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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2001-02

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Corrections and Courts (AC-CC)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

Assembly

Record of Committee Proceedings

Committee on Corrections and the Courts

Assembly Bill 738

Relating to: the residence of child sex offenders.

By Representatives Johnsrud, Hines, Loeffelholz, Gundrum, Gronemus, Olsen, Ryba, Leibham, Kaufert, Stone, Turner, D. Meyer, McCormick, Starzyk, Hoven, Huebsch, Musser, Ott, Krawczyk, Pettis, Nass, Freese, Gunderson, Seratti, Vrakas, Grothman, Lassa, Townsend, Wasserman, Petrowski and Plale; cosponsored by Senators M. Meyer, Burke, Kanavas, S. Fitzgerald, Darling, Cowles, Schultz and Hansen.

January 16, 2002 Referred to Committee on Corrections and the Courts.

February 27, 2002 **PUBLIC HEARING HELD**

Present: (9) Representatives Walker, Suder, Friske, Owens,
Skindrud, Underheim, Balow, Pocan and
Colon.

Absent: (1) Representative Coggs.

Appearances for

- Rep. DuWayne Johnsrud, 96th Assembly District

Appearances against

- None

Appearances for Information Only

- William Grosshans, Dept. of Corrections

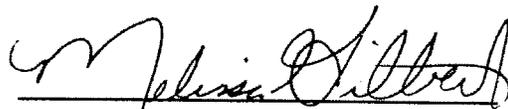
Registrations for

- Sen. Mark Meyer, 32nd Senate District

Registrations against

- None

March 14, 2002 **Failed to pass pursuant to Senate Joint Resolution 1.**



Melissa Gilbert
Committee Clerk



2001 Assembly Bill 738

Testimony before the Assembly Committee on Corrections and the Courts
February 27, 2002

Some sex offenders have extreme difficulty locating or keeping an approved residence, especially when a Special Bulletin Notification (SBN) is issued. There have been numerous instances where offenders required by law to be released from correctional institutions have literally had nowhere to go. The department has diverted a significant portion of our limited resources to provide housing for sex offenders in halfway houses, Temporary Living Programs, motels and rooming houses. Some of these offenders have been housed at state expense for years after their release from prison, because they've been unable to find (or keep) independent residence. Even where we've located these resources, the community reaction has sometimes forced the owners/operators to limit our use of their facilities.

Under existing laws and the department's standards for review and approval of sex offender residences, there is a critically short supply of suitable housing options for sex offenders. In these cases, we've been forced to house Mandatory Released sex offenders at minimum security correctional centers, rather than release them without an approved residence. The Court of Appeals has, on two occasions, ruled that our practices were illegal at the time.

In many sex offender cases, especially SBNs, our agents have become more like real estate agents than probation and parole agents. In some areas of the state, for a single offender, we have literally explored hundreds of potential residences. Some we deny, for various reasons. Others are denied by the landlord or others.

I believe the maps attached to the fiscal note (I have color copies for the committee) illustrate the potential impact of this bill on probation and parole agents' ability to locate housing under these restrictions. The bill would create "pockets" where sex offenders would be forced to cluster. This would challenge the legislature's directive that the department minimize the residential population density of these offenders.

The department's authority to require sex offenders to reside in approved places is meaningless when the housing doesn't exist. While it may offer some sense of satisfaction to people residing within one of the "forbidden zones" the sex offender must still be released. Even when a court determines that an offender may safely remain in the community, on probation, these mandatory restrictions may prevent a homeowner from living in his or her home.

Supervising sex offenders in a manner that protects the community has been a priority within the department for many years. As of January 31, 2002, the department supervises 5,674 sex offenders on probation, parole and extended supervision in the community. To meet the challenges posed by this population, the department has

implemented a thorough and detailed program of specialized supervision of sex offenders. This program is specifically intended to:

- limit the offenders' access to potential victims,
- provide the means to closely monitor the offenders' activities,
- provide opportunities for offenders to learn to manage/control sexually deviant behaviors

The Division of Community Corrections has developed a comprehensive guide to managing sex offenders under supervision. A standing committee continues to meet regularly to revise and update the material in the handbook. Every agent receives training in the Handbook contents. (See Handbook.)

The procedures of the Sex Offender Specialized Supervision Program apply to ALL sex offenders on supervision, including those who may have been convicted of a non-sexual offense as part of a plea agreement. All these offenders start out subject to the following MINIMUM standards:

- One face to face contact every 7 days;
- One home visit every 30 days (may not be waived);
- Two collateral contacts every 30 days (spouse, neighbor, landlord, treatment professional, etc)
- Monthly contact with employer.

Supervision and monitoring may be augmented through tools and techniques such as Electronic Monitoring and use of chaperones. Supervisory approval is required before there may be any reduction in supervision standards.

When a sex offender is placed on probation or released on parole or extended supervision, agents are instructed to assess the offender's residence. That includes:

- Make a thorough on-site inspection of the residence and neighborhood;
- Interview others in the residence to make sure they know the offender's history and to determine their willingness to support the goals of supervision;
- Provide copies of the offender's rules and conditions, as appropriate;
- If the offender's victims have been children, agents must check with county Departments of Human Services and with DHFS to determine if there are any licensed or certified daycare facilities in the area.

Since the Handbook was published, I have issued several new Administrative Directives related to sex offender housing:

- Except in very limited circumstances, sex offenders released from prison are to return to their county of conviction;
- Notification of release of a SBN offender must be provided to law enforcement at least 30 days prior to release. A condition of approval of a SBN offender's residence is that law enforcement has an opportunity to notify the community before the offender takes up residence. *[A Special Bulletin is issued to law enforcement whenever an offender is released from an institution and meets any of the following criteria: Committed under Ch. 980 as a Sexually Violent Person, convicted on two or more occasions of a sex offense requiring the offender to comply with Sex Offender*

Registration or who was referred for evaluation as a possible SVP. Since the notification law went into effect in June, 1997, the department has issued 704 Special Bulletins. We project another 137 SBN offenders will be released before the end of this year.)

- Law enforcement agencies will now receive copies of SBN offenders' rules of supervision.





Scott Walker

Wauwatosa's Representative in the Wisconsin State Assembly

TO: Assembly Committee on Corrections and the Courts
FROM: Rep. Scott Walker, Chair
DATE: Feb. 28, 2002
RE: committee materials

Attached you will find several documents received by my office yesterday following testimony during the public hearing portion of our committee meeting. Accordingly, I am distributing these materials to you so that you may include them in your bill files. Please note that the testimony on AB 738 was given by Bill Grosshans, administrator for the Division of Community Corrections in the Department of Corrections.

If you have any questions or need additional copies of committee materials, please call Missy in my office at 6-9180.

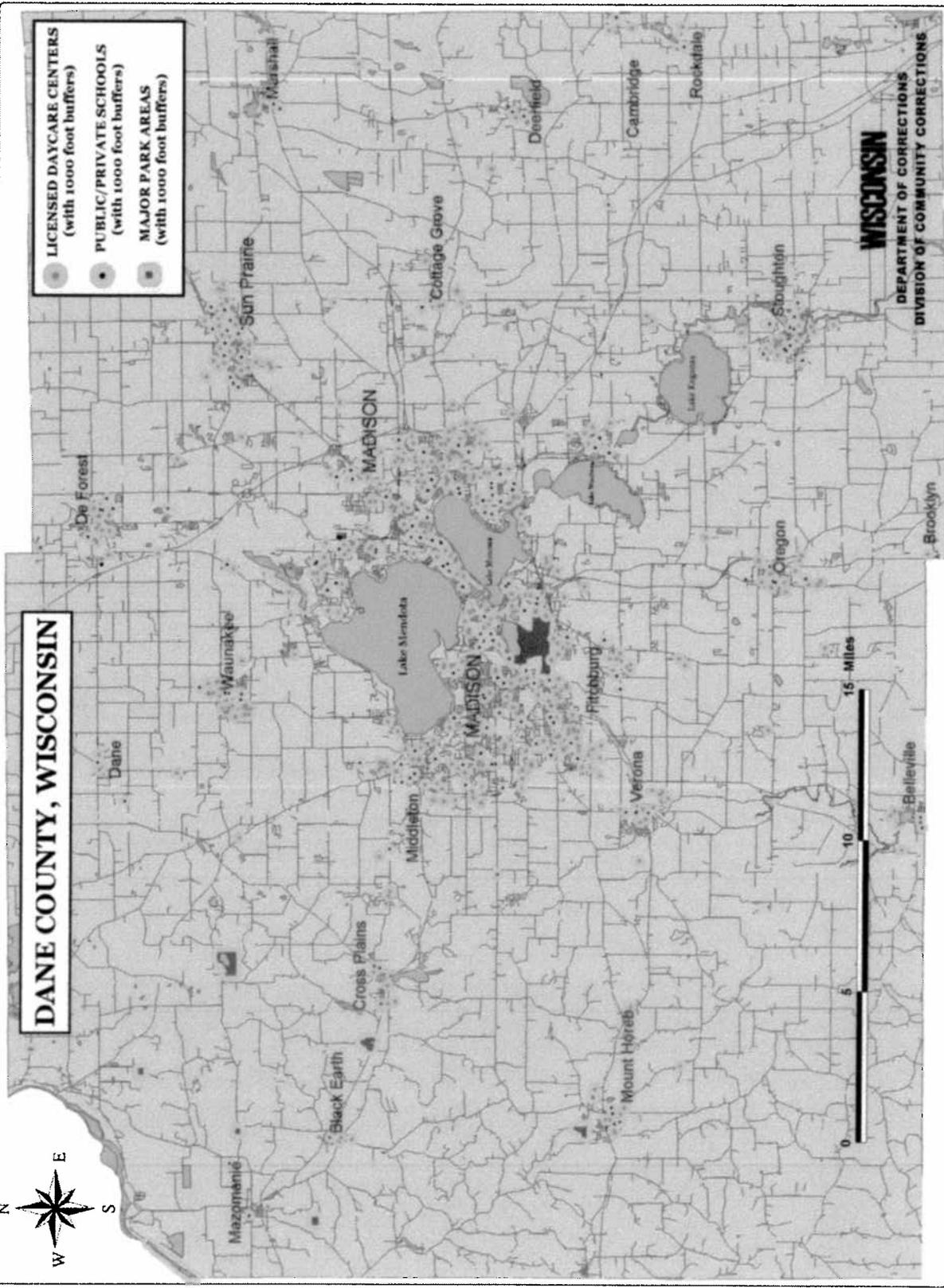
Thank you.



DANE COUNTY, WISCONSIN



- LICENSED DAYCARE CENTERS
(with 1000 foot buffers)
- PUBLIC/PRIVATE SCHOOLS
(with 1000 foot buffers)
- MAJOR PARK AREAS
(with 1000 foot buffers)



WISCONSIN

DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTIONS

Milwaukee County



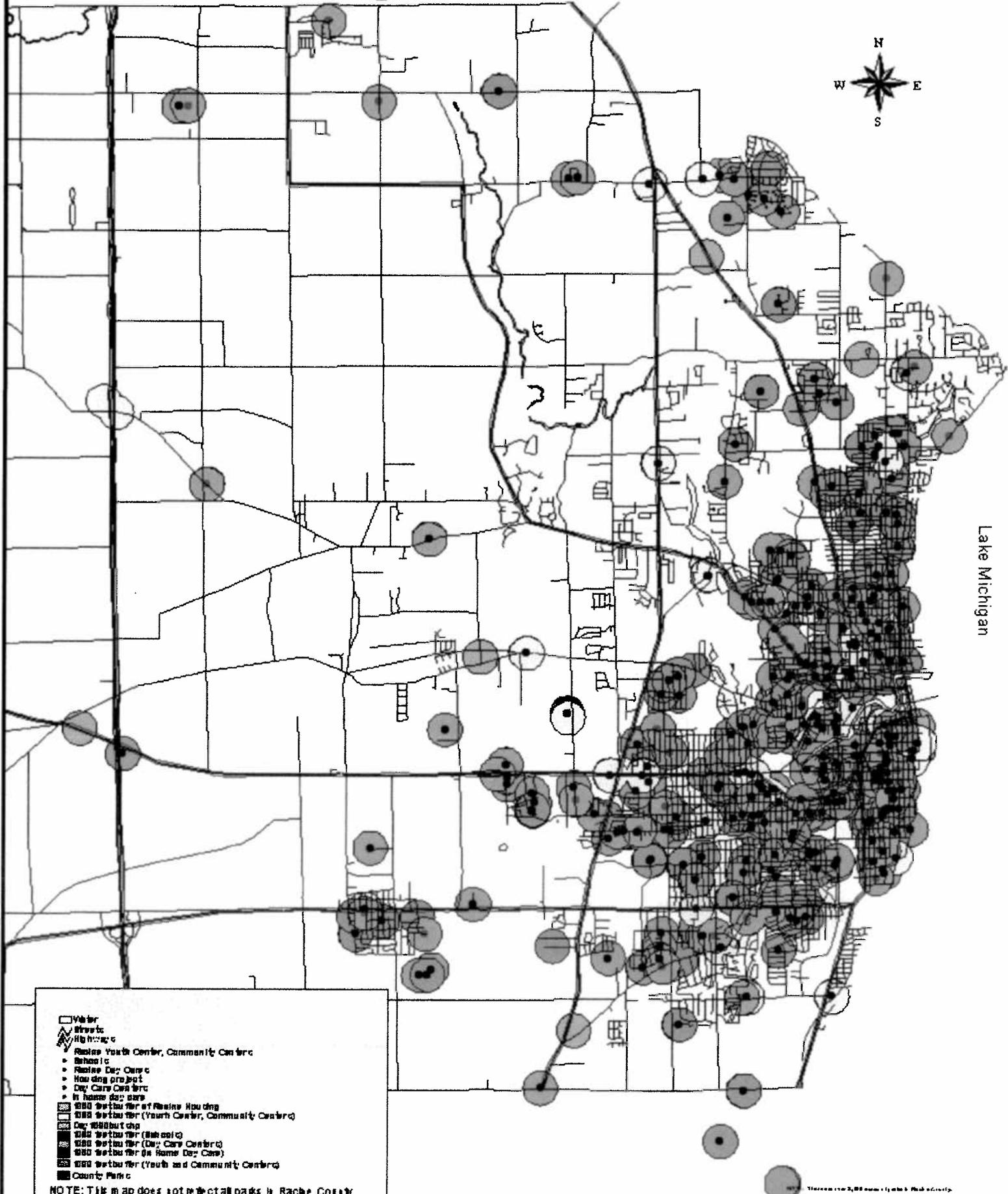
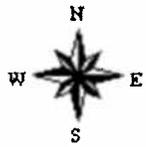
-  Streets
-  Highways
-  Community Centers
-  Schools
-  Day Care Centers
-  In home day care
-  1000 feet buffer (Schools)
-  1000 feet buffer (In Home Day Care)
-  1000 feet buffer (Day Care Centers)
-  County Park
-  1000 feet buffer (Community Centers)

*NOTE: This map does not contain the following:
 Approximately 100 parks with 15,000 Acres
 Youth Centers
 Public Swimming Pools



Lake Michigan

Racine County East of I-94



Lake Michigan

Water
 Streets
 Highways
 Racine Youth Center, Community Centers
 Schools
 Racine Day Care
 Housing project
 Day Care Center
 In Home day care
 2000 buffer for Racine Housing
 2000 buffer for Youth Center, Community Centers
 Day 2000 buffer
 2000 buffer (Schools)
 2000 buffer (Day Care Centers)
 2000 buffer (In Home Day Care)
 2000 buffer (Youth and Community Centers)
 County Parks

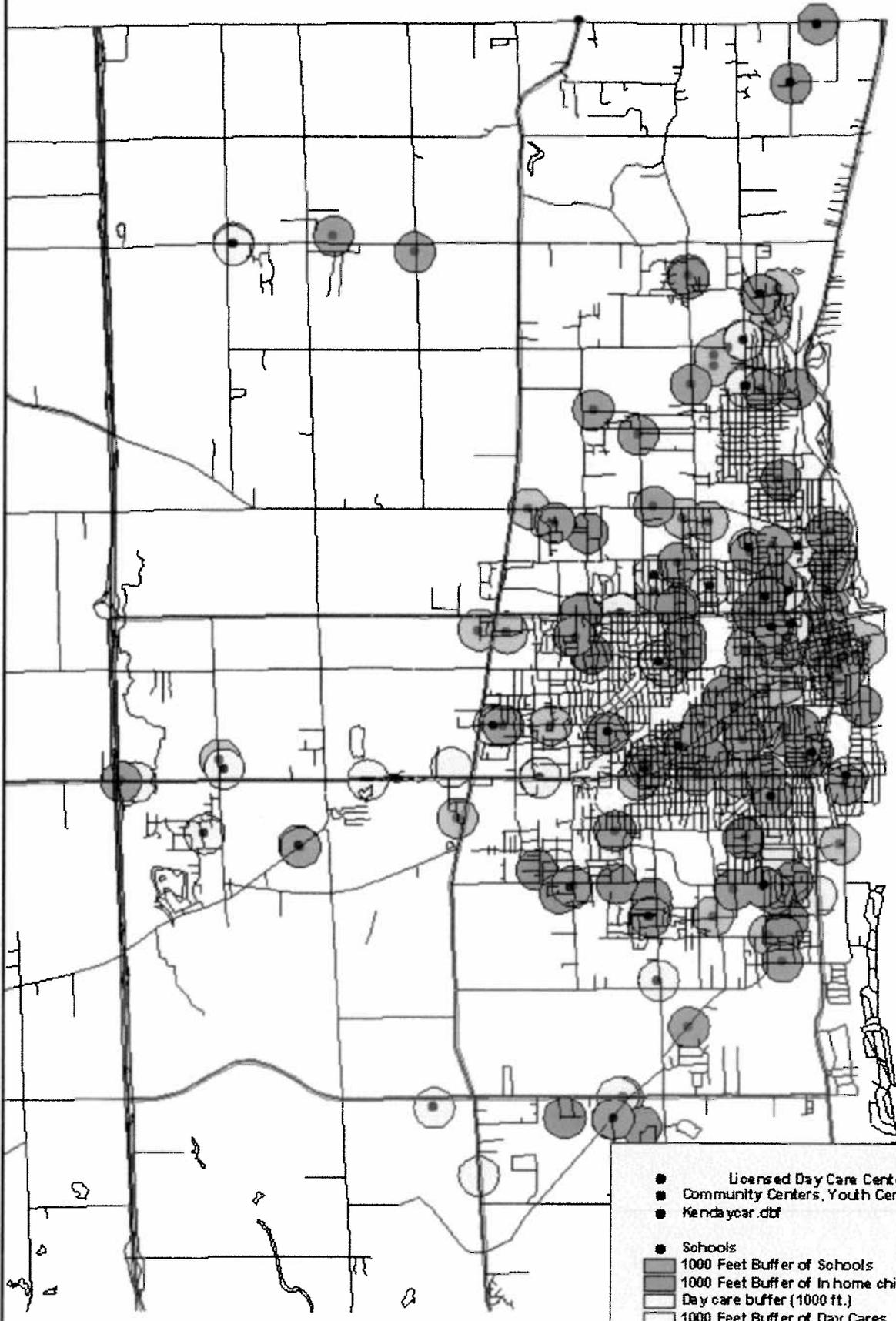
NOTE: This map does not reflect all parks in Racine County

Source: Racine County Planning Department



Prepared by Racine County Planning Department
 Racine, Wisconsin
 Date: 1998

Kenosha County East of I-94



Lake Michigan

- Licensed Day Care Centers
- Community Centers, Youth Centers, Multiunit housing projects
- Kenda year.cdf

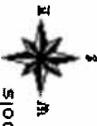
- Schools
- 1000 Feet Buffer of Schools
- 1000 Feet Buffer of In home child care
- Day care buffer (1000 ft.)
- 1000 Feet Buffer of Day Cares
- 1000 Feet Buffer of Com. Ctrs, Youth Ctrs, Multiunit housing projects
- Water
- ▬ Roads
- ▬ Highways

0.9 0 0.9 1.8 2.7 Miles

Brown County (Green Bay)

- ~ Streets
- Community Centers, Youth Centers, Housing Projects
- Schools
- Day Care Centers
- In home day care
- 1000 feet buffer (Schools)
- 1000 feet buffer (In Home Care)
- 1000 feet buffer (Day Care Centers)
- 1000 feet buffer (Community Centers, Youth Centers, Housing Projects)
- City of Green Bay
- Parks (Does not include 1000 feet buffer)

*NOTE: This map does not include (some of) the following:
 Over 3,000 Acres of parks in Brown County
 Public Swimming Pools



Lake Michigan

