



Legislative Fiscal Bureau

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August 21, 2018

TO: Representative Sondy Pope
Room 118 North, State Capitol

FROM: Shannon E. Huberty, Fiscal Analyst

SUBJECT: Sex Offender Registrants, August, 2018

At your request, I am providing information on the current breakdown of individuals subject to the Wisconsin Sex Offender Registry. Specifically, you asked for information regarding the number of individuals currently required to register, the number of individuals not in compliance with registry requirements, and the number of individuals whose location is unknown.

Under current law, the Department of Corrections (Corrections) is required to maintain a sex offender registry. The registry contains information relating to persons who have been found to have committed a sex offense and persons who have been found to have committed another offense with a sexual motivation. The information in the registry is generally confidential. Information may be disclosed, however, under specified circumstances to law enforcement agencies, victims, certain entities in a community in which a sex offender is living, attending school or working, and the general public. Individuals on the registry generally must comply with registration requirements for 15 years following release from supervision. As of August 20, 2018, the Wisconsin Sex Offender Registry included 25,159 individuals. Of these individuals, 6,205 are incarcerated, 8,844 are on active community supervision, and 13,110 have been terminated from correctional supervision. [More information on the Wisconsin Sex Offender Registry requirements and functions can be found in the Legislative Fiscal Bureau's January, 2017, informational paper entitled, "Adult Corrections Program."]

Individuals on the Wisconsin Sex Offender Registry are further classified as "compliant," "non-compliant," or in "abscond status." Corrections uses the following definitions to track the status of individuals subject to the registry:

Non-compliant (Department of Corrections, Division of Community Corrections Administrative Directive 15-06). ". . . a registrant becomes non-compliant when one or more of the following occurs: the registrant fails to mail back registration or confirmation letter; OR, the registrant fails, within 10 days to update change of residential address/employment/school/internet

identifiers; OR, the registrant provides false information and the Sex Offender Registration Program (SORP) is notified of incorrect information; OR, the registration or confirmation letter is returned to sender (DOC SORP); OR, the registrant-ICE Deportee fails to establish contact with DOC SORP within 10 days after registrant is deported from the United States and returned back to their country of legal origin."

Abscond (DOC administrative rule 328.24). An offender is considered to abscond if the offender fails "to make himself or herself available as directed by the [community corrections] agent." Under Corrections' administrative rules: "(1) If an offender absconds, an employee shall issue an apprehension request; . . . and (3) Once the offender is apprehended and becomes available, an employee shall conduct a violation investigation and make a determination regarding disposition. The employee shall also cancel the apprehension request." [This rule applies to all offenders on community supervision and is not exclusive to sex offender registrants].

Utilizing the above definitions, on August 20, 2018, 16,219 individuals were compliant with the sex offender registry and 2,735 were non-compliant. Of the individuals who were non-compliant, 308 were in abscond status.

I hope this information is of assistance.

SH/lb