



**Michael J. Murphy**  
*City of Milwaukee Common Council*

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May 20, 2014

Secretary Edward F. Wall  
Wisconsin Department of Corrections  
3099 E. Washington Ave.  
P.O. Box 7925  
Madison WI 53707-7925

Dear Secretary Wall:

I write to express my concerns relating to various issues under your department's purview that have a direct effect on the welfare of City of Milwaukee residents. In response to a recent open records request made by the City Clerk's Office of the City of Milwaukee, the Wisconsin Department of corrections-Sex Offender Program provided information relating to sex offenders residing in Milwaukee County that are required to register under s. 301.45, Wis. Stats. An analysis by the City's Legislative Reference Bureau highlighted the following disconcerting issues: the integrity of the Wisconsin Sex Offender Registry is being undermined; a disproportionate number of sex offenders in Milwaukee County reside in the City of Milwaukee; municipal residency restriction legislation adopted by other municipalities is impacting the City of Milwaukee; the Wisconsin Department of Corrections (DOC) has failed to address the growing inequity between municipalities who have and have not adopted residency restriction legislation. Below, each issue is reviewed in turn.

**Issue 1 No historical data was provided as part of the open records request.**

Records were requested for the period from January 1, 2007 to January 1, 2014; however, your office indicated that because the Wisconsin Sex Offender Registry is updated so frequently, no reports of the registry are retained for historical purposes. The absence of historical data limits the ability to understand changes over time to sex offender residency at the local level.

The City's Legislative Reference Bureau was able to provide partial historical data for two Zip Codes in Milwaukee, 53207 and 53215. In 2007, these two postal Zip Codes located within the 14<sup>th</sup> aldermanic district were researched and list of sex offenders for each of the two Zip Codes was reviewed. These postal Zip Code lists were retained by the City's LRB and have been compared to the current sex offender registrants residing within these 2 postal Zip Codes provided by your department.



The total number of registered sex offender residing within the 53207 and 53215 Zip Codes in 2007 was 161. In February 2014 the total number of registered sex offenders residing within both Zip Codes was 233, an increase of 44.72% from the number of registered sex offenders residing within these Zip Codes in 2007.

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**Issue 2 Errors and inconsistencies identified in the data raise concerns about the accuracy and integrity of the registry.**

A review of the data found numerous examples of inaccurate and incomplete records for certain sex offenders that included offenders being identified by an initial, missing information related to the county or state of conviction and address of current residence, spelling errors relating to the current city of residence, names of municipalities entered inconsistently, and numerous instances where the county of residence appears incorrectly. Specific examples of errors and inconsistencies are highlighted in Attachment A. It should be noted that there may be additional errors and inconsistencies not identified by this analysis, as the scope of the analysis performed was limited to the City of Milwaukee and Milwaukee County.

**Effect of Issues 1 and 2**

The integrity of the Wisconsin Sex Offender Registry is being undermined by the lack of historical data and the errors and inconsistencies identified in the current data.

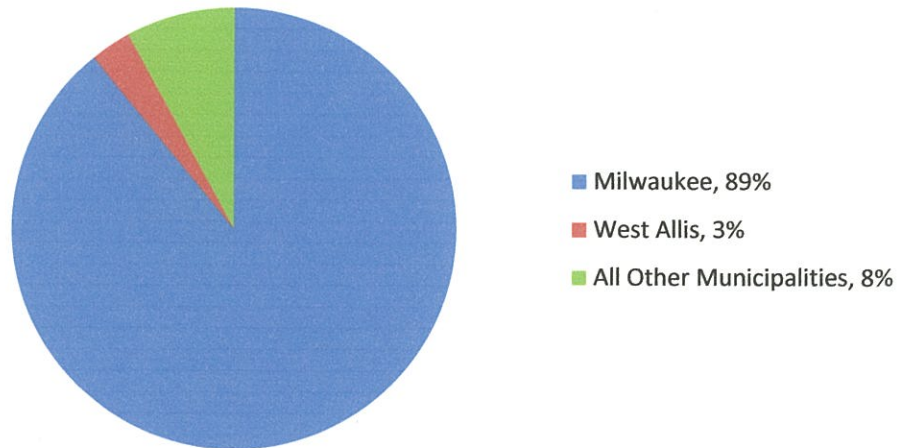
**Recommendation**

- A records retention policy should be established for Wisconsin Sex Offender Registry data that allows for data to be retained for research purposes. Current year Wisconsin Sex Offender Registry data should be retained quarterly, or at the very least bi-annually. This will allow for sex offender residency to be reviewed enabling analysis of changes in sex offender residency over time, especially at the local level. The absence of historical data creates a void in the analysis of current data because there is no reference point from which to research and analyze.
- Wisconsin Sex Offender Registry data should be reviewed regularly for errors and inaccuracies. Errors, when identified, should be corrected. Data entry procedures should be standardized so that inconsistencies are eliminated.

**Issue 3 A disproportionate number of sex offenders within Milwaukee County reside in the City of Milwaukee.**

From the analysis performed, it is apparent that the City of Milwaukee has become the primary location for the placement of sex offenders within Milwaukee County. From the information provided by your office as of February 20, 2014, there were 21,669 Offenders on the registry, of which 2,399 were residing in Milwaukee County, and 2,138 (or 89%) were residing in the City of Milwaukee. A table detailing the number of sex offenders residing within Milwaukee County municipalities is provided in Attachment B.

### Sex Offenders Residing Within Milwaukee County Municipalities, 2014



**Issue 4 *Municipal residency restriction legislation established by neighboring municipalities may be negatively impacting the City of Milwaukee.***

Currently, 14 of the 19 Milwaukee County municipalities have adopted sex offender residency restriction ordinances. Beginning in 2007, and as recently as 2011, all but 5 municipalities have adopted residency restriction provisions. The establishment of said restrictions by suburban communities may be the reason for the concentration of sex offenders residing in the City of Milwaukee. Limited analysis conducted by the City's Legislative Reference Bureau indicates that the indicates that the number of sex offenders residing within two specific City of Milwaukee zip codes has increased since municipal residency restrictions in Milwaukee County were first adopted.

The total number of registered sex offender residing within the 53207 and 53215 Zip Codes in 2007 was 161. In February 2014 the total number of registered sex offenders residing within both Zip Codes was 233, an increase of 44.72% from the number of registered sex offenders residing within these Zip Codes in 2007.

**Effect of Issues 3 and 4**

Although sex offender residency restrictions are meant to protect children and families from sexual violence there are unintended consequences a disproportionate number of sex offenders within Milwaukee County reside in the City of Milwaukee. The City of Milwaukee is impacted by a spillover effect of sex offenders residing in the City of Milwaukee due to residency restrictions in other Milwaukee County municipalities.

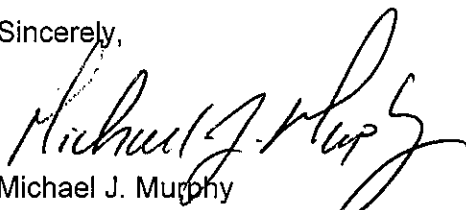
**Recommendation**

- Your department should support enacting state law to require that sex offender residency restriction be applied statewide to remove the patch work of varying local residency restriction laws. State bills that would have leveled the playing field, but failed to pass, include:
  - 2005 Assembly Bill 557 would have created a statewide regulation requiring a person who is required to register as a sex offender not reside within 1,000 feet of a private or public school, including a kindergarten, or within 1,000 feet of a child care facility.
  - 2007 Assembly Bill 702, would have changed state law so that a political subdivision, defined as a city, village, town or county, could not enact legislation that affects placement of a sex offender.
  
- Discontinue placement of sex offenders within the City of Milwaukee until a fair and equitable resolution for the placement of sex offenders statewide can be found. As no state legislation has been passed focusing on sex offender residency and as no legal action has been taken by the State to challenge cities, villages, or towns that have enacted residency restriction laws this disregard shows your indifference toward our city.

Inaction by the State of Wisconsin and the DOC specifically, indicates that it does not fully appreciate the negative impacts on the health, safety and welfare of Milwaukee residents that could result from the continued concentration of sex offenders residing in the City of Milwaukee. I appeal you to assist me, and the Milwaukee residents, in finding a reasonable solution whether that is through legal action or enacting statewide sex offender residency legislation.

I look forward to your response relating to my concerns and recommendations.

Sincerely,



Michael J. Murphy  
Common Council President

Cc.: Governor Scott Walker, Mayor Tom Barrett, Common Council Members

Encl.: Attachments A and B

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<sup>1</sup> Your office provided an electronic Microsoft Excel spreadsheet dated February 20, 2014 of all registered sex offenders in the state.





## Attachment B

### The Number of Sex Offenders Residing within Milwaukee County Municipalities, 2014.

Municipality	Supervision Status		Total		Residency Restriction
	Terminated	Active	#	%	
Bayside	0	0	0	0%	2,000 ft. (adopted May 2007)
Brown Deer	4	3	7	0.3%	1,500 ft. (adopted November 2007)
Cudahy	19	8	27	1.1%	500 ft. (adopted September 2007)
Fox Point	2	1	3	0.1%	1,500 ft. (adopted November 2010)
Franklin*	10	4	14	0.6%	2,000 ft. (adopted January 2007)
Glendale	4	0	4	0.2%	2,000 ft. adopted January 2007)
Greendale	4	1	5	0.2%	1,000 ft. (adopted September 2008)
Greenfield	26	4	30	1.3%	1,000 ft. (adopted January 2009)
Hales Corners	1	1	2	0.1%	No Restriction
Milwaukee	1,475	663	2,138	89.1%	No Restriction
Oak Creek	16	3	19	1.0%	2,000 ft. (adopted April 2009)
River Hills	0	0	0	0%	No Restriction
Shorewood	1	0	1	0.04%	No Restriction
South Milwaukee	23	7	30	1.3%	1,000 ft. (adopted August 2007)
St. Francis	15	3	18	1.0%	2,000 ft. (adopted August 2007)
Wauwatosa	17	2	19	1.0%	500 ft. (adopted July 2007)
West Allis	58	14	72	3.0%	1,500 ft. (adopted July 2007)
West Milwaukee	6	1	7	0.3%	1,000 ft. (adopted May 2011)
Whitefish Bay	0	3	3	0.1%	No Restriction
County Total	1,681	718	2,399	100%	

\*25 Offenders residing at the House of Correction omitted; 11 Offenders supervision terminated and 14 offenders under active community supervision.