1,500 to 750 feet.

In December 2007, Waukesha marched to the anti-sex offender drum of other municipalities that enacted local laws restricting where sex offenders could live.

Waukesha made it illegal for sex offenders to live within 750 feet of areas where children congregate, such as private or public schools, recreation trails, playgrounds and child care centers.

Last August, the council increased the safety zone to 1,500 feet. The result was that it became difficult for sex offenders to find affordable or any housing, especially after being released from incarceration, Running said.

One of the effects was that a number of released sex offenders were homeless, which concerns the Wisconsin Department of Corrections, he said.

The federal court's decision has opened the door for the filing of lawsuits against other communities with restrictive child safety zones such as Waukesha.

The 1,500-foot restrictions now make 84 percent of the city's residential area ineligible to sex offenders. Reducing the safety zone to 750 feet would restrict only 59 percent of the city, he said.

Satisfying concerns

The recommended reduction is an effort "to pass district court muster," Running said.

Studies have found that stress brought on by the inability of offenders to find permanent housing increases the rate recidivism by hurting rehabilitation, Running said.

The Waukesha Police Department conducted a local study and found that sex offenders living here had not committed a repeat sex offense, although 26 percent had committed other crimes, Running said.

After the meeting, Running said the state Legislature must enact a law that sets uniform child safety zones for all communities. In that way, communities with small safety zones won't become dominated by sex offenders in need of housing, he said.

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