

Dept. of Justice: Racine County sexually violent person to remain committed

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RACINE, Wis. – On Friday, a Racine County jury agreed with the State and denied Dennis Yarber’s petition for discharge. Yarber, 69, has been committed as a sexually violent person under Chapter 980 since September 2016.

Chapter 980 of the Wisconsin Statutes relates to the control, care, and treatment of sexually violent persons. Under Wisconsin law, a person may be subject to a civil commitment when the person has been convicted of a sexually violent offense, has a mental disorder, and is dangerous to others because the mental disorder makes it likely he or she will commit further acts of sexual violence. A civil commitment is defined in Wisconsin law as commitment to the custody and care of the Department of Health Services for control, care, and treatment until the person is no longer considered sexually violent.

Yarber’s underlying convictions related to charges of Second Degree Sexual Assault of a Child in three separate cases. On April 22, 1996, Yarber received three, 10-year consecutive terms of confinement in the Wisconsin State Prison System for his convictions. Yarber was scheduled for release on October 21, 2014.

To keep Yarber in custody, the Wisconsin Department of Justice (DOJ) filed a petition for involuntary commitment on October 17, 2014. DOJ’s petition was successful, and Yarber was committed on September 2, 2016.

On September 18, 2017, Yarber filed a petition for discharge. DOJ objected to his release and the case went to jury trial earlier this month. On September 7, 2018, the jury agreed with the State and denied the Yarber’s petition for discharge.

The state was represented by Assistant Attorney General Devra Ayala.