Sex Offender Residence Board

GUIDELINES

AUTHORITY: No designated offender may live within ~~2,000~~ 2,500 feet of a school, church, etc. unless the SORB approves an offender's appeal and waives such requirement. G~~BMC § 27.620(5)(~~a).

CRITERIA TO CONSIDER: The ordinance makes it unlawful for child sexual offenders and Special Bulletin Notice (SBN) offenders to reside in most of Green Bay. When deciding whether to grant an exception in a particular person's case, the ordinance directs you to consider:

1) The public interest, and
2) The affected party's presentation and concerns.

Grant the exemption only if you believe such a decision does not jeopardize the "compelling interest to promote, protect, and improve the health, safety, and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers."

CONFIDENTIALITY. First, remember you receive unredacted appeal forms, so do not share them with anyone. Second, you are dealing with a topic which frequently involves confidential information, so it is very important to avoid situations where confidential information may be exposed. Asking open-ended questions about this topic could lead to an answer which contains confidential information. Not to mention the answers could be irrelevant, unnecessary, or inappropriately sexually explicit. By asking YES or NO questions, or questions which can only yield a limited number of responses, you limit the likelihood of exposing confidential information. In addition, please say the following statement as needed to ensure each appellant has heard it:

"During your appeal, you are not to mention any juvenile or victim names. Also, do not say things like my daughter, or my cousin. Instead of identifying juveniles or victims by name or relationship to you, just say "the victim," "a relative," or "the juvenile."

PROCEDURE: For purposes of treating each appellant fairly, try to follow the application subject headings. That is, discuss the actual sexual offense first. You probably have questions about the seriousness of the offense, but refrain from asking the appellant, "What did you do?" Instead, "You were convicted of 2nd Degree Sexual Assault of a Child, is that correct?" Then, see the attached page for suggested questions. After that, you may discuss other criminal offenses, treatment options (in closed session), and community ties, in any order. But try to stick to these topics as much as possible. Make sure you always thinking of the above CRITERIA TO CONSIDER during this process.

DISCUSSING TREATMENT OPTIONS: Sexual offenders have the right to keep medical treatment information confidential, and they should not feel pressured to talk about any treatment options in open session. If the offender brings up treatment options on his own, you may talk about those options in open session. However, such discussions must be in closed session unless the appellant asks that they be in open session. Therefore, if you have a question about treatment options, use these statements to enter into closed session to discuss treatment:

Person A: "I move that this Board go into closed session to discuss the appellant's treatment options."
Chair: "There has been a motion to go into closed session pursuant to § 19.85(1)(f) to discuss the appellant's medical, personal or social history and treatment options. Is there a second?"
Person B: "I second that motion"
Chair (to the appellant): "At this time I want to inform you that this Board is ordered by state law to hold such discussions in closed session, and only you may waive that requirement. Do you want to waive your legal right to a closed session?"
Appellant responds. (Unless it's an absolute yes, go into closed session to be certain.)
Chair: "We shall now vote on the motion to go into closed session" (Only vote against closed session if the appellant specifically says he waives the right)

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SUBJECT	GOOD QUESTIONS	QUESTIONS TO AVOID
Familiarity with victim	"Did you know your victim before the incident?"	"Where did you meet?"
Was victim a stranger	"Was the victim an acquaintance?"	"How did you know the victim?"
Was victim a family member	"Yes or no, was your victim a near or distant relative?"	"How are you and the victim related?"
Age of the victim	"How old was your victim at the time?"	
If victim and offender were dating	"Were you in a relationship with the victim?"	
Initial contact with victim	"When did you first meet the victim?"	"Where did this happen?"
Type of assault	"Yes or no, did the assault involve intercourse?"	"What did you do?"
Frequency of assault	"Did the assault take place once or more than once?"	
Force used in assault	"Did you force yourself upon your victim?"	"How did it happen?"
How assault was discovered	"Did the victim report this incident?"	"Who reported this incident?"

Overall, think about the type of answer you will get from a question before you ask it. If the answer to that question is likely to be a narrative which could lead anywhere, you should rephrase the question. There is no way to know with 100% certainty what an appellant will say during these appeals, but asking specific, close-ended questions will reduce the likelihood that the board will expose confidential information, juvenile names, or victim names. If it helps, add your own "Good Questions" and "Questions to Avoid" below.

SUBJECT	GOOD QUESTIONS	QUESTIONS TO AVOID

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