

## **Frequently Asked Questions for the Eau Claire County Supervised Release Committee**

### **What is the Supervised Release Program?**

As the name implies, the program is regarding the release of sexually violent persons from a treatment facility, to supervised release in the community.

The Supervised Release Program is part of Wisconsin's sexually violent person law (Wis. Stat. ch. 980). Since 1994, the State has had the ability to ask a court to order a convicted sex offender into inpatient treatment managed by the Wisconsin Department of Health Services ("State DHS). This request comes as the sex offender is completing their prison term and is on the verge of being released to the community.

The court may not authorize supervised release unless, based on all of the reports, trial records, and evidence presented, the court finds that all of the following criteria are met:

1. The person is making significant progress in treatment and the person's progress can be sustained while on supervised release.
2. It is substantially probable that the person will not engage in an act of sexual violence while on supervised release.
3. Treatment that meets the person's needs and a qualified provider of the treatment are reasonably available.
4. The person can be reasonably expected to comply with his or her treatment requirements and with all of his or her conditions or rules of supervised release that are imposed by the court or by State DHS.
5. A reasonable level of resources can provide for the level of residential placement, supervision, and ongoing treatment needs that are required for the safe management of the person while on supervised release.

### **What is the Eau Claire County Supervised Release Committee and what is its purpose?**

2017 Act 184 changed Wisconsin law regarding the release of sexually violent persons under Chapter 980 of the Wisconsin Statutes. Such change mandated the formation of a temporary committee comprised of members from various agencies, including Corporation Counsel, Planning and Development, Probation and Parole, and State and County DHS (*see* Wis. Stat. §980.08(4)(dm)1). It is the committee's job to locate a residence which meets criteria as prescribed by §980.08(4)(dm)1.a-c.

Once the committee locates a property that meets the criteria, it contacts multiple vendors who might be interested in purchasing the property. Eau Claire County does not buy the property. State DHS enters into a contract with a vendor to lease the property. Before any placement

occurs, the committee prepares a report and submits it to State DHS. State DHS then has 30 days to submit a supervised release plan to the circuit court. The circuit court can either approve or disapprove of the report/plan by State DHS. If the court approves the plan, the person will be placed in the residence identified and will be monitored by State DHS.

### **Who owns the residence?**

All residences housing individuals on supervised release are owned by private parties. The Wisconsin Department of Health Services leases the properties for the period of time individuals on supervised release live there.

### **Can Sexually Violent Persons being released to the community live in apartments?**

Wis. Stat. Ch. 980 dictates where individuals who are adjudicated as Sexually Violent Persons can reside. A residence for a sexually violent person cannot be located within 1,500 feet from any school premises, childcare facility, public park, place of worship, or youth center. If the sexually violent person has been determined to be a serious child sex offender, the individual cannot reside on a property adjacent to a property where a child's primary residence exists.

### **Who makes the final determination regarding a potential residence?**

The Supervised Release Committee does not make the final decision on a proposed property. The property must be evaluated by State DHS after receiving a report from the Supervised Release Committee. The assigned circuit court judge will then make the final decision.

### **What happens if the Supervised Release Committee fails to find a placement?**

The County Supervised Release Program Committees are not funded by the state but are mandated by law. Should the committee not locate a residence for a county resident who is being released, the county can face fines of \$1000.00 per day until a residence is located.

### **Who manages individuals participating in Supervised Release Program?**

Each individual living in the community on supervised release has a Community Reintegration Team. This team includes members of a Department of Health Services supervised release specialist, the individual's Department of Corrections Probation and Parole agent, a sex offender treatment provider, and the individual's case manager. This group oversees the individual's schedule and activities.

### **How are individuals participating in the Supervised Release Program monitored?**

Movements of individuals living in the community on supervised release are tracked by GPS by the Department of Corrections. Monitors working on behalf of the Supervised Release Program visit the individual's residence at scheduled and unscheduled times to check on their well-being and compliance with program rules. During the first year, individuals under supervised release are not allowed outside of their homes without sight supervision.

**Who can I contact if I have questions?**

State Department of Health Services. (608) 284-1130.

Eau Claire County DHS (715) 839-2300

[Humanservices@co.eau-claire.wi.us](mailto:Humanservices@co.eau-claire.wi.us)

**Other Resources**

<https://www.dhs.wisconsin.gov/sr/faqs.htm>

<https://www.co.eau-claire.wi.us/government/standing-committees/human-services-board/supervised-release-committee>

<https://docs.legis.wisconsin.gov/statutes/statutes/980/>