

## RESOLUTION NO. 2017-32

### **Supporting legislation to require placement of sexually violent persons in their county of residence following supervised release**

#### Executive Summary

Under current law, a person who has been found to be a sexually violent person may be involuntarily committed to the Department of Health Services and placed in institutional care for control, care, and treatment. If a person is committed and placed in institutional care, the person may periodically petition the court for supervised release. Under current law, if a court determines that supervised release is appropriate, the court is required to select the person's county of residence as determined by the Wisconsin Department of Health Services unless the court has good cause to select another county. Over the past 5 months, at least 3 sexually violent persons who are not residents of Jefferson County have been ordered to be placed in Jefferson County by Circuit Courts from other jurisdictions to include Kenosha County, Racine County and Milwaukee County. This resolution supports legislation to remove the ability of courts to place sexually violent persons in counties other than their county of residence. The Administration & Rules Committee considered this resolution at its August 30, 2017 meeting and recommended forwarding this resolution to the County Board for approval.

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WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, sexually violent persons are frequently involuntarily committed to the State of Wisconsin Department of Health Services for control, care, and treatment following release from incarceration, and

WHEREAS, courts have the authority to release sexually violent persons into the community under a supervised release program administered by the State of Wisconsin Department of Health Services, and

WHEREAS, community placement of sexually violent persons must be made in the offender's county of residence unless good cause is found to place the sexually violent person in another county, and

WHEREAS, state law prohibiting placement of sexually violent persons within 1500 feet of certain establishments has made placement impossible in more populated counties such as Kenosha, Racine and Milwaukee Counties, and

WHEREAS, because Jefferson County is a rural county, it is able to accommodate placement of sexually violent persons from other counties without violating state law prohibiting placement of sexually violent persons within 1500 feet of certain establishments, and

WHEREAS, Jefferson County residents are exposed to a disproportionate number of sexually violent persons, and

WHEREAS, supporting legislation to require placement of sexually violent persons in their county of residence following supervised release is necessary to protect the health, safety and welfare of Jefferson County residents as well as the residents of other rural Wisconsin counties.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors does support legislation to require placement of sexually violent persons in their county of residence following supervised release as being necessary to protect the health, safety and welfare of Jefferson County residents as well as the residents of other rural Wisconsin counties.

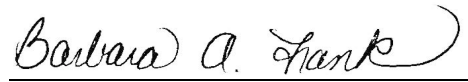
BE IT FURTHER RESOLVED that the Jefferson County Clerk be directed to forward a copy of this resolution to Governor Scott Walker, the Wisconsin Counties Association and Jefferson County's Legislative Representatives with the request that they assist in this endeavor.

*Fiscal Note: This resolution will have no fiscal impact.*

STATE OF WISCONSIN                    )  
                                                          ) ss  
COUNTY OF JEFFERSON                )

I, Barbara A. Frank, County Clerk of Jefferson County, Jefferson, Wisconsin, do hereby certify that the attached is a true and correct copy of Resolution No. 2017-32, adopted at the September 12, 2017, Session of the County Board of Supervisors at the County Courthouse in the City of Jefferson.

WITNESS MY HAND AND SEAL this 13<sup>th</sup> day of September 2017.

  
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Barbara A. Frank  
Jefferson County Clerk  
Jefferson, Wisconsin