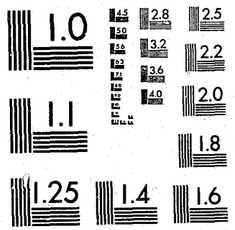

Ck. Sent 12/16/83

THE REPEAT SEXUAL OFFENDER IN MADISON

A Memorandum on the Problem and the Community's Response

VOLUME III

This memorandum presents the results of an inquiry into the problem of the repeat sexual offender in Madison. It was prepared as part of a larger project designed to experiment with methods for promoting thoughtful consideration within a police agency of community problems to which the police are expected to respond. For this reason, the memorandum is addressed to the Madison Police Department.

This document is identified as volume III. Volume I in the series describes the overall concept of the problem-oriented approach to improving police service, which the larger project was committed to develop. Volume II contains the results of another experimental inquiry that focused on the drinking-driver. The final volume in the series, volume IV, reports on the methods employed in conducting the two inquiries and contains reflections on what was learned in the effort to develop the problem-oriented approach.

A collaborative effort of the
MADISON [WIS.] POLICE DEPARTMENT
and the
PROJECT ON DEVELOPMENT OF A PROBLEM-ORIENTED
APPROACH TO IMPROVING POLICE SERVICE
at the
Law School, University of Wisconsin--Madison

January 1981
Revised July 1982

Project on Development of a Problem-Oriented
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July 1, 1982

Notes

1. The following memorandum, originally dated January 29, 1982, was circulated in the Madison Police Department and subsequently among personnel of the Division of Corrections and the Dane County Sheriff's Department with a request for comments and corrections. The memorandum was revised on July 1, 1982, to correct several errors and to clarify some language that misled several readers. These changes were relatively minor.

Since March, the Madison Police Department, the Division of Corrections, and the Dane County Sheriff's Department have joined together in an intensive effort to explore the issues raised in the memorandum. The several memoranda and the newspaper coverage relating to these efforts have been duplicated and added to this memorandum as appendix IV. Changes already placed in effect correct a number of the weaknesses that were identified in current procedures and implement several of the recommendations made for improving the community's effectiveness in responding to the problem of the repeat sexual offender. We did not alter this memorandum to reflect these changes. The current response to the problem, therefore, already differs significantly from the response described on January 29, 1982.

2. Throughout this memorandum, we have not distinguished between those sexual offenders who were released because they had served the maximum time for which they could be incarcerated (mandatory release) and those who were released by the parole board before their maximum period of incarceration had expired. This distinction has little significance for the police since, upon release, both groups are subject to periods of supervision in the community, commonly referred to as parole supervision. The distinction is, however, important to parole board members and corrections officials associated with the parole process, for they are often unjustly criticized for releasing individuals whom they did not release. Most of the parolees in our study who subsequently committed another offense had served their maximum time in the institution. The parole board had nothing to do with their release.

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January 29, 1982
Revised July 1, 1982

TO: David C. Couper
Emil S. Thomas
John L. Heibel
Jeffrey F. Frye
Michael J. Smith

FROM: Herman Goldstein
Charles E. Susmilch
Courtney L. Marlaire

SUBJECT: Involvement of persons previously convicted for sexual offenses in newly reported offenses: Implications for the police responses to sexual assault and other crimes

As the Madison Police Department (MPD) has endeavored, over the past several years, to improve its capacity to deal with the sexual assault problem, the feeling has been prevalent in the MPD that a substantial number of those assaults of greatest concern to the community are committed by individuals with prior records as sexual offenders and that many of these individuals were on probation or parole at the time of their most recent offense. You asked that we examine this impression and, if supported by the facts, that we explore the significance of this finding as it relates to the MPD's total response to the sexual assault problem and to other serious crime problems as well.

We attempted to sharpen the focus of our inquiry by asking these four clusters of questions:

(1) Are newly reported sexual offenses committed by individuals with a prior record of similar behavior? How many of these offenders are currently on probation or parole? How complete are the data? Are all such cases of equal concern?

(2) How many individuals in the Madison community are currently on parole or probation for having committed a sexual offense? What was the nature of their offense? Were they convicted in Madison, or are they newcomers to the community?

(3) What knowledge do the police have regarding persons currently under supervision in the community and others who have been convicted of a sexual offense? What relationship, if any, do the police have to these individuals? What is the relationship of the police to the agents of the Division of Corrections who have the responsibility to supervise those who are on probation or parole?

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(4) Based on the answers to these questions, what changes, if any, appear desirable in the posture of the MPD vis-a-vis the ex-sexual offender? To what extent would such changes be applicable to ex-offenders generally?

In trying to answer the questions that have been posed, a threshold problem is the lack of sufficient preciseness in the use of terms such as "sexual offense," "sexual offender," and "sexual assault." What significance, for example, should be attached to the fact that an individual has been previously convicted of a "sexual offense"? Is a precise meaning conveyed in identifying a person as a prior "sexual offender"? The term "sexual offender" has been used in Wisconsin to describe persons determined to be in need of special treatment under the provisions of the now-repealed Sex Crimes Law. But the term was not limited to this use, and many offenders not committed under the law are nevertheless identified as sexual offenders.

Both in research on sexual offenses and in practice, emphasis has been placed over the years on the need to distinguish the widely different forms of conduct placed under the sexual offense label; to distinguish, for example, between incest and pedophilia outside the family, between exhibitionists and "peeping Toms," and between those who were charged with statutory rape and those charged with a violent sexual assault. It was assumed that, in dealing with these different types of offenders, one was dealing with radically different disorders.

In the late 1960s and early 1970s, the women's movement questioned many of the prevailing practices in responding to sexual assaults. Especially subject to criticism was the tendency of police and prosecutors to downgrade the seriousness of some forms of sexual misconduct and the failure of then-existing statutes to prohibit or attach adequate sanctions to such behavior. Concern over these problems led to enactment in 1975 of the new sexual assault law.

Under the new statute, a wide range of quite different conduct was classified as sexual assault. One of the explicit objectives of the new statute was to use this umbrella-type classification as a way to upgrade the seriousness attached to all such conduct. As the MPD has worked to match its response to both community sentiment and the statutory change, it has, under the sexual assault umbrella, adopted a more uniform response to a large number of quite different incidents. Members of the department continue to recognize that there are significantly different subcategories of sexual assault--beyond the four degrees set out in the new statute--but they seem reluctant to make the distinctions because such categorization could be misconstrued as reflecting a judgment that certain types of sexual assaults are less serious than others.

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It is our contention that concern about police effectiveness in dealing with all forms of sexual assault makes it imperative that some distinctions be drawn. The challenge is in doing so without slipping back into the stereotyped thinking and practices of the past.

One of the major factors that presses the police into classifying sexual assault cases is the responsibility that the police feel for the level of security in the community--and especially for the fear generated by sexual assault. A report that an adult male live-in had sexual contact with an eleven-year-old girl in the household simply does not pose the same problems for a police department as a report that a woman was accosted by a stranger when returning to her car in a shopping center parking lot, forced into the car, driven to a remote area, raped, and brutally beaten. Both cases constitute first-degree sexual assault under the new statute. Both should be treated with equal seriousness. Both involve a single victim whose needs must be met. But the first case is not viewed as a threat to the larger community (or at least is seen as a different kind of threat). The second case, by contrast, has that additional dimension. It generates intense, communitywide fear because, unlike the first, the victim, a total stranger, appears to have been picked at random. Most women in the community can visualize themselves being similarly victimized. And if the offender is still at large, or repeats his offense, or was especially brutal in his attack, the fear is compounded numerous fold.

Thus, from the standpoint of the police, the offense that generates communitywide fear creates an additional sense of responsibility. Not only must the police identify, apprehend, and prosecute the offender; they must deal with the fear as well. For this reason, as a practical matter, different types of sexual offenders and offenses require different types of police response. Among the major factors we have identified that appear to generate fear in a large percentage of the community and that, therefore, distinguish certain sexual offenses are the following. One or more factors may be present in each case.

(1) The offender appears to have selected his victim, a total stranger, at random.

(2) The victim is attacked in the midst of her normal, everyday routine that carries the expectation of safety and security, such as in the privacy of her home, at her work place, or while shopping.

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(3) The offender abducts the victim.

(4) The offender inflicts severe injuries or causes the death of the victim.

(5) Several victims are attacked in a similar manner within a relatively short period of time.

(6) The offender is unidentified or, if identified, remains at large.

These same factors seem to determine which sexual offenses, from among all of those committed, rise to a level of community concern.

Unfortunately, the various summaries and tabulations of sexual offenses do not separate such offenses. We must rely heavily on data that describes "sexual offenders," "sexual offenses," and "sexual assaults." We have, therefore, at appropriate points in our analysis of available data, tried to go back to original reports in order to make some of the distinctions that seem relevant both to the police and to the community.

A. Newly Reported Sexual Offenses Committed by Individuals With a Prior Record of Similar Behavior.

In an effort to answer the first series of questions about the prior involvement of those identified as responsible for a sexual offense, we turned first to the comprehensive tabulations of sexual assaults now maintained by the MPD. We analyzed this tabulation and then went on to examine in detail all of the supporting reports in the MPD's files for the period from January 1, 1981, through October 7, 1981. As we anticipated, simply tabulating the number of offenders identified in these reports as having a prior sexual offense record was not meaningful because of the varied forms of conduct carrying this label.

Additional problems arose in trying to use these seemingly valuable sources as a basis for reaching some conclusions on the involvement of ex-offenders.

--The lists do not include those sexual assaults that were committed along with other more serious crime. Some of the most serious sexual assaults were not included because they were instead recorded as homicide, attempted homicide, aggravated assault, or kidnapping.

--Some of the individuals identified were subsequently acquitted, or the allegation was unfounded.

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--The absence of a prior record of a sexual offense on a person newly reported as having committed a sexual assault does not necessarily mean that the person is not a prior sexual offender. A serious sexual offense may be hidden, for example, behind a conviction for criminal trespass or simple battery.

--Many reported sexual assaults remain unsolved, so we can only speculate on the number of these that were committed by previous offenders. We do know that detectives have concluded that ex-offenders are responsible for some of these cases, but the police lack sufficient evidence or identification to satisfy the standard of proof required in a criminal prosecution. In 1979, for example, at least three unsolved assaults of an especially vicious nature were thought to be attributable to a specific offender who went to great lengths to hide his face from his victims. But he was identified after his fourth assault, and his responsibility for the earlier ones was established. He was on parole for burglary. Two other reported assaults of equal seriousness in 1979 were solved when the suspect was clearly identified in a third assault. Among the 1981 unsolved cases are five that detectives believe, based on a very distinctive modus operandi, are attributable to a single individual, but he fled the county as detectives came close to having a provable case.

Conscious of these limitations, we were nevertheless curious about what a count of prior involvement in a sexual offense would reveal. We therefore initially subdivided the 133 sexual assaults reported in the period under review (which excluded those perpetrated by a juvenile offender) into two categories: those that had been cleared (the offender was identified, though not necessarily charged); and those that remained unsolved. Among the 81 cases that were cleared, we found that, in 15 of the cases, the person identified as responsible for the reported offense had previously been convicted of a sexual offense (which included incest and child molestation, but not solicitation of a prostitute). We have described these cases in appendix I. Of the 15 offenders, 6 were under supervision when accused of the most recent offense (5 were state cases and 1 was a federal case). And of the 6, 3 were under supervision for having committed a sexual offense. (The other 3, although previously having been convicted of a sexual offense, were under supervision for theft, robbery, and criminal damage to property.) Having arrived at this figure, we note, by way of caution, that for the reasons set forth earlier the 3 offenders who were under supervision for a sexual assault may not represent a complete picture of such cases; and the 15 cases identified as involving persons with a prior record of sexual assault may not be as significant as they initially appear. As can be seen in appendix I, relatively few of the cases were the type of case that gave rise to communitywide fear regarding sexual assault.

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Our detailed reading of all of the cases in the first nine months of 1981--rather than the counts we made--was most helpful. Among the observations most relevant to subsequent aspects of this inquiry were the following:

--An extraordinarily high percentage of all reported sexual assaults, particularly cleared cases, involved children as victims and were often intrafamily.

--The milieu in which it is alleged that a sexual assault occurs often contains other elements of social disorganization: mental illness, poverty, transiency, intrafamily conflict, deviant life style, etc. The factors present in a large percentage of the cases make them much more complex than the stereotype that the average middle-class citizen has of what constitutes sexual assault.

--The alleged offenders are often persons with multiple problems who have had numerous contacts with social agencies and who have a record of arrests and convictions for a wide range of conduct--not necessarily including a sexual assault.

--Some forms of sexual assault (e.g., an offender who invades a home and rapes the occupant at knife point) are probably reported at close to 100 percent, but the number of some other forms of sexual assault currently reported to the police is probably miniscule compared to the number of incidents that actually occur in the community (e.g., an older male placing his hand on the thigh or the crotch area of a fully clothed adolescent or young child).

--Based solely on the information provided by the victims, the collection of unsolved cases contains a higher percentage of offenses that are of community concern. The reason for this is not clear. Some of the reports may present an inaccurate or incomplete summary of the facts; some small number may be untruthful. This may account for both their fitting the stereotype of what is serious and their remaining unsolved. Or the department may simply have been least successful in clearing those cases in which no prior associations existed between victim and perpetrator.

In sharp contrast to the rather mixed picture that emerged from our examination of reports on all sexual assaults was the extraordinarily clear picture we received from the most highly publicized cases in recent years. These cases are obviously not representative of all of the sexual assaults reported to the department, but because they received so much attention, they have

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contributed disproportionately to the perception of the sexual assault problem held by the police and by the community.

Five such cases were identified to us for 1980 and 1981: (1) the Ralph Armstrong case, (2) the Daniel Lenz case in which he strangled a woman he had sexually attacked in the Aloha Motel, (3) the Unitarian Church case, for which Daryl Preston was charged, (4) the "hammer case" in which John J. Watson used a hammer in attacking a woman he had picked up as a hitchhiker, and (5) the Red Barron Restaurant case, in which it is alleged that a young female employee was abducted and then sexually attacked by Richard A. Welke.

None of these cases appeared in the listing of sexual assaults because the alleged offender was charged with a more serious crime. We found that all five of these individuals were under parole supervision at the time they committed their crime, having previously been convicted of a sexual offense. (See appendix II for the relevant data on each of them.) Their ex-offender status may have been the factor that raised these cases to the level of concern they generated in the community; a sexual assault understandably draws more attention if it becomes known that it was committed by a person previously convicted of a sexual assault. But the five cases included elements that accentuated the factors that generate community concern: the violence involved in four of the cases (two victims were murdered and two were brutally beaten), the seemingly random selection of the victim in two of the attacks, and the abduction of one of the victims. That each of the alleged offenders had a prior record of sexual assault and was under supervision at the time, therefore, takes on much greater significance.

Several other common characteristics among these five offenders are worth noting:

--All five have extensive criminal records that include a variety of offenses. Each has a record of assaultive conduct (not necessarily sexual) in a jurisdiction outside Dane County.

--Three of the four offenders who had committed their prior sexual assaults in Wisconsin had been judged to be in need of specialized treatment and had served indeterminate sentences under the since-repealed Sex Crimes Law [Wis. Stat. § 975.06 (1977)].

--Four of the five had at one time or another escaped from an institution.

--Three of these individuals, though under supervision in Dane County, had committed the offense for which they were under supervision outside Dane County.

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--All five of the offenders were free in the community for relatively short periods of time before their most recent offense (15 days, 4 months, 12 months, 15 months, and 30 months).

--The MPD had contact with three of these individuals shortly before their most recent offense. Two of these contacts involved allegations of assaultive conduct.

--Three of the offenders had previously been accused of committing an act similar to the act resulting in their most recent conviction (Armstrong, a combination of forced anal intercourse and brutality; Lenz, strangulation of his victim during intercourse; and Welke, abduction before sexual attack).

Based on these findings, we thought it important to examine the total population of sex offenders currently under supervision in the community.

B. Persons Convicted of a Sexual Offense, Currently Under Supervision of the Division of Corrections, Who Reside in Dane County.

As of November 1, 1981, the Division of Corrections had 66 persons under supervision in Dane County who had been convicted of a sexual offense. In compiling these data, the division did not distinguish between those clients residing in Madison and those residing elsewhere in the county. We have not attached any significance to the distinction because we believe parolees or probationers residing outside Madison are nevertheless of equal interest to the MPD because their work or social activity most likely will make them, in some degree, a part of the Madison community. This is reflected in the judgment of the Division of Corrections, which provides all of their information on clients under supervision to the MPD with the understanding that the MPD will disseminate the information to suburban departments when appropriate.

Of the 66 persons under supervision, 41 individuals were on probation and 25 were on parole. Of the 25 parolees, 19 were originally committed under the now-repealed Sex Crimes Law, having been judged in need of specialized treatment. (See appendix III for a more detailed presentation of these data.)

In addition to these 66 cases, the probation and parole officers who compiled the data identified ten of their clients who, though convicted of another charge, had actually committed a sex offense. Eight were on probation. Two were on parole.

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One of the recurring questions is whether Madison attracts ex-offenders who did not previously reside here. A tabulation of the cases under supervision according to the county in which they were convicted reveals that 33 of the 41 individuals on probation (80%) were convicted by a Dane County court. But only 6 of the 25 individuals on parole (24%) were convicted in Dane County. In using these figures, we are aware that some offenders convicted outside Dane County might have been residents of Dane County; and a few offenders convicted in Dane County may now be residing elsewhere under supervision.

Most of the parolees who transferred into the county (11 out of 19) had been convicted by courts in rural areas. Of the rest, 3 were convicted in Milwaukee County, 2 in Waukesha, and 2 in Kenosha; 1 was convicted outside the state.

The percentage of sex offenders on probation who transfer into Dane County (20%) is approximately the same as the percentage for all other probationers (17%) under supervision in the county. The percentage of sex offenders on parole who transfer in (76%) is somewhat higher than the percentage for those on parole in the county for all other offenses (60%).

In our interviews with probation and parole agents, we identified a wide range of factors that may account for the in-migration of offenders under supervision: the loss of ties to the community from which they originally came (family died, moved); the stigma incurred on returning to their home community compared to the anonymity they enjoy in Madison; the physical and social attractiveness of the community; the reputation the community has for being tolerant of persons with different life styles and backgrounds; the availability of a strong social service network; the presence of the university; and, in the case of persons released from Oak Hill, employment contacts or social relationships developed during work release programs that can be maintained upon release.

What can be said about the specific nature of the offenses for which the 25 parolees were convicted? We examined descriptions of their offenses that were prepared by their parole officers and attempted, based on these descriptions, to divide the offenders into two groups. We placed in group A those parolees whose offense, in our judgment, contained one or more of the factors identified earlier as contributing to communitywide concern regarding the offense. Ten such offenders were in group A, nine of whom committed their offense outside Dane County. In group B we placed those parolees whose offense appears to cause little immediate risk or threat to the larger community, e.g., those convicted of incest. Six parolees were in this group, five of whom committed their

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offenses outside Dane County. Unfortunately, the descriptions of the offenses committed by nine of the parolees were not sufficiently specific to enable us to classify them. Of these nine cases, four were from outside the county.

Two findings emerge from this examination of persons currently under parole supervision for a sexual offense that are especially significant to our inquiry:

(a) The relatively small group of sexual offenders under parole supervision account for a disproportionate number of new sexual offenses, when compared to the general community.

(b) Three quarters of the sexual offenders who have served time in prison and who are currently free under supervision in the community are relatively unknown to the MPD because they were convicted in another jurisdiction. The department will have been given the name, race, sex, and date of birth of these individuals. But under current procedures, the chance is small that the department will have a photograph or fingerprints of the individual. And it is unlikely that the department will know anything about their past behavior and the details (modus operandi) of the offense or offenses that led to their conviction.

The disproportionate number of persons under supervision who are involved in sexual assaults and the limited knowledge that the MPD has on such individuals convinced us of the importance of examining in detail the nature of the current relationships (1) between the police and those sexual offenders under supervision and (2) between the police and the Division of Corrections.

C. Current Relationships with Persons Under Supervision for Sexual Offenses and with Division of Corrections Personnel.

What responsibilities or functions do the police currently have that relate to the community of supervised offenders identified in the preceding section? Exploring this question initially requires examining the relationship between the police and the twenty-one probation and parole agents in Dane County who are employed by the Bureau of Community Corrections of the Division of Corrections. The relationship, as best we can determine, has been minimal in recent years. Some detectives know agents they may contact when the need arises. And some probation and parole agents know individuals within the police department they might

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contact. But these are all informal, ad hoc relationships. The supervisory counterparts do not know each other; and when most officers need to contact the probation and parole office, or when most agents need to contact the police, they simply talk to whoever answers the telephone. To our knowledge, on only one occasion in recent years have supervisory personnel gotten together to work out a matter of mutual concern, and that came about on instructions from the head of the Division of Corrections in response to an inquiry directed to him by Chief Couper. One agent has been designated as liaison officer to the police and courts, but his contact with the MPD appears to be limited to delivering requests for and picking up reports--and his contact is with one of the clerical employees. Agents repeatedly expressed their desire to have some people designated within the police department to whom they could convey information and direct requests--a point of contact, so to speak. Their impression, given the anonymous contact they now have, is that the police have little interest in such contact or in the information that they do convey. Many police officers, on the other hand, assume that probation and parole agents are overly protective of their clients and would not readily share information with the police.

Against this broad picture of current relationships, it is helpful to examine the nature of current contacts as they bear on four specific needs: (a) notification to the police that a probationer or parolee has been placed on supervision in the community; (b) supervision and monitoring during the period of probation or parole; (c) apprehension of a probationer or parolee who is wanted for some reason by his agent; and (d) tapping the knowledge of probation and parole agents that might be of help to the police in identifying the offender in a sexual assault case.

1. Notification.

What information does the department routinely receive about probationers and parolees placed under supervision in the community? And what information is routinely available to the police so that they can determine if an individual they contact or arrest is on probation or parole?

Corrections is currently under no legal obligation to notify the police about a person placed under supervision. A bill (1981 Assembly Bill 397) before the legislature would require corrections, within five days of granting parole to a person, to notify the police serving the area in which the person will be residing. It has been recommended for passage by a vote of 12-1 by the

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Committee on Criminal Justice and Public Safety. [This bill was subsequently enacted.]

Although not required to do so, corrections now makes information on probationers and parolees available to the MPD through three systems, each working with varying degrees of effectiveness.

a. Copies of the probation and parole master card. For the past several years, by special arrangement with the MPD, the regional office of probation and parole has been forwarding to the MPD a copy of their master file card on each person under supervision in the county. The understanding at the time the arrangement was implemented was that the MPD, in turn, would convey information to other police agencies when the probationer or parolee was to reside outside the city. The file is maintained by the Criminal Intelligence Section (CIS).

A check of twenty-one sex offenders currently under supervision in Dane County indicated that eighteen were contained in the CIS file. The major weakness in the system is that the copy of the master file card is not received by the police until from three to six weeks from the time an individual is placed on supervision. It may take much longer for the police to learn of probationers or parolees transferred into the county.

The sole purpose of this card system is to notify the MPD about persons currently under supervision in the community. The amount of information provided on each card, therefore, is quite limited: the name of the person under supervision, date of birth, sex, race, the offense for which the individual was convicted, the date on which supervision terminates, and the name of the supervising agent.

After an interim period in which no notifications were made, the card system replaced a system in which the probation and parole case load listing was supplied to the MPD. This listing was easily duplicated and received widespread circulation within the department. The current system, although probably more complete, up to date, and accurate, is not well known or understood in the department. One of the most common complaints we heard from investigative staff was that the department no longer receives the old case load lists. The information currently provided is stored in a location (CIS) to which access is limited; because of its form, copies of the information are not reproduced and circulated.

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b. Registration through fingerprints and photographs. The formal policy of probation and parole is to require all parolees and all adult probationers who transfer in from outside the county to register with the police. The practice, however, varies with substantial discretion having been left to individual agents in the past. If an agent requires registration, he or she completes a form on the client and makes an appointment for the client with a clerk in MPD's Administrative Services Section. Many of the clients agree to register, but some do not keep the appointment. Others refuse to register. The MPD notifies the probation and parole office when one of their clients fails to keep an appointment. Our impression is that corrections is presently uncertain what to do about the client who refuses to register or fails to keep an appointment with the MPD.

Of the twenty-one sex offenders whose record we traced through the department, only five had registered. A sixth individual had been scheduled for registration, but failed to appear. The MPD's current position with respect to registration is reactive, i.e., the department registers whoever is sent by probation and parole. The MPD does not request that individuals come in to register. Probation and parole administrators report that the police in some communities request that all probationers and parolees be registered. When such a request is made, the local probation and parole agents will implement the policy.

Registrants are fingerprinted and photographed by a civilian employee of the MPD's Administrative Services Section. The fingerprint cards and photo negatives are sent to the Technical Services Division of the Dane County Sheriff's Department, where the fingerprints are filed and copies of the photographs are made. One copy of the photo is placed in the county's file of mug shots. A second copy is sent to the Criminal Intelligence Section (CIS) of the MPD. A third is given to the local probation and parole office, though most agents were unaware that these photographs were being routinely provided to them. The fourth copy is generally retained for use in photo lineups, for use in the MPD's mug shot file, or for use by a probation and parole officer if the individual is revoked.

When reporting for registration, probationers and parolees bring along a registration form completed by their agent. This form contains information on the registrant's residence and place of employment. The registration form itself is retained in a file drawer in the Administrative Services Section, subsequently augmented by an updated criminal history sheet returned from the state's Criminal Information Bureau (CIB). As we point out later, both pieces of information could profitably be incorporated into the MPD's criminal intelligence files.

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c. The Wisconsin Criminal Information Bureau's computer file on the status of probationers and parolees. Since the spring of 1980, the Division of Corrections has made available through the state's CIB TIME system a listing of the names of all persons under their supervision. Police have access to this system in two ways: directly by requesting a QPP (Query Probation and Parole) which will bring them a response twenty-four hours a day; or indirectly by requesting a CQ (Criminal History Query).

Considerable confusion exists regarding this second, indirect way to gain access to the probation and parole status file. Although a "hard copy" of a CIB criminal transcript can be produced only during weekdays from 8:30 a.m. to 4:30 p.m., the CQ request can be made twenty-four hours a day, seven days a week. If a CQ is requested during off hours (i.e., nighttime or weekends), a response regarding the existence of a CIB history on the individual in question is received--usually in a matter of minutes. A "hard copy" of the individual's criminal history will be produced during CIB's next working day and transmitted to the requesting police agency. But if the probation and parole status file contains an entry on the individual, that entry--without the criminal history--would be transmitted to the inquiring agency within minutes. The delay in obtaining a hard copy of the criminal history record has led to the mistaken belief that the information on probation and parole status is similarly unavailable in off-hours.

Thus probation and parole status information is available through two different forms of computer inquiry twenty-four hours a day, seven days a week. But MPD policy does not currently require nor does practice result in such inquiry being routinely made. What is routinely done--the making of a computer inquiry on the existence of warrants (a QW)--will not provide information on probation or parole status.

Of the twenty-one active cases we checked by having the police make a QPP inquiry, we obtained positive results in fifteen cases. But for comparison purposes with the other systems, this number should be increased to eighteen since the computer quite properly had already dropped three cases in which revocation had been initiated and the person under supervision was in custody. Delay of from one to four weeks in getting names into the computer is apparently one reason for the incompleteness of the system. Others reported to us that another problem is that the listing is compiled from case load printouts, and these are often not current.

Use of the CIB system is currently limited by a combination of factors: lack of knowledge as to its availability; the mistaken impression that many police and corrections people have that it is available only from 8:30 to 4:30; and a lack of confidence in its accuracy and completeness.

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One of the goals in establishing the CIB system was to enable the police to notify probation and parole when they arrested a person under supervision. The agents want to be notified. But the Dane County jail staff does not currently make such a check and notification, contending that they do not have the time to do so. They instead provide a listing of all of their arrestees for the past twenty-four hours to the liaison agent from probation and parole. He picks up the list in mid-morning and scrutinizes it for familiar names. It is subsequently checked against the files in each of the two local probation and parole offices. Everyone acknowledges that a person under supervision may be released in the intervening period. Madison police have been told by jail personnel that the MPD is responsible for notifying probation and parole when a person under supervision has been arrested. If any such notifications are now being made, we sense the practice is very uneven.

2. Supervision.

What role, if any, do police currently have relating to the supervision of probationers and parolees in the community?

First, one must recognize the nature of the supervision provided by probation and parole agents. Most supervision now consists of office visits between the clients and their agent. Each offender, when placed under supervision, is classified as having maximum, medium, or minimum needs. Maximum classification requires that each month the agent have two contacts with the client and one home visit. Medium classification calls for one contact a month and a home visit every other month. And minimum classification calls for a contact every three months, with the filing of a report by the client for each of the two months between visits. The frequency of home visits has increased since they were made mandatory by newly adopted administrative rules.

Local agents know a few agents in the state who get out in the field--sometimes with police--to conduct surveillance of their clients by visiting bars and other gathering places, but they acknowledge that such activity on the part of an agent is unusual.

Of particular interest, given the Red Barron Restaurant case, is the role of the probation and parole agent in notifying employers about the past record of a sex offender. Apparently, the formal policy of the division is now to notify the employer or to have the employee notify the employer in all such cases. But agents express some uncertainty about the division's policy and, in

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practice, make individual determinations based on whether they feel the prior record is relevant to the job situation.

Aside from whatever officers might do to notify agents about the arrest of one of their clients, we have not been able to identify a function that the police now perform that relates in any way to the supervision of the probationer or parolee in the community.

Numerous opportunities exist for the police to assist in such supervision. Both administrators in the Division of Corrections and individual parole and probation agents offered many suggestions for greater sharing of information with the police that would enable police officers on the beat to participate in the supervision of parolees and probationers. As an example, one supervisor observed that it would be helpful if beat officers were told about a parolee with a past record of sexually molesting children so that, if such an individual started frequenting playgrounds or arcades, the agent could be informed. Likewise, they would like to make police officers aware of parolees with a history of assaultive conduct so that they can be notified if the parolee is involved in a domestic dispute or a tavern brawl that becomes violent, but that does not result in an arrest being made. Those making these suggestions were quick to note that they would not advance the idea in a community where the information would be used by the police to harass the individual. They thought the arrangement feasible in Madison, however, because they have confidence in the MPD.

3. Apprehensions.

One of the most common contacts between probation and parole and the MPD--and one of the most troublesome--occurs when an agent must apprehend a person under supervision and return that person to jail. An agent initiates this process by issuing an "apprehension order." The agent then decides whether the apprehension order is to be issued through the Criminal Information Bureau (CIB) network or is to be served locally.

Most apprehension orders are placed on the CIB system. A central office in the Division of Corrections has control over placement and removal of such orders. Placing such an order in the system means that a police officer who makes a routine check to determine if a person is wanted (a QW inquiry) will be informed that an apprehension order has been issued. This information is

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provided independently of the information on probation and parole status. The computer system is capable of alerting the MPD when such an order is entered into the system, but officers who conduct roll calls do not remember having received an apprehension order in this manner in recent years.

Local service of an apprehension order means that the agent directs the order to the local police department and actually delivers it to them. A local apprehension is used most commonly if an agent has a client in custody and is simply authorizing the police to transport him or her to jail; if the agent plans to accompany the police for the pickup; if the agent feels it is especially urgent that the client be taken into custody; and sometimes simply because the client is known to be in the city, residing at a specific address. In the first two situations, the agent personally delivers the order to the police officer who carries out the assignment. In the latter situations, when an apprehension order is received in the MPD, it is read at roll call for three or four days. It is not normally assigned to a particular officer (for example, the officer on the beat in which the client resides) for follow-up except in some unusual situations if a definite address is given and the police also have an interest in the offender. Without assigning the order for execution, the local system does not, in practice, differ that much from the CIB system. The understanding seems to be that, if individuals come to police attention, they will be held for their probation or parole agent. If the apprehension order is not executed, it takes the initiative of an agent to place the order on the CIB system.

Both probation and parole agents and police officers are upset by the current practice. Agents feel that police do not take apprehension orders seriously; that they assign low priority to them. Police, on the other hand, feel that they are being asked to do the dirty work of the probation and parole agent and resent the time taken away from other duties. These tensions seem to be due in part to the diverse practices of agents in using apprehension orders and the varying importance and urgency of the orders delivered to the police. The police have no easy way to evaluate them. We know that important orders, calling for the apprehension of an individual posing a new danger to the community, have not received the attention they deserve.

4. Investigations of newly reported offenses.

If the offender in a newly reported sexual assault is not identified, detectives will often have little to go on. They may have a physical description (which is often sketchy) and some

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information about the offender's behavior and his conversation with the victim. With this information, they have but a few places to look. One of the most obvious is among those individuals who have previously engaged in similar behavior.

The department currently maintains in three separate locations photographs of previously convicted sex offenders. One set is maintained in Investigative Services. Two sets are maintained in CIS--one set is attached to the probation and parole cards and the other is placed in the file maintained on the offender. Each set varies in its completeness; the policy for purging also differs. Photographs of offenders convicted outside Dane County, but now residing in Madison, will be included in the file only if the individual was required to register with the police.

Modus operandi information is not stored in readily retrievable fashion in any of the existing data systems. The command staff of the department is aware of the general problem of maintaining criminal intelligence on known offenders so that it is easily accessible. A number of steps are being taken to rectify present inadequacies. Lt. Michael Smith is coordinating a countywide effort to establish a sex offender and sex offense information system. Initially, this system will be maintained by CIS. The staff of CIS has called attention to the need for improvements in the department's ability to collect and use criminal intelligence and continues to press for these improvements.

In addition to discovering suspects through use of the department's own information systems, investigators have occasionally reached out to probation and parole agents for assistance--usually to determine the whereabouts of a parolee who is a suspect. And if an artist produces a composite of the person responsible for a sexual assault, the MPD may circulate copies among agents with the request that they notify the police if any individual known to them fits the description. Probation and parole itself is able to produce computerized lists of persons under supervision who fit specified physical profiles. This capacity was used several years ago to assist in the investigation of the two homicides in the Beloit shopping mall.

In our discussions with probation and parole agents, they indicated that they periodically acquire information that they believe might be useful in a criminal investigation. But absent a closer working relationship, our impression is that much of this information does not reach the MPD. Some agents said they would not know whom to contact. We interpreted this statement as saying that they did not know anyone well enough in the department to whom they could convey such information with confidence that it would be used appropriately and discreetly.

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D. General Recommendations for Changes Designed to Improve Police Effectiveness in Dealing with Sexual Assault and Other Major Crime Problems.

In our judgment, the number of sexual offenders now under supervision in the community who are involved in new sexual assaults is significant regardless of how their number relates to the total number of sexual offenders. At a time when sexual assault is of such concern to the community, when it is given the highest priority by the MPD, and when the MPD is under pressure to exhaust every means at its disposal to deal more effectively with the problem, the department should take a greater interest in that small group of individuals who (1) have been determined by a court to have previously committed a sexual offense of a type that is a threat to the entire community; (2) are currently free in the community on the condition that they adhere to certain requirements; and (3) commit a disproportionate number of new sexual offenses, when compared to the general community. By taking an interest in this group, the police have the potential to (1) aid in their individual reintegration into the community by providing several kinds of support; (2) deter additional assaults by lending assistance to probation and parole agents who are now solely responsible for the group's supervision; (3) more readily identify those who are responsible for sexual assaults; and (4) reduce somewhat the level of fear in the community by making it known that the police are aware of these individuals and that they are subject to some measure of supervision by the police.

Our focus has been on certain types of sexual offenders. But in the course of our inquiry, we have been mindful that other groups of offenders may pose a similar threat to the community because of the threatening nature of their prior conduct, the violence they employed, or the number of individuals they victimized, e.g., those found guilty of armed robbery or assaultive conduct. As of November 1, 1981, the Division of Corrections was supervising, in addition to the sex offenders identified, 119 parolees and 724 probationers in Dane County. The Madison office was also supervising 8 individuals who were released from Mendota Mental Health Institute who had perpetrated serious offenses (4 homicide, 1 attempted homicide, 2 arson, and 1 sexual assault) and were subsequently committed to the institute for reasons of mental disease or defect. Four of these individuals were committed from Dane County; the other four were committed from elsewhere in the state.

The following series of recommendations is based on our overall review of sexual offenders and the relationship of the MPD to the agents who supervise these particular offenders on probation and parole. We recommend that initial efforts to implement the recommendations focus on the sexual offender. But we are convinced that the proposed program should eventually be expanded to include

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all offenders whose past behavior is perceived as threatening to the community. We have, therefore, framed our proposals with this larger objective in mind.

1. Redefining the posture of the MPD in relating to ex-offenders now residing in the community and to the professional staff who have the responsibility to supervise some of them.

In the past decade, the MPD has dramatically redefined its relationship with several segments of the community whose behavior brings them into frequent contact with the police: public inebriates, runaways, and, most recently, the chronically mentally ill. Although the effect of these new programs is not easily measured, the broad consensus appears to be that these efforts have made the police more effective in dealing with the problems associated with these groups. Each "client" group has presented unique needs, but at least four common characteristics exist in the changes that have occurred:

--New alternatives (detoxification, shelter homes, crisis intervention) have been introduced for the police to use in dealing with the client group.

--Officers have been successfully trained to respond in ways that represent a major departure from past practice.

--New, collaborative relationships have been established with the groups of professionals having responsibility for each of the client groups.

--Police have gotten to know well and to understand better the hard-core membership of each client group.

Against this background of rich experience, it seems odd, in retrospect, that so little thought has been given to relating to a somewhat analogous group--ex-offenders residing in the community--whose past conduct in committing crimes relates so directly to what has traditionally been viewed as the major, central role of the police department. But on reflection, some obvious explanations become quickly apparent. First, the police relationship with ex-offenders is almost always adversarial. After all, the police--if not in Madison, elsewhere--had a major role in their conviction. Second, given what police know about the tendency of ex-offenders to become reinvolved in criminal conduct, the police naturally view the ex-offender with some suspicion. Finally, the dominant

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operating philosophy of some probation and parole officers has been to remain at arm's length from the police so that they can be supportive in their rehabilitative role vis-a-vis the ex-offender--aware that harassment of ex-offenders by the police in the past has been but one of a number of negative factors that have frustrated the successful reintegration of ex-offenders into the life of the community.

But the experience that the MPD has now accumulated in relating to other client groups suggests that these explanations need not be impediments to working through a new response. Relating to ex-offenders is, admittedly, a much tougher challenge, since however supportive the police might be in helping the ex-offender to become reintegrated into the community and in preventing any further criminal involvement, the prime interest of the police is likely to remain--and properly so--in identifying those ex-offenders who do commit new crimes.

One thing is certain. It would not be possible to even contemplate a different relationship with this group or with probation and parole agents if it were not for the significant progress that has been made in redefining the relationship of the MPD to other client groups. Through its actions relating to public inebriates, runaways, and the mentally ill, the department as a whole has demonstrated that it can be supportive as well as punitive; that its officers have become increasingly sensitive to a wide range of life styles and to individuals with multiple problems; that it is generally restrained in its use of police authority; and that it respects the rights of all citizens, whatever their national origin, race, or status. Our inquiries reveal that, as a result of these efforts, the public is now more willing to trust the MPD to do some things that the public is not willing to trust to the police field as a whole.

This expression of confidence was especially pronounced in our discussions with administrators in the Division of Corrections. Here are some excerpts from our notes:

> X is enthusiastic about the possibility of developing an experimental program here in Madison where the objective would be to develop a better team effort between corrections and police in dealing with sexual offenders. He feels that people involved in dealing with the same kind of cases ought to know each other and that improvement in the operations stems from the proximity of these individuals and their knowledge about each other. The police should know who they are dealing with in corrections and vice versa. Use should be made of case conferencing and staffing so that there is more open sharing of information. . . .

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> Y feels that policies should be negotiated to meet local needs. Based on this feeling, it's his view that an excellent opportunity exists to experiment in redefining the relationship between the police and corrections in Madison where at least the police have indicated an interest in the problem and where corrections could be involved . . . . He sees the need for much more exchange of information between the police and probation and parole. He sees the need to go into depth with regard to cases and to provide feedback from the police to corrections and from corrections to police on unusual offenses. He recognizes that one of the conditions of achieving such an exchange will be greater sensitivity on the part of both parties to the complexity of the task and development, over a long period of time, of mutual trust.

Several other factors lend support to some form of greater cooperation between the police and corrections:

--the disproportionately high number of ex-offenders who choose to live in Madison, which accentuates the need;

--the size of the community, which makes many arrangements feasible that would not work in a larger city; and

--the decentralized organization of the Division of Corrections, with local units that correspond, in their jurisdiction, to the city and with staffs that are encouraged to work with the community to develop programs designed to meet local needs.

On the basis of all of these considerations, we feel that the MPD, to improve its response to the problem of sexual assault, should commit itself to fashioning a new kind of relationship with selected offenders in the community who have a prior record of sexual assault and with the agents of the Division of Corrections responsible for supervising them. Assuming that the proposal is approved, the commitment, in being communicated to the members of the MPD and the community, should reflect the strong endorsement of the chief, members of his immediate staff, and those who have special responsibilities for handling sexual assault cases. And as we noted earlier, if the program is successful, it should subsequently be expanded to include other types of offenders as well.

2. Creating the position of police-corrections liaison officer (PCLO).

We envisage the task of working out a cooperative relationship between the police and corrections and a new form of contact between police officers and ex-offenders as requiring a substantial

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amount of effort and as extending over a substantial period of time. We also see it as a difficult task, requiring a great deal of coordination. In our judgment, the task can best be accomplished by appointing a member of the MPD, tentatively referred to as the police-corrections liaison officer (PCLO). This officer would serve as the principal contact with the Division of Corrections; as the coordinator of whatever changes or new programs are required within the MPD; and as the officer who might carry out specific aspects of the program within the MPD.

Concentrating the responsibilities in one individual has several advantages. The liaison officer could be expected to develop, in a relatively short period of time, strong, personal contacts with all of the local probation and parole agents and their supervisors--which could then serve as a foundation for other, more basic changes. He or she would be expected to become knowledgeable about the corrections process. And the liaison officer would be clearly identified to probation and parole officers as the member of the MPD to contact when they are uncertain who to contact directly with information or about specific needs or problems. Likewise, members of the MPD could turn to their designated colleague when they need to contact probation and parole.

But we do not see the primary function of the liaison officer as conveying messages about persons under supervision, arranging for apprehensions, or investigating complaints. The primary commitment should be to implement programs, such as are outlined in the next section of this memorandum, that will meet these needs more systematically; that will result in the routine exchange of information; and that will promote direct contacts between officers and agents. To the extent that the liaison officer becomes involved in handling specific requests for information, for conveying information, or for straightening out the handling of a case, he or she ought to see these requests as indications of the need to develop additional improvements in relations between the two agencies so that these needs can be met more directly.

Within the police department, the liaison officer would be responsible for ensuring that newly established information sharing systems are in place and that police officers are trained in their use. The liaison officer would also play a major role in training all officers to handle their contacts with offenders under supervision in the community. And, at least at the outset, the liaison officer would be personally involved in establishing initial contact with selected offenders when, on their release from the institution, they are required to register with the police.

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E. Specific Proposals for Improving Police Contact with Both the Division of Corrections and Offenders Under Supervision in the Community.

In the course of our inquiry, a number of suggestions occurred to us for improving relationships between the MPD, the Division of Corrections, and those who are being supervised by the division. We have summarized these suggestions here as a way of illustrating the kinds of improvements that can be made and as a way of capturing them for further consideration. If the MPD accepts the recommentation for appointment of a police-corrections liaison officer, we would expect the person filling the position to consider these suggestions. As he or she would become more involved in building the relationship, we would expect many additional similar proposals.

1. Immediate notification.

The police should know precisely who is under supervision as a probationer or parolee in their community. The master card system that the regional office of probation and parole has instituted comes close to filling this need. Its major weakness is the delay in getting the cards to the police. Although we do not have data to support the claim, corrections administrators told us that the potential for reinvolvement in criminal activity is highest in the period immediately following release--a time when the police are least likely to know that an ex-offender has returned to the community.

Enactment of Assembly Bill 397 will require the Division of Corrections to notify the police within five days of granting parole. We assume this will require a new statewide system of notification. The police should use this opportunity to urge the Division of Corrections to adopt the most efficient system--preferably one that, through the use of computers, will notify the department immediately. With the planned release of parolees, it may even be possible to notify the police several days in advance of release.

2. Completeness and accuracy of the probation and parole status information on the Criminal Information Bureau's TIME system.

The value of this system to police agencies has been greatly diminished by misunderstandings as to its availability and questions about its completeness. Probation and parole agents

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are among those who are most critical of its operations. Many police officers are unaware of the availability of the system, but there has apparently been some reluctance to promote its use because of expressed concerns about its completeness and accuracy. The system was installed largely in response to the now-famous Watson case, when Watson--under supervision by the division--was released from the Dane County jail before contact was made with his agent. Watson himself had volunteered to the police that he was under supervision. The system was designed to free the police from the need to depend on the arrestee for this information.

The MPD should pressure the Division of Corrections to keep the CIB system up to date, complete, and accurate. With these improvements, the system appears from our perspective to be the best means for meeting the need for immediate notification described above. The MPD can aid in making the system accurate by routinely checking to ensure that all notifications it receives in the form of master cards are recorded in the system. The better the system, the more likely it is that it will be used.

3. MPD assessment of persons newly placed under supervision.

When notification is received that a sex offender has been placed on probation or parole, it is proposed that the police-corrections liaison officer assess the offender's record to determine the level of police interest in the offender. This should involve review of relevant police files as well as that portion of an offender's corrections file to which police have legitimate access and that relates to the behavior that resulted in conviction. From our experience in analyzing the sexual assaults that occurred in 1981 and the records of the alleged offenders, we have concluded that the police must try to get a complete, accurate picture of the actual behavior of an offender rather than rely on a list of the offenses for which the person placed under supervision had been arrested or convicted. The offenses are necessarily identified briefly and are often quite general; and we know that if any bargaining went on or if the prosecutor felt he or she did not have a strong enough case, the listed offense may reflect less serious conduct than actually occurred. A list of offenses, moreover, does not convey precisely the factors that we earlier identified as important in assessing the threat that the individual might pose for the larger community: the degree and form of force used, the number of victims, the type of victims, the relationship of the victim to the offender, and whether the offender's acts involved the other factors that gave rise to communitywide fear.

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The PCLO would quickly become adept at determining, from a review of the total record, which information is most relevant to the MPD. We anticipate that the MPD would develop a form for collecting such information--one that builds on that being put into effect countywide for sexual assault. The PCLO would then be expected to develop criteria for determining, based on his or her evaluation, whether the probationer or parolee should be required to register with the MPD. (With some exceptions, registration would always be required of those who are new to the community (i.e., transfers) or who are returning to the community after an absence due to incarceration.) Thus we propose that whether a client should register should be decided by the police rather than by corrections officers, though we would want to keep open for probation and parole agents the option of requesting a registration even though the police may not do so.

4. Registration and the reentry interview.

Currently, registration consists of reporting to the MPD for the taking of fingerprints and a photograph. The process is handled by a clerk. Police personnel are not involved.

Based on his or her prior review of the files, the PCLO will have determined which individuals newly placed on supervision will be requested to register with the police. In addition to the taking of fingerprints and a photograph, it is proposed that the PCLO meet with each person who is required to register.

One of the objectives of the meeting would be to lend support to the efforts already made by the individual's agent for a smooth integration into the community (e.g., driver's license in order?). But the major objective would be to express concern about community safety to the person registering, whose past behavior has affected that safety and whose freedom in the community, because of that behavior, is still limited. The meeting might profitably cover the following:

--the individual's plans for living in the community, including residence, source of income, participation in treatment programs, and recreational activities;

--a review of special conditions relating to the individual's supervision, including an explanation of the police role in enforcing those conditions;

--a discussion of the department's policies regarding persons under supervision; e.g., what would happen if the individual were picked up on a traffic offense or a criminal offense;

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--a discussion of the role of the PCLO in communicating with probation and parole agents, patrol officers, detectives, and other police agencies;

--an explanation of the extent to which knowledge about the individual and his or her past offense is shared (e.g., with police on the beat) or kept confidential;

--an expressed desire by the MPD for the individual to lead a productive and useful life in the community; and

--a showing of personal concern for the individual, with an offer of assistance in handling matters that the police are uniquely equipped to handle.

Although we recognize the distrust and even hostility that a person freshly released from prison might have toward the police, we feel that the interview affords the opportunity to make several important points: that not all police officers and departments are alike; that in many ways the police can be supportive of an ex-offender trying to make it on parole; that the police have a legitimate reason to take a special interest in the individual, but that they intend to be fair and discreet so that reintegration into the community is not impeded.

5. Systematic filing of information within the MPD.

One of the primary tools that a police agency has in solving newly reported crimes is information it has accumulated on past crimes and those who committed them. The MPD is currently suffering from a common malady in policing: the difficulty in organizing, categorizing, and maintaining this mass of information so that it can be easily and quickly searched for pieces of information that might be helpful in solving a newly reported crime.

The department is going to have to take some measures soon to gain more effective control over what is referred to as its "criminal intelligence." Proposals have been made for some computerization beyond the modest computer application now used, but whether this is feasible depends heavily on an analysis of the completeness and comparability of the data now in the major offenders' files. If the current system is overhauled, sex offenders would probably be treated in a manner similar to other offenders. Pending such changes, however, some subsystems must be established to maintain systematically the information that is acquired on both sex offenses and offenders.

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We propose that the PCLO work with Lt. Smith who has begun this work. The objective should be to ensure that the data are complete and easily retrievable. The PCLO would be in a position, based on his or her contacts with corrections and with offenders, to augment substantially the amount of information now collected that has value in the supervision of ex-offenders in the community and in the investigation of newly reported cases. Additional attention should be given to modus operandi. For example, the PCLO should incorporate into MPD files material on modus operandi drawn from his or her reading of corrections files on offenders who committed their prior sexual assaults outside Madison. This material would otherwise never get into the MPD's files.

A separate and more-easily-met requirement is the maintenance of a picture file of prior sex offenders from which photographs can be selected for viewing by new victims. The file obviously must be up to date, should be purged of entries after a designated period of time, and must subdivide entries according to sub-offense categories and physical characteristics. Consideration should be given to consolidation of the files of photographs currently maintained by CIS and Investigative Services.

The PCLO not only would play a central role in designing these basic investigative systems and feed information into them, but also would work with detectives in promoting their use.

6. Dissemination of information.

The PCLO would be in the best position to determine what, if any, information about an offender under supervision should be disseminated both within and outside the police department.

Probation and parole staff have suggested that it would be helpful for information about certain types of offenders to be communicated to officers on the beat in which the ex-offender resides. They cite, for example, the case of an older man previously convicted for molesting children who, as a condition of parole, is prohibited from associating with young children. In their judgment, conveying knowledge about this individual to the officer on the beat would serve both as a deterrent for the parolee and as a way of alerting the parolee's agent to any pattern of activity that might lead to a violation of parole or to commission of a new offense.

As the major depository for information in Dane County, the MPD has an obligation to provide information about some cases to the police in the smaller, surrounding jurisdictions. Over a period of time, the PCLO could develop criteria for determining

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when this should be done and the nature of the information to be communicated.

One of the most difficult dissemination questions arises when a previously convicted sex offender applies for or is hired in a job that may afford an opportunity--perhaps even an incentive--for the offender to commit an offense similar to that for which he or she was previously convicted. Corrections has been sensitized to this problem, as previously noted, in the Red Barron Restaurant case, and probation and parole officers are selectively requiring their clients to notify their employers of their past record or are doing so themselves. But members of the MPD are concerned because they periodically find, in newly reported sexual assaults, that a person in an unusually sensitive position, such as being a foster parent, a cub scout leader, or a child care attendant, has a record of sexual offenses involving children. Conscious of the efforts that have been made to eliminate discrimination against ex-offenders in employment practices, what is the obligation of the MPD in such situations? And if the department is assured corrections will deal with the problem if it involves individuals under supervision, what obligation, if any, does the MPD have regarding ex-offenders who are no longer being supervised? The department should not be the agency to volunteer information in individual cases. We feel, rather, that the PCLO should work out arrangements with certain employers, agencies, volunteer groups, and, if necessary, the legislature so that these groups will have the authority and appropriate procedures to protect themselves from employing individuals whose past record suggests that it is in the interest of neither the individual nor the agency to employ them.

7. Developing a policy for guiding contact between police officers and persons under supervision.

The overall proposal contemplates a new kind of relationship between police officers on the street and persons under supervision. We recognize, however, that this will be an extremely sensitive aspect of police operations--requiring an expression of concern, but avoiding anything that even approaches harassment or that frustrates efforts on the part of the ex-offender to live a normal life in the community. We think it important, for example, that officers avoid taking actions that make the status of persons under supervision known to persons with whom they associate. For these reasons, prior to implementing this aspect of the program, the department should explore a number of questions with probation and parole agents as a preliminary step to developing a policy

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that will be consistent with the goals of the Division of Corrections and that can be used as a basis for training police officers. Among the questions that ought to be resolved are the following:

--When should police officers take the initiative in making themselves known to persons under supervision?

--What should be the content of these contacts?

--What special authority, if any, does a police officer have in relating to a probationer or parolee?

--Under what circumstances should the conduct of probationers or parolees be reported to their agents?

--What is the authority of a probation and parole agent in relating to a client (e.g., regarding search of his or her person or premises) and to what extent should police officers request an agent to make use of this authority in pursuing a matter of concern to the police?

--What procedure should the police follow in contacting a person under supervision if the police suspect the person is involved in a new crime or has knowledge about a crime committed by others? What standard of suspicion should be met before such contact is made?

--What are the evidentiary requirements that probation and parole agents must meet in revocation proceedings? What relevance, if any, do these have for the police in their contacts with persons under supervision?

8. Notification to probation and parole agents when a person under supervision is arrested.

Probation and parole agents want to know when their clients are arrested by the police. One agent, for example, complained that she learned indirectly--one month after the event--from a friend who happened to know she was supervising a particular client that the client, who she was monitoring closely because he was known to become quite violent when intoxicated, had been arrested for driving while intoxicated.

If the CIB computer record of persons under supervision is complete and kept current, we believe that both the MPD and the Division of Corrections will want to ensure that a QPP inquiry is made routinely in the processing of an arrest. Currently, at

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some point in the processing of a person who is arrested, a routine check (a QW check) is made to ensure that the person is not wanted on a warrant or on a probation or parole apprehension order. With minimal effort, the additional check on probation and parole status can be made. If it is found that the person arrested is under supervision, the MPD (or by arrangement, the jail staff) should notify corrections in a manner agreed upon by the two agencies and should certainly see to it that a judge or court commissioner involved in a decision to release on bail is informed of the arrestee's status. It may be that corrections will choose not to be informed about certain types of arrests.

The present arrangement, whereby dependence is placed on a delayed review of a listing of all arrests booked into the jail, is not satisfactory. If we understand the procedure correctly, a Watson-type incident could easily reoccur. Making a QPP inquiry a routine step in processing all arrests would also identify probationers and parolees who are eligible for release directly from the Patrol Bureau desk.

In addition, probation and parole agents indicated that they would find information regarding certain MPD nonarrest contacts with their clients to be useful in carrying out their responsibilities. For example, notification that a probationer or parolee was conveyed to the detoxification center would be an extremely important piece of information regarding an individual whose criminal history is closely tied to excessive use of alcohol. Likewise, notification that a person under supervision was involved in an intrafamily dispute handled without an arrest or was victimized in a crime committed by another could be extremely important to the individual's probation and parole agent. Such data are systematically collected in the MPD's computerized Madison Area Police (MAP) system. Incidents involving people under supervision could automatically be directed to the PCLO, who in turn could convey this information to the appropriate probation and parole agent.

9. Joint staffing of difficult cases.

In a city the size of Madison, a small number of individuals with a record of having committed one or more sexual offenses become well known to both the police and probation and parole agents as "troublesome" cases. Such individuals call attention to themselves by their involvement in other types of criminal conduct, by their associations, or by the type of individuals

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upon whom they prey. They may also become adept at committing sexual offenses (sometimes involving substantial amounts of violence) without being detected or, at a minimum, shielding themselves as they approach their victims so that they are not identified and cannot therefore be prosecuted. Or they may select as their victims individuals who, for a variety of reasons, are unlikely to complain to the police or to testify at trial.

At various times recently, all of the agencies concerned with the problem of sexual assault have known of several ex-offenders living in the community who, they have jointly concluded, were probably responsible for a series of serious sexual assaults. But the agencies have felt impotent in dealing with them. In such cases, it would be helpful--and we believe a good investment of time--for the police to take the initiative in arranging a meeting of representatives of the MPD, probation and parole, and any other agency having an interest in the case (the district attorney, the sheriff's office, the university's protection and security department, the Rape Crisis Center, or Dane County Social Services) to share information, explore ways to deal with the offender, and agree on a plan of action. A proactive approach is the more responsible way to handle such situations, rather than uncomfortably wait for an incident to occur in which the offender will be both identified and apprehended. Several of the individuals we interviewed in the Division of Corrections--both in administration and at the operating level--suggested getting together with the police in such a joint staffing arrangement with regard to some of their clients.

10. Development of a policy regarding apprehensions.

The strained relationships between the MPD and probation and parole regarding the need for apprehensions can, in our opinion, be quickly relieved by both agencies working out a joint policy to which they would then conform. The basic need is to categorize the various types of apprehensions that must be made and then determine the degree of police involvement and the priority to be given each category. Without attempting to be comprehensive here, a number of quite different situations occur to us:

--The client is located in the probation and parole office. Safety requires police assistance in transporting him or her to jail.

--The client is known to be residing or employed at a specific address, and safety requires police assistance in making the apprehension and in transporting the client to jail.

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--The location of the client is unknown and the assistance of the police is required in locating him or her.

--One of the above situations, augmented by the probationer or parolee being thought to be dangerous or threatening.

Each of these situations might be further classified dependent on the reason for the apprehension order being issued (e.g., violation of conditions of probation or parole, wanted in connection with investigation of a new offense, wanted for revocation). Based on such considerations, it should be possible to assign a priority to an apprehension order or to label it in such a manner that the police have a better sense of how to fit the request into their total work load. Prior agreement by the MPD on the priority to be given each category of request would eliminate much of the current tension that arises with regard to each individual request.

11. Fuller use of the knowledge and records of probation and parole agents in identifying offenders in unsolved cases.

As noted earlier, rarely do the police enlist the aid of probation and parole agents in trying to identify the offender in an unsolved sexual assault. Yet, from our reading of all of the reports on cases that are unsolved, subtle facts about the offense or the offender often would enable a person familiar with the offender to associate the case with the offender (e.g., an offender who speaks to the victim about breeding horses in Arizona). The suggestion is not, by any means, that all reports of unsolved sexual assaults be circulated to the entire probation and parole staff. But doing so on a selective basis may prove beneficial. Arrangements could be made, for example, for one of the detectives assigned to investigating sexual assaults to meet monthly with the staffs at the two local probation and parole offices for a review of those cases on which the police feel the probation and parole agents might be most helpful. The present practice of occasionally circulating an artist's composite of an alleged offender among probation and parole agents ought to be expanded so that information on especially serious current cases is more routinely and speedily circulated among the corrections staff.

The MPD should make more effective use of the Division of Corrections computerized file containing descriptions of persons under supervision. Queries can be made of this file according to physical characteristics, residence, etc. As a very minimum, the PCLO and detectives should be familiar with its potential so that they can turn to this resource when it appears that it would be helpful.

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12. Training and cross-training.

For the total program to be most effective, the PCLO should develop a component for recruit and in-service training on the role of the police in relation both to offenders under supervision in the community and to probation and parole agents. This would afford an opportunity to introduce and review whatever departmental policies are developed in the area.

Additional opportunities exist for cross-training. Arrangements could be made for recruits to have a field placement in a probation and parole office similar to the placements that have been developed--to great advantage--in other social service agencies. Probation and parole agents acknowledged that they would benefit from a more systematic exposure to police operations. And one probation and parole supervisor volunteered to arrange for police officers to go through the initial interview of probationers under an assumed name and offense so that they will be familiar with this aspect of the probation operation. The obvious objective, in these exercises, would be to develop a better understanding of the common ground between the two agencies; to acquaint police officers with the authority and limitations on probation and parole agents and vice versa; to define more realistically what officers can expect of agents and what agents can expect of officers; and, finally, to develop mutual respect for those differing goals that may sometimes put the agencies in conflict with each other.

13. Periodic meetings of supervisors.

As one additional way of developing relationships between the two agencies, the captains and lieutenants in the MPD Detective Bureau should meet on occasion with the supervisors of the three units of probation and parole agents serving Madison and the rest of Dane County. These individuals should know each other so that they can speedily resolve problems that arise between the two agencies. We think it important also that they have the opportunity to discuss common concerns and occasionally assess the effectiveness of their relationship in contributing to their common goal of safeguarding the community.

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14. Making police data on a specific community problem available to judges for their consideration in the sentencing of individuals who are found to have contributed to the problem.

One of the common concerns police have is whether, at the time of sentencing, a judge considers the effect that his or her choice of sentence has, as a deterrent, upon the larger problem of which the single offense is but a part. Thus, for example, if the community is experiencing a wave of robberies of all-night convenience stores and the police succeed in apprehending one of the offenders, the police feel that the sentence imposed on this offender will be taken by other similar offenders as an indication of the seriousness with which the community views this behavior and as an indication of how severe the punishment is likely to be.

Who assesses the larger problem for the judge? An assistant prosecutor will usually make a recommendation for sentencing based on the behavior of the offender and the interests of the victim. In some cases, the prosecutor may articulate a concern about the community's interest in coping with the larger problem of criminal conduct to which the offense relates, but this is not done routinely.

The police have an interest in seeing to it that judges do not sentence in isolation. They therefore would like judges to be provided more systematically with information on the larger crime problem to which the case under consideration has contributed. One efficient way to achieve this objective would be to encourage probation and parole agents to include, as a routine consideration in their presentence report, some commentary on the relationship of the offender's behavior to the larger crime problem in the community. (We recognize that the value of the practice would be limited if the presentence reports are prepared in but a small percentage of all cases--which presently appears to be true.)

The PCLO could encourage this practice by facilitating the arrangements by which a probation and parole officer could first determine if an offender's conduct was indeed part of a larger problem being experienced in the community. And if an affirmative response is received, arrangements could be made to provide the probation and parole agent with a concise, up-to-date, and sufficiently specific summary of the problem for inclusion in the presentence report so that the judge can consider the offender's conduct as it relates to the larger community problem.

Appendix 1

BACKGROUND DATA ON FIFTEEN SEXUAL ASSAULT CASES
IN WHICH OFFENDER HAD A PRIOR RECORD OF CONVICTION[S] FOR A SEXUAL OFFENSE

(Madison, Wisconsin: Reported Between January 1, 1981, and October 7, 1981)

	DATE OF OFFENSE	CHARACTERISTICS OF VICTIM	CHARACTERISTICS OF OFFENSE AND FORMAL CHARGES	PRIOR RECORD OF OFFENDER	STATUS AT TIME OF CURRENT OFFENSE
(1)	2/12/81	Victim is 21-year-old male residing at YMCA.	Offense occurred in victim's room. Offender is alleged to have forced victim, who consented to have sexual contact, to commit an act that the victim found offensive. Initial charge is second degree sexual assault. Deputy D.A. refused to prosecute.	Convicted in Manitowoc in 9/80 of 4th degree sexual assault. Battery charge dropped. Received 6 months in county jail. Manitowoc investigating a second offense involving forcible rape of a minor. Offender is also suspect in case involving a 13-year-old female runaway in the period from 2/17 - 2/21/81 in Madison. This case was dropped on request of the victim's parents.	Not under supervision.
(2)	2/25/81	22-year-old female. Record dating back to 4/6/77, including two convictions for forgery, two for prostitution, and one for welfare fraud.	Letting himself into apartment with alleged stolen keys, offender forced victim to engage in oral and anal sex. Claimed it was "owed" to him. Attempted to send her out on the street to make money for him. She subsequently submitted a statement to defendant's attorney stating that intercourse was voluntary and there was no weapon. Case was unfounded.	No local record, but extensive record in Kansas and Ohio. Convicted of attempted rape of 19-year-old girl in 1967. Also charged with molesting young boy. Convicted of two robberies--the last of a post office. Last sentence in 1976 to Oxford for 6 years.	On federal parole until 7/18/81. Residing in Madison since May 1980.
(3)	2/81 to 3/81	20-year-old victim was customer of offender who had storage company. Case first came to police attention when victim complained that she was not able to get furniture out of storage.	Offender engineered business situation to get victim alone. Minimal touching, but overall sexual overtones to incidents. Charge of 4th degree sexual assault still pending.	Two convictions for indecent behavior with a child in 1975. Committed to Central State and later Mendota.	On parole since 1978.
(4)	1978-1980. Reported 3/81.	8 - 10-year-old male who was a foster child in home of offender. Offense reported after victim was returned to custody of mother.	Numerous instances of oral sex with victim over period of several years. While awaiting trial, offender contacted victim again and physically assaulted him. Charged with threatening the victim and again with sexual assault.	Charged in 1961 with molestation and indecent exposure. Committed to Mendota State Hospital.	Not under supervision. Under bail when committed second offense in 1981.

(5)	3/17/81	20-year-old female victim and offender are roommates. Victim was angry at offender with respect to missing money.	Victim reported forced oral intercourse ten days after attack. Details sketchy. Victim's social worker indicated there may be other motivation for reporting use of force. D.A.'s office refused to file charges.	Offender has long Wisconsin arrest and conviction record dating back to 1971. Offenses include robbery, theft, disorderly conduct, and carrying a concealed weapon. Three separate allegations of sex offenses; one conviction for sex perversion in 3/75 for which he received a two-year prison sentence.	Not under supervision.
(6)	3/25/81	27-year-old female victim accepted ride home from bar with offender, whom she had met that evening.	Offender took victim to motel instead of home where he physically and sexually assaulted her.	Offender has Wisconsin record dating back to 1967. Conviction of delivery of controlled substances, battery, disorderly conduct, theft, armed robbery, escape, motor vehicle theft. Most recent sex offense was in 1975 for rape. He received 4 1/2 years for this offense (included also were concurrent sentences for delivery of controlled substances and armed robbery). Escaped while serving sentence. Returned to custody in 1976. Sentenced under habitual criminal statute.	On parole.
(7)	3/8/81	11-year-old female.	Abducted victim at bus stop and drove her to isolated location where he made genital contact with victim, exposed his buttocks, and manipulated himself to climax. No attempt at intercourse. Charged with first degree sexual assault.	Convicted of lewd and lascivious behavior in 1972. Given one year probation. Charged on 1/22/81 with theft by contractor.	On probation for the 1981 theft charge.
(8)	4/22/81	Victim is 27-year-old retarded female who knows offender by sight.	Assault occurred in victim's home. Not clear from investigation if victim cooperated or resisted. D.A.'s office felt there was no case.	Long criminal history including arson, burglary, battery, escape. Convicted in 1978 for 4th degree sexual assault (18 mo. probation) and for 3rd degree sexual assault (60 days).	Probation for criminal damage to property had ended same day.
(9)	5/5/81	22-year-old male acquaintance of suspect.	Suspect, an escapee, shared victim's bed for overnight stay. Victim alleged the following day that suspect forcefully attempted sexual encounter. Victim did not want to pursue.	Served time for drug offenses, theft, battery of a police officer, escape, endangering life, and (in 1971) sexual perversion and indecent behavior with a child.	Escapee from Oak Hill.

(10)	5/31/81	23-year-old female met offender in front of her apartment. On invitation went with offender and three friends to park.	Offender accompanied victim back to apartment where he made sexual advances which victim rebuffed. He restrained victim and sexually assaulted her.	Extensive criminal history since 1971 in Wisconsin, California, Texas, including carrying a concealed weapon, sale of narcotics, possession of stolen mail, and disorderly conduct. Received two-year sentence in Texas in 1975 for indecent behavior with a child; a one-year sentence in Madison in 1980 for 3rd degree sexual assault. Pending is a charge of sexual assault of a 16-year-old girl in Dodge Co. Also pending is a charge of aggravated battery alleged to have occurred one week prior to the current offense.	Not under supervision, but free on $1,000 bail for pending charge in another county.
(11)	First six mo. of 1981.	15-year-old daughter of offender. Daughter refused to speak to detectives.	Third-party witness reported that offender had sexual intercourse with victim. Also reported offender traded daughter's favors with neighbor for cash, beer.	Extensive record dating back to 1949, including car theft, AWOL, disorderly conduct. He received a 2-year federal sentence for transporting women across a state line for purposes of prostitution. Sentenced for 5 years in 1960 for abduction; for one year in 1973 for rape.	Not under supervision.
(12)	6/8/81	21-year-old female with prior convictions for prostitution.	Victim and offender together at victim's home. When victim refused sexual contact, offender threatened to "slit throats of victim and her baby." Offender left when other household member was awakened by baby's cries. Other household member indicated victim may have been willing partner. D.A.'s office indicates proof of force would be too difficult; decided not to prosecute.	Offender has extensive history dating back to 1968 in three states and under several aliases. Multiple instances of battery, theft, burglary, carrying a concealed weapon, reckless use of a weapon. Convicted in 1970 for sexual intercourse with a child, for which he received 3 years probation and 9 months jail time. No disposition indicated for 1971 sex offenses in Illinois. Most recent sexual assault arrest was in 1978, but charge dropped.	On probation until 10/23/82 for criminal damage to property.
(13)	7/7/81	Friend of offender. Refused to file complaint, but agreed to testify at parole revocation proceeding.	Gave victim black eye. Rape interrupted by neighbor who heard screams. Details became known to police through third party notification by Dane County Project on Rape. No formal charge. Proceeded with revocation at victim's request.	History of rape, breaking and entering dating back to 1962. Most recent conviction prior to current offense was for rape in Wisconsin in 1971, for which he received 15 years.	On parole since 10/1/80. Two charges pending for criminal trespass (3/81) and theft (5/81).

(14)	8/8/81	30-year-old woman, friend of offender's landlord.	After drinking together in boyfriend's house, the offender, who was a roomer, and very intoxicated, attempted sexual advances. Victim rebuffed offender. Helped offender to a bedroom. He assaulted her. During struggle, victim was able to get away. Charged with 2nd degree. Charge later amended to 4th degree to which offender pleaded guilty. He received 2 years probation with conditions.	Over fifty years ago, offender was sentenced for forgery (2 years) and car theft (2 years). Also sentenced in 1927 for 2 - 4 years in Waupun for assault with intent to rape. In intervening years, several charges of disorderly and theft. Convicted of battery in 1976.	Not under supervision.
(15)	8/12/81	Ex-girlfriend of offender who had been "in hiding" from offender. Later she attempted to withdraw complaint as she is going to marry offender.	Victim went to friend's apartment where offender grabbed her and forcefully abducted her. He beat her and took her to another apartment where he forced sexual intercourse. Attempted to get money from victim by threatening to "beat her all night." When victim went to brother at Zast Towne to obtain money, she was able to escape. Formal charges are battery, kidnapping, sexual assault, and extortion.	Offender has record in Madison beginning in 1975 which includes car theft, burglary, breaking and entering, and receiving stolen property. Charged with sexual intercourse with a child (1974), but it was dismissed. Convicted for soliciting prostitutes. In 1977 he was charged with 2nd degree sexual assault and sentenced to 2 years probation with 9 months in the county jail.	Not under supervision.

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Appendix II

BACKGROUND DATA ON FIVE SEXUAL ASSAULT CASES THAT RECEIVED SUBSTANTIAL PRESS COVERAGE

(Madison, Wisconsin: 1980-81)

Month and Year of Offense	Brief Synopsis of Offense	Relevant Criminal History of Suspect	Status at Time of Latest Offense
1/80	Offered 27-year-old unacquainted female a ride to work. Demanded oral sex. Brutally beat victim with hammer. Attacked another victim on same day in same manner.	Extensive criminal history for theft, burglary, battery and sexual assault dating back to 1942. Most recent prior conviction was for sexual assault.	Released on parole 6/77; under supervision by Wisconsin Bureau of Community Corrections at time of offense.
6/80	Brutally assaulted (sodomy) 19-year-old female friend, resulting in her death.	Previous convictions for rape, sodomy, escape, and armed robbery. History involves both brutality and sodomy. Most recent prior conviction was for sexual assault.	Paroled by New Mexico in 6/79. The supervisory period was indefinite. Suspect was under supervision of the Wisconsin Bureau of Community Corrections at time of latest offense.
10/80	Strangled 26-year-old female acquaintance in local motel.	Previous convictions for battery, aggravated battery, and sexual assault. History involves brutalization of sexual partners, including strangulation. Most recent prior conviction was for sexual assault.	Released from Wisconsin correctional system in 7/79. Registered with MPD in 7/79. Suspect was under supervision of Wisconsin Bureau of Community Corrections (until 1986) at time of offense.
5/81	Kidnapped 17-year-old coworker at a Madison fast food restaurant. Forced sexual contact three separate times during abduction.	Two previous convictions for kidnapping and rape (dating back to 1967). Most recent prior conviction was for kidnapping and rape in 1973.	Released from Central State Hospital in 1/81. Under supervision of Wisconsin Bureau of Community Corrections (until 1985) at time of offense.
8/81	Sexually assaulted and stabbed (numerous times) a daycare worker at victim's work place.	Previous convictions for armed robbery, indecent behavior with a child, and sexual assault. Most recent prior conviction was for sexual assault.	Released from Wisconsin correctional system 14 days prior to this incident. Under supervision of Wisconsin Bureau of Community Corrections in another Wisconsin county at time of this offense.

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Appendix III

PERSONS UNDER PROBATION AND PAROLE SUPERVISION ON NOVEMBER 1, 1981, IN DANE COUNTY

	County in Which Convicted: Dane County	Other Counties	Total
Convicted of a Sexual Offense			
Probationers			
In need of special treatment as a sex offender	2	1	3
No need for special treatment	31	7*	38
Total probationers	33 (80%)	8 (20%)*	41 (100%)
Parolees			
In need of special treatment as a sex offender	4	15	19
No need for special treatment	2	4**	6
Total parolees	6 (24%)	19 (76%)**	25 (100%)
Cases Committed for Reasons of Mental Illness or Defect			
Under supervision	4 (50%)	4 (50%)	8
All Other Cases			
Probationers	599 (83%)	125 (17%)	724 (100%)
Parolees	48 (40%)	71 (60%)	119 (100%)

* Includes three cases transferred from another state.
** Includes one case transferred from another state.

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Appendix IV

MATERIALS REFLECTING FOLLOW-UP ON THE MEMORANDUM

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March 19, 1982

PRESS RELEASE

We have endeavored, over the past several years, to improve our capacity to deal with the sexual assault problem. We have had the feeling for sometime that a substantial number of those assaults of greatest concern to the community are committed by individuals with prior records as sexual offenders and that a number of these individuals were on probation or parole at the time of their most recent offense.

In order to understand the nature and extent of this problem, a U.W. research team was asked last fall by the Madison Police Department to make an inquiry addressing these concerns:

1. Are newly reported sexual offenses committed by individuals with a prior record of similar behavior? How many of these offenders are currently on probation or parole? How complete are the data? Are all such cases of equal concern?

2. How many individuals in the Madison community are currently on parole or probation for having committed a sexual offense? What was the nature of their offense? Were they convicted in Madison, or are they newcomers to the community?

3. What knowledge do the police have regarding persons currently under supervision in the community and others who have been convicted of a sexual offense? What relationship, if any, do the police have to these individuals? What is the relationship of the police to the agents of the Division of Corrections who have the responsibility to supervise those who are on probation or parole?

4. Based on the answers to those questions, what changes, if any, appear desirable in the posture of the Police vis-a-vis the ex-sexual offender? To what extent would such changes be applicable to ex-offenders generally?

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We have now reviewed and are considering their findings regarding the problem of sexual assault: Here are some of those findings:

- Sex offenses that generate the greatest community-wide fear generally have one or more of the following factors:
  - the victim is a total stranger picked at random;
  - the victim is abducted;
  - the offender inflicts severe injuries or death;
  - the offender remains at large;
  - many victims are attacked in a similar manner in a short period of time.
- There is a significant number of convicted sexual offenders residing in the community. On one given date last fall there were 41 probationers and 25 parolees for sexual offenses under supervision in Dane County; 27 of them were convicted in counties other than Dane.
- Probation and Parol staff know who these people are, and the Police know what these people are doing, but both lack full information regarding these convicted sexual offenders.
- There are at least 8 newly reported sexual assaults in 1980 and 1981 that were committed by individuals on parole for a sexual offense.

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The in-migration of offenders under supervision (19 of 25 sex offender parolees and 71 of 119 parolees for other offenses) may be because of the following factors:

- loss of ties to their original community;
- the stigma incurred in their home community compared to the anonymity of a large city;
- the physical and social attractiveness of Madison;
- the reputation Madison has for being tolerant of persons with different life styles and backgrounds;
- a strong social service network;
- the presence of the University;

Some specific recommendations have been offered to improve police effectiveness in dealing with this sexual assault problem. Here are some examples:

- Create a position of police-correction-liaison officer within the Police Department to work out a cooperative relationship between police and Probation and Parole. The liaison officer would be involved in the assessment and interview of persons newly placed under supervision.
- Notify the Police immediately of any probationer or parolee under supervision in the community and maintain complete and accurate parole and probation status information on the CIB's TIME system.

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- Notification of probation and parole agents when a person under supervision is arrested.

- Joint staffing by Police and Probation and Parole of difficult case investigations.

- Fuller use of the knowledge and records of probation and parole agents in identifying offenders in unsolved cases.

- Periodic meetings of supervisors of the two agencies; police and probation and parole.

As we mentioned before, this has been a preliminary collection of data containing some recommendations for both Police and Probation and Parole that will help our criminal justice system be more responsive and effective in dealing with released offenders with a prior history of sexual violence.

We also feel that there are general implications from this study that will carry over not only to sexual offenders with a back ground of violent behavior, but also to other persons with a pattern of violence.

This program has the potential to be a model program and give us a unique opportunity to demonstrate that the criminal justice system can, in fact, work as a system.

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Representatives from our four agencies (front-line personnel) will meet during this month to review the data and recommendations of the report and draw up a course of action, a strategy, to better supervise persons on probation and parole in our community that have backgrounds of violent crime.

We hope the results of this effort will be increased community safety.

DAVID C. COUPER
Chief of Police

JEROME D. LACKE
Dane County Sheriff

JAMES E. DOYLE
Dane County District Attorney

ELMER O. CADY, Administrator
State Division of Corrections

Wisconsin State Journal sec. 4, p. 1 Saturday, March 20, 1982

Close watch set on sex offenders

By Marvin Balousek
Police reporter

Violent sex offenders on probation or on parole in Dane County will be supervised more closely under a new program announced Friday.

Madison Police Chief David Couper, Dane County Sheriff Jerome Lacke and state Corrections Administrator Elmer Cady pledged their support to the program, which could become a model for other counties if it succeeds.

Detectives from the city and county will be assigned to serve as liaison officers between police and the corrections system. Police will be notified immediately of any probationer or parolee in the community and status information on offenders will be maintained by city police.

Probation or parole agents will be notified immediately when a person under supervision is arrested.

Police and corrections officials also will work together by sharing knowledge and records in identifying offenders in unsolved cases, pooling staff on difficult investigations and scheduling periodic meetings of supervisors of the agencies.

Couper said details of the program, which was developed by a University of Wisconsin-Madison research team, have not been developed but meetings are scheduled this month to begin the program.

Implementing the program may mean that beat officers visit offenders regularly, according to Couper. They may keep file cards on the offenders and watch for even minor violations of probation or parole.

"Maybe we have a daily tab on them," he said of the targeted offenders. "We're only talking about 25 offenders here. We're talking about people who are under conditional release."

The worst offenders currently are required to meet with their parole agent twice a month.

On a typical day last fall, there were 41 probationers and 25 parolees for sexual offenses under supervision in Dane County.

Offenders often come to Madison because of lost ties in their home community or in an attempt to overcome the stigma of their crime in their home community by coming to a larger city, the officials said. Madison's physical and social attractiveness, its reputation for tolerance, a strong social service network and the university may be other factors.

Couper said the program will mean a "collaborative relationship" between police and corrections officials of the kind that already exists in small communities.

He said suspects in five major homicide or sexual-assault cases during the past two years had many similarities.

The convicted offenders or suspects are:

Ralph Armstrong, who was convicted last year of the brutal slaying of Charisse Kamps in her Gorham Street apartment while he was on parole from New Mexico for rape and sodomy convictions.

Daniel Lenz, who was convicted last year of strangling Connie Scott at and East Washington Avenue motel while he was on parole for a 1976 sexual-assault conviction.

Daryl Lee Preston, who was convicted last fall of sexually asssaulting and trying to kill a nursery school teacher last summer in Shorewood Hills while he was on parole for a sexual assault charge.

John J. Watson, who was convicted in 1980 of attacking two young women hitchhikers with a hammer after being released early from a 35-year prison sentence for statutory rape.

Richard A. Welke, who is accused of the abduction and sexual assault last summer of a 17-year-old girl. Welke has been convicted of two counts of sexual assault, aggravated kidnapping and two prison escapes.

The law-enforcement officials said there are striking similarities in these five cases.

All five have extensive criminal records that include a variety of offenses and each has a record of assaultive conduct. All five were free in the community for 15 days to 30 months before their most recent offense.

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VOLUME X NUMBER 2

MADISON POLICE DEPARTMENT

March 30, 1982

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NEWSLETTER

RESPONDING FURTHER TO THE SEXUAL ASSAULT PROBLEM

We have endeavored, over the past several years, to improve our capacity to deal with the sexual assault problem. Many of us have had the feeling for some time that a substantial number of those assaults of greatest concern to the community are committed by individuals with prior records as sexual offenders, and that a number of these individuals were on probation or parole at the time of their most recent offense.

In order to understand the nature and extent of this problem, we asked a U.W. research team last fall to make an inquiry addressing these concerns. We have now reviewed and are considering their findings regarding the problem of sexual assault. Here are some of those findings:

- Sex offenses that generate the greatest community-wide fear generally have one or more of the following factors:
  - * the victim is a total stranger picked at random;
  - * the victim is abducted;
  - * the offender inflicts severe injuries or death;
  - * the offender remains at large;
  - * many victims are attacked in a similar manner in a short period of time.
- There is a significant number of convicted sexual offenders residing in the community. On one given date last fall, there were 41 probationers and 25 parolees for sexual offenses under supervision in Dane County; 27 of them were convicted in counties other than Dane.
- Probation and Parole staff know who these people are, and the Police know what these people are doing, but both lack full information regarding these convicted sexual offenders.
- There are at least 8 newly reported sexual assaults in 1980 and 1981 that were committed by individuals on parole for a sexual offense. The migration of offenders under supervision (19 of 25 sex offender parolees and 71 of 119 parolees for other offenses) may be because of the following factors:
  - * loss of ties to their original community;
  - * the stigma incurred in their home community compared to the anonymity of a large city;
  - * the physical and social attractiveness of Madison;
  - * the reputation Madison has for being tolerant of persons with different life styles and backgrounds;
  - * a strong social service network;
  - * the presence of the University.

Some specific recommendations have been offered to improve police effectiveness in dealing with this sexual assault problem. Here are some examples:

- Create a position of police-correction-liaison officer within the Police Department to work out a cooperative relationship between Police and Probation and Parole. The liaison officer would be involved in the assessment and interview of persons newly placed under supervision.

- The Police should be immediately notified of any probationer or parolee under supervision in the community and maintain complete and accurate parole and probation status information on the CIB's TIME system.

- Probation and Parole agents should be immediately notified when a person under supervision is arrested.

- Joint staffing by Police and Probation and Parole of difficult case investigations.

- Fuller use of knowledge and records of probation and parole agents in identifying offenders in unsolved cases.

- Periodic meetings of supervisors of the two agencies; Police and Probation and Parole.

This has been a preliminary collection of data containing some recommendations for both Police and Probation and Parole that will help us better deal with released offenders with a prior history of sexual violence.

We also feel that there are general implications from this study that will carry over not only to sexual offenders with background of violent behavior, but also to other persons with a pattern of violence.

Front-line representatives from our Department, the Sheriff's Department, the Distric Attorney's office and the State Division of Corrections will meet during this month to review the data and recommendations of the report and draw up a course of action, a strategy, to better supervise persons on probation and parole in our community that have backgrounds of violent crime.

We hope the results of this effort will be increased community safety.

DCG:jm

Opinion Page

Wisconsin State Journal Wednesday, March 31, 1982, Section 1, Page 12

Improve supervision

Congratulations to law-enforcement officials for their new program to more closely supervise violent sex-offenders on probation or parole in Dane County.

Madison Police Chief David Couper, Dane County Sheriff Jerome Lacke and state Corrections Administrator Elmer Cady said they will cooperate in an experimental program developed by a University of Wisconsin-Madsison research team.

The details remain to be worked out, but components include immediate notification of police when a probationer or parolee comes to Dane County and maintenance by city police of status records on each offender.

According to Couper, the program may mean that officers visit offenders regularly and keep close tabs on them for even minor probation or parole violations.

The program is the result of Madison's grim recent record of crimes by convicted sex-offenders freed on probation or parole.

Ralph Armstrong, convicted last year of the brutal slaying of a young woman in her Gorham Street apartment, was on parole from New Mexico for rape and sodomy convictions.

Daniel Lenz, convicted last year of strangling a woman in a Madison motel, was on parole for a 1976 sexual-assault conviction. The list goes on.

A pressing question for the court system is why these offenders — often with long criminal records and obviously dangerous to society — were released in the first place.

The new supervision program shows at least that law-enforcement officials intend to tighten up their part in the crime-prevention chain. Good.

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POLICE-CORRECTIONS TASK FORCE

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Staff

Project on Development of a Problem-Oriented Approach to Improving Police Service

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POLICE-CORRECTIONS TASK FORCE MEETING

April 7, 1982

Summary of Tentative Decisions and Points Requiring Follow-Up

[Note: Any decisions that the task force reaches are obviously not final. They will be forwarded as recommendations to the administrators of the several departments in the form of recommendations.]

1. Immediate notification.

The consensus of the group was that we should seek to create a system of notification that will be accurate, comprehensive, and timely; that we should invest in perfecting a single system rather than several systems. Forwarding of the master file cards, although reasonably satisfactory at the moment, will not meet the need for promptness. Also there is no systematic way in which to remove cards from the file. It was, therefore, the consensus of the group that the CIB system, currently containing status information, is most likely to have the fullest potential for serving the needs of both the police and corrections. Improvements and changes required to meet this potential are detailed under §2 below.

With the end of the legislative session, Assembly Bill 397--requiring notification to police of parole releases--is dead, so it will have no bearing on our work.

The attention of the police was called to the present subsystem whereby the police are informed of work-release arrangements for residents of Oak Hill. TED MELL and JODY URSO will familiarize themselves with this information. The overall impression is that the system is working well and that Oak Hill follows up quickly on the failure of a resident to return on schedule. (Query: Is there need for some arrangement whereby an officer who is in touch with an Oak Hill resident will be alerted to the resident's status?)

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2. Completeness and accuracy of the probation and parole status information on the Criminal Information Bureau's TIME system.

For the CIB system to meet all current needs, the following steps must be taken:

(a) A systematic audit must be conducted to identify cases not currently entered, to determine what accounts for these omissions, and to make the procedural changes that will avoid similar omissions in the future. Such audits should be made with some regularity.

(b) To ensure that the information is current, entries cannot be based on the master file card--which is often not completed for three weeks. It was recommended that arrangements be made for entry of the names of parolees prior to release from the institution and of probationers upon receipt of the court order.

(c) The CIB system should be programmed to provide the MPD and DCS (and other police departments ?) with a printout at least once a week of all persons on probation and parole residing in their community.

(d) When an entry is first made, the CIB system should be programmed to print out this entry for the one or more police agencies in whose jurisdiction the parolee or probationer will be living or working. This would be the formal and most immediate form of notification.

(e) Special arrangements should be made to incorpoate faster notification of transfers.

It was agreed that BILL SCHLECHT and CHUCK SUSMILCH will follow up with Dick Schwert on the possibilities of incorporating these features into the CIB system.

It was agreed also that, at such time as the most serious current problems with the CIB system are rectified, TED MELL and JODI URSO would take steps to ensure that all members of their respective departments know of the twenty-four-hour availability of the CIB files on probation and parole status.

Once the CIB system is improved, it was agreed, the present arrangements whereby the MPD receives a copy of the master file on all persons under supervision in Dane County could be eliminated.

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3. Police assessment of persons newly placed under supervision.

It was agreed that police should make some initial assessment of persons newly placed under supervision, but it was felt that, before any formal procedure is established for achieving this, the officers who would be involved should have more opportunity to acquaint themselves with the probation and parole offices, the agents, their procedures, and their files. It was, therefore, agreed that TED MELL JODY URSO, and LARRY LATHROP would visit each of the local offices. They were invited to attend staff meetings in order to be introduced to the agents. And they would engage in some preliminary discussions about what would be involved in assessing persons newly under supervision. Some consideration will be given to using the assessment procedure that Corrections uses for determining the level of supervision. Is this adequate for police purposes? Are there other factors the police would routinely want to consider? Would it be desirable for the police to provide information or reactions that would be weighed by the agent in the Corrections assessment? All present thought that the procedure might eventually lead to development of criteria for identifying a high risk group of parolees and probationers--perhaps identical to those that now result in maximum supervision.

Some who were present thought that the police need could best be met by informal contact with the staff; that a regular time could be set when TED MELL and the sheriff's PCLO would visit each of the two offices for review of the most recent additions to the case load. Whether this is the most feasible arrangement will be better determined after the initial contacts are made.

4. Registration and the reentry interview.

Jody Urso reported that some probationers and parolees were currently registering with the sheriff's office; that they were being required to provide a handwriting sample, among other things; and that a notebook of registrants was maintained in the DCSD. This puzzled those present, since it has been assumed that all registrations were with the MPD. JODY will check on this procedure. At the same time, TED MELL will determine what changes, if any, have occurred in the registration procedure in the MPD since the reassignment of Don, who formerly handled the task.

The group agreed that current criteria for registration (all parolees and those probationers transferred into the county) are appropriate. The need, it appears, is to ensure that agents conform with present

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policy. SALLY, KAY, and CLIFF will follow up on this in their respective units in order to take whatever steps are necessary to ensure compliance with established policy.

Questions were raised about the feasibility of scheduling all registrations for a set period each week--for example, Thursday afternoons. This would then enable both PCLOs to schedule their interviews at the same time, asking the registration clerk to refer to them those registrants in whom they have an interest. There was some discussion whether the interview should be mandatory. The police have an interest in viewing some of the registrants even if they do not talk with them. These questions were not fully resolved. As a starter, it was agreed that JEFF FRYE would determine the feasibility of schedulding all registrations for a given time; and it was also agreed that JEFF would check on present policies regarding notification of the Division of Corrections if a registrant fails to keep his or her schedule.

Questions were raised about the content of the police interview. It was agreed that it was important to avoid confusing registrants (who will already have met with their agent) regarding both the rules to which they are expected to adhere and the person or agency to which they are responsible. Whatever is said should be carefully related to what the registrants will have been told by their agents and should not lead to the impression that they are under the formal supervision of two different agencies. It was agreed that JEFF, TED, JODY, and LARRY would develop a proposed outline of points that should be covered, building on the points identified in the original memorandum (pp.26-27). It was also agreed they would try to come up with a plan by which the needs of both the MPD and the DCSD could be met efficiently through a single procedure, thereby avoiding the need for separate registrations and interviews.

5. Systematic filing of information within the MPD and DCSD.

Since this recommendation does not require involvement of Corrections, it was passed over at the meeting. It is assumed, however, that TED MELL and JODY URSO will familiarize themselves with current records systems and that CHUCK SUSMILCH will be lending some assistance to them in thinking through how current systems might be adapted to meet immediate needs more adequately.

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6. Dissemination of information to police officers.

As a first step toward exploring this recommendation, it was agreed that we should endeavor to try to identify the types of cases and situations in which it is desirable that the officer on the beat be informed about a probationer or parolee. It was agreed that SALLY, KAY, and CLIFF would explore this question with their agents--from the probation and parole standpoint. And JEFF, TED, JODY, and LARRY will explore the question from the police standpoint.

After the types of cases are identified in which dissemination of information is desirable, it will be necessary for the two PCLOs to (a) develop a procedure for conveying the information to the beat officer; (b) develop the mechanics on how this information is to be stored at the beat level for sharing among different officers assigned to a beat; and (c) develop guidance for officers on what to do regarding the information that is conveyed. Decisions on these points must obviously await a fuller exploration by the task force of the types of cases in which the dissemination of information appears mutually desirable.

Wisconsin State Journal, Saturday, April 24, 1982

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Supervision of paroled sex offenders studied

By Marvin Balousek
Police reporter

A committee of police officers and corrections employees has been meeting to plan increased supervision for violent sex offenders on probation or parole in Dane County.

Madison Police Lt. Jeffrey Frye said although details of the program have not been worked out, the committee meetings have resulted in more cooperation between law enforcement agencies and the state Bureau of Corrections.

Besides Frye, committee members include Madison Detective Ted Mell, Dane County sheriff's detectives Judy Urso and Larry Lathrop, corrections supervisors Cliff Roach, Sally McBeath and Kay Kendall and William Schlecht, assistant regional chief for the Bureau of Corrections of the Department of Health and Social Services.

The program was announced a month ago by Madison Police Chief David Couper, Dane County Sheriff Jerome Lacke and state Corrections Administrator Elmer Cady.

Under the program, detectives from the city and county were to be assigned to serve as liaison officers between police and the corrections system.

Police are supposed to be notified immediately of any probationer or parolee coming into the community and status information on offenders is to be maintained by the city police.

Probation or parole agents also are to be notified immediately when a person under supervision is arrested.

Couper said the program could involve a daily check of about 25 former offenders previously involved in violent crimes. Those who committed the most violent crimes now are required to meet with their parole agent twice a month.

On a typical day last fall, there were 41 probationers and 25 parolees for sexual offenses under supervision in Dane County. Frye said about 1,000 people are under supervision in the county for all crimes.

Frye said a meeting is scheduled next week to continue discussions about ways to implement the program.

Besides corrections supervisors, he said parole and probation agents also are cooperating.

Although the program will be developed gradually, Frye said increased contact between police and corrections officials has paid off.

"I think some positive relationships are being developed now," he said. "We're still meeting and trying to define what the rules are going to be."

Madison Police Capt. George Silverwood said one goal of the program was to generate cooperation between police and corrections employees.

"Part of the goal is contact and knowing they (corrections employees) are receptive," he said. "The real key is the exchange and that's already beginning."

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POLICE-CORRECTIONS TASK FORCE MEETING

April 28, 1982

Summary of Tentative Decisions and Points Requiring Follow-Up

[Note: Numbers of each section correspond to the number of the recommendation in the original memorandum of January 29.]

1. Immediate notification.

Contrary to the information contained in the summary of the last meeting, Assembly Bill 397, requiring notification to the police of parole releases, was passed in the last moments of the legislative session. We're not yet sure how this will impact on the systems of notification now in effect in Dane County.

Numerous problems arise in trying to get the Criminal Information Bureau to adapt its system for maintaining status information on probationers and parolees so that a new entry would be teletyped to the agency in the community in which the individual will be supervised, thereby constituting the notice to the police. DICK SCHWERT is exploring this possibility and is in contact with CHUCK SUSMILCH and BILL SCHLECHT.

Since it is obvious such a change, even if possible, will take some time, continued dependence must be placed on the systems now in use in Dane County for notification. To perfect these, it was agreed that BILL SCHLECHT would do two things:

(1) attempt to have the institutions provide the same data to Dane County police (mug shot, name, number, date of grant, date of release, and name of institution from which released) as are now routinely being provided to Milwaukee police; and

(2) get a commitment from the institutions to file earlier their master cards on those released so that the information can be gotten into the QPP system more rapidly.

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2. Completeness and accuracy of the probation and parole status information on the Criminal Information Bureau's TIME system.

Chuck and Bill reported that an effort has been made to correct gaps in the QPP system to bring it closer to 100 percent accuracy. It was urged that cases that come to the attention of agents that are not on the QPP system should be called to Dick Schwert's attention so that he can identify any additional bugs in the system. Speeding up the filing of master cards on releases from the institution (see §1 above) would further help.

Reports were received that much greater use is being made of the QPP system as the word spreads about its availability and that police are delighted with its potential for them.

It was agreed that JEFF FRYE, TED MELL, and JODY URSO should give high priority to preparing a memorandum--and possibly some follow-up roll call training--regarding the use of the QPP. The memo, among other things, should:

describe the system, its uses, and its twenty-four-hour availability;

warn that finding the name of a person on the system is not a basis for action (just informational);

inform officers when agents are to be contacted;

explain how a police officer reaches an agent if there is no answer at the designated telephone number;

tell an officer when a QPP check is to be made (every arrest? every contact?);

instruct officers on when a report covering an incident involving a person under supervision is to be routed to the person's agent--and how; and

urge officers to report any inadequacies or inaccuracies in the system that they detect so that they can be troubleshot.

3. Police assessment of persons newly placed under supervision.

TED MELL and JODY URSO have already arranged to meet weekly with the staffs of all three probation and parole units. The listing of individuals newly placed on probation or parole would be reviewed at this time. Ted, Jody, and Larry have begun to identify the kinds of cases in which they are likely to have a special interest. Materials were distributed to acquaint the police with the system used by corrections for assessing needs and client risk. It is anticipated that the process for police review of new cases will take form after the respective officers and agents get more familiar with each other and with their records, procedures, and case loads.

4. Registration and the reentry interview.

The police have already explored the procedures being followed in their agencies and have come up with a proposal for change that would include having the PCLOs pick up the requests for registration, bring them to the police department, and designate upon them instructions to the clerk handling the registration on what is to be done for each registrant. Where indicated, the clerk will arrange for some of the registrants to be met by the PCLO. Jeff has outlined in his memo of April 22 some of the points that will usually be covered in a meeting between the PCLO and a registrant. It was concluded that police acknowledgment that officers on the beat would be informed of the conditions of probation and parole would be desirable. The PCLO would also make it clear that, although the police may be helpful to probation and parole in the client's reintegration into the community, any information given to the PCLO would be shared with the client's agent. Another decision was that all appointments for registration should be made for Thursday afternoon when the PCLOs would be available.

It appears that JEFF, TED, and JODY are now in a position to firm up this procedure in the form of a written memo, with support from others in their respective departments who might be involved in the process. In the course of

doing so, they will take steps to ensure that all persons who should register are being so notified by their agents; that agents are routinely notified if a registrant fails to appear; and that procedures are clarified for distribution of photos taken by the police, including sending one copy to the registrant's agent.

It was agreed to adhere to present registration procedures until the new procedure is ready to be placed in operation.

5. Systematic filing of information within the MPD and DCSD.

No new developments on this point. TED, JEFF, and JODY are working on arranging access to available data for the sheriff's department. TED has a description of a unique system established for maintaining information on sexual offenders in Albuquerque, New Mexico, on which he will be getting greater details for comparison with what has been done here.

6. Dissemination of information to police officers.

TED is working on this procedure, giving thought to using a photocopy of a newly designed registration form. He discussed the use of notebooks to store such information for those situations in which there is a frequent change of officers on a given beat. Remaining to be worked out are the criteria for deciding when such information is conveyed to beat officers; whether the conditions of probation and parole are attached; and the related matters discussed in §7 below.

7. Developing a policy for guiding contact between police officers and persons under supervision.

After the police have completed informing officers about the QPP system and have established the registration system, JEFF, TED, JODY, and LARRY should turn their attention to preparing a set of guidelines to be used as a basis for training police officers regarding their

contacts with probationers and parolees. Among other things, the policy should address these matters:

- What is the authority of a police officer to act when he or she observes a probationer or parolee violate a condition of his or her probation or parole? What should the officer do?

- What is the authority of a police officer when requested to search a client's premises in conjunction with the client's agent? Can the officer actively engage in the search, using his or her knowledge in conducting searches, or is the officer limited to safeguarding the agent?

- What should be the nature of the relationship between a police officer and a person under supervision? How can the goals of the program be achieved without contributing to the labeling and harassment that so often reduce the potential for successful reintegration into the community?

8. Notification to probation and parole agents when a person under supervision is arrested.

Since the last meeting, the sheriff's office has, in response to a request from local agents communicated through Gus Kressin, implemented a policy of conducting a QPP on all persons arrested and, if the person is found to be under supervision, notifying the agent identified on the QPP.

Some reservation was expressed, primarily on the part of the police representatives, about making such notifications in all cases, but there was no desire to alter the procedure, especially since it was requested by the agents.

Less clear is the procedure for notification of a police contact not resulting in arrest. It was recognized that, when the program succeeds in identifying especially troublesome cases, it might be desirable to arrange immediate notification of a contact in such cases even if no arrest is made. In the interim, the feeling was that officers should be encouraged to request that a copy of a report on a person they found to be under supervision be routed to corrections through the PCLO.

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9. Joint staffing of difficult cases.

It was the consensus that joint staffing, sparingly used, has the potential for being an extraordinarily valuable method for developing a consistent, comprehensive plan for dealing with a particularly troublesome individual. Corrections indicated that they are already doing this in collaboration with other agencies. The police felt that it would be important to have representation from the district attorney's office.

Cases subject to such staffing might include, for example, the convicted prostitute on probation who continues to solicit in the area in which she is prohibited by the conditions of her probation. Police involvement in the revocation proceeding in such a case, being able to testify as to the role that the offender plays in the total prostitution problem with which they are dealing, could be especially persuasive before a hearing officer.

A request for joint staffing should come from the agent or PCLO or might originate from a beat officer and be communicated through the PCLO.

10. Development of a policy regarding apprehensions.

This problem has two aspects: apprehensions in the probation and parole office or at the client's home when he or she is known to be home; and apprehensions when the person under supervision is known to be in town, but his or her whereabouts are not certain.

In the first situation, the feeling is that there is need to communicate to the police that they are involved because it is the judgment of both corrections and police that they are better equipped to deal with the unpredictable, potentially dangerous situations such apprehensions may involve. Corrections are not simply turning to the police to relieve them of their dirty work. On the other hand, probation and parole must make every effort to expedite the process (e.g., paperwork) and assist the police. These points could be covered in the proposed training. (See §12 below.)

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Some work has to be done to reduce the tensions that arise in the jail when probationers and parolees are booked in. Police complain that the hostility of overworked jailers operating an overcrowded jail is sometimes taken out on them in the form of inordinate delays in the booking process when booking a probationer or parolee. This is a problem that JODY ought to explore with the sheriff.

In apprehensions outside the office or home, it was agreed that the present system is grossly inadequate in several respects. Local apprehension orders are not taken seriously in police agencies. And placing the apprehension order on the CIB system stores the request for apprehension should the individual come into the police network, but does not initiate an effort on the part of the police to serve the order.

It was agreed that BILL SCHLECHT would take the initiative in proposing a program relating to apprehensions that would:

(a) limit the use of local apprehension orders to serious cases requiring immediate apprehension;

(b) arrange for these orders to be delivered so that they are made known to both the MPD and the DCSD;

(c) arrange with the PCLOs in the two departments for local orders to be given immediate attention;

(d) ensure that all apprehension requests (including those for which local orders have been issued that do not result in immediate pickup) will be placed on the CIB system;

(e) in collaboration with the PCLOs, arrange that, when a broadcast of the order is received by the department, greater attention be given in police departments to all new entries of apprehension orders on the CIB.

After the work that BILL does from the corrections end, it is assumed that the police will want to establish a standard procedure for handling apprehension orders in their respective departments.

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11. Fuller use of the knowledge and records of probation and parole agents in identifying offenders in unsolved cases.

One of the benefits of the contacts established over the past several weeks has been the fuller exchange of information on individuals the police have identified as involved in offenses. Composite drawings of wanted persons are being circulated more freely and widely in the corrections unit offices, and the PCLOs have been conveying facts to agents about unsolved cases in which they believe a person under supervision might be involved. It appears that there is no need to do anything more to implement this program at this time; that further development will be a natural product of the newly established relationships.

12. Training and cross-training.

There was much excitement about the opportunities here. Arrangements were made for KAY KENDALL to get together with Lt. BILL HAWSLEY of the MPD to come up with some suggestions on the outline of a program. It was suggested that the task force press for inclusion of a unit on relationships with probation and parole in the next cycle of police in-service training.

We'll be checking with JODY regarding similar explorations regarding training in the sheriff's department and in the smaller departments--the latter requiring a contact with MATC.

In all of these discussions, the feeling was that one could engage in some imaginative training efforts with a high potential for effectiveness--avoiding the simple "show and tell" lectures that don't get into problems of mutual interest and concern.

Some less formal training can take place in the on-going interchanges. Ted Mell, for example, might have each of the detectives accompany him on his rounds of the probation and parole offices, acquainting them with staff, procedures, and, most importantly, the common concerns of the two agencies. The importance of this type of training for police supervisors on night shifts was pointed out.

13. Periodic meeting of supervisors.

All agree that now that the first such meetings have been held, these meetings should be held periodically--especially as part of this current effort--to review progress and discuss problems of common interest.

14. Making police data on a specific community problem available to judges for their consideration in the sentencing of individuals who are found to have contributed to the problem.

In exploring the feasibility of getting certain kinds of information into presentence reports, we learned that the number of requests for such reports is now very low--something like four in relationship to every twenty-five cases sentenced. This is in itself a very serious problem. The judges and district attorneys may be unaware of very serious problems relating to the offender--an extensive history in some cases. Agents related one case in which they had a person placed on probation who was already on probation, that fact not having been established in sentencing.

The agents would like to see presentence reports used in many more cases and feel they could handle them for all felons because they have to do the work for social investigations anyway. This matter, which is beyond the scope of our project, is nevertheless one that the members of the task force felt ought to be brought to the attention of judges, district attorneys, and others concerned with the effectiveness of the total system.

Clearly, police now do not have a way to get into those few presentence investigations information about how the activities of the specific offender relate to a larger community problem. Police are rarely contacted regarding more basic information they have about an offender--information that is usable in a presentence report.

As was noted, an agent may do a presentence report on a person charged with sale of narcotics, but have no way of knowing that the arrest involved confiscation of the largest amount of a drug ever confiscated in the county; that the individual played a central role in maintaining the local drug market.

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The discussion made it clear that there are numerous opportunities for strengthening the quality of presentence reports through more systematic contact with police officers involved in the investigation of the particular case. This is an area for TED MELL and JODY to work on.

15. Role of police officers in revocation proceedings.

All present agreed that the police could be very helpful in the investigations leading to revocation and in testifying at a revocation proceeding. Agents recognize this is a procedure that would benefit from the skills that police normally develop; i.e., in investigating and in testifying. (Recent example: Ted Mell helped put together a photo lineup for a revocation investigation.)

Ted observed that police officers, in in-service training, must be educated to see revocation at the same level as a criminal prosecution--as a potentially effective way to accomplish the same end.

This is a matter that should be covered by TED in whatever in-service training is developed for police. At the same time, agents ought to be briefed on ways in which police can be helpful to them--and on how to arrange for this help. Some discussion of the policy of the police in having officers participate in revocation proceedings might be set forth in the policy outlined in §7 above.

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CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

Date: June 4, 1982

To: David C. Couper, Chief of Police

From: John L. Heibel, Captain of Police

Subject: Probation/Parole Registration

The Police Corrections Task Force has reviewed current procedures for the processing of probation/parole registrations. A number of recommendations were identified in the course of that process which we believe will make procedures more efficient and effective. The recommended procedures identified below have been discussed with, and approved by Corrections Supervisors, as well as, with Captains Heibel and Wallden, of this department, and with your approval, will be instituted effective June 20, 1982.

RECOMMENDED REGISTRATION PROCEDURE (Transfer in Probationers/Parolees)

1. The P&P agent fills out and retains the form KM-96 which will be picked up and reviewed by the PCLO and brought to the ASB by the PCLO.

2. P&P agents will call the responsible ASB clerk, 266-4906, to make registration appointments. All appointments will be scheduled for THURSDAY AFTERNOONS FROM 1-3:30PM. The only exceptions will be those instances where a special appointment is requested by the agent or ASB clerk. The clerk may request this if more than five(5) clients are registered for a particular day. Holidays will also be an exception. In those cases, the ASB clerk will set appointments for another day.

3. The ASB clerk will contact the Dane Co Sheriff's Dept jail and obtain appropriate identification numbers.

4. The ASB clerk will make five (5) copies of the registration form and obtain fingerprint cards and photographs of the client. (2 green cards and one (1) palm print card).

5. The ASB clerk will only send Forgery/Worthless Check registrants to the DCSD to obtain a handwriting sample. (The PCLO shall communicate any other special requests regarding processing to the clerk).

6. One copy of the registration form will be returned to the PCLO. The remaining copies and the fingerprint cards will go to the fingerprint identification desk.

7. The PCLO will conduct a brief re-entry contact with designated high-risk clients.

8. ASB clerk will notify the PCLO if the client does not appear for registration. The PCLO will notify the agent.

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CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

4-2200.
POLICY MANUAL

Date: June 28, 1982

To: All Personnel

From: DAVID C. COUPER, Chief of Police

Subject: Police/Probation/Parole Coordination

There are approximately one thousand persons currently on probation or parole in Dane County for a variety of offenses. Each person on probation or parole is assigned to a Probation and Parole Agent who is in turn responsible for supervising the progress and activity of these clients. Although many persons on probation or parole do successfully re-enter society without further significant problems, some do, unfortunately, become involved in activity which again brings them to our attention. It is beneficial that police officers and probation and parole agents share information to facilitate the response of both to the difficulties caused by persons on probation or parole in this latter group.

As most of you know, we have a Detective assigned to the Police Corrections Liaison program working with others in the law enforcement community and with Probation and Parole as part of a cooperative effort designed to better coordinate and improve our response to situations which require our mutual attention. An identified problem is the lack of information which is shared between Probation and Parole Agents and Police Officers when officers have contact with persons under supervision. Since officers do have many contacts of this nature, it is important for us to know if a person is under supervision and to routinely communicate the nature of our contacts to their agents.

DETERMINING IF A PERSON IS ON PROBATION OR PAROLE:

With few exceptions, the status of persons on probation or parole is entered into the TIME system. This information is available to any officer by asking a Data Terminal Operator to run a probation/parole inquiry(OPP) either in conjunction with a wanted person check or as a separate inquiry. The subject's name and date of birth is necessary for this computer inquiry. If the person contacted is under supervision, the computer response will indicate the probation or parole status and will also identify the assigned Probation or Parole Agent, by the agent's identification number. The Data Operator will have a list of agents' names, identification numbers, phone numbers and their supervisors' names and phone numbers.

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All Personnel
Page 2

Effective immediately, all officers shall run a probation/parole check on all arrested persons, on suspects identified in the course of investigations, and at any time they believe a person contacted may be under supervision.

ARREST OF A PERSON ON PROBATION OR PAROLE:

At the same time an officer checks for outstanding warrants on any person who has been physically arrested (traffic or criminal) a check to determine if the person is on probation or parole should also be completed. If the person is under supervision, the Data Terminal Operator will advise accordingly and the agent's name and phone number will be provided. Before incarcerating the subject, the officer shall make telephonic contact with the assigned Probation and Parole Agent, or if unavailable, their supervisor, and advise them of the circumstances of the arrest. If the agent believes that a probation/parole "hold" is appropriate, in addition to the other charge, they will authorize a "hold". The arrested person should then be conveyed to the Dane County Jail and be booked on the new charge and the probation/parole "hold". The officer shall also obtain and take to the jail a hard copy of the teletype confirming the suspect's probation/parole status and place a notation on it stating the name of the agent and that he/she authorized a probation/parole hold on the subject. The agent will also contact the jail to verify the hold.

In non-physical arrest situations, (i.e., City Ordinances or uniform traffic citations, shoplifting, etc.), when it is determined after checking the person's wanted and probation/parole status, that the person is under supervision, officers should obtain a case number and complete a report containing a description of the arrest circumstances. A designation of "P&P" should be placed on top of the report to insure the report is forwarded to Probation and Parole.

OTHER CONTACTS WITH PERSON ON PROBATION OR PAROLE:

Whenever an officer has contact in any other situation, with a person who is under supervision or whenever an officer believes that the behavior of a person known to be under supervision would be of interest to the assigned agent, officers should complete a report and mark the report at the top, right side, "P&P" to insure that the information is forwarded to Probation and Parole. If the information is not related to a specific case numbered incident, it should still be brought to a P&P agent's attention by forwarding the information on a Routing and Transmittal Slip (buck slip) to the PCLO's attention.

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HIGH RISK OFFENDERS:

Our PCLO is working with P&P to identify groups of "high risk" offenders under supervision in our geographic area. Although other "assaultive" behavior groups will be considered in the future, persons under supervision for sex crimes have been identified as a first group to receive attention.

Once a person is placed in this high risk group, an information bulletin will be disseminated, for intelligence purposes only, to Patrol, ISB and other field personnel. The bulletin will contain the person's name, description, picture and previous criminal history. In some cases, further specific information may be included, such as conditions of supervision. A file will be maintained in CIS on this group of offenders for access by law enforcement personnel.

It is important to remember that information which indicates that a person is under supervision does not by itself give an officer grounds to respond to the person any differently than to any other person.

Further information about this and other related developments will be forthcoming. Please contact the PCLO or the Lieutenant assigned to Personal Crimes with questions or suggestions.

DAVID C. COUPER
Chief of Police

DCC:JFF:alt

END