

Chapter 980

Chapter 980 is Wisconsin's sexually violent persons law, and was created in 1994. The law was created to protect society from sex offenders who have committed sexually violent acts, and are at the highest risk to reoffend (about 3% of offenders).

The program includes an involuntary, indefinite civil commitment at the Sand Ridge Secure Treatment Center in Mauston after their prison time has been completed. In order for a person to be in the Chapter 980 program, they must:

- have been convicted of a sexually violent offense;
- be within 90 days of discharge or release from a facility;
- have a mental disorder that predisposes them to engage in acts of sexual violence
- pose a danger to others because their mental disorder creates a probability they will engage in acts of sexual violence.

Individuals at Sand Ridge receive treatment and their progress is evaluated annually. The average length of a commitment is 8.2 years. Individuals have the right to petition for release from Sand Ridge once a year. They have two options when petitioning:

- Direct Discharge – Individuals are released to the street with no further treatment, tracking, or monitoring.
- Supervised Release – Individuals are placed in houses in their county of origin. There are weekly probation/parole visits, chaperoned transportation, GPS monitoring, polygraph testing, and twice daily monitoring visits to ensure compliance with a comprehensive list of rules.

After the individual petitions the court for release, the court will collect evidence based on the treatment compliance and either grant or deny their release. Because these individuals have served their prison term it is unconstitutional for the state to hold them indefinitely if strict treatment goals are being met. Under supervised release, the court orders the Department of Health Services to prepare a comprehensive supervised release plan, while looking for adequate housing options.

2015 Act 156 - law authored by Rep. Born, created new standards that did not previously exist in the Chapter 980 program. These include:

- Requires local law enforcement to submit a report to the court that provides information relating to a prospective residential placement location.
- Requires that an offender's placement is at least 1,500 feet away from schools, daycares, parks, places of worship, and youth centers.
- Stipulates that an offender may not be placed at a property adjacent to where a child resides if their crime was committed against a child.
- Adds language to maintain that an offender must be placed in their county of origin. Due to strict local ordinances in some counties, mainly Milwaukee, other counties have become "dumping grounds" for these individuals.

Since the Chapter 980 program started there have been 145 placements on supervised release and the re-offense rate is roughly 2%. There are currently 45 individuals living under supervised release across the state.