

Criminal Penalties and Registration of

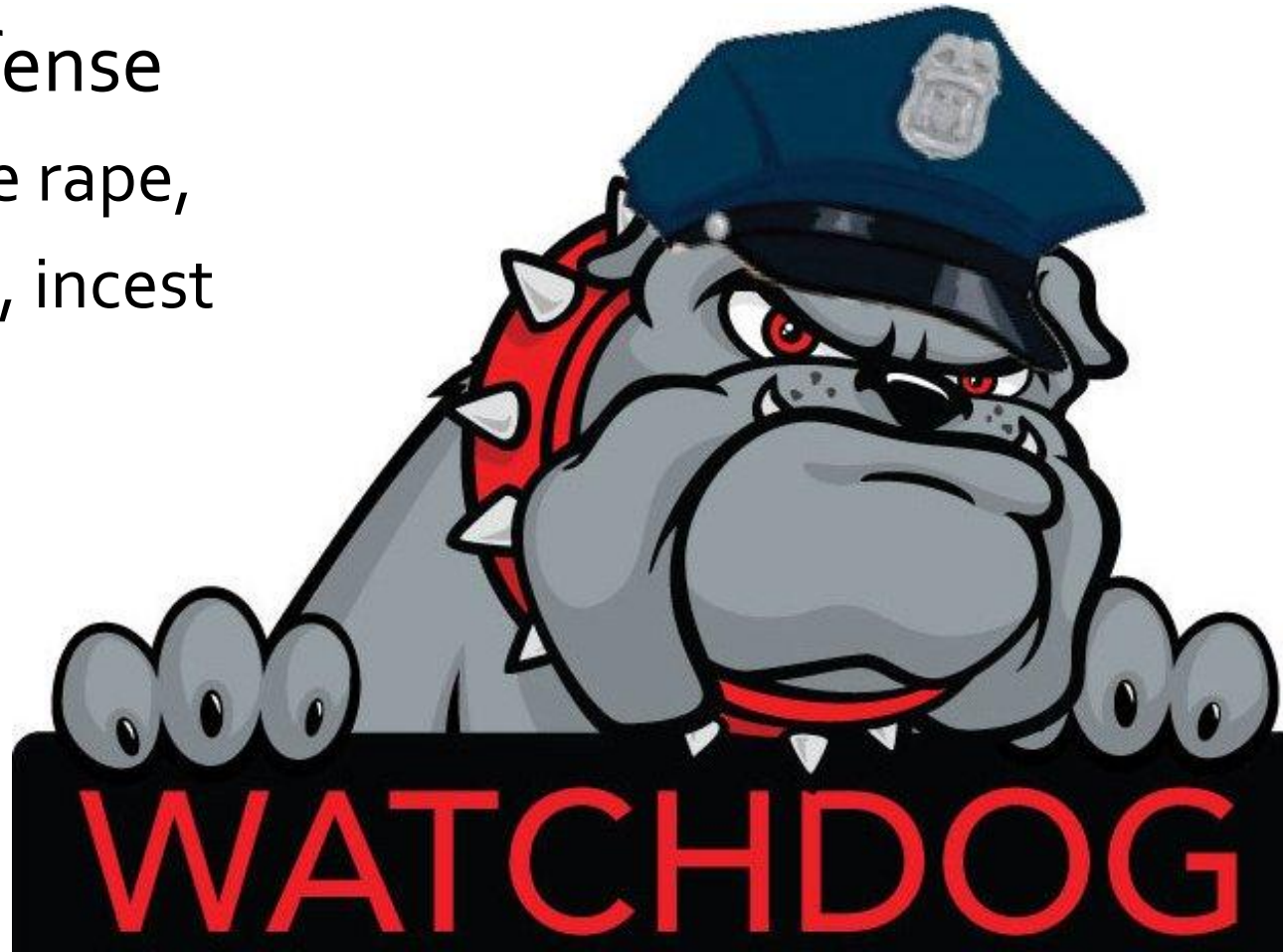
Sex Offender's

How to protect yourself?

- Be loud
- Don't drink or use drugs – be smart
- Always have a plan
- Don't be alone – stay with a group
- Be gross
- Fight back
- Always report incident or tell someone
- Don't shower after

Sex Offender Registration Requirements

- *Sex Offender* – one who has been convicted of a sexual offense
 - Can include rape, sexual abuse, incest or sodomy



- **Sexual contact** – any intentional touching of the intended victim or assailant of the intimate parts of a person, clothed or unclothed, if the touching is for the purposes of sexually degrading or humiliating the victim
- **Sexual intercourse** – any intrusion into a person's genital or anal opening by an object or body part, or oral-genital contact

Sex Offender Registration Requirements

- *Who is required to register?*
 - Persons who have been convicted of certain serious sex crimes **must register once each calendar year** with the Wisconsin Department of Corrections after release from custody or when they are placed on probation or parole or other supervised status
 - Persons found not guilty due to mental disease or defect for applicable sex crimes.

Sex Offender Registration Requirements

- Information required to be registered:

- Must be registered **within 10 days** of moving or change in any of the following:

- Must register for 15 years after the date of discharge from sentence, commitment, or other type of supervision.
- A LIFETIME registration is required for those who:
 - are sexually violent “sex predators”
 - have 2 or more offenses or
 - live on lifetime supervision by the court for serious sex offenses
- Failure to register is considered a Class H Felony



Sex Offender Registration Requirements

- *Name including any aliases*
- *Information used to identify the person such as date of birth, gender, race, height, weight, and hair and eye color.*
- *Detailed information of offense, terms of probation, supervision, conditional transfer, or supervised release.*
- *Address of residence.*



- *Supervising agency*
- *Description of motor vehicle owned or registered.*
- *Name of employer*
- *Name of school they will be attending.*
- *May require fingerprints and a recent photograph.*

Differing Degree's

- **First degree Sexual Assault of a Child**
 - prohibits sexual contact or sexual intercourse with a child under 13 years of age (Class B felony).
- **Second degree Sexual Assault of a Child**
 - prohibits sexual contact or sexual intercourse with a child who is under 16 years of age (Class C felony).
- **Sexual Assault of a Child – Failure to Act**
 - Generally, a person responsible for the welfare of a child under 16 years of age must take action/stop/prevent sexual intercourse or contact if they know of the assault occurring or likely to occur (Class F felony).
- **Sexual Intercourse with a Child Age 16 or Older**
 - prohibits sexual intercourse with a child who is at least 16 but less than 18 years of age and who is not the defendant's spouse (Class A misdemeanor).

Differing Degree's

- **Sexual Assault of a Student by a School Instructional Staff Member**
 - prohibits sexual contact or intercourse by a member of the instructional staff of a school district with a child enrolled in the school who is 16 years of age or older (Class H felony).
- **Sexual Exploitation of a Child (Child Pornography)**
 - prohibits knowingly employing, using, persuading, inducing, enticing, or coercing any child to engage in sexually explicit conduct for the purpose of photographing, filming, videotaping, recording the sounds of the conduct, or displaying the conduct in any way. It also prohibits the production, sale, distribution, or display of child pornography (Class F felony).
- **Forced Viewing of or Listening to Sexual Activity**
 - prohibits intentionally causing a child to view or listen to sexually explicit conduct for the purpose of sexually arousing or gratifying the violator or for humiliating or degrading the child (
- **Incest with a Child**
 - prohibits marriage or sexual intercourse or sexual contact with a child related by blood or adoption in a degree of kinship closer than second cousin. A person responsible for the child's welfare who knows of the incest must take action to prevent such incest (Class C felony).
- **Child Enticement**
 - prohibits causing or enticing a child into any vehicle, building, room, or secluded place with the intent to: commit an act of first or second degree sexual assault; cause the child to engage in prostitution; expose a sex organ to the child or cause the child to expose a sex organ; or take pictures or make audio recordings of the child engaging in sexually explicit conduct (Class D felony).

Differing Degree's

- **Soliciting a Child for Prostitution**
 - prohibits intentionally soliciting or causing any child to practice prostitution or establishing a child in a place of prostitution (Class D felony).
- **Exposing Genitals or Pubic Area**
 - prohibits a person from causing a child to expose genitals or pubic area or the person's exposing genitals or pubic area to a child for purposes of sexual arousal or sexual gratification, except in cases where the child is the person's spouse (Class A misdemeanor).
- **Exposing a Child to Harmful Material, Descriptions, or Narrations**
- **Possession of Child Pornography**

Reporting

Role of Mandated Reporter

To report suspected incidents of child abuse or maltreatment/neglect while acting in their professional capacity.

- Those who work in people-orientated fields are mandated to report (teachers, nurses, doctors, counselors, etc.)

Community Notification



- Sex offenders released from prison are typically placed in the community that was their last residence prior to committing the crime.
 - Often a halfway house or setting which facilitates monitoring and treatment efforts.
- Notification is provided to victims, police, certain groups, and the general public when they move into community.
- **Megan's Law** – *7 year old Megan Kanka*, requires community to be notified when a convicted sex offender moves into a neighborhood.

Types of Communication

- **Special Bulletin Notification:** Department of Corrections or other agency responsible for supervising a sex offender provides notification **to local law enforcement agency** if a sex offender will be residing, working, or attending school in area of jurisdiction.
 - TO PROTECT THE PUBLIC!
- **Notification to Public:** When the police receive a notification they will provide to the public ,if they believe it is necessary for protection, information about offender who will be living, working, or attending school in that specific area.
- **Neighborhood Watch:** DOC provides information of name and other information regarding all registered sex offenders in community or geographical area of activity.

Internet Access to Sex Offender Registry

- Internet access to information concerning registered sex offenders.
 - Law enforcement access
- Wisconsin Department of Corrections Sex Offender Registry – search for information by name or location at <http://offender.doc.state.wi.us/public>
- Call Department of Corrections (608) 240-5830



Penalties When Involving A Child

- **Minimum sentence is no less than three years and 6 months** confinement in prison for convicts who have been previously convicted of one or more serious sex crimes (defined as first or second-degree sexual assault).
- Sentence of **lifetime imprisonment** without the possibility of parole or extended supervision if convicted as a **persistent repeater** for a second serious child sex offense.
- **Lifetime Supervision of Serious Sex Offenders** – by DOC, may petition to be released from monitoring after 15 years if she or he has not been convicted of crime during that time.
- **Prohibited from Working with Children** – not allowed to work with or volunteer with children under the age of 16. Specific bans:
 - teaching children, child care, youth counseling, youth organization, coaching, parks or playground recreation, school bus driver, etc. Violation is a Class F felony.
- **Chemical Castration for Serious Child Sex Offenders** – Antiandrogen drug is a substance that inhibits the effects of male hormones such as testosterone.
- **Penalties:** Fine and prison time may be imposed for felonies and misdemeanors.

Felonies

Class	Fine	Sentence Length*
Felonies – Section 939.50		
Class A	None provided	Life imprisonment
Class B	None provided	Not to exceed 60 years.
Class C	Not to exceed \$100,000	Not to exceed 40 years.
Class D	Not to exceed \$100,000	Not to exceed 25 years.
Class E	Not to exceed \$50,000	Not to exceed 15 years.
Class F	Not to exceed \$25,000	Not to exceed 12 years and 6
months.		
Class G	Not to exceed \$25,000	Not to exceed 10 years.
Class H	Not to exceed \$10,000	Not to exceed 6 years.
Class I	Not to exceed \$10,000	Not to exceed 3 years and 6
		months.

Dominic Cizauskas Story

- <http://www.chatsports.com/wisconsin-badgers/a/UW-recruit-Dominic-Cizauskas-of-Mukwonago-charged-with-sexual-assault-o-9503384>