

Rep. Spreitzer: Proposes bipartisan solution to close sex offender loophole

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Today, State Rep. Mark Spreitzer (D-Beloit) proposed legislation to close a loophole in the Sexually Violent Persons commitment statutes (“Ch. 980”). The bill, co-authored by Sen. Janis Ringhand (D-Evansville) and Rep. Amy Loudenbeck (R-Clinton), was drafted in consultation with local law enforcement to address concerns that children are being put at risk due to flaws in current law. The bill changes the definition of “serious child sex offenders” in Ch. 980 to cover all sexually violent crimes against children under age 16, including those considered by a court as part of sentencing when an offender pleads guilty to a lesser crime.

“The safety of our community is my number one priority in the legislature,” Rep. Spreitzer said. “Current law is too limited in what child sex crimes lead to a sexually violent offender being restricted from living next to children. This bill will help protect our children from potential threats and ensure safety in our communities.”

This legislation directly addresses issues that have occurred locally. A convicted violent sex offender from La Crosse, civilly committed under Ch. 980, was recently placed in a Beloit home. Although the offender’s victims had been children, he was placed next door to a child. The offender’s placement was possible for two reasons: (1) he was charged with 2nd -degree sexual assault, rather than 2nd degree sexual assault of a child (even though the victim was a child), and (2) he accepted a plea deal to dismiss the 2nd -degree sexual assault charge and instead plead guilty to a 3rd -degree sexual assault charge. This meant his classification under Ch. 980 did not prevent placement near a child as it otherwise would have. The Department of

Health Services recently moved to place a second sexually violent offender with child victims into the same home, using the same loophole.

“Beloit has suffered two unfair sex offender placements in just the last few months, and I am fighting to make sure we fix loopholes in our laws to ensure this doesn’t happen again,” Rep. Spreitzer added.

AB 539, recently passed by the Assembly and Senate (although in different forms), also affects Ch. 980 commitments by requiring sexually violent offenders to be placed in the county they come from. This bill makes an additional needed change to Ch. 980 placement to ensure that sexually violent offenders with child victims are not placed in a residence next to the home of a child, and would require a new placement to be found where this has already been done.