

*Assembly*

**Committee Report**

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The committee on **Children and Families**, reports and recommends:

**Assembly Bill 466**

Relating to: releasing information from the sex offender registry to certain schools.

By Representatives Kestell, Urban, Musser, Albers, Kedzie, Leibham, F. Lasee, Spillner, Underheim, Suder, Nass, Kelso, Hundertmark, Hahn, Sykora, Schooff and Stone; cosponsored by Senators Darling and A. Lasee.

ADOPTION OF ASSEMBLY SUBSTITUTE AMENDMENT 1, Ayes  
8, Noes 0, Absent 2

Ayes: (8) Representatives Ladwig, Jeskewitz, Kreibich,  
Freese, Grothman, Kestell, Miller and  
Sinicki.

Noes: (0) None.

Absent: (2) Representatives Coggs and Colon.

PASSAGE AS AMENDED RECOMMENDED, Ayes 8, Noes 0,  
Absent 2

Ayes: (8) Representatives Ladwig, Jeskewitz, Kreibich,  
Freese, Grothman, Kestell, Miller and  
Sinicki.

Noes: (0) None.

Absent: (2) Representatives Coggs and Colon.

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Representative Bonnie Ladwig  
Chair

## Assembly

### Record of Committee Proceedings

#### **Committee on Children and Families**

##### **Assembly Bill 466**

Relating to: releasing information from the sex offender registry to certain schools.

By Representatives Kestell, Urban, Musser, Albers, Kedzie, Leibham, F. Lasee, Spillner, Underheim, Suder, Nass, Kelso, Hundertmark, Hahn, Sykora, Schooff and Stone; cosponsored by Senators Darling and A. Lasee.

September 14, 1999 Referred to committee on Children and Families.

~~September 20, 1999~~ **PUBLIC HEARING HELD**

Present: (9) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller, Coggs and Colon.

Absent: (1) Representative Sinicki.

##### Appearances for

- State Representative Steve Kestell, 27th Assembly District

##### Appearances against

- Bob Andersen, Wisconsin Council on Children and Families

##### Appearances for Information Only

- Tony Streveler, Department of Corrections
- Mickey Beil, Milwaukee Public Schools
- Jennifer Kammerud, School Administrators Alliance

##### Registrations for

- State Representative Rick Skindrud, 79th Assembly District
- State Senator Alberta Darling, 8th Senate District

##### Registrations against

- None.

October 21, 1999

##### **EXECUTIVE SESSION**

Present: (8) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller and Sinicki.

Absent: (1) Representatives Coggs.

Excused (1) Representative Colon.

Moved by Representative Freese, seconded by Representative Kreibich, that **Assembly Substitute Amendment 1** be recommended for adoption.

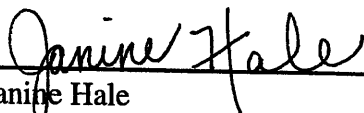
Ayes: (8) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller and Sinicki.  
Noes: (0) None.  
Absent: (2) Representatives Coggs and Colon.

ADOPTION RECOMMENDED, Ayes 8, Noes 0, Absent 2

Moved by Representative Freese, seconded by Representative Jeskewitz, that **Assembly Bill 466** be recommended for passage as amended.

Ayes: (8) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller and Sinicki.  
Noes: (0) None.  
Absent: (2) Representatives Coggs and Colon.

PASSAGE AS AMENDED RECOMMENDED, Ayes 8, Noes 0, Absent 2

  
\_\_\_\_\_  
Janine Hale  
Committee Clerk

Testimony Outline

AB-466

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*Releasing Information from Sex Offender Registry to Schools.*

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Children and Families Committee  
State Representative Ladwig, Chairperson

→ **Testimony – For Information Only**

→ **Anthony J. Strevler, Director**  
**Bureau of Offender Programs**  
**Department of Corrections** (266-3831)

→ **Introduction**

→ **Brief Overview of Current Registration/Notification Law and Implementation**

- ✓ Original Law effective 12/25/93 – Department of Justice
- ✓ Law expanded significantly in scope on 7/97 – Department of Corrections
- ✓ Requires persons to register their residence, employment, school attendance while on supervision and for a period of 15 years following discharge. Some persons are required to register for life.
- ✓ Current Numbers:
  - Approximately 11,000 registrants
  - Add approximately 150 new registrants per month
  - First person to come off the Registry will be December 25, 2008
  - 4000 on active field supervision
  - 3500 terminated from supervision
  - 800 lifetime registrants
  - 757 State Juvenile Registrants (institution and field)
    - Youngest Registrant is 11 years old – Oldest 94 years old
  - 214 County Supervision Registrants (CHIPs)
- ✓ **Receive an average of 500 residence changes per week – this does not include changes in employment or school attendance.**
- ✓ **Access to Registry information:**
  - Law Enforcement – CIB/TIME
  - Victims/Victim Family Members – VINE 1-800#

- Public Agencies and General Public – VINE 1-800# and Law Enforcement
- Neighborhood Watch Programs
- Special Bulletin Notifications
- National Sex Offender Registry – FBI

→ **Issues to consider when debating this proposed legislation:**

✓ **Juveniles**

- Current law only allows disclosure of a Juvenile registrant to Law Enforcement and the Victim/Victim Family Member. Law Enforcement can use for law enforcement purpose only, and not disclose to community.
  - Applies to persons adjudicated in juvenile court or county supervision.
  - Juveniles waived into adult court – can disclose after 18<sup>th</sup> birthday.
- Current FBI National Sex Offender Registry does not include juvenile registrants.
- Impact on Juvenile –
  - Stigmatization
  - Impact on school and integration back into community
  - Impact on Family
  - Balanced Approach – Intent of Juvenile Criminal Code - public protection, hold offender accountable and to establish an environment assisting them to be productive, crime-free members of the community. Notification will have a significant negative impact on the juvenile registrant's ability to successfully reintegrate into the community and school.

✓ **Volume/Saturation**

- The Department's fiscal note estimates approximately 2500 written notifications per week. This estimate is based on the current experience of 500 residence changes per week, adding an estimated number of employment and school changes – assuming multiple school (overlapping) district notifications per reported change of residence, employment and school attendance.
- Given the volume of notifications to school districts, and potential subsequent notifications to parents/guardians in the area, there is a risk of “over notification” or saturation of notification.

- Under the proposed Bill, notifications will be on registrants who are on active field supervision and those who are completely off probation or parole supervision.

✓ **Notification Move into District – Notification Move from District**

- Proposed Bill requires the Department to provide written notice to the public/private school district administrator when there is a reported sex offender registrant address, employment or school attendance in the school district.
- Bill does not require notification when the registrant moves out of the school district. Experience with Special Bulletin Notification cases - law enforcement has requested both notification upon entry into their jurisdiction and notification upon moving from their jurisdiction. Current Bill point-in-time notification only.
- Current fiscal estimate does not address providing notice upon moving out of a particular school district. Would result in doubling the number of written notifications from an estimated 2500 per week to an estimated 5000 per week.
- As the **registry population increases (approximately 150/month)**, so will the number of written notifications to schools.

✓ **Disclosure of Offense**

- Proposed Bill requires the Department to provide information related to the offense the person committed. Under current law/practice the Department and Law Enforcement agencies have been careful not to disclose offense information on cases where the offender has been convicted of incest.
- Potential for inadvertently identifying the victim(s) of the crime, leading possible re-victimization.

✓ **False Notifications**

- Proposed Bill requires the Department **to provide immediate written notification to the school district(s)**.
- Process assumes that the information provided by the registrant is accurate and timely.
- Approximately 30% of the total registration population are currently in non-compliance – meaning, they have reported an address that is not accurate. Current verification process does not include verifying reported employment or school attendance.

- Given the potential volume of written notifications, we assume that the intent of this Bill is to provide accurate and timely information to the school districts, in order to lessen the probability of false notifications to parents and guardians in the school district.

✓ **Point of Clarification – Current law Special Bulletin Notifications**

Current law requires the Department to disseminate a Special Bulletin Notification [ss. 301.46 (2m)] to all law enforcement agencies in the area where the registrant plans on residing, working or attending school. To date, the Department has disseminated approximately 400 Special Bulletins across the state. Once received by law enforcement, a core notification team is convened which is responsible for analyzing the factors associated with the offender, his/her crime, and the need or scope of notification beyond that of law enforcement agencies. To date, approximately 1/3 of the cases have resulted in a Level 3 Notification – expanded notification using media, press releases, door-to-door fliers and community meetings; about 1/3 of the cases have resulted in a Level 2 Notification – targeted notification to identified agencies, schools, neighbors, etc.. based on the targeted victim population of the offender (such as notifying nursing homes in cases where the offender targets the elderly); and about 1/3 have resulted in a Level 1 Notification – notice among law enforcement officials only, typically decided on incest cases where they do not want to re-victimize the victim, or cases where the offender poses minimal risk to the community (teenage consensual sex).

Current Special Bulletin notification process targets a relatively small number of sex offenders, in comparison to the total number of registered sex offenders. Original legislative intent was to target those offenders who may pose the most risk to the community (2-strike), allowing for a local case-by-case determination regarding the need or scope of notification warranted for public protection. The proposed Bill would ultimately supercede this process by disseminating information on all registrants, not based on a case analysis, but based on a reported change in residence, employment and school attendance. The volume of this type of notification will lessen the community response and attention intended for those determined for a Level 2 or 3 notification.

AN URGENT MESSAGE FROM \_\_\_\_\_ SCHOOL

(Date)

Dear (Name of School) Parent/Guardian:

I have received information from the Milwaukee Police Department that a registered sexual offender is now living near our school. In accordance with the newly enacted Sex Offender Registration Law, WI Sect. 301.45-301.46 Stats., the Milwaukee Police Department informs schools when a registered sexual offender has reached his/her mandatory release date from prison and is scheduled to reside in an area near a school.

Our primary concern at this point, however, is to make sure that our children are safe and are reminded of the potential danger of strangers. Therefore, the following steps have been taken to help ensure the safety of your child/children.

1. I have met with our staff and provided all of the information I have about the registered sexual offender, including a copy of the bulletin I received from the Milwaukee Police Department. A copy of this bulletin is on the back of this letter.
2. A Stranger Danger program will take place in the school within the week to remind students of the potential danger of strangers.
3. The Department of School Safety is working with the school to develop an action plan should this individual approach the school, students, or staff.
4. The school (social worker or psychologist) is available to help students who have difficulty with this situation.

I respect the fact that you know the best way to inform your child about this situation. Therefore, the school is encouraging parents to inform their children of this situation. Parents should remind children that strangers are to be avoided. Parents may elect to show the individuals' picture and tell children this person is potentially dangerous.

If I receive any further information, I will share it with you. If you have any questions regarding the actions the school is taking, please contact me. If you have questions about the new Sex Offender Registration Law, please contact your local legislator through the Wisconsin Legislative Hotline at 1-800-362-9472.

Sincerely,

(Name of Principal)  
(Name of School)

**THIS IS AN IMPORTANT MESSAGE FOR PARENTS.**





WISCONSIN DEPARTMENT OF CORRECTIONS  
Sex Offender Registry Program • 149 East Wilson St., Madison, WI 53707 • (608) 266-7331

SEX OFFENDER  
SPECIAL BULLETIN NOTIFICATION

To: Chief Arthur Jones  
Milwaukee Police Department  
749 W. State Street PO Box 531  
Milwaukee, WI 53201

To: Sheriff Lev Baldwin  
Milwaukee County Sheriff's Office  
321 W. State Street Room 133  
Milwaukee, WI 53233

The Wisconsin Department of Corrections is releasing the following information pursuant to 1995 Wisconsin Statute 301.46(2m), which authorized the Department to inform law enforcement agencies of the release of a convicted sex offender when the release of information will enhance public safety and protection. The individual who appears on this notification has been convicted or committed for an offense that requires registration with the Department of Corrections. Further, previous criminal history places him in a classification level which reflects the potential to reoffend. Note: Information regarding offenders under the age of eighteen cannot be disseminated beyond law enforcement officials.

OFFENSE: 943.02(2)  
OFFENSE TYPE: 2ND DEGREE SEXUAL ASSAULT OF A CHILD  
COUNTY: MILWAUKEE  
CONVICTION DATE: 01/13/1993  
RELEASE DATE: 11/25/1997

NAME: HOLSTEN, ROBERT LEE  
ALIAS:  
DOB: 07/27/1947  
RACE: WHITE  
HEIGHT: 6'  
HAIR: BROWN  
MARKS: TATS: RTHIGH: DRAGON; LTHIGH: SKULL; BACK: GIRL;  
RLOWERBACK: WEREWOLF; RFARM: GIRL; BLACK ROSE;  
CHEST: HARLEY WINGS; FIRE DEMON; RUARM:  
WEREWOLF HEAD; GIRL; ABDOMEN: MILWAUKEE; R.O.D.:  
RION; LUARM: WINGED PISTONS.  
DOC ID: 013394  
SIC: 7338  
GLASSES: YES  
SEX: MALE  
WEIGHT: 290  
EYES: BROWN



INFORMATION UPDATED: 10/29/1997  
RESIDENCE: CITY OF MILWAUKEE  
EMPLOYMENT:  
SCHOOL:  
VEHICLE:  
SUPERVISING UNIT/AGENT: AGENT SUSAN BAUMANN #30913 PH: (414)382-7838  
SUPERVISION STATUS: MANDATORY RELEASE PAROLE  
SUPERVISION EXPIRES: 03/23/2000  
DATE OF PHOTO: 08/1997  
INFORMATION UPDATED: 10/29/1997

OFFENSE SUMMARY: OFFENDER TOUCHED VAGINAL AREA AND ENGAGED IN CUNNILINGUS WITH 5 YEAR OLD

TARGETED VICTIMS: MINOR FEMALES

OFFENSE DESCRIPTION/PATTERN: OFFENDER PULLED DOWN THE PANTS OF SLEEPING 5 YEAR OLD AND TOUCHED HER VAGINAL AREA WITH HIS HAND AND TONGUE WHILE SHE SCREAMED AND KICKED AT HIM. VICTIM HAD BRUISES ON HER WRISTS FROM WHERE OFFENDER HELD HER. ALLEGED TO HAVE FONDLED BREASTS OF VICTIM'S 11 YEAR OLD SISTER EARLIER THAT DAY. PREVIOUSLY CONVICTED IN NEVADA FOR REPEATED SEXUAL INTERCOURSE WITH GIRL WHO WAS UNDER 14 YEARS OF AGE.

SPECIAL CONDITIONS OF SUPERVISION: 1) NO CONTACT WITH VICTIMS; NO UNSUPERVISED CONTACT WITH MINORS; NO DRUGS/ALCOHOL.  
2) COMPLY WITH RULES OF HIGH RISK SEX OFFENDER SUPERVISION, INCLUDING ELECTRONIC MONITORING. HOME VISITS WILL BE CONDUCTED.  
3) LIFE REGISTRANT WITH WI SEX OFFENDER REGISTRY PROGRAM; FACE-TO-FACE REGISTRATION WITH LAW ENFORCEMENT REQUIRED.

If your agency becomes aware of any change in this information, please call the supervising agent or (608) 266-3331

\* Additional data available - contact agent.

DOC Administrator, DOC Public Information Officer, DOC Secretary, SCRP,  
INCOMPENS: DOC VICTIM SERVICES, CENTER SYSTEM ADMINISTRATOR,  
DR. RICHARD ADAMS, DOC MONITORING CENTER, DOC LEGISLATIVE  
LAWSON  
DOC Legal Counsel  
Agent 30913  
CHIEF, REGION 1  
Supervisor Unit 109  
SOCIAL SERVICE FILE: 000



**WISCONSIN DEPARTMENT OF CORRECTIONS**  
Sex Offender Registry Program • 149 East Wilson St., Madison, WI 53707 • (608) 266-3831

**SEX OFFENDER  
SPECIAL BULLETIN NOTIFICATION**

To: Chief Arthur Jones  
Milwaukee Police Department  
749 W. State Street PO Box 331  
Milwaukee, WI 53201

To: Sheriff Lew Baldwin  
Milwaukee County Sheriff's Office  
321 W. State Street Rm. 138  
Milwaukee, WI 53233

The Wisconsin Department of Corrections is releasing the following information pursuant to 1995 Wisconsin Statute 301.46(2m), which authorized the Department to inform law enforcement agencies of the release of a convicted sex offender when the release of information will enhance public safety and protection. The individual who appears on this notification has been convicted or committed for an offense that requires registration with the Department of Corrections. Further, previous criminal history places him in a classification level which reflects the potential to reoffend. Note: Information regarding offenders under the age of eighteen cannot be disseminated beyond law enforcement officials.

OFFENSE: 940.225(2)(a); 943.32(1)(b); 943.10(1)(a)  
OFFENSE TYPE: 2ND DEGREE SEXUAL ASSAULT CONVICTION DATE: 07/22/1985; 12/1992  
(RPTR); ROBBERY (ATTEMPT);  
BURGLARY  
COUNTY: DANE; WOOD RELEASE DATE: 12/02/1997  
NAME: HOLMES, JAMES THOMAS DOC ID: 023296  
ALIAS: JAMES GREY SID: 4570  
DOB: 10/23/1943 GLASSES: YES  
RACE: BLACK SEX: MALE  
HEIGHT: 6'1" WEIGHT: 130  
HAIR: BLACK EYES: BROWN  
MARKS: SCAR: LWRIST; SCAR: URIGHT CHEST  
INFORMATION UPDATED: 11/11/1997



RESIDENCE: CITY OF MILWAUKEE

EMPLOYMENT:

SCHOOL:

VEHICLE:

SUPERVISING UNIT/AGENT: ANN SCHNEIDER #32222 PH: (414)265-7733

SUPERVISION STATUS: MANDATORY RELEASE PAROLE

SUPERVISION

03/31/2000

EXPIRES:

INFORMATION UPDATED: 11/11/1997

OFFENSE SUMMARY: OFFENDER FORCED HIS WAY INTO THE HOME OF A 52 YEAR OLD FEMALE AS SHE RETURNED HOME. OFFENDER DEMANDED AND RECEIVED MONEY, THEN DRANK A CUP OF COFFEE WITH VICTIM. OFFENDER THEN FORCED VICTIM INTO BEDROOM, FONDLED HER BREASTS, AND ORDERED HER TO DISROBE. HE FORCED HER ONTO THE BED AND ENGAGED IN FORCIBLE INTERCOURSE WITH VICTIM. ATTEMPTED ROBBERY: OFFENDER APPROACHED FEMALE VICTIM IN PARKING GARAGE OF HER RESIDENCE WITH A 2X4, AND DEMANDED MONEY. A NEIGHBOR APPROACHED, AND THE OFFENDER FLED.

TARGETED VICTIMS: ADULT FEMALES

OFFENSE DESCRIPTION/PATTERN: OFFENDER TARGETS FEMALES CLOSE TO THEIR RESIDENCES AND OVERPOWERS THEM AS THEY RETURN HOME/EXIT THEIR VEHICLES. OTHER PRIOR OFFENSES EXHIBIT THIS SAME PATTERN.

SPECIAL CONDITIONS OF SUPERVISION: 1) NO CONTACT WITH ANY VICTIM(S); NO UNSUPERVISED CONTACT WITH MINORS; NO DRUGS/ALCOHOL; NO TAVERNS/BARS/ LIQUOR STORES  
2) COMPLY WITH HIGH RISK SEX OFFENDER SUPERVISION RULES; COMPLY WITH RULES OF ELECTRONIC MONITORING PROGRAM; HOME VISITS WILL BE CONDUCTED;  
3) FACE TO FACE REGISTRATION WITH LAW ENFORCEMENT REQUIRED; LIFE REGISTRANT WITH SEX OFFENDER REGISTRY PROGRAM

*If your agency becomes aware of any change in this information, please call the supervising agent or (608) 266-3831*

\* Additional data available - contact agent.

CC: DOC Administrator, DOC Public Information Officer, DOC Secretary,  
SOPR, VINE/PENS; Phil Kingston; Dr. Richard Zevitz; Marie Finley  
DOC Legal Counsel; DOC Legislative Liaison; DOC Victim Services

Agmt 32222  
CIBEP: Region 1

Supervisor Unit 322  
SOCIAL SERVICE FILE OSC

WISCONSIN DEPARTMENT OF CORRECTIONS  
Division of Program Planning and Movement  
DOC-1748 (12/97)

STN Number: 00033



WISCONSIN DEPARTMENT OF CORRECTIONS  
Sex Offender Registry Program • 149 East Wilson St., Madison, WI 53707 • (608) 266-3831

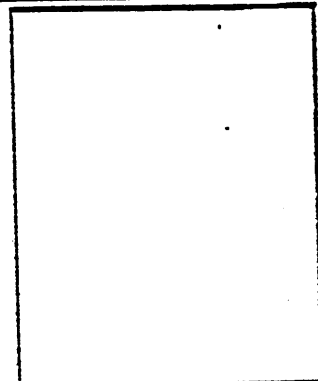
SEX OFFENDER  
SPECIAL BULLETIN NOTIFICATION

To: Chief Arthur Jones  
Milwaukee Police Department  
749 W. State Street PO Box 531  
Milwaukee, WI 53201

To: Sheriff Lav Baldwin  
Milwaukee County Sheriff's Office  
821 W. State Street, Room 188  
Milwaukee, WI 53233

The Wisconsin Department of Corrections is releasing the following information pursuant to 1995 Wisconsin Statute 301.46(2m), which authorized the Department to inform law enforcement agencies of the release of a convicted sex offender when the release of information will enhance public safety and protection. The individual who appears on this notification has been convicted or committed for an offense that requires registration with the Department of Corrections. Further, previous criminal history places him in a classification level which reflects the potential to reoffend. Note: Information regarding offenders under the age of eighteen cannot be disseminated beyond law enforcement officials.

OFFENSE: 940.225(1)(d)  
OFFENSE TYPE: 1ST DEGREE SEXUAL ASSAULT (4 COUNTS)  
COUNTY: WAUKESHA  
CONVICTION DATE: 11/09/88  
RELEASE DATE: To be determined  
NAME: STRICKER, ROGER LAVERN  
ALIAS: N/A  
DOB: 02/09/1947  
RACE: CAUCASIAN  
HEIGHT: 6'3"  
HAIR: BROWN/GRAY  
MARKS:  
DOC ID: 179901  
SID:  
GLASSES: NO  
SEX: MALE  
WEIGHT: 150  
EYES: BLUE



INFORMATION UPDATED: 10/29/1997

DATE OF PHOTO:

RESIDENCE: MILWAUKEE, WI  
EMPLOYMENT: MILWAUKEE, WI  
SCHOOL: N/A  
VEHICLE: NONE  
SUPERVISING UNIT/AGENT: AGENT WAYNE PORTER #30911 PH: (414)382-7855  
SUPERVISION STATUS: MANDATORY RELEASE PAROLE

SUPERVISION EXPIRES:

11/09/2000 (CONSECUTIVE 15 YEARS PROBATION COMMENCES UPON DISCHARGE FROM PAROLE)

INFORMATION UPDATED: 10/29/1997

OFFENSE SUMMARY: OFFENDER ENGAGED IN FONDLING, ORAL SEX, AND USE OF PORNOGRAPHY WITH 7 YEAR OLD AND HER 7 YEAR OLD FRIEND.  
TARGETED VICTIMS: FEMALE MINORS.

OFFENSE DESCRIPTION/PATTERN: OFFENDER EXPOSED HIMSELF TO OFFENDER SHOWED VICTIMS PORNOGRAPHY; OFFENDER SHOWERED WITH ONE VICTIM AND HAD HER TOUCH HIS PENIS; OFFENDER MASTURBATED IN FRONT OF VICTIM; OFFENDER RUBBED HIS PENIS ON VICTIM'S VAGINAL AREA; OFFENDER ENGAGED IN CUNNILINGUS WITH VICTIM; OFFENDER HAD VICTIM WATCH HIM HAVE SEXUAL CONTACT WITH OTHER VICTIM.  
SPECIAL CONDITIONS OF SUPERVISION: 1) NO UNSUPERVISED CONTACT WITH MINORS; NO ALCOHOL/DRUGS; NO CONTACT WITH VICTIM OR VICTIM'S FAMILY.  
2) COMPLY WITH ELECTRONIC MONITORING; COMPLY WITH HIGH RISK SEX OFFENDER SUPERVISION RULES. HOME VISITS WILL BE CONDUCTED.  
3) LIFE REGISTRANT WITH SEX OFFENDER REGISTRY; FACE TO FACE REGISTRATION WITH LAW ENFORCEMENT REQUIRED.

If your agency becomes aware of any change in this information, please call the supervising agent or (608) 266-3831

Additional data available - contact agent.

CC: DOC Administrator, DOC Public Information Officer, DOC Secretary, SORP, VIN/PENS; DOC Legislative Liaison; Center System Administrator; DOC Monitoring Center; Sector Chief; DOC Legal Counsel

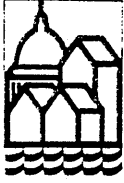
Agent 30911  
CHIEF, REGION 3

Supervisor Unit 309  
SOCIAL SERVICE, P.O. ST. JOHN'S C.C.; DOC Victim Services; Dr. Richard Zwick; Marie Finley

# Madison Police Department

Richard K. Williams, Chief of Police

City of  
Madison



City- County Building  
211 S. Carroll Street  
Madison, Wisconsin 53703  
505 266-4022  
608 266-6562 (TDD/Device for Deaf)

## SPECIAL COMMUNITY INFORMATION BULLETIN

### OFFENDER:

Gerald M. Turner  
White/Male, 48yoa  
5'10", 180 lbs,  
Gray hair, brown eyes

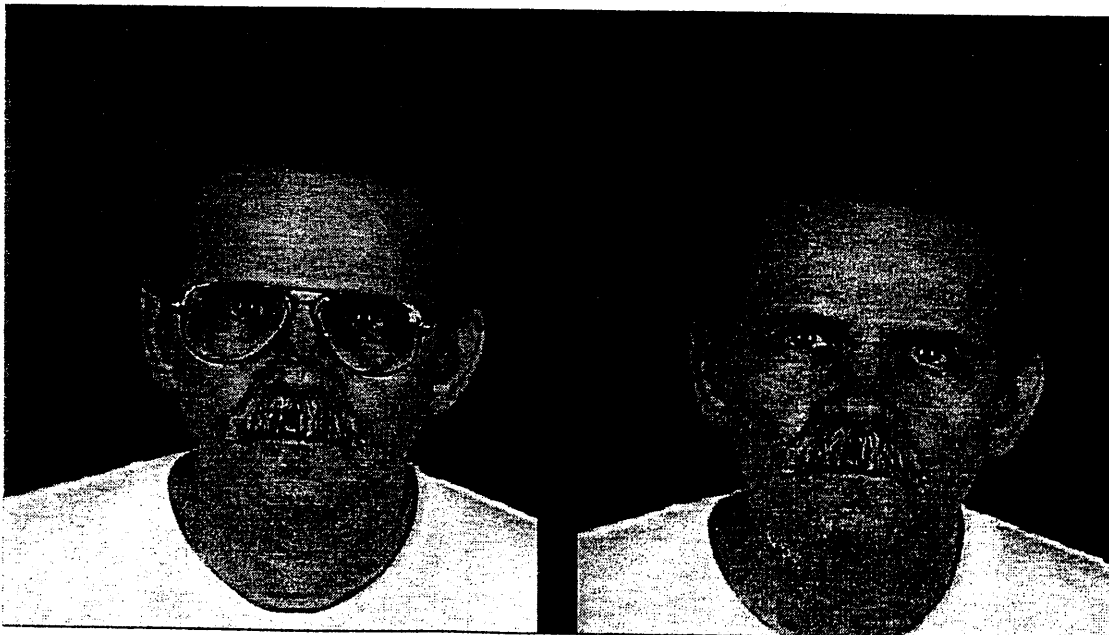
### CONVICTIONS:

1975 Convicted in Fond Du Lac, WI  
Charge: Child Enticement  
Sexual Perversion  
Indecent Behavior with Child  
2nd Degree Murder

Gerald M. Turner is residing in Foster Halfway House, 5706 Odana Rd., Madison. He is on Parole with the Wisconsin Dept of Corrections, having served to his maximum release date in prison. Turner is on Parole until the year 2013. While at the Foster Halfway House, he will be under strict supervision, with hourly checks, video surveillance, and window and door alarms. Turner will be on electronic monitoring, and will not be leaving the facility without a Corrections escort.

In 1992-1993, Turner lived for 13 months in a community supervision setting in Milwaukee, without incident. His return to prison was a result, not from any action of his, but because of a court action challenging the computation of his mandatory release time.

**RULES OF SUPERVISION INCLUDE:** No contact with minors, not to be outside without escort, not to be anyplace children congregate, not to change his physical appearance without the permission of his parole agent.





## WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536

Telephone: (608) 266-1304

Fax: (608) 266-3830

Email: leg.council@legis.state.wi.us

**DATE:** October 14, 1999

**TO:** REPRESENTATIVE BONNIE LADWIG AND MEMBERS OF THE ASSEMBLY COMMITTEE ON CHILDREN AND FAMILIES

**FROM:** Anne Sappenfield, Staff Attorney

**SUBJECT:** 1999 Assembly Bill 466, Relating to Releasing Information From the Sex Offender Registry to Certain Schools and Assembly Substitute Amendment \_\_\_ (LRBs0134/1) to Assembly Bill 466

This memorandum describes 1999 Assembly Bill 466, relating to releasing information from the sex offender registry to certain schools and Assembly Substitute Amendment \_\_\_ (LRBs0134/1) to the bill. Assembly Bill 466 was introduced by Representative Kestell; cosponsored by Senator Darling, on September 14, 1999. The bill was referred to the Assembly Committee on Children and Families. The committee held a public hearing on the bill on September 20, 1999 and is scheduled to take executive action on the bill on October 21, 1999.

### A. CURRENT LAW

Under current law, with certain exceptions, a person must register as a sex offender if he or she has been convicted of certain sex offenses, found not guilty by reason of mental disease or defect or adjudicated delinquent on the basis of certain sex offenses. The sex offender registry is maintained by the Department of Corrections (DOC) and contains specific information about persons required to register, including information concerning the person's offense, the person's address and place of employment and the name and location of any school in which the person is enrolled. A person registered as a sex offender must also provide updated information to the DOC if the information originally provided to the registry changes.

Generally, the information in the sex offender registry is confidential. However, when a person first registers as a sex offender or when a registered sex offender updates information in the registry, the DOC must make the information available to local law enforcement agencies in the form of a written bulletin. A local law enforcement agency may in turn release information from the registry that it has received (other than information concerning children who are required to register and information concerning juvenile adjudications for sex offenses) if the

local law enforcement agency believes that release of the information is necessary to protect the public.

Also, under current law, when the DOC or the DHFS places a sex offender in the community and the person has been convicted or found not guilty or not responsible by reason of mental disease or defect for a specified sex offense *on one occasion*, the DOC or DHFS *may* notify the police chief of any community and the sheriff of any county in which the person will be residing, employed or attending school if the DOC or the DHFS determines that such notification is necessary to protect the public.

In addition, when the DOC or the DHFS places a sex offender in the community and the person has been found to be a sexually violent person (commonly known as a "sexual predator") or has been convicted or found not guilty or not responsible by reason of mental disease or defect for a specified sex offense *on two or more occasions* (commonly referred to as "two strikes"), the DOC or the DHFS *must* notify the police chief of any community and the sheriff of any county in which the person will be residing, employed or attending school in the form of a written bulletin. These bulletins are commonly referred to as "special bulletins."

The police chief or sheriff may provide the information in any bulletins he or she receives to various entities in the community or county, including a public or private elementary or secondary school, or to members of the general public if, in the opinion of the police chief or sheriff, providing that information is necessary to protect the public.

**B. 1999 ASSEMBLY BILL 466**

Assembly Bill 466 provides that when a person registers as a sex offender, the DOC must immediately provide in writing information concerning the person to the school district administrator (i.e., the school district superintendent, supervising principal or one who acts as the administrative head of the school district) of any school district in which the person is residing, is employed or is attending school and to the administrator of any private elementary or secondary school located in any school district in which the person is residing, is employed or is attending school.

The bill specifies that the DOC must provide all of the following information concerning such a person:

1. The person's name, including any aliases used by the person.
2. Information sufficient to identify the person, including date of birth, gender, race, height, weight and hair and eye color.
3. The statute that the person violated, the date of conviction, adjudication or commitment, and the county or, if the state is not Wisconsin, the state in which the person was convicted, adjudicated or committed.
4. The address at which the person is residing.

5. The name and address of the place at which the person is employed.
6. The name and location of any school in which the person is enrolled.
7. A description of any motor vehicle that the person owns or that is registered in the person's name.
8. The most recent date on which the information on the sex offender registry was updated.

The DOC must also provide the above information when a person who is registered as a sex offender updates information on the registry.

The bill also specifies that a school may still make a request for sex offender registry information as provided under current law.

Under the bill, a school district administrator or an administrator of a private school who receives information regarding a person who is registered as a sex offender must provide the information that it receives to a parent, guardian or legal custodian of a child who is enrolled in the school district if the parent, guardian or legal custodian requests the information. In addition, a parent, guardian or legal custodian may also make a request to receive such information as provided under current law.

### **C. ASSEMBLY SUBSTITUTE AMENDMENT — TO THE BILL**

The substitute amendment provides that a parent, guardian or legal custodian of a child enrolled in a school district may request the school district administrator to make a request for information concerning persons subject to "special bulletin" notification (i.e., sexual predators and "two strikes" offenders). Also, a parent, guardian or legal custodian of a child enrolled in a private school may request the school district administrator of the school district in which the child resides or the school district administrator of the school district in which the private school is located to make a request for information concerning persons subject to "special bulletin" notification.

If a parent, guardian or legal custodian of a child intends to move to a new residence that is located in a different school district or intends to enroll his or her child in a private school, the parent, guardian or legal custodian may request the school district administrator of the school district in which the new residence is located or the school district administrator of the school district in which the private school is located to make a request for information concerning persons subject to "special bulletin" notification.

The substitute amendment provides that when a school district administrator receives a request from a parent, guardian or legal custodian for information concerning persons required to register as sex offenders, the school district administrator must request information concerning the persons from the police chief of the community in which the school district is located or the sheriff of the county in which the school district is located. Upon receiving such a request, the police chief or sheriff must immediately provide in writing all of the information listed in item

B., above (e.g., name, address, identifying information), concerning each person who is residing, employed or attending school in the community or county and about whom the police chief or sheriff has received "special bulletin" notification. Upon receiving this information, the school district administrator must, in turn, provide the information in writing to the parent, guardian or legal custodian who requested the information.

If you would like any further information on this subject, please feel free to contact me at the Legislative Council Staff offices.

AS:ksm;rv