

### Fiscal Estimate - 2007 Session

Original       Updated       Corrected       Supplemental

<b>LRB Number</b> 07-4123/2	<b>Introduction Number</b> SB-555
<b>Description</b> Public notification of the location of sexually violent persons	
<b>Fiscal Effect</b>	
<b>State:</b>	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
<b>Local:</b>	
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue      5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b>	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
<b>Affected Ch. 20 Appropriations</b>	
<b>Agency/Prepared By</b> DHFS/ Elaine Velez (608) 266-9363	<b>Authorized Signature</b> Andy Forsaith (608) 266-7684
<b>Date</b> 6/12/2008	

**Fiscal Estimate Narratives**  
**DHFS 6/12/2008**

LRB Number <b>07-4123/2</b>	Introduction Number <b>SB-555</b>	Estimate Type <b>Original</b>
<b>Description</b> Public notification of the location of sexually violent persons		

**Assumptions Used in Arriving at Fiscal Estimate**

Under current law, if a person who has been found to be a sexually violent person is released from a Department of Health and Family Services (DHFS) facility, DHFS notifies the Department of Corrections (DOC). This notification takes place before the person is terminated or discharged from commitment. In addition, DOC makes the offender's information available to law enforcement. The police chief or sheriff may subsequently provide this information to members of the general public, "...if, in the opinion of the department or the police chief or sheriff, providing that information is necessary to protect the public..." 301.46(5). Once the offender is released, he or she must register within 10 days with the Sex Offender Registry Program (SORP) under 301.45(4) and must report any subsequent address changes to SORP within 10 days of the move.

Under this bill, when a person who has been found to be a sexually violent person (SVP) is released from a state correctional institution or institutional care or changes his or her address, the state agency that supervises or that released that person must send notice of the person's release or change of address to every residential address within a one-mile radius of the person's new address.

Currently, the Department of Health and Family Services monitors 19 Wisconsin offenders on Supervised Release. This population increases by approximately two per year. Under this bill, DHFS or DOC would need to send a notification when a person in this group is placed in the community from the Sand Ridge Secure Treatment Center (SRSTC) and when address changes occur once the person is in the community. DHFS estimates five address changes will occur annually on average among this group making a total of seven moves in a 12-month period when new placements are included. These offenders are directly supervised by Department of Corrections probation and parole agents who have recurring contact with the offender to verify residency for community notification.

In addition to the 19 persons on Supervised Release, 30 SVPs have been discharged from SRSTC by the court under s. 980.09 and are no longer under the jurisdiction of DHFS. With the exception of approximately 35 communities in Wisconsin that have ordinances restricting where an SVP can live, an SVP who has been discharged can live wherever he or she wishes, including Wisconsin, another state, or in another country. Currently, 29 of these discharged SVPs live in Wisconsin and one SVP lives out of state.

Currently, the only way for DHFS to determine whether a discharged SVP has reported an address change to SORP is to manually query the public SORP website for each discharged offender. No automatic notification process between the registry and DHFS is in place at this time. It is unknown how much it would cost to manually verify discharged SVP addresses, or, the timeline and cost to build an automatic notification system for DHFS into the sex offender registry.

Address information is self-reported by discharged sex offenders to SORP. DHFS does not have the authority to verify address information provided by the discharged offenders to the registry and will need to rely on DOC staff to perform this role to confirm that notification is being made to the correctly targeted neighborhood.

Discharged SVPs who travel for their employment may provide a home-based address but could be out of the area working for several days to several months at a time. Such types of employment could include over the road truck driver, construction worker, or active military service. Notifying residents within a one-mile radius of the home address for those having itinerant employment may not reach those persons who are most likely to be in contact with the offender.

It is unknown if it would be possible to obtain overseas residential addresses for notification. It can be expected that an international mailing would be more costly due to postage, obtaining a mailing list, and possible translation fees.

The potential mobility of the discharged group of SVPs, plus the challenge in verifying residency information in the registry, makes it more difficult to prepare a notification mailing list that reaches the intended population. No data is available documenting the number of times this offender population moves in one year.

It is estimated that the average notification would require 3,500 letters. Using an average of \$.63 per first class letter, it would cost \$2,205 to send 3,500 letters. This price includes \$945 to have an outside vendor provide a mailing list and print, fold, seal, imprint, barcode, presort, and deliver the letters to the post office with vendor turnaround time of four to five business days. First class postage at \$.36 per letter would be \$1,260 for 3,500 letters. Notification mailing expenses would vary from city to city with more densely-populated areas generating a higher cost. Examples of mailing costs for a one-mile radius using random addresses in Wisconsin are LaCrosse, \$1,981; Madison, \$7,262; Green Bay, \$3,072; or Milwaukee, \$6,874. It is assumed that mailing costs in Wisconsin would be similar for mailing notices to other states with the exception of Alaska and Hawaii which may have higher mailing costs due to distance. For the reasons discussed above, the total number of notifications DHFS would be required to send annually cannot be estimated.

If this bill is passed, local law enforcement and DHFS or DOC may need to work together to determine how, or if, additional community meetings should be conducted and by whom. A mass mailing to residents in the community could increase the demand for meetings and increased questions to local law enforcement and the sex offender registry staff. If there are more community meetings that require DHFS involvement as a result of this legislation, workload for DHFS staff may increase. It is not possible to estimate this cost at this time.

Due to the unknown variables of this sex offender population, the Department is unable to provide an estimate for this bill's implementation.

DHFS does not have data available to estimate any fiscal impact on local law enforcement.

### **Long-Range Fiscal Implications**