

WISCONSIN STATE  
LEGISLATURE  
COMMITTEE HEARING  
RECORDS

2007-08

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on  
Corrections and  
Courts  
(AC-CC)

(Form Updated: 07/24/2009)

COMMITTEE NOTICES ...

➤ [Committee Reports ... CR](#)  
\*\*

➤ [Executive Sessions ... ES](#)  
\*\*

➤ [Public Hearings ... PH](#)  
\*\*

➤ [Record of Comm. Proceedings ... RCP](#)  
\*\*

INFORMATION COLLECTED BY COMMITTEE  
FOR AND AGAINST PROPOSAL ...

➤ [Appointments ... Appt](#)  
\*\*

Name:

➤ [Clearinghouse Rules ... CRule](#)  
\*\*

➤ [Hearing Records ... HR](#) (bills and resolutions)  
\*\* **07hr\_ab0332\_AC-CC\_pt01**

➤ [Miscellaneous ... Misc](#)  
\*\*

( )

State of Wisconsin  
JOINT LEGISLATIVE COUNCIL

*Co-Chairs*

**FRED A. RISSER**  
President, State Senate

**STEVE WIECKERT**  
Representative, State Assembly



LEGISLATIVE COUNCIL STAFF

**Terry C. Anderson**

*Director*

**Laura D. Rose**

*Deputy Director*

TO: MEMBERS OF THE SPECIAL COMMITTEE ON PLACEMENT OF SEX OFFENDERS

FROM: Terry C. Anderson, Director *TCA*

DATE: September 25, 2007

For your information, a hearing on 2007 Assembly Bill 332, 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, will be held on **Thursday, October 4, 2007, in Room 225 Northwest, State Capitol, Madison**, by the Assembly Committee on Corrections and the Courts. The hearing begins at 9:30 a.m. Because the committee is scheduled to hear several bills, it is impossible to specify the exact time that Assembly Bill 332 will be heard.

You are welcome and encouraged to attend this hearing and to present testimony on the bill, which was recommended by the Special Committee. However, you should note that the Joint Legislative Council will not be able to reimburse public member expenses for attending a hearing, since it is not a meeting of the Special Committee. Written testimony is also appropriate. It may be sent to Representative Garey Bies, Chair, Assembly Committee on Corrections and the Courts, Room 125 West, P.O. Box 8952, State Capitol, Madison, WI 53708.

You have already received a copy of Wisconsin Legislative Council Report to the Legislature, RL 2007-08, dated May 21, 2007, which describes Assembly Bill 332.

If you have any questions relating to the above, please feel free to contact Senior Staff Attorneys Anne Sappenfield, at (608) 267-9485, or Don Salm, at (608) 266-8540.

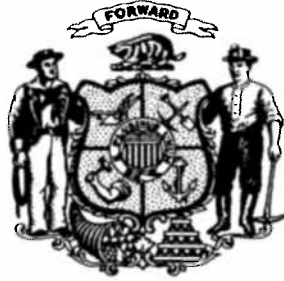
TCA:wu

State of Wisconsin  
JOINT LEGISLATIVE COUNCIL

Co-Chairs

FRED A. RISSER  
President, State Senate

STEVE WIECKERT  
Representative, State Assembly



LEGISLATIVE COUNCIL STAFF


Terry C. Anderson

Director

Laura D. Rose

Deputy Director

TO: MEMBERS OF THE ASSEMBLY COMMITTEE ON CORRECTIONS AND THE COURTS

FROM: Terry C. Anderson, Director 

RE: Hearing on 2007 Assembly Bill 332

DATE: September 25, 2007

Enclosed, for your information, is a copy of Wisconsin Legislative Council Report to the Legislature, RL 2007-08, dated May 21, 2007.

The following recommendation of the Special Committee on Placement of Sex Offenders has been referred to your committee:

- **2007 Assembly Bill 332**, 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.

Assembly Bill 332 is scheduled to be considered by your committee at its meeting which will be held on **Thursday, October 4, 2007, beginning at 9:30 a.m., in Room 225 Northwest, State Capitol.**

If you have any questions relating to the above report or bill, please feel free to contact Senior Staff Attorneys Anne Sappenfield, at 267-9485, or Don Salm, at 266-8540.

TCA:wu  
Enclosure



WISCONSIN LEGISLATIVE COUNCIL  
REPORT TO THE LEGISLATURE

---

---

SPECIAL COMMITTEE ON  
PLACEMENT OF SEX  
OFFENDERS

[2007 ASSEMBLY BILL 332]

May 21, 2007

RL 2007-08

---

# Special Committee on Placement of Sex Offenders

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

---

## CONTENTS

<b>PART I - KEY PROVISIONS OF COMMITTEE RECOMMENDATION .....</b>	<b>3</b>
2007 Assembly Bill 332 .....	3
<b>PART II - COMMITTEE ACTIVITY .....</b>	<b>5</b>
Assignment .....	5
Summary of Meetings .....	5
<b>PART III - RECOMMENDATION INTRODUCED BY THE JOINT LEGISLATIVE COUNCIL .....</b>	<b>7</b>
Release of Information to Law Enforcement Regarding Sexually Violent Persons .....	7
Child Safety Zones .....	7
Sex Offender Registry Information .....	8
Annual Sex Offender Registration.....	8
Information Provided to Postsecondary Educational Institutions.....	9
Information on Sex Offender Registry Internet Site .....	10
Appendix 1 - Committee and Joint Legislative Council Votes .....	13
Appendix 2 - Joint Legislative Council .....	15
Appendix 3 - Special Committee on Placement of Sex Offenders.....	17
Appendix 4 - Committee Materials List.....	19

# **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 January 4, 2007 meeting, **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 February 15, 2007 meeting, 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, one 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).

## 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

#### SENATORS

**RONALD W. BROWN**  
1112 Violet Avenue  
Eau Claire, WI 54701

**DAN KAPANKE**  
1610 Lakeshore Drive  
La Crosse, WI 54603

**DALE SCHULTZ**  
*Majority Leader*  
515 N. Central Avenue  
Richland Center, WI 53581

**RUSSELL DECKER**  
6803 Lora Lee Lane  
Schofield, WI 54476

**MARK MILLER**  
4903 Roigan Terrace  
Monona, WI 53716

**DAVID ZIEN**  
*President Pro Tempore*  
1716 63<sup>rd</sup> Street  
Eau Claire, WI 54703

**SCOTT FITZGERALD**  
N4692 Maple Road  
Juneau, WI 53039

**FRED A. RISSER**  
5008 Risser Road  
Madison, WI 53705

**GLENN GROTHMAN**  
111 South 6<sup>th</sup> Avenue  
West Bend, WI 53095

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

#### REPRESENTATIVES

**JOHN AINSWORTH**  
**W6382 Waukechon Road**  
**Shawano, WI 54166**

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

**MARLIN D. SCHNEIDER**  
3820 Southbrook Lane  
Wisconsin Rapids, WI 54494

**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]

## Co-Chair

**FRED RISSER**

*Senate President*

5008 Risser Road  
Madison, WI 53705

## Co-Chair

**STEVE WIECKERT**

*Representative*

1 Weatherstone Drive  
Appleton, WI 54914

## SENATORS

**ROGER BRESKE**

8800 Hwy. 29  
Eland, WI 54427

**TIM CARPENTER**

*President Pro Tempore*  
2957 South 38<sup>th</sup> Street  
Milwaukee, WI 53215

**G. SPENCER COGGS**

3732 North 40<sup>th</sup> Street  
Milwaukee, WI 53216

**ALBERTA DARLING**

1325 West Dean Road  
River Hills, WI 53217

**RUSSELL DECKER**

6803 Lora Lee Lane  
Weston, WI 54476

**SCOTT FITZGERALD**

*Minority Leader*  
N4692 Maple Road  
Juneau, WI 53039

**SHEILA HARSDORF**

N6627 County Road E  
River Falls, WI 54022

**ALAN LASEE**

2259 Lasee Road  
De Pere, WI 54115

**MARK MILLER**

4903 Roigan Terrace  
Monona, WI 53716

**JUDY ROBSON**

*Majority Leader*  
2411 E. Ridge Road  
Beloit, WI 53511

## REPRESENTATIVES

**JOAN BALLWEG**

170 W. Summit Street  
Markesan, WI 53946

**TERESE BERCEAU**

4326 Somerset Lane  
Madison, WI 53711

**JEFF FITZGERALD**

*Majority Leader*  
910 Sunset  
Horicon, WI 53032

**MARK GOTTLIEB**

*Speaker Pro Tempore*  
1205 Noridge Trail  
Port Washington, WI 53074

**MICHAEL HUEBSCH**

*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

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.

## 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.

## Committee Materials List

(Copies of documents are available at [www.legis.state.wi.us/lc](http://www.legis.state.wi.us/lc))

Report to the Legislature				
<ul style="list-style-type: none"> <li>Report to the Legislature 2007-08, <i>Special Committee on Placement of Sex Offenders</i> (April 27, 2007).</li> </ul>				
Recommendation to the Joint Legislative Council (May 10, 2007)				
<ul style="list-style-type: none"> <li><u>Proposed</u> Report to the Legislature 2007-08, <i>Special Committee on Placement of Sex Offenders</i> (April 27, 2007).</li> <li><u>LRB-2293/2</u>, 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.</li> </ul>				
February 23, 2007 Mail Ballot				
<ul style="list-style-type: none"> <li><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.</li> </ul>				
February 15, 2007 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> <li><u>WLC: 0071/1</u>, relating to the sex offender website (January 31, 2007).</li> <li><u>WLC: 0072/1</u>, relating to requiring persons registered as sex offenders to register every 6 months in person and have a photograph taken (January 31, 2007).</li> <li><u>WLC: 0076/1</u>, relating to additional information on department of corrections Internet site regarding sex offenders (February 5, 2007).</li> <li><u>WLC: 0077/1</u>, relating to placement of sexually violent person in municipality of residence (February 5, 2007).</li> <li><u>WLC: 0079/1</u>, relating to placement in Huber facility (February 2, 2007).</li> <li><u>WLC: 0080/1</u>, relating to release of additional information to law enforcement under ch. 51 (February 6, 2007).</li> <li><u>WLC: 0082/1</u>, relating to child safety zones (February 6, 2007).</li> <li><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).</li> <li><u>WLC: 0084/1</u>, relating to creating definitions of "high-risk sex offender" and "predatory" (February 6, 2007).</li> <li><u>WLC: 0085/1</u>, relating to providing information obtained through the global positioning tracking system to the director of security for a postsecondary educational institution (February 6, 2007).</li> <li><u>WLC: 0086/1</u>, relating to information provided by a person required to register as a sex offender (February 7, 2007).</li> <li><u>Letter</u> from Steve Olson, Alderman, Dist. 1, City of Franklin (February 5, 2007).</li> <li><u>Pamphlet</u>, <i>An Overview of Sex Offender Management</i>, Center for Sex Offender Management (July 2002).</li> <li><u>Report</u>, <i>Myths and Facts About Sex Offenders</i>, Center for Sex Offender Management (August 2000).</li> <li><u>Report</u>, <i>Recidivism of Sex Offenders</i>, Center for Sex Offender Management (May 2001).</li> <li><u>Letter</u> to Mary Anne Snyder, Executive Director, Children's Trust Fund, from Co-Chair Suder and Co-Chair Bies (February 15, 2007).</li> </ul>				
January 4, 2007 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> <li><u>Memo No. 4</u>, <i>Options for Legislation</i> (December 20, 2006; Revised December 26, 2006) <ul style="list-style-type: none"> <li><u>Enclosure</u></li> </ul> </li> <li><u>Letter</u>, to Co-Chair Bies and Co-Chair Suder from Public Member Larry Rickard (December 21, 2006) <ul style="list-style-type: none"> <li><u>Enclosure</u></li> </ul> </li> <li><u>Handout</u>, from Mary Anne Snyder, Executive Director, and Norma Sampson, Communications Director, Children's Trust Fund</li> <li><u>Memorandum</u>, from Steve Watters, Sand Ridge Secure Treatment Center (January 4, 2007)</li> </ul>				

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

#### November 30, 2006 Meeting

#### Notice

#### Agenda

#### Audio

#### Minutes

- Response to initial committee meeting, from Susan Eberhard, committee member (September 27, 2006)
- Letter, 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)

#### September 14, 2006 Meeting

#### Notice

#### Agenda

#### Audio

#### Minutes

- Memo No. 1, *Current Statutes Relating to Placement of Sex Offenders and Persons Committed Under ch. 980, Stats., in Residential Areas* (September 5, 2006)
- Presentation, *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)
- Handout, *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)
- Testimony, 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)



**To: Wisconsin Assembly Committee on Corrections and Courts**

From: Ms. Taku Ronsman, 1688 Beaver Dam Drive, Green Bay WI 54304

October 4, 2007

Found  
In AB 332  
Folder

I drove from Green Bay to speak to you today for two reasons:

1. Like everyone else, I want to live in a community that is safe for children and their families.
2. I want to be assured that the state will pass sex offender laws that reflect known "best practices."

In order to achieve those goals, I am asking you for three things:

- 1. Create uniform sex offender laws which pre-empt local laws.**
- 2. Make sex offender laws apply only to offenders currently under supervision.**
- 3. Allow life registrants the ability to be removed off of the state sex offender registry 5 years after completion of supervision.**

My reasoning for these three requests is as follows:

**1. Create uniform sex offender laws which pre-empt local laws.** The Dept. of Corrections (DOC) implements state sex offender laws – local laws, such as the Green Bay Sex Offender Residency ordinance, undermine the efforts of the DOC.

Green Bay's ordinance has restrictions that apply to sex offenders on the Sex Offender Registry (SOR) that are no longer under supervision. These restrictions violate the civil rights of former offenders who have completed their sentence and are trying to be productive members of society.

According to Dept. of Corrections Field Supervisor Jed Neuman, there are 4 critical success factors when transitioning sex offenders back into the community: residence, employment, treatment, and a positive support group. Green Bay's residency ordinance undermines those factors. Several other Brown County municipalities have threatened to pass similar ordinances. They feel Green Bay has forced their hand. If you don't pre-empt local ordinances it will make our communities less safe, and create added stress for the DOC as well as for families living with a former offender who has successfully completed supervision.

**2. Make sex offender laws apply only to offenders currently under supervision.** AB-332 will be fair and reasonable as long as it only applies restrictions to sex offenders that are still on supervision, since they cannot yet be trusted to have total control of their urges.

**3. Allow life registrants the ability to be removed off of the state sex offender registry 5 years after completion of supervision.** Being listed on the registry is a very shaming stigma for a former offender and his family. Such a stigma should be reserved only for offenders who are high risk. If a sex offender has no sex offenses for 5 years after supervision is completed, and is deemed a low risk offender by the DOC, the offender should be able to apply to be removed off the registry. (The governor's pardon does not remove a former offender from the registry).

If the offender is high risk when supervision ends, the DOC should have the ability to extend supervision for as long as necessary.

**Important note:** When defining "high risk offender", please allow flexibility for this status to change to "low risk offender" based on attitude and behavior during treatment and while on supervision. It should not be a lifelong label based solely on the sex offense.

**Final word:** Politicians often run on a platform of being tough on crime. Today I'm asking you to be smart on crime. Cookie cutter laws don't work. Follow known "best practices" - support laws that hold sex offenders accountable, but which also allow those who show the required transformation to live as full, productive members of the community.

Thank you,

Taku Ronsman

Ph: 920-499-9663

Email: [tronsman@earthlink.net](mailto:tronsman@earthlink.net)





## 2007 Assembly Bill 332

Testimony before the Assembly Committee on Corrections and Courts  
October 4, 2007

Good morning, Chairman Bies and members of the Assembly Committee on Corrections and Courts. My name is Bill Grosshans and I am the Assistant Administrator for the Division of Community Corrections in the Department of Corrections. With me today is Melissa Roberts, Director of Sex Offender Programs with the Division of Community Corrections. Thank you for the opportunity to testify for informational purposes this morning on Assembly Bill 332.

I had the opportunity to represent the Department as liaison to Legislative Council's Special Committee on the Placement of Sex Offenders in late 2006/early 2007. This Committee met four times over the course of several months and heard from a variety of experts in the field of sex offender programs and management. This Committee engaged in thoughtful discussion about a best practice approach to managing sex offenders in the community based on strategies that have proven to effectively increase public safety. The Committee also took a close look at strategies that have proven **not** to enhance public safety, despite the best intentions. In the end, the Committee, with the goal of keeping Wisconsin children and families safe from sex offenders, developed the recommendations that were subsequently introduced as Assembly Bill 332.

Supervising sex offenders in a manner that best protects the community has been a top priority within the Department for many years. As of October 1, 2007 there were 19,734 registrants on the Sex Offender Registry and 5,133 of those registrants are currently on active community supervision by state probation and parole agents. The remaining registrants include 5,741 incarcerated in prison and 8,860 terminated from supervision, but required to register with the Sex Offender Registry. The department has implemented a thorough and detailed program of specialized supervision of sex offenders. This program is specifically intended to:

- Limit the offender's access to potential victims;
- Provide the means to closely monitor and verify the offender's activities (EMP, GPS, Polygraph).

The Division of Community Corrections has developed a handbook for agents as a comprehensive guide for managing sex offenders on active community supervision. Every agent in the state is trained on this approach and a standing committee meets to revise and update materials based on legislative updates, departmental policy changes, and research.

There are several components to Assembly Bill 332 and I will be providing information on the following:

- In Person Sex Offender Registration Requirements and Photographs
- Child Safety Zones

- Registrant Employment Information on the General Public Sex Offender Registry Web site
- Definition of “High Risk Sex Offender”

### ***In Person Sex Offender Registration Requirements and Photographs***

Under current law, a person must register annually with the Sex Offender Registry 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. Ch. 980 offenders are required to register every 90 days. During registration, the offender must provide the Department with certain information, including the offender's current address, the name and location of the offender's employer and the name and location of any school in which he or she is enrolled. This bill expands the data required to include the email address of the offender and the Web site address of any Web sites maintained by the offender. We understand this to mean that the registrant's email and Web site information must be collected and stored in our Registry database to be used for monitoring and investigative purposes. This information will not be displayed on the general public Web site, but would be available to the public upon verifying a legitimate request (e.g., employment verification, neighborhood watch group).

This bill also requires all registered sex offenders, including those residing out of state, to register in person every six months, except Ch. 980 offenders who must continue to register every 90 days. As I stated previously, there are approximately 19, 700 sex offenders required to register with SOR and most of these offenders register by mail. There is a fiscal impact to the Department based on this provision of the bill and I refer you to our fiscal estimate submitted by the Department for details on the estimated costs. However, those increased costs are largely associated with two groups of offenders: registrants who are incarcerated in prison, and registrants living out of state.

Approximately 5,700 of the registrants are incarcerated in prison. Current policy for incarcerated adult offenders is to update an offender's photograph, at a minimum, every three years. Thus under this bill, the Department would increase incarcerated adult photo sessions from approximately 1,800 to 11,000 sessions. Exempting incarcerated offenders from the requirement to register in person and to have their photo taken every 6 months would eliminate the costs associated with this increased number of photo sessions. Because these offenders are in prison, we believe that this change would not impact public safety.

There are currently approximately 8,700 sex offenders who are no longer under the Department's supervision who would be required to re-register in person and whose photos the Department would be required to take every six months. As the Department does not regularly meet with these offenders, it will be necessary to schedule 17,400 face-to-face registration and photo sessions annually. Of those offenders, approximately 1,100

are sex offenders who are required to register in Wisconsin but no longer reside, work or attend school in this state. This bill would require these sex offenders to routinely travel back to Wisconsin to re-register and have their photo taken every six months. We expect that this requirement would cause many of these out-of-state sex offenders to return to Wisconsin more often than they otherwise would, and to spend more time in the state.

Under current law, photos of registrants residing in another state can be obtained from the registry in that state. We recommend that the in-person registration requirement apply only to those registrants who are currently residing, working or attending school in Wisconsin. This would eliminate the need for these out-of-state sex offenders to physically return to Wisconsin every six months, and would substantially reduce the costs to the Department, as reported in our fiscal estimate.

### ***Child Safety Zones***

Many communities across the state have considered or enacted ordinances relating to sex offender residency or other restrictions over the past 9 months. There are currently 10 municipalities that have passed ordinances prohibiting sex offenders from residing or loitering in specified areas in the community. Eight municipalities have passed residence restrictions, while two (Hobart, Chippewa Falls) have passed ordinances mirroring the Child Safety Zone concept outlined in AB 332. Approximately 25 communities are considering some type of municipal ordinance and 11 have decided against or indefinitely tabled the idea of an ordinance.

We believe residential restrictions create some unintended consequences for sex offenders that actually undermine public safety, such as:

- Homelessness or transience in housing;
  - Inability to maintain stable employment due to lack of access to public transportation;
  - Lack of access to treatment options;
  - Disproportionate concentration of sex offenders in particular neighborhoods;
  - Offenders going “underground” and falling out of compliance with the Sex Offender Registry.
- 
- The State of Iowa provides a case study on these unintended consequences. In 2000, Iowa enacted statewide legislation prohibiting sex offenders from residing within 2,000 feet of certain restricted areas. The Iowa County Attorneys Association (similar to our District Attorneys) released a statement in January of 2006 calling for the repeal of the sex offender residency law due to the unintended consequences, and the lack of evidence showing that the law actually reduced sex offenses against children or improved public safety.

Child Safety Zones avoid these unintended consequences. Although AB 332 would not pre-empt the residential ordinances that have passed to date, and would not preclude

municipalities from passing such ordinances in the future, it may give local officials the confidence that the State is managing sex offenders effectively and providing the highest level of public safety. Curtailing the rapid increase in the number of local residency ordinances will help to minimize the “patchwork” effect that such ordinances are creating across the state.

***Registrant Employment Information on the General Public Sex Offender Registry Web site***

Maintaining stable employment is a critical success factor for all offenders supervised in the community. Unstable employment is recognized as a relapse indicator for sex offenders. Stable employment allows the offender to be a contributing member of society and fulfill his/her court-ordered financial obligations including:

- ✓ Restitution to the victim
- ✓ Sex offender registration fee
- ✓ Fee for polygraph examination
- ✓ Co-pay for sex offender treatment
- ✓ Supervision fees
- ✓ GPS costs

The Department strives to decrease idle time for these individuals and instead structure all 24 hours of their day. Maintaining full-time, stable employment is a key element of this structured environment.

AB 332 would require the Department to display the geographic area of employment for persons required to register and committed under Chapter 980 (“Sexually Violent Person) or those who meet a new definition as a ‘high risk sex offender.’

Sworn law enforcement officers can already see the place of employment for all registered sex offenders on the secured law enforcement website maintained by the Sex Offender Registry. They can also see if any offenders have begun working in their jurisdictions over the last 10, 20, or 30 days. These features are provided to law enforcement as an investigate tool; however, law enforcement may share this information with the community if they believe it will increase public safety.

In light of this, we believe that the requirement of posting information regarding the geographic location of a registrant’s employment does not advance public safety. We are concerned that it may, in many cases, allow a specific employer to be identified, particularly in rural areas. If this were the case, it would interfere with the offender’s ability to maintain stable employment, and could negatively impact the employer who was willing to hire an offender.

Likewise, displaying the geographic area of employment may provide the public with a false sense of security by giving them the impression that there are no sex offenders outside of those geographic areas. Conversely, members of the public may fear or avoid

a geographic area listed as the location of an employer, even if an offender is not in contact with the public while at work.

We believe that current law balances the competing interests by providing full access to employment information of registrants to law enforcement, but not requiring such information to be posted on the public website.

### ***Definition of "High Risk Sex Offender"***

AB 332 also includes a new definition of a "high risk sex offender." There are currently multiple statutory definitions for sex offenders, serious sex offenders, serious child sex offenders, sexually violent person, and special bulletin notification sex offenders. Additionally, criteria establishing Level 1 and Level 2 child sex offenders for purposes of GPS monitoring are included in both the Senate and Assembly versions of the budget bill.

The intent of the definition of "high risk sex offender" in AB332 is to highlight for the public those individuals who pose the greatest risk to the community.

The Sex Offender Registry web site identifies in red letters individuals committed as sexually violent persons under Ch. 980, as required by 2005 Act 431. This is one way the Registry already highlights especially dangerous offenders.

Currently, there are five felony sex offenses that require lifetime registration with the Sex Offender Registry. Registrants required to register for life comprise two-thirds of the Registry (~13,000). The definition of "high-risk sex offender" in AB332 would include all five of the crimes requiring lifetime registration, and would thus apply to at least 13,000 registrants. This raises questions about whether the definition would help the public to identify the highest risk offenders in the community.

An alternative approach that would focus more narrowly on the highest-risk offenders is to adopt the Level 1 and Level 2 child sex offender definitions used for GPS monitoring in the Senate and Assembly version of the budget. Those definitions are based on an existing risk assessment process used by the Department. The Department estimates that 300 offenders will be placed on GPS monitoring under this definition over the next two years, assuming a state budget is passed in time for the Department to implement the program on January 1, 2008.

We believe that identifying the offenders who are subject to GPS monitoring on the public website would serve two purposes. First, it would alert members of the public to these higher-risk offenders. Secondly, it would inform the public that the person is being tracked with GPS equipment, which would provide the public a measure of assurance that those high-risk offenders are being closely monitored by the Department.

I would be happy to take any questions about the information I have provided today.  
Thank you for the opportunity to testify.



04-10-2007 ?

Found In AB 332 Folder

## Comments and Information

### Re: Green Bay Sex Offender Residency Restrictions and proposed restrictions by other Brown County communities

Written by Taku Ronsman, Ph: 920-499-9663 Email: tronsman@earthlink.net

- ◆ **COMMON GROUND: We all want a community that is safe for children and all citizens.**
- ◆ **REQUEST: Table any proposed ordinance** until Neighborhood Associations and/or all neighborhoods can be adequately educated about this issue; and until Green Bay sits down with surrounding municipalities to work out a solution that benefits the entire county and harms no community. **Justification:** 1. **The Department of Corrections and the WI Coalition Against Sexual Assault have provided compelling information that shows such ordinances may cause more harm than good.** 2. **The intent of some of the Alders who spearheaded the Green Bay ordinance was to keep the designated offenders "locked up in prison where they belong", which is unrealistic and does not solve the problem.** 3. **The issue of whether or not the City of Green Bay receives too many sex offenders when they are released from jail or prison will not be resolved by other communities passing a bad law that doesn't accomplish what it intends – to make the community safe from sex predators.** 4. **It is irresponsible government to pass a bad law out of spite to force another community to change their behavior.** 5. **There is information on what works and what doesn't. It's good government to apply "best practices" when making laws. The Green Bay ordinance is opposite of what is known to work.** (The majority of the affected registered sex offenders are NOT the "worst of the worst" and none of them are "garbage" contrary to public statements made by some Green Bay Aldermen.)
- ◆ **ALTERNATIVE/COMPROMISE PROPOSAL:**
  1. **Substitute 250 feet for 2,500 feet – this will prevent sex offenders from viewing schools, parks, etc. from their home or yard, without preventing them from finding adequate housing.** Note: The state may consider such a law since Green Bay passed their proposed ordinance.
  2. **Remove holiday restrictions since Department of Corrections already determines restrictions on what behaviors are allowed and who released offenders can interact with, based on the individual situation.**
- ◆ **FYI: COMPLAINT FILED WITH WI ACLU ON 3/22/07 – Justification:** The Green Bay Ordinance violates the Constitution rights and freedoms of offenders who have completed their sentence and have been rehabilitated. It also violates rights and freedoms of families of offenders and in some instances the victims. It assumes "guilty until proven innocent". Having a review board duplicates what the Depart. Of Corrections already does and is a form of double jeopardy since decisions were already made regarding what is appropriate for the individual situation.

#### ◆ WI STATE LAW

**Sex Offender Registry Disclaimer:** "It is not the intent of the Legislature that this information be used to injure, harass, or commit a criminal act against persons named in the registry, their families, or employers. Anyone who takes any criminal action against these registrants, including vandalism of property, verbal or written threats of harm or physical assault against these registrants, their families or employers, is subject to criminal prosecution."



◆ **Twenty Findings of Research on Residential Restrictions for Sex Offenders and the Iowa Experience with similar Policies...Kansas Dept. of Corrections {abridged version}:**

- I. **Housing restrictions based on 3 myths:** a) all sex offenders re-offend; 2) treatment does not work; and 3) concept of "stranger danger" (Report to FL Legislature, 2005)
- II. **No correlation between residency restrictions and reducing sex offenses** against children or improving safety of children (Iowa County Attorneys Association)
- III. **Damage to reliability of sex offender registry** does NOT serve interests of public safety (Iowa County Attorneys Association)
- IV. **No protective effect;** can NOT justify huge draining of scarce law enforcement resources to enforce the restriction (Iowa County Attorneys Association)
- V. **Negative consequences** include reduced confessions by offenders and fewer plea agreements (Iowa County Attorneys Association)
- VI. **Recommendations: a) Shared Living Arrangements successful b) Do NOT place restrictions on location** of correctionally supervised sex offenders residences (Colorado Dept. of Public Safety... Sex Offender Management Board)
- VII. **Unaccounted number of sex offenders doubled after residency law went into effect** (Iowa Coalition Against Sexual Assault)
- VIII. **No accommodation for persons on parole or probation supervision** (Iowa County Attorneys Association) **Note: This may not be applicable to Green Bay ordinance.**
- IX. **Policy is contrary to well-established principles of treatment and rehabilitation of sex offenders** (Iowa County Attorneys Association)
- X. **Unintended consequences** decrease community safety (Iowa Coalition Against Sexual Assault)
- XI. **Sex offenders are absconding** [disappearing] in larger numbers (Iowa Coalition Against Sexual Assault)
- XII. **Long-term solutions lie in preventing sexual violence from happening in the first place** (Iowa Coalition Against Sexual Assault)
- XIII. **Iowa Coalition Against Sexual Assault and Iowa County Attorneys Association** state unintended consequences warrant replacing the residency restriction with more effective measures. (Iowa Coalition Against Sexual Assault)
- XIV. **Such laws aggravate the scarcity of housing options for sex offenders,** forcing them...farther away from social support, employment opportunities and social services that are known to aid offenders in successful community re-entry. (Report to FL Legislature, 2005)

- XV. **No evidence proximity to schools or housing** restrictions reduce re-offending or increase community safety. (Report to FL Legislature, 2005)
- XVI. **Enhanced safety due to proximity restrictions a comfort factor for the general public, but it does NOT have any basis in fact...** sex offender... more likely to travel to another neighborhood... where his or her picture not well known. (2003 Report to MN Legislature from MN Dept. of Corrections)
- XVII. **Such restrictions...pose other problems...high concentration of offenders** with no ties to the community; isolation; lack of work, education and treatment options and increase in distance traveled by agents who supervise offenders. (2003 Report to MN Legislature from MN Dept. of Corrections)
- XVIII. **Current offender-by-offender restrictions should be retained.** Most supervision proximity restrictions address the issue of the offender associating or interacting with children or minors, rather than where the offender resides. (2003 Report to MN Legislature from MN Dept. of Corrections)
- XIX. **A significant number of offenders have married or been reunited with their victims;** in those cases the residency restriction is imposed on the victims as well as the offenders. (Iowa County Attorneys Association)
- XX. **A tight web of supervision, treatment and surveillance** may be more important in maintaining community safety than where a sex offender resides. ((Colorado Dept. of Public Safety... Sex Offender Management Board)
- ◆ **WI COALITION AGAINST SEXUAL ASSAULT, INC....**Report to Joint Legislative Committee on Placement of Sex Offenders by Mike Murray, Policy Specialist, WCASA

**Victim Concerns Regarding Sex Offender Placement** (abridged version)

- ◆ To properly address victim concerns, it is important that victims receive adequate notice about an offenders release and meaningful opportunity to provide input about an offender's placement.
- ◆ Careful consideration and weight should be given to victim concerns and wishes regarding residency
- ◆ The Dept. of Corrections has a system in place to address these concerns – The **VOICE/VINE information system**. Victims notified of parole hearings, mandatory release date, etc.
- ◆ **It is important that the correctional response to victims remain individualized.** Dynamics of each case are different – blanket rules regarding placement of offenders unlikely to adequately address the needs of each victim. Different victims have different concerns and wishes regarding placement of offenders. (Examples: Victim of incest may wish to reconcile with the offender once treatment completed. Victim assaulted by neighbor may not want offender living nearby.)
- ◆ **Most important issue: very limited financial resources when responding to sexual assault.** **WCASA** believes it's extremely important that any analysis of sex offender management programs **include a discussion of whether such efforts will in the long run take resources away from victim services and community education programs.**

## Sex Offenders – Reality vs. Myths

- ◆ **Reality: Majority of sex offenders never reported**
- ◆ **Myth: “stranger danger”**, Reality: Children and youth are far more at risk of sexual abuse from adults they know.
- ◆ **Reality: Limitations of current measures create false sense of security**, thereby putting children and communities at greater risk.
- ◆ **Reality: Community education essential to adequately protect citizens from the dangers of sexual assault.** Education should include – 1. **Information regarding sexual assault** (myths, facts, data, etc.), 2. **Information regarding offenders and offending behavior**, 3. **Information regarding prevention and risk reduction measures**, 4. **Information regarding resources for victims, offenders and families**, 5. **Social messaging campaigns on respectful interaction**
- ◆ **Reality: Which offenders pose the highest risk can be most accurately assessed through the application of evidence-based, actuarial risk-assessment tools.**

## Residency Restrictions

- ◆ WSASA has serious concerns about whether such restrictions protect public safety. Notes there is evidence such restrictions diminish public safety.
- ◆ Notes research showing sex offenders with domestic stability (stable housing and social support) are **less** likely to commit new sex offenses compared to offenders who lack such stability. (Managing Sex Offenders in the Community: A National Overview, Lane Council of Governments, Eugene Oregon, 2003)
- ◆ Residency requirements cause instability, which may increase the risk of re-offense.

## Conclusion (of report by Mike Murray)

Numerous documents were submitted by Mike Murray to supplement testimony to the Joint Legislative Council's Special Committee on Placement of Sex Offenders.

## My Conclusion

What Green Bay did is very cold-hearted, cruel and unusual punishment for registered sex offenders and their families. It shows a lack of empathy for the spouses, family members and victims who may be living in the household with the offender after he or she is released. It is contrary to the teachings of Christianity (the primary religion in our community) pertaining to forgiveness and redemption. It is contrary to the morality of a civilized society to deny citizens a place to live. The community is taking away the offender's dignity and seriously jeopardizing their ability to hold a job and remain a law-abiding citizen. Green Bay has behaved like a mean and revengeful bully. I feel very ashamed of what our City Council and Mayor have done. I hope and pray that no other community in Brown County will be so cruel and heartless.

Signed: *Taku Ronsman*



How many out of state  
would come back every  
six months? 1,100

---

DOC recs that out-of-state  
registrants continue to register  
as per current law.

---

pre-emptive language

