

**WISCONSIN'S SEXUALLY
VIOLENT PERSONS LAW
CHAPTER 980**

**The Wisconsin Supervised Release
Program**

Presentation to the Joint Legislative Council's Special
Committee on Placement of Sex Offenders

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Supervised Release Overview

- Supervised Release Criteria
- Supervised Release Program Structure
- Supervised Release Services
- Supervised Release Data 1995-2006
- Revocation Data

Supervised Release Criteria

- Effective August 1, 2006
- Establishes a **bifurcated review process**
- Patient or attorney may petition for SR or discharge within 30 days of annual report being submitted to the Court (**annual petition** opportunity)
- Court applies the following SR criteria:
 1. Significant progress in treatment.
 2. Substantially probable that the person won't reoffend while on SR.
 3. Treatment is available in the community.
 4. Expectation of rule compliance.
 5. A "reasonable level of resources" can provide for the safe management of the person.

Supervised Release Criteria and Process

- Court orders DHFS to prepare a Supervised Release plan in 90 days
- Court selects a County to prepare a report for potential residences (Milwaukee-municipality of residence)
- Plan must meet the treatment needs of the person and the safety needs of the community.
- If the Court does not approve the plan:
 - The Court may conclude that SR is not appropriate
 - The Court may direct the preparation of another plan

Structure of the Supervised Release Program

- Containment Model
 - Placement
 - Polygraph
 - Comprehensive supervision, monitoring and surveillance – collaboration and communication
 - Comprehensive support services
- Containment with continued treatment progress
 - Continuity of SRSTC Treatment Program-Phase 4
- Preparation for discharge
 - Need for gradual reduction in restrictions and increased responsibilities
 - Address long term risk

Comprehensive Supervised Release Services

- Supervision – Contract with DOC
 - P&P Agent, GPS, EMP, Sobriator
 - Unscheduled home and work site visits
 - Video monitoring (at SRSTC)
 - Polygraph (at SRSTC)
- Case Management – Contract with LSS
 - Coordination of team; scheduling; communication and documentation

Comprehensive Supervised Release Services

- Residence
 - County of residence determination
 - Where the person lived when they committed their index offense
 - Milwaukee-municipality of residence
 - Individual houses, duplex
 - Collaboration with law enforcement, P&P, Core team
 - August 1, 2006 consider submissions from the county or other authorized entities

Comprehensive Supervised Release Services

- Residence considerations
 - Availability
 - Proximity to entities
 - Ability to contain and supervise the person
 - Proximity to services including response from law enforcement or other agencies
 - Proximity of other sex offenders

Comprehensive Supervised Release Services

- Location of residence-individualized
- Current placements- approximately 50% are not placed in the community in which they were living when they committed their index offense as many factors are considered in individual cases.
 - Victims location
 - Access to services-employment, supervision, law enforcement, treatment
 - Concentration of other sex offenders
 - Location of residential facility or specialized needs
 - Lived out of state-county of conviction

Comprehensive Supervised Release Services

- Monitoring/Transportation/Chaperone-Contract with ATTIC
 - Monitor person up to twice daily
 - Chaperoned activities, transportation, recreation, visitation
 - Assist with activities of daily living and job search
- Sex Offender Treatment-SRSTC Provider
 - Regionally based
 - Weekly individual and/or group treatment

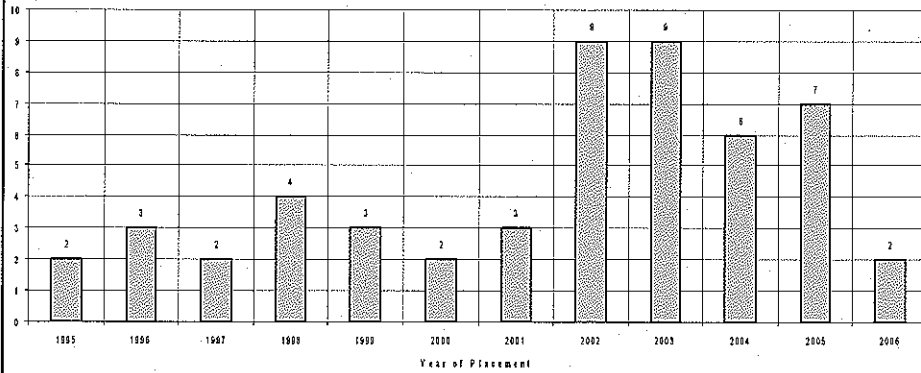
Sex Offender Registration and Community Notification

- Life time registration for SVPs
- SVPs on SR must remain compliant and report changes PRIOR to the change-including registering in person with law enforcement
- DOC Sex Offender Registry Web Site:
<http://offender.doc.state.wi.us/public/>
- Notification to Law Enforcement
 - Special Bulletin Notification-prior to release
 - Core Team meeting
 - Law Enforcement Decision
 - Community meeting, media, targeted notices

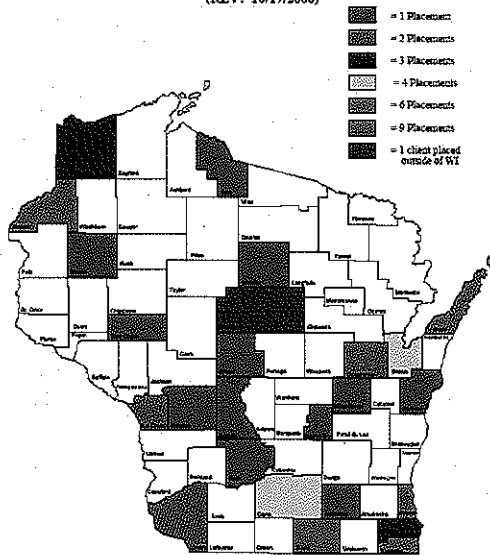
Supervised Release Data

- 55 Placements since 1995 (3 year+ ATR)
- 21 Revocations
- 1 Death
- 12 Discharges
- 17 Currently in community
- 3 Alternative to revocation
- 2 Currently pending revocation
- 5 Currently pending release from SRSTC

of Supervised Release Placements into the Community by Year



Supervised Release Program # of Placements by County to Date (REV: 10/17/2006)



Supervised Release Revocation

- 23 Revocations (2 never placed)
 - 38% of placements
- 2 Pending revocation
- 2 Revoked prior to release
- 9 Rule Violations
- 8 High Risk Rule Violations
- 2 Offenses-Convictions
 - Fleeing an Officer and Possess Child Pornography
 - **NO CONVICTIONS FOR CONTACT SEXUAL OFFENSE**
- 2 Community at risk
- 1 Sexual Offense
 - Touched breasts and upper thigh of nursing home residents – **Not charged**

Wisconsin's Supervised Release Program Compared to other States

- Wisconsin compared to 16 other states with SVP laws
- Complex issues arise when making comparisons
 - Differences in laws and standards for commitment and release
- Examples: TX, WA, AZ, MN, IL

Supervised Release - Special Legal Circumstances

- Use of Alternatives to Revocation (ATR)
- Supervised Release Stipulations