

	MIDDLETON POLICE DEPARTMENT	DATE April 5, 2011	POLICY 8.1.03
SUBJECT: Sex Offender Registration and Community Notification		REVIEWED October 1, 2018	

History: 01/2010, Updated 07/2015, 10/2018
[WILEAG \(5th Ed.\) Standards:](#) None

Purpose

Sex offenders pose a continuing risk of engaging in sexual offenses even after being released from incarceration or commitment. Individuals found to have committed a sexual offense have a reduced expectation of privacy due to public interest in safe and effective law enforcement operations. In response to this, Wisconsin enacted Statute 301.45. The Wisconsin Dept. of Corrections (D.O.C.) also developed the Sex Offender Registration Program (S.O.R.P.) The purpose of this policy is to provide a method for sex offenders registration and community notification to address the concerns of the public regarding the location of convicted sex offenders who may be a risk for committing further offenses. The intent of the policy is to enhance the distribution of information between law enforcement agencies and between law enforcement and non-criminal justice agencies. Community notification or the release of relevant offender information to law enforcement, private entities and the general public furthers the governmental interest of public safety and enhances strategies for crime detection and prevention.

Policy

It is the policy of the Middleton Police Department to ensure that upon notification from the (D.O.C.) of the release of a sex offender into the community, proper notification of the release be made to public and private organizations and agencies in the interest of public protection. The Middleton Police Department will participate as a member of a multi-jurisdictional law enforcement team in determining which agencies/organizations should be notified of the release. The intent of the team is to balance the public's need to be informed with the offender's needs to be successfully integrated into the community.

Definitions

- A. Special Bulletin notifications: Written notification process giving law enforcement detailed information from (D.O.C.) on a specific offender who is about to be released from confinement to their geographical area and who may possess significant risk to the community.
- B. Relevant offender information: Information that is deemed necessary to protect the public concerning this specific person required to register under the law. Excludes victim identity and juvenile offender information which can only be released to law enforcement and correction officials.

- C. Sex Offender: A person convicted, adjudicated or committed under any felony sexual assault or convicted of an offense where the court has determined that the offense was "sexually motivated".

Public Inquiry

The Chief and/or his designee may provide to members of the public certain information from the sex offender registry regarding a specific person if in his/her opinion, providing the information is necessary to protect the public.

Individuals who are requesting information should be directed to the Wisconsin Department of Corrections Sex Offender Registry online at <https://appsdoc.wi.gov/public/offenders> . If the information received from the D.O.C. is insufficient to suffice, individuals shall be required to submit a written request indicating the name of the person and other information necessary to accurately identify the individual including sex/race, date of birth and social security number.

Once the information is obtained from the requestor, the response can be accomplished by either conducting a CIB/TIME inquiry or by calling the (D.O.C) at 1-800-398-2403. Phone inquiries will be verified by the (D.O.C.) personnel.

Public inquiry representing neighborhood watch programs will be directly provided a copy, or referred to the (D.O.C.) (S.O.R.P.) to obtain the neighborhood watch program inquiry form. Once completed, law enforcement officials will need to verify that the requester is representing an approved and recognized neighborhood watch program. The request will not be processed by (D.O.C.) (S.O.R.P.) without law enforcement verification.

The following information can be released to the public:

- A. Verification that the individual is in the sex offender registry.
- B. The offender's name and any alias.
- C. Date of conviction or commitment.
- D. Make, model and license number of their vehicle.
- E. Supervising agency and contact phone number.
- F. Date information was last updated.

Additional information can also be released if in the opinion of the Chief or his/her designee release is in the best interests of protecting the public.

Face to Face Registrations

Released sex offenders on supervision are required to report to local law enforcement officials (by appointment) for face to face registration within 10 days of their release for a placement to the community supervision and whenever they move to another law enforcement jurisdiction. Offenders not on supervision are required to update information on an annual basis with (D.O.C), but are not required to meet face to face with local law enforcement. If the offender is

on field supervision as a "sexually violent person", updated information must be provided whenever the changes occur and every 90 days. The Department of Corrections face to face registration form will be used to record this information and maintained as a separate file by the supervisor of investigative services for this department. See Operating Procedure for proper form.

CIB/TIME Access

A check through the CIB/TIME System for information in the sex offender registry will provide descriptive data of the individual, offense data relative to crimes committed by the individual, and location data (home/work/schools) vehicles and supervising agent. Investigative inquiries on "Offender Profile" and "Offense Pattern" information is available for every registered sex offender for investigative purposes only. When making an investigative inquiry, requests must be made in writing on official letterhead or administrative message teletype or by telephone to (D.O.C.) "Sex Offender Registration Program (S.O.R.P.). All inquiries must include agency ORI number, specific information requested on the investigative inquiry worksheet, and agency contact person.

All telephone inquiries will be followed up with a return call by (S.O.R.P.) Staff to verify law enforcement request.

Release of information will be in the form of an official letter, FAX or teletype to the requesting law enforcement agency.

Investigative Inquiries

In order to identify possible suspects of criminal sexual behavior, we can access the "Offender Profile" data which is part of the sex offender registry. This data includes PROFILING DATA Targeted Age and Methods Used, OFFENSE PATTERN DATA, Commits crimes with accomplice, targets disabled/aged, targets prostitutes, stabling behavior, home intrusions, impersonating peace officer, used disguise, photo or computer equipment, vehicles Investigative inquires will be done in writing on the (D.O.C.) Investigative Inquiry Worksheet. (See Operating Procedure for Proper Form).

Special Bulletin Notifications

Special Bulletin Notification (S.B.N.) to our department are point in time written notification from the Department of Corrections (D.O.C.) any time an offender is to be released from prison, mental health or juvenile facility. They will be provided to us if the offender plans to live, work or attend school in our community. We will only receive a special bulletin notice in those cases that meet the Department of Corrections criteria.

- A. When an offender that has been committed as a sexual predator is released from prison.

- B. When an offender has been convicted of (two separate incidents/two different court case numbers, identified as the two strike provision) a sex delineated registered offense. See Operating Procedure for list.
- C. At the discretion of the Secretary of the State of Wisconsin Department of Corrections.

This is the group that the (D.O.C.) feel poses a significant risk to the public. The bulletin provides advance notification to us as well as specific information regarding the offender's patterns and rules of supervision. The bulletin also serves as a mechanism to begin our decision making process to determine the level, scope and method of community notification, (if determined necessary). The special bulletin notice packet of materials will be mailed within one month of the offender's scheduled release date. The material includes a cover letter with the offender information, release date and a supplemental bulletin form. The supplemental form contains an initial assessment of the offender's offense pattern. The back of the form provides our department with an area for documentation, the notification decision making process and final decisions. **THE SPECIAL BULLETIN NOTICE INFORMATION IS FOR LAW ENFORCEMENT PURPOSES ONLY.** These bulletins will be filed and kept by the supervisor of investigative services. See Operating Procedure for proper form.

The (D.O.C.) will send an administrative message to involved law enforcement agencies immediately prior to the offender's release to provide verification of the offender's exact residence address.

Sex offender intelligence management

It will be the responsibility of the investigative services supervisor to maintain individual files on all known sex offenders who reside in the City of Middleton. Each sex offender file will have a copy of the "Special Bulletin Notification" (if issued) all face to face registration reports, all field notes, current photograph, and any other relevant information source.

Sex offenders not on supervision and not required to meet face to face with law enforcement can be inquired through the on-line CIB/TIME database for current information on a quarterly basis.

When the unsupervised sex offender moves from Middleton the investigative services supervisor will contact the new jurisdiction and inform them of the sex offender's relocation. Accordingly all copies of all pertinent intelligence information will be sent to the jurisdiction where the sex offender resides.

When a sex offender is on supervision and required to meet face to face with a law enforcement agency after moving into our city, the investigative services supervisor will contact the former law enforcement agency of the jurisdiction for the purpose of making notification of the move and for exchanging intelligence information.

Notification/Decision Making

Regional Notification/Team

The City of Middleton will participate in a regional decision making team to assist in any coordinated community notification plan. The team will consist of the Department's supervisor of investigative services, a contact from the Dane County Sheriff's Department, and a (D.O.C.) supervisory agent that have received or are directly impacted by the special bulletin notification. In the event the investigative services supervisor is unavailable a designated representative from Investigative Services will act as an optional team representative.

A review and discussion by the regional notification team will be conducted to determine a notification level. If a decision is made to notify the community, care will be taken not to impose additional punishment or harassment onto the offender but rather provide information to those individuals, agencies and organizations that need to know the potential risks involved with this release. Three levels of notification are available:

Level I - Limited to law enforcement

Level II - Targeted notification

Level III - Expanded notification

Level I Limited to Law Enforcement

Individuals in this group present minimal or no high risk factors or release of information to the community may be harmful to the victim of the crime. Notification is limited to the department of corrections and law enforcement. The special bulletin notifications bulletin is shared with other law enforcement within the area.

Level II Targeted Notification

Individuals in this group present a moderate number of high risk factors and/or equal number of mitigating factors. Notification will be limited or targeted to specific agencies/organizations identified in Wisconsin Statutes 301.46(4) and/or those agencies specifically registered with law enforcement who have requested notification. Target notice may include agencies/organizations that fall within the offender's behavior. Target notice can be general or specific in scope. The agency's or organizations may include public or private elementary or secondary schools, day care providers, licensed child welfare agencies, licensed group homes, licensed shelter care facilities, licensed foster homes, neighborhood watch programs, organized units of boy scout or girl scouts, personnel office of sheltered work shop, other community based public or private agencies.

The amount and type of information should be limited at this level and may be limited to the following. Offenders name, physical descriptor of the defender, and description of pattern of behavior. If targeted for notification, it may include specific information regarding the offender's target victims, ages, methods of grooming or enticement, exact or approximate residence, vehicle description (particularly if the offender has used the vehicle in the commission of a sex crime). Lastly notification may include a picture of the offender.

Information recommended for target notification should not include a copy of the special bulletin notification, address, or identification of place of employment or school enrollment.

Level III Expanded Notification

Factors. This level of notification includes those individuals that present a significant number of high risk factors.

Notification: Notification may include methods found in Level I and II, and expanded to include a more wide spread dissemination of information. Individuals determined to require Level III notification possess significant risk to the safety of the public whereby wide spread notification is determined a responsible action for the protection of the public.

Information to Disclose: Amount and type of information may be more inclusive at this level. Information may include any or all data included on the special bulletin notification.

Methods: In addition to the methods of notification found in Level I and II this level may include door to door notification or dissemination of flyers in a specified area, media releases and conducting community meetings.

Community Notification Team

A community notification plan will be implemented on a case by case basis when a special bulletin notice is provided and the decision is made after our local representative and regional team members have met, and determined that notification level II or III are appropriate.

In any situation where the offender becomes a resident of this community, the Middleton Police Department shall act as the lead law enforcement agency in reviewing the individual's case. The decision making process for determining the level of community notification will involve a review and discussion of the information contained in the "Special Bulletin Notification" and the accompanying packet of (D.O.C.) information as well as any additional information from the supervising (D.O.C.) agent.

The local notification team for the City of Middleton will be comprised of the following:

- A. A Middleton Police Department representative (this individual will act as the local chair of this group). Investigative Services Supervisor.
- B. A Middleton School District employee.
- C. A day care provider.
- D. Citizen at large/community rep.
- E. Business representative.

- F. A senior citizen representative.

This team is charged with the responsibility of deciding who should be notified, what information will be disclosed, and how the information will be disseminated. There is no one single factor, calculation or test that is known to be available which could prescribe when a case warrants notification beyond law enforcement.

High Risk Factors

Some factors that may lead to greater risk or poor community reintegration include:

- A. Offense (offenses involved assaultive behavior for an extended period of time).
- B. Individual committed the crime or previous crimes with a dangerous weapon or significant use of force. The individual's offense(s) include multiple victims, targeting very young or vulnerable individuals.
- C. Individual's Offense(s) involved victim(s) who are strangers.
- D. Individual has a documented history of substance use linked to the act of sexual aggression.
- E. Individual denies or minimizes his/her past involvement in criminal sexual behavior and has failed to successfully attend or complete any offense related programming.
- F. Individual has little or no motivation to seek gainful employment once released or to engage in offense related treatment.
- G. Individual has unstable or temporary living arrangements planned once released with no family support or other assistance available in the community.

Mitigating factors

Some factors that may lead to a greater likelihood of successful community reintegration include:

- A. Individual's offense history does not involve the use of weapons or hands on violence.
- B. Individual has voiced and takes full responsibility for his/her past involvement in criminal sexual behavior.
- C. Individual may have actively participated in offense related programming and is willing to participate in continued programming in the community.
- D. Individual may have an identified job or has a reasonable plan to obtain gainful employment.

- E. Individual has a stable temporary (such as structured living arrangements in a halfway house) or permanent living arrangements planned once released, with identified family support and assistance available in the community.

In general those cases that accrue a moderate to significant number of high risk factors should be considered for notification beyond law enforcement.

Community Meetings

If expanded notification (Level III) is warranted, a community meeting may be called in order to inform the community of pertinent information and provide a forum for answering questions and to quell possible negative or hostile reactions to the release of the individual.

When Should Notification Take Place

A Special Bulletin Notification is disseminated to all involved law enforcement agencies within one month of the offender's scheduled release date. Notification beyond law enforcement should take place:

- A. After meetings with both the regional/local notification teams.
- B. Prior to the offender's scheduled release date. This should provide an appropriate two week period prior to the offender's release from confinement.

Sex Offender Forms

Middleton Police Department utilizes the “Sex Offender Registry – Address Verification Report” form to record all sex offender data and interaction with offenders.

The Wisconsin Department of Corrections (DOC) has produced the Wisconsin Sex Offender Registration and Community Notification Manual for Law Enforcement. This document can be located on the WILEnet website. The manual contains the following forms to be utilized to communicate with the DOC and the general public in relationship to registered sex offenders.

- A. Request for registry information (public inquiry).
- B. Request for registry information neighborhood watch programs.
- C. Face to face registration with law enforcement.
- D. Investigative.
- E. Sex offender release special bulletin notification.
- F. Special Bulletin Notification Supplemental Form.

