



MEMORANDUM

TO: Honorable Members of the Assembly Committee on Judiciary

FROM: Kyle Christianson, Director of Government Affairs

DATE: March 14, 2019

SUBJECT: Support for Assembly Bill 55

The Wisconsin Counties Association (WCA) supports Assembly Bill 55, which makes modifications to 2017 Wisconsin Act 184 relating to the placement of sexually violent persons.

2017 Wisconsin Act 184 transferred certain responsibilities regarding the placement of sexually violent persons on supervised release from the state to the counties. Under the Act, counties are required to create a local committee charged with submitting a report to the Department of Health Services identifying a residence for the individual to be released to from Sand Ridge, as well as demonstrating that a landlord has been contacted and has committed to entering into a lease.

While counties are not happy with this new responsibility, counties are finding a way to comply with the new law. There are portions of Act 184, however, that counties all across the state would like to see modified.

Under 2017 Wisconsin Act 184, counties have 180 days to prepare its report for the court. Beginning April 1, 2019, counties have only 120 days to prepare its report. If a county fails to prepare its report on time, counties are subject to monetary damages. Counties have raised concerns with these provisions in Act 184 as it is a difficult task to identify a landlord willing to accept an individual as a tenant who has been convicted of a sexually violent offense. Counties that have had to make placement recommendations to date have reported that it takes significant staff time to identify a placement option that meets all of the restrictions included in the law.

Counties support modifications included in 2019 Assembly Bill 55 that (1) eliminate the shortening of the timeframe to prepare a report to 120 days beginning in April 2019, (2) allows a county to request a court make a finding that the county is making a good faith

Support for Assembly Bill 55
Page 2
March 14, 2019

effort to find a placement and prepare the report which would, in essence, remove a county's liability for damages; (3) replaces the 1,500 foot restriction with language requiring counties to consider the proximity of the placement to certain places specified in law.

Adoption of these modifications to Chapter 980 of the statutes would go a long way in easing county concerns with the new process for the placement of sexually violent offenders created in 2017 Wisconsin Act 184.

Thank you for considering our comments.