

*****ATTACHMENTS*****

State of Wisconsin



2015 Assembly Bill 497

Date of enactment: **February 29, 2016**
Date of publication*: **March 1, 2016**

2015 WISCONSIN ACT 156

AN ACT *to renumber and amend* 980.08 (4) (f); *to amend* 980.08 (4) (cm); and *to create* 980.01 (1e), 980.01 (1g), 980.01 (2m), 980.01 (3d), 980.01 (3g), 980.01 (3m), 980.01 (11), 980.08 (4) (em), 980.08 (4) (f) 2., 980.08 (4) (f) 3., 980.08 (4) (f) 4. and 980.135 of the statutes; **relating to:** residency requirements for sexually violent persons on supervised release.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 980.01 (1e) of the statutes is created to read:

980.01 (1e) "Assisted living facility" has the meaning given in s. 101.123 (1) (ab).

SECTION 2. 980.01 (1g) of the statutes is created to read:

980.01 (1g) "Child care facility" means a child care facility that is operated by a person licensed under s. 48.65 or certified under s. 48.651 or that is established or contracted for under s. 120.13 (14).

SECTION 3. 980.01 (2m) of the statutes is created to read:

980.01 (2m) "Nursing home" has the meaning given in s. 50.01 (3).

SECTION 4. 980.01 (3d) of the statutes is created to read:

980.01 (3d) "Place of worship" means a church building where religious services are held.

SECTION 5. 980.01 (3g) of the statutes is created to read:

980.01 (3g) "Public park" means a park or playground that is owned or maintained by the state or by a city, village, town, or county.

SECTION 6. 980.01 (3m) of the statutes is created to read:

980.01 (3m) "School premises" has the meaning given in s. 948.61 (1) (c).

SECTION 7. 980.01 (11) of the statutes is created to read:

980.01 (11) "Youth center" means any center that provides, on a regular basis, recreational, vocational, academic, or social services activities for persons younger than 18 years old or for those persons and their families.

SECTION 8. 980.08 (4) (cm) of the statutes is amended to read:

980.08 (4) (cm) If the court finds that all of the criteria in par. (cg) are met, the court shall select a county to prepare a report under par. (e). Unless the court has good cause to select another county, the court shall select the person's county of residence as determined by the department under s. 980.105. An actual or alleged lack of available housing for the person within a county because of an ordinance or resolution in effect or proposed by the county or by a city, town, or village within the county may not constitute good cause to select another county under this paragraph. The court may not select a county where there is a facility in which persons committed to institutional care under this chapter are placed unless that county is also that person's county of residence.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

SECTION 9. 980.08 (4) (em) of the statutes is created to read:

980.08 (4) (em) The department shall consult with a local law enforcement agency having jurisdiction over any prospective residential option identified under par. (e) and shall request the law enforcement agency to submit a written report that provides information relating to the prospective residential option.

SECTION 10. 980.08 (4) (f) of the statutes is renumbered 980.08 (4) (f) (intro) and amended to read:

980.08 (4) (f) (intro.) The court shall direct the department to use any submissions under par. (d), the report submitted under par. (e), ~~or any report submitted under par. (em), and other residential options identified by the department to prepare a supervised release plan for the person. The department shall search its victim database, and consult with the office of victim services in the department of corrections, the department of justice, and the county coordinator of victims and witnesses services in the county of intended placement, the county where the person was convicted, and the county of commitment to determine the identity and location of known and registered victims of the person's acts.~~ The department shall prepare a supervised release plan that identifies the proposed residence. The supervised release plan shall be submitted to the court within 90 days of the finding under par. (cg). The court may grant extensions of this time period for good cause. The plan shall address do all of the following:

1. Address the person's need, if any, for supervision, counseling, medication, community support services, residential services, vocational services, and alcohol or other drug abuse treatment. The supervised release plan shall be submitted to the court within 90 days of the finding under par. (cg). The court may grant extensions of this time period for good cause.

SECTION 11. 980.08 (4) (f) 2. of the statutes is created to read:

980.08 (4) (f) 2. Ensure that the person's placement is into a residence that is not less than 1,500 feet from any school premises, child care facility, public park, place of worship, or youth center. A person is not in violation of a condition or rule of supervised release under sub. (7) (a) if any school premises, child care facility, public park, place of worship, or youth center is established within 1,500 feet from the person's residence after he or she is placed in the residence under this section.

SECTION 12. 980.08 (4) (f) 3. of the statutes is created to read:

980.08 (4) (f) 3. If the person committed a sexually violent offense against an adult at risk, as defined in s. 55.01 (1e), or an elder adult at risk, as defined in s. 46.90 (1) (br), ensure that the person's placement is into a residence that is not less than 1,500 feet from a nursing home or an assisted living facility. A person is not in violation of a condition or rule of supervised release under sub. (7) (a) if a nursing home or an assisted living facility is established within 1,500 feet from the person's residence after he or she is placed in the residence under this section.

SECTION 13. 980.08 (4) (f) 4. of the statutes is created to read:

980.08 (4) (f) 4. If the person is a serious child sex offender, ensure that the person's placement is into a residence that is not on a property adjacent to a property where a child's primary residence exists. For the purpose of this subdivision, adjacent properties are properties that share a property line without regard to a public or private road if the living quarters on each property are not more than 1,500 feet apart. A person is not in violation of a condition or rule of supervised release under sub. (7) (a) if a child establishes primary residence in a property adjacent to the person's residence after the person is placed in the residence under this section.

SECTION 14. 980.135 of the statutes is created to read:

980.135 Local restrictions; limited exemption. No county, city, town, or village may enforce an ordinance or resolution that restricts or prohibits a sex offender from residing at a certain location or that restricts or prohibits a person from providing housing to a sex offender against an individual who is released under s. 980.08 or against a person who provides housing to the individual so long as the individual is subject to supervised release under this chapter, the individual is residing where he or she is ordered to reside under s. 980.08, and the individual is in compliance with all court orders issued under this chapter.

SECTION 16. Initial applicability.

(1m) This act first applies to persons who have applied for supervised release under section 980.08 (4) of the statutes before the effective date of this subsection and whose supervised release is not authorized on the effective date of this subsection.

II

3.4

R. O. No. 298 - 15 - 16. By CITY CLERK. March 7, 2016.

Submitting a communication from Jason Martin requesting a waiver from the Sex Offender Residency restrictions in order to live at 1326A Michigan Ave.

pp+5

City Clerk

Date 2/22/16

My name is Jason Martin

I am requesting a waiver to the Sexual Residency
Requirements so I may live at 1326A Michigan Ave

Signature Jason Martin

Phone No 920-395-1250

APPEAL PROCESS

WAIVER RELATING TO THE SEXUAL OFFENDER RESIDENCY RESTRICTIONS

1. COMPLETE A COVER LETTER:

My name is Jason Martin and I am requesting a waiver to the sexual offender residency restrictions.

INCLUDE : ADDRESS YOU WANT TO MOVE TO
PHONE NUMBER YOU MAY BE CONTACTED AT
SIGN THE COVER LETTER

COMPLETE THE APPLICATION.

2. RETURN THE LETTER AND APPLICATION IN PERSON OR MAIL TO THE:

CITY CLERK
828 CENTER AVE #100
SHEBOYGAN WI 53081

3. THE CITY CLERK WILL REFER THE REQUEST TO THE NEXT AVAILABLE COMMON COUNCIL MEETING, WHICH MEETS THE FIRST & THIRD MONDAYS OF THE MONTH.
4. THE REQUEST WILL THEN BE REFERRED TO THE COMMITTEE ON PUBLIC PROTECTION & SAFETY PER SUB GEN. ORD NO. 52-08-09 SEC. 70-265 – APPEALS.
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II

3.5

R. O. No. 299- 15 - 16. By CITY CLERK. March 7, 2016.

Submitting a communication from Christopher Gable requesting a waiver from the Sex Offender Residency restrictions in order to live at 2501 N. 6th St.

pp 45.

City Clerk

FEB 25 '16 AM 10:46

Date: 2/23/16

My name is: CHRISTOPHER GABLE

I am requesting a waiver to the Sexual Residency Requirements so I may live at:

2501 N. 6TH ST

Signature: Christopher Gable

Phone Number: 920-316-2133

Any applications for a waiver from the Sex Offender Residency restrictions received by Noon on the Thursday prior to the following Monday's Council meeting will be submitted to that Council for referral to Public Protection and Safety. Anything after Noon on Thursday will not go to Council until the next Council meeting.

This will allow the Police Department to complete the necessary work they do to prepare for the Public Protection and Safety meeting.

Thank you for all your cooperation in the matter.

II

3.6

R. O. No. 300 - 15 - 16. By CITY CLERK. March 7, 2016.

Submitting a communication from Bob Price requesting a waiver from the Sex Offender Residency restrictions in order to live at 820 Z Court.

PP45.

City Clerk


MAR 1 '16 PM 2:43

Date: 3-1-16

My name is: Bob Price

I am requesting a waiver to the Sexual Residency Requirements so I may live at:

820 Z Court, Sheboygan WI 53083

Signature: 

Phone Number: 920-889-5437

Any applications for a waiver from the Sex Offender Residency restrictions received by Noon on the Thursday prior to the following Monday's Council meeting will be submitted to that Council for referral to Public Protection and Safety. Anything after Noon on Thursday will not go to Council until the next Council meeting.

This will allow the Police Department to complete the necessary work they do to prepare for the Public Protection and Safety meeting.

Thank you for all your cooperation in the matter.

II

3.7

R. O. No. 301 - 15 - 16. By CITY CLERK. March 7, 2016.

Submitting a communication from Jeremy Hamilton requesting a waiver from the Sex Offender Residency restrictions in order to live at 1226 N. 14th St.

PP&S.

City Clerk

MAR 1 '16 PM 2:26

Date: 3-1-16

My name is: Jeremy Hamilton

I am requesting a waiver to the Sexual Residency Requirements so I may live at:

1226 W 14th

Signature: Jeremy Hamilton

Phone Number: 606 375 2511 414 459 377

Any applications for a waiver from the Sex Offender Residency restrictions received by Noon on the Thursday prior to the following Monday's Council meeting will be submitted to that Council for referral to Public Protection and Safety. Anything after Noon on Thursday will not go to Council until the next Council meeting.

This will allow the Police Department to complete the necessary work they do to prepare for the Public Protection and Safety meeting.

Thank you for all your cooperation in the matter.

III

3.8

R. O. No. 302 15 - 16. By CITY CLERK. March 7, 2016.

Submitting a communication from Jeffrey S. Markworth requesting a waiver from the Sex Offender Residency restrictions in order to live at 926 Indiana Ave., Apt. #2.

pp 45.

City Clerk

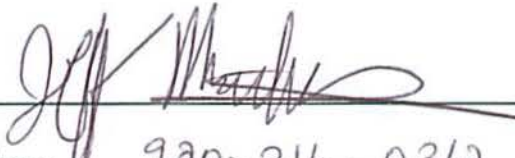
MAR 4 '16 AM 8:05

Date: ~~3-3-16~~ 3-3-16

My name is: Jeffrey S. Markworth

I am requesting a waiver to the Sexual Residency Requirements so I may live at:

T-Box TLP program address is 1127 Nth 8th street
Sheboygan, WI 53081 until released upto 90 days need
verification to move to fiancee Tamara Neese
926 Indiana Avenue Apt. #2 Sheboygan WI 53081.

Signature: 
Phone Number: 920-316-0362

Residing at T-box 1127 Nth 8th Street
Sheboygan WI 53081 as of Feb 9th 2016 program
upto 90 days but at P.O.'s discretion may move before
May 9th 2016 to fiancee's address Tamara Neese
926 Indiana Avenue apt. #2 Sheboygan WI 53081 her cell
920-254-

Any applications for a waiver from the Sex Offender Residency restrictions received by Noon on the Thursday
prior to the following Monday's Council meeting will be submitted to that Council for referral to Public
Protection and Safety. Anything after Noon on Thursday will not go to Council until the next Council meeting. 3527

This will allow the Police Department to complete the necessary work they do to prepare for the Public
Protection and Safety meeting.

Thank you for all your cooperation in the matter.

Need approval
thanks,
Jeff
Markworth

II

3.9

R. O. No. 303 - 15 - 16. By CITY CLERK. March 7, 2016.

Submitting a communication from Mitchell D. Pask requesting a waiver from the Sex Offender Residency restrictions in order to live at 916B Michigan Ave.

pp 5.

City Clerk

MAR 3 '16 AM 8:27

Date: 3/3/16

My name is: Mitchell D. Pask

I am requesting a waiver to the Sexual Residency Requirements so I may live at:

916 B Michigan Ave., Sheboygan, WI

Signature: M. Mitchell D. Pask

Phone Number: Agent's # 920-459-3483

Any applications for a waiver from the Sex Offender Residency restrictions received by Noon on the Thursday prior to the following Monday's Council meeting will be submitted to that Council for referral to Public Protection and Safety. Anything after Noon on Thursday will not go to Council until the next Council meeting.

This will allow the Police Department to complete the necessary work they do to prepare for the Public Protection and Safety meeting.

Thank you for all your cooperation in the matter.

III

3.11

R. O. No. 305 - 15 - 16. By CITY CLERK. March 7, 2016.

Submitting a communication from Jesus Ruiz requesting a waiver from the Sex Offender Residency restrictions in order to live at 1628 Kentucky Ave.

City Clerk

pp+5


MAR 3 '16 AM 8:28

Date: 3-1-16

My name is: JESUS RUIZ

I am requesting a waiver to the Sexual Residency Requirements so I may live at:

~~1028~~ 1028 Kentucky Ave

Signature: 

Phone Number: 414-379-9877

Any applications for a waiver from the Sex Offender Residency restrictions received by Noon on the Thursday prior to the following Monday's Council meeting will be submitted to that Council for referral to Public Protection and Safety. Anything after Noon on Thursday will not go to Council until the next Council meeting.

This will allow the Police Department to complete the necessary work they do to prepare for the Public Protection and Safety meeting.

Thank you for all your cooperation in the matter.

RECEIVED MAR 02 2016

71226

II

3.10

R. O. No. 304 - 15 - 16. By CITY CLERK. March 7, 2016.

Submitting a communication from the State of Wisconsin Department of Corrections on behalf of Timothy Jonnies requesting a waiver to the Sex Offender Residency restriction in order to be placed at 930A Michigan Ave. or 1123/1125 N. 14th St.

pp 5.

City Clerk

Scott Walker
Governor

Jon E. Litscher
Secretary



**State of Wisconsin
Department of Corrections**

**Division of Community
Corrections**
Probation & Parole
3422 Wilgus Avenue
Sheboygan, WI 53081

Telephone (920) 459-3097
Facsimile (920) 459-4386

March 2, 2016

Re: City of Sheboygan Sex Offender Ordinance

MAR 2 '16 AM 11:35

To whom it may concern:

The Department of Corrections is hereby filing an appeal to the Sex Offender Residency restrictions on behalf of State inmate Timothy Johnnies in order for Mr. Johnnies to be placed at a Transitional Living Placement (TLP) located at one of the following locations depending on availability: 930 A Michigan Ave., Sheboygan, WI 53081 or 1123 or 1125 N. 14th St., Sheboygan, WI 53081.

Respectfully,

A handwritten signature in black ink, appearing to read 'Josh Butzen', with a long horizontal stroke extending to the right.

Josh Butzen
Probation/Parole Agent 70802
(920) 459-0580