



SCOTT FITZGERALD

WISCONSIN STATE SENATOR

**Testimony from Senator Scott Fitzgerald on Assembly Bill 14
Notification to Law Enforcement of a Sexual Offenders Residence
Assembly Committee on Corrections and the Courts
Wednesday February 26, 2003**

Chairman Bies and Members of the Committee:

Thank you for holding a public hearing on Assembly Bill 14. I appreciate the opportunity to testify in front of you today.

This bill would require the Department of Corrections (DOC) to notify the local authorities when there is a release of any sex offender into that community. Current law states that DOC *may* notify if a person is released into the community with only one offence. This would change the "*may* to *must*" on the first offence. This would include an offender living, working, or going to school in that community. Notification would include the local police chief and the sheriff of the affected county.

I believe that this bill is necessary to protect our communities and families. Local law enforcement officials need this tool to be able to better serve and protect their citizens.

Again, thank you for the honor of testifying in front of you today. If you have any questions Representative Fitzgerald or I would be happy to try to answer them.

STATE CAPITOL

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Assembly Republican Majority Bill Summary

AB 14: Notification of Sexual Offenders

Relating to: Notification to law enforcement of a sexual offender's residence.

Introduced by Representatives J. Fitzgerald, Gundrum, Powers, Ainsworth, Albers, Bies, Coggs, Freese, Gielow, Gronemus, Grothman, Gunderson, Hines, Jeskewitz, Kaufert, Krawczyk, Kreibich, LeMahieu, M. Lehman, Musser, Olsen, Ott, Owens, Shilling, Staskunas, Stone, Turner, Underheim, Vukmir, Ward, Vrakas and McCormick; cosponsored by Senators S. Fitzgerald, Leibham, Breske, Kanavas, Kedzie, A. Lasee, Reynolds, Stepp, Roessler and Lazich.

Date: January 20, 2004

BACKGROUND

Under current law, if the Department of Corrections or any other agency with jurisdiction confines a person, places a person in a community extensive sanctions program, or releases a person from confinement, and the person has, on only one occasion, been convicted of a sex offense, the department or agency may notify the police chief of the community and the sheriff of the county in which the person will be residing, employed, or attending school. The department or agency may provide the notice if the department or agency determines that the notification is necessary to protect the public. If the same situation exists, except that the person has two or more sex offense convictions, the department or agency must notify the police chief of the community and the sheriff of the county in which the person will be residing, employed, or attending school.

SUMMARY OF AB 14

Assembly Bill 14 requires the Department of Corrections immediately notify the police chief of the community and the sheriff of the county in which any sex offender is residing, employed, carrying on a vocation, or attending school when that person changes his or her residence, employment, or vocation in this state, attends a different school in this state, or becomes a resident of or a student in this state, is employed in this state, or starts carrying on a vocation in this state. The bill requires the department to specifically address the notice to the police chief of the community and the sheriff of the county in which the person will be residing, attending school, employed, or carrying on a vocation and requires the department to provide identifying information about the person in addition to the the new address of the person, the school that the person will be attending, the name and address of the person's employer, and the name and address of the place where the person will be carrying on a vocation, whichever are applicable..

FISCAL EFFECT

A fiscal estimate prepared by the Department of Corrections indicates a net annualized increase of costs at the state level of \$186,700. These costs are associated with the greatly increased number of notices that will be required under this legislation as well as the required updates to information systems. In addition, the department estimates that two FTE positions will be required to perform the additional work to comply with the provisions of AB 14

PROS

1. Assembly Bill 14 will require better communication between the Department of Corrections and local law enforcement regarding the placement of registered sex offenders.

2. The potential for public safety to be increased as local law enforcement has additional information regarding sex offenders within their communities.

CONS

1. A fiscal impact at the state level of \$186,700 during tough fiscal times.
2. With the vast increase in the number of notices that would be required, local law enforcement may have a more difficult time differentiating between the notices of sex offenders that are of immediate threat to their communities and those offenders that are not immediate threats.

SUPPORTERS

Rep. Jeff Fitzgerald, author; Sen. Scott Fitzgerald, lead co-sponsor; Sen. Tom Reynolds; Sen. Carol Roessler; Michael Miller, City of Milwaukee.

OPPOSITION

No one registered or testified in opposition to Assembly Bill 14.

HISTORY

Assembly Bill 14 was introduced on January 30, 2003, and referred to the Assembly Committee on Corrections and the Courts. A public hearing was held on February 26, 2003. On March 26, 2003, the Committee voted 9-0-1 [Rep. Suder absent] to recommend passage of Assembly Bill 14.

CONTACT: Andrew Nowlan, Office of Rep. Garey Bies

AB 14

Notification of Placement of Sex Offenders

14,700 reg

~ +100/month

10,000 are reg for life

600 < 18 yrs

Bulletin Notification Process

Replaced by 14 ~~is~~

The Bulletin Process would basically be the process for all registrants.

AB 14

Notification of Sex Off Residence.

Notification to sheriff for any sexual offenders & their vocation/education

CL - Not ~~reg~~ for one offense.

WAB14 - Notification reg for 1 offense & any change of residence.

General Bull to notice to sheriff.