

COMMON COUNCIL AGENDA

Common Council Meeting

City of Whitewater Municipal Building – Community Room
312 W. Whitewater St., Whitewater WI 53190

Tuesday, September 7, 2021 - 6:30 p.m.

**This will be an IN PERSON MEETING as well as a VIRTUAL MEETING
Citizens are welcome (and encouraged) to join us in person, or via computer, smart phone,
or telephone. Citizen participation is welcome during topic discussion periods.**

You are invited to a Zoom webinar.

When: Sep 7, 2021 06:30 PM Central Time (US and Canada)

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/82401101053?pwd=SmVPZThUNU1Hd2REWXAyY0ZTb0g4Zz09>

Passcode: 739500

Or One tap mobile :

US: +19292056099,,82401101053#,,,,*739500# or
+13017158592,,82401101053#,,,,*739500#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1
253 215 8782 or +1 346 248 7799 or 888 475 4499 (Toll Free) or 833 548 0276 (Toll Free) or
833 548 0282 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 824 0110 1053

Passcode: 739500

International numbers available: <https://us06web.zoom.us/j/82401101053?pwd=SmVPZThUNU1Hd2REWXAyY0ZTb0g4Zz09>

All agenda items are subject to discussion and/or action.

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

CONSENT AGENDA:

CA-A	Approval of Council Minutes of August 17, 2021.	P. 1
CA-B	Approval of payment of invoices processed through 9/1/21.	P. 4
CA-C	Acknowledgement of Receipt and Filing of the Following: *Irvin L. Young Memorial Library Board Minutes of 7-19-21; and – P. 7	P. 7

	*Whitewater Police Department Consolidated Monthly Report for 2 nd Quarter, 2021. – P. 18	
CA-D	Expedited Approval of the Following Items, per City Staff Recommendation: R-1, R-2	n/a

STAFF REPORTS: Urban Forestry Commission Report to Council.

CITY MANAGER REPORT.

HEARING OF CITIZEN COMMENTS. No formal Common Council Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking period. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Council discusses that particular item.

*To make a comment during this period, or during any agenda item: **On a computer or handheld device**, locate the controls on your computer to raise your hand. You may need to move your mouse to see these controls. **On a traditional telephone**, dial *6 to unmute your phone and dial *9 to raise your hand.*

RESOLUTIONS:

*R-1	Resolution exempting City from Walworth County Library Tax. (Library Director Request)	P. 28
*R-2	Resolution authorizing submission of application for an Urban Forestry Grant. (Parks and Recreation Director Request).	P. 30

ORDINANCES – First Reading

O-1	Amending Chapter 19.30 to replace unreadable map (Neighborhood Services Request)	P. 32
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ORDINANCES – Second Reading - None

CONSIDERATIONS:

C-1	Adoption of Real Property Policy (City Manager Request).	P. 34
C-2	Appointment of citizen member to Community Development Authority. (City Manager Request).	P. 38
C-3	Approval of agreement with Radicom for Uninterrupted Power Supply Replacement. (UPS Replacement). (Parks Director Request).	P. 41
C-4	Discussion and possible direction regarding ordinance creating Chapter 1.33, Residence Restrictions for Sex Offenders. (Police Chief Request)	P. 44
C-4 a	Update on two-year budget process and request for direction. (City Manager Request).	----
C-5	Budget Progress Update and Capital Improvement Plan ranking request. (Finance Director Request).	----
C-6	Councilmember Requests for Future Agenda Items and/or Future POLCO questions.	n/a
C-7	EXECUTIVE SESSION. Adjournment to Closed Session, to reconvene , per Wisconsin Statutes 19.85 (1) (e): “Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Items to be Discussed: 1) Discussion regarding terms of the sale of real estate near roundabout to Midwest WI LLC; and 2) Discussion regarding potential sale of North 2.5 acres of land of Certified Survey Map /A 3050 00001, adjacent to Universal Boulevard.	n/a
C-8	RECONVENE INTO OPEN SESSION	n/a
C-9	Possible action on adoption of terms of sale of real estate to Midwest WI LLC (near roundabout) (CDA Director Request)	n/a

C-10	Possible action regarding sale of a portion of Certified Survey Map /A 3050000001, adjacent to Universal Boulevard. (CDA Director Request)	n/a
C-11	Adjournment.	n/a

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk at least 72 hours prior to the meeting.

***Items denoted with asterisks will be approved on the Consent Agenda unless any council member requests that it be removed for individual discussion.**

**ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL
ACTIONS OF THE COMMON COUNCIL OF THE CITY OF WHITEWATER,
WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.**

August 17, 2021.

The regular meeting of the Common Council was called to order at 6:31 p.m. by Council President Lynn Binnie. MEMBERS PRESENT: McCormick, Schreiber, Brown, Binnie, Allen, Majkrzak, Smith. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by McCormick and seconded by Brown to approve the Council minutes of 7/20/21 and 8/3/21, and to acknowledge receipt and filing of the following: Parks and Recreation Board minutes of 6/9/21; Public Works Committee minutes of 7/13/21; City of Whitewater Urban Forestry Commission Arboretum Sponsorship Subcommittee minutes of 8/2/21; and Financial Reports for July 2021. AYES: Schreiber, McCormick, Majkrzak, Brown, Binnie, Smith, Allen. NOES: None. ABSENT: None.

STAFF REPORTS: Parks and Recreation Senior Center manager, Deb Weberpal, presented details about the Senior Center accreditation process. Weberpal also provided an overview of activities hosted by the Senior Center.

CITY MANAGER REPORT: City Clerk Smith read the Fair Housing Proclamation on behalf of the City Manager.

CITIZEN COMMENTS: Ty Bollerud of Janesville presented information on wetland preservation in the Whitewater area.

**RESOLUTION AUTHORIZING CITY REPRESENTATIVE TO SIGN AND SUBMIT
RECYCLING GRANT.**

**City of Whitewater
RESOLUTION**

WHEREAS, the City of Whitewater hereby requests financial assistance under s. 287.23 and s. 287.24, Wis. Stats., Chapters NR 542, 544, Wis. Admin. Code, for the purpose of planning, constructing or operating a recycling program with one or more components specified in s. 287.11(2)(a) to (h), Wis. Stats.,

THEREFORE, BE IT RESOLVED, the City of Whitewater City Council HEREBY AUTHORIZES City of Whitewater City Manager, an official or employee of the responsible unit, to act on its behalf to: Submit an application to the Department of Natural Resources for financial assistance under s. 287.23 and s. 287.24 Wis. Stats., Chapters NR 542, 544, Wis. Admin. Code; Sign necessary documents; and Submit a final report.

Resolution introduced by Councilmember Majkrzak, who moved its adoption. Seconded by Councilmember Brown. AYES: Schreiber, McCormick, Brown, Binnie,

Majkrzak, Smith, Allen. NOES: None. ABSENT: None. ADOPTED: August 17, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

LAKES DRAWDOWN PROJECT UPDATE. Parks and Recreation Director Boettcher presented an update on the Lakes drawdown timeline. Boettcher reported that the City has applied to the DNR for a dredging permit. A controlled burn is planned for November 2021, with dredging to occur during winter of 2021-2022. Another controlled burn will occur in April, 2022, to deal with emerging vegetation. The Lakes will be refilled after the burn in April. Boettcher explained that the Community Foundation is accepting donations for the project, namely to enhance the project by installing boat launches or other improvements. Councilmember Allen asked whether the carp could be eradicated. Boettcher responded that even if the carp were eradicated, the Lakes are in an open water system, and new carp would come from other locations in the water system. Boettcher indicated that the carp elimination cost would be approximately \$10,000. Boettcher agreed to review the carp eradication matter with the Department of Natural Resources.

LIBRARY EXPANSION PROJECT. Library Director Lunsford, Library Board member Anne Hartwick, and Rick McCarthy from Studio GC presented a proposal for expansion and remodeling of the Irvin L. Young Memorial Library. The expansion would include a 6,928 square foot addition to be added to the west side of the existing building. The revised first floor square footage would be 18,606. The project cost is estimated to be \$5,057,244. It is anticipated that the City will contribute \$3,000,000, with the Library fund raising an amount of \$2,057,244. McCarthy confirmed that more charging outlets are included in expansion plan. McCarthy also confirmed that the University population was subtracted when library size need calculations were determined. It was reported that once fundraising is completed, six-eight months would be needed to complete plans. The actual building would take 12-13 months to complete. Library Director Lunsford confirmed that the expansion has been put into the 2023 Capital Improvement Plan. She indicated that the plan presented is the most viable plan they have seen, and includes everything citizens have indicated they would like to see in the expansion.

VACANT LAND LISTING CONTRACT WITH H2C COMMERCIAL REAL ESTATE SERVICES LLC. The CDA has recommended that the City enter into a real estate listing contract with H2C Commercial Real Estate Services LLC for the sale of city-owned properties. City Attorney McDonnell explained that the contract would be for specific properties in the business and Technology Parks, and would be effective November 1, 2021. Councilmember Allen moved, and Councilmember Majkrzak seconded approval of the agreement, contingent upon minor changes made to the contract with the City Attorney's approval. AYES: Brown, Binnie, Allen, Schreiber, Majkrzak, Smith, McCormick. NOES: None. ABSENT: None.

BOARD AND COMMISSION APPOINTMENT. It was moved by McCormick and seconded by Brown to approve appointment of Dan Fuller to the open citizen position on the Parks and Recreation Board. AYES: Schreiber, McCormick, Majkrzak, Brown, Binnie, Smith, Allen. NOES: None. ABSENT: None.

MASKS AT PUBLIC MEETINGS (DUE TO COVID). Council President Binnie indicated that discussion had occurred about requiring facial coverings for city staff members and for public members entering city buildings. This directive has not yet been given, and as a result,

Binnie questioned whether Council would consider giving him, as Council President, and the City Manager authorization to make the decision regarding facial coverings and/or virtual meetings. The decision would be made prior to the next Council meeting. Concerns about waiting for additional information were expressed. No direction was given on the item.

FUTURE AGENDA ITEMS AND/OR FUTURE POLCO QUESTIONS. Councilmember Smith requested that a POLCO question relating to how the public views the “hybrid” or combination in person/virtual meeting format being used by the City. Councilmember Allen would like to see a policy directing that staff be required to have their camera on if they are attending a meeting virtually. Councilmember Schreiber would like to have a POLCO question distributed seeking input on a new City mask mandate. Councilmember McCormick requested discussion regarding arboretum grants for the Urban Forestry Commission placed on the next Council agenda.

EXECUTIVE SESSION. It was moved by Binnie and seconded by Allen to adjourn to executive session, to Reconvene, pursuant to Ch. 19.85(1) (e) “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” Item to be Discussed: Development Agreement with Midwest WI, LLC related to their purchase of Tax Parcel Number /A405400002 (Roundabout Lot 2). AYES: Brown, Binnie, Allen, Schreiber, Majkrzak, Smith, McCormick. NOES: None. ABSENT: None. The regular portion of the meeting adjourned at 8:10 p.m.

RECONVENE INTO OPEN SESSION. (9:35 p.m.)

DEVELOPMENT AGREEMENT WITH MIDWEST 2I, LLC, RELATED TO SALE OF LOT 2 AT ROUNDABOUT. Councilmember Allen reported that no action is planned at this time, and that the Council is negotiating a Development Agreement that would include an upgraded design for a Dollar General store. The agreement will be brought back before the Council at their next meeting.

ADJOURNMENT. It was moved by Majkrzak and seconded by Schreiber to adjourn the meeting. AYES: Brown, Binnie, Allen, Majkrzak, Smith, McCormick. NOES: None. ABSENT: None. The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Michele R. Smith, Clerk

Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Paid and unpaid invoices included.

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
CHILDS PHD SC, CRAIG D					
6517	CHILDS PHD SC, CRAIG D	NEW HIRE EVAL-LABRECHE	08/29/2021	475.00	100-52600-219
Total CHILDS PHD SC, CRAIG D:				475.00	
DEPT OF UTILITIES					
1	DEPT OF UTILITIES	PARK SKATING BLDG	09/01/2021	23.72	100-51600-221
1	DEPT OF UTILITIES	ROUND ABOUT	09/01/2021	8.50	100-51600-221
1	DEPT OF UTILITIES	WHITE BLDG	09/01/2021	57.77	100-51600-221
1	DEPT OF UTILITIES	STARIN PARK	09/01/2021	35.81	100-53270-221
1	DEPT OF UTILITIES	PUBLIC SAFETY BLDG	09/01/2021	688.09	100-51600-221
1	DEPT OF UTILITIES	E SIDE PARK	09/01/2021	23.06	100-51600-221
1	DEPT OF UTILITIES	342 N FREMONT -CITY PURCH 12/17	09/01/2021	14.56	100-53270-221
1	DEPT OF UTILITIES	1115 E BLUFF RD	09/01/2021	6.17	630-63440-350
1	DEPT OF UTILITIES	WELL 8-E COMMERCIAL AVE	09/01/2021	6.17	610-61935-220
1	DEPT OF UTILITIES	PARKING LOT H	09/01/2021	20.36	208-51920-650
1	DEPT OF UTILITIES	WATER PLANT	09/01/2021	35.17	610-61935-220
1	DEPT OF UTILITIES	580 S ELIZABETH ST-AQUATIC CTR	09/01/2021	1,761.77	247-55700-221
1	DEPT OF UTILITIES	CENTER ST SKATING RINK	09/01/2021	130.38	100-53270-221
1	DEPT OF UTILITIES	LIBRARY FOUNTAIN/BUBBLER-BIRGE FOUNTAIN	09/01/2021	466.15	100-51600-221
1	DEPT OF UTILITIES	GARAGE & BUBBLER	09/01/2021	311.97	100-53230-221
1	DEPT OF UTILITIES	PARK STAND PIPE	09/01/2021	14.67	100-51600-221
1	DEPT OF UTILITIES	CRAVATH LAKE PARK-STORMWATER	09/01/2021	14.05	100-51600-221
1	DEPT OF UTILITIES	407 W CENTER ST-LIBRARY RENTAL	09/01/2021	14.56	220-55110-227
1	DEPT OF UTILITIES	206 E CRAVATH - CDA	09/01/2021	35.81	100-15205
1	DEPT OF UTILITIES	1221 INNOVATION CTR	09/01/2021	501.94	920-56500-221
1	DEPT OF UTILITIES	CARRIAGE DR PUMP HOUSE	09/01/2021	7.40	610-61935-220
1	DEPT OF UTILITIES	PARKING LOT C	09/01/2021	12.34	208-51920-650
1	DEPT OF UTILITIES	WASTEWATER STORMWATER	09/01/2021	131.29	620-62860-220
1	DEPT OF UTILITIES	HILLSIDE CEMETARY	09/01/2021	73.22	100-51600-221
1	DEPT OF UTILITIES	BATH HOUSE-TRIPP	09/01/2021	54.82	100-53270-221
1	DEPT OF UTILITIES	ARMORY	09/01/2021	269.81	100-51600-221
1	DEPT OF UTILITIES	PARK COMMUNITY BLDG-SENIOR CTR	09/01/2021	328.13	100-53270-221
1	DEPT OF UTILITIES	NORTH PARK MANHOLE-CRAVATH LAKE	09/01/2021	14.67	100-53270-221
1	DEPT OF UTILITIES	215 S FREMONT ST-CRAVATH LK FRONT BLDG	09/01/2021	251.67	100-53270-221
1	DEPT OF UTILITIES	SKATE PARK	09/01/2021	46.14	100-53270-221
1	DEPT OF UTILITIES	1105 E BLUFF RD	09/01/2021	6.17	630-63440-350
1	DEPT OF UTILITIES	502 E CRAVATH	09/01/2021	4.32	630-63440-350
1	DEPT OF UTILITIES	PARKING LOT G	09/01/2021	44.42	208-51920-650
1	DEPT OF UTILITIES	PARKING LOT D	09/01/2021	23.45	208-51920-650
1	DEPT OF UTILITIES	CDA-NEWCOMB ST PARKING PAD	09/01/2021	123.40	208-51920-650
1	DEPT OF UTILITIES	431 W CENTER ST-LIBRARY	09/01/2021	281.57	100-55111-221
1	DEPT OF UTILITIES	COMMUNITY GARDENS	09/01/2021	49.22	100-51600-221
1	DEPT OF UTILITIES	GARAGE STORAGE BLDG-CITY GARAGE BLDING	09/01/2021	37.00	100-53230-221
1	DEPT OF UTILITIES	KILAR FIELD OF DREAMS	09/01/2021	182.55	100-53270-221
1	DEPT OF UTILITIES	313 W WHITEWATER ST-DEPOT	09/01/2021	59.40	100-51600-221
1	DEPT OF UTILITIES	424 W FOREST ST-LIBRARY RENTAL	09/01/2021	35.81	220-55110-227
1	DEPT OF UTILITIES	336 N FREMONT ST	09/01/2021	35.81	100-51600-221
1	DEPT OF UTILITIES	1127 E BLUFF RD	09/01/2021	6.17	630-63440-350
1	DEPT OF UTILITIES	WELL 8-INDIAN MOUND	09/01/2021	3.41	610-61935-220
1	DEPT OF UTILITIES	PARKING LOT I	09/01/2021	11.11	208-51920-650
1	DEPT OF UTILITIES	PARKING LOT J	09/01/2021	14.81	208-51920-650

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total DEPT OF UTILITIES:				6,278.79	
HOSPITAL FUND					
6392	HOSPITAL FUND	2021-2022 HOSPITAL HILL RENT PAYMENT	08/31/2021	268.00	100-25800
Total HOSPITAL FUND:				268.00	
MARTELLE WATER TREATMENT INC					
8957	MARTELLE WATER TREATMEN	SODIUM HPOCCLORITE & FLORIDE	08/18/2021	2,271.22	610-61630-341
Total MARTELLE WATER TREATMENT INC:				2,271.22	
PETTY CASH					
43	PETTY CASH	POSTAGE	08/31/2021	10.45	100-52100-310
Total PETTY CASH:				10.45	
TDS					
8137	TDS	SEPT 2021 911 LINES	08/28/2021	351.60	100-52600-225
Total TDS:				351.60	
WALMART					
6	WALMART	BINDERS/ASTROB WH	08/19/2021	25.88	610-61921-310
6	WALMART	TISSUES/BAGS/PAPERTOWELS	08/19/2021	21.26	100-52100-310
6	WALMART	OFFICE SUPPLIES	08/19/2021	27.30	610-61921-310
6	WALMART	BATTERIES	08/19/2021	13.98	610-61651-350
6	WALMART	LUNCH BAGS/ZIP TOPS	08/19/2021	14.20	220-55110-342
6	WALMART	PENCILS/SHARPENERS	08/19/2021	34.28	220-55110-342
6	WALMART	PAINT/APPLE BARREL/PAINT SET	08/19/2021	4.00	220-55110-342
6	WALMART	BOX FANS/PAINTER TAPE/FLEXPOLE	08/19/2021	40.92	610-61935-350
6	WALMART	PAPERTOWELS	08/19/2021	74.85	100-52100-310
6	WALMART	BANANAS/DONUTS/DONUTS/ORNGES	08/19/2021	29.03	100-52100-310
6	WALMART	ICE	08/19/2021	2.92	610-61630-310
6	WALMART	12FT EXT CORD	08/19/2021	9.87	610-61935-350
6	WALMART	PAINT/APPLE BARREL/PAINT SET	08/19/2021	34.57	220-55110-341
Total WALMART:				333.06	
WAUPUN EQUIPMENT CO INC					
8682	WAUPUN EQUIPMENT CO INC	40"BOBCAT FLAIL MOWER	04/15/2021	6,758.00	215-53560-810
Total WAUPUN EQUIPMENT CO INC:				6,758.00	
WE ENERGIES					
25	WE ENERGIES	Electric-0713499904-00072-INNV CTR	08/25/2021	4,592.03	920-56500-222
Total WE ENERGIES:				4,592.03	
Grand Totals:				21,338.15	

Dated: 09/01/2021

Finance Director: Steve Hatton

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
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Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Paid and unpaid invoices included.

Irvin L. Young Memorial Library
431 W Center St
Whitewater WI 53190
Board of Trustees Regular Meeting
Online Virtual Meeting
Monday, May 16, 2021, 6:30 pm

MINUTES

Mission Statement:

We will have the space and the stuff to do the things that you want.

Our Values: Safe & welcoming; Trust; Diversity; Fun; Lifelong learning and creativity; Making connections; Service excellence

1. Call to Order at 6:43 p.m.

Present: Jennifer Motszko, Anne Hartwick, Jim Winship, Kathy Retzke, Doug Anderson

Absent: Jaime Weigel, Steve Smith, Brienne Diebolt-Brown

Staff: Stacey Lunsford, Diane Jaroch, Deana Rolfsmeyer, Torrie Thomas

Guests: Amy Pozezinski,

2. Election of Officers

Proposed slate of officers for 2021-2022

- President: Anne Hartwick
- Vice-President: Jaime Weigel
- Secretary: Jennifer Motszko
- Treasurer: Kathy Retzke

No other nominees

MSC Jim Winship/Jennifer Motszko to approve slate of officers.

Ayes: Jennifer Motszko, Anne Hartwick, Jim Winship, Kathy Retzke

Nays: none

3. Old Business

3.I. Library Building Project

Attached is the final conceptual design plan and the updated costs for the project. Request approval. Provided an updated budget for renovation to reflect

the refinement of parking lot plan and square footage. Studio GCC also included an estimate for an outdoor exploration path.

Doug Anderson joins the meeting at 6:52pm

The new layout for the parking lot will add nine spots and two-way traffic. Stacey asked if we will be able to move Fred's tree. It should be able to stay in current place, but StudioGC will check measurements
Jim asked about adding tables to the outdoors exploration area for people who would like to access Wi-Fi during times when the library is not open. Outside lighting was discussed and solar lights were suggested to cut down on maintenance.
Anne asked about adding bilingual signage to the design in time for the City Council and public presentations.
The board suggested adding glass walls to the Makerspace Librarian office to increase visibility into the Teen Zone. Other suggestions for the Teen zone included seating with electrical outlets, more tables, and no carpeting.
Jim asked about adding a 3D drawing of the activity room for the City Council presentation, adding moveable furniture to the area. Deanna (Children's Librarian) will be consulted about what she would like in that area.

MSC Jim Winship/Jennifer Motszko to approve the conceptual plan and that the library board will take the plan to the City Council within the next 45 days.

Ayes: Jennifer Motszko, Anne Hartwick, Jim Winship, Doug Anderson, Kathy Retzke

Nays: none

4. Consent Agenda

- 4.I. Approval of Minutes Approval of the minutes of the regular meeting of June 21, 2021*
- 4.II. Acknowledgment of Receipt of Financial Reports*
- 4.III. Acknowledgment of Payment of Invoices for May 2021*
- 4.IV. Acknowledgment of Receipt of Statistical Reports for May 2021*
- 4.V. Acknowledgment of Receipt of Treasurer's Reports*

MSC Jim Winship/Kathy Retzke to approve the Consent Agenda.

Ayes: Jennifer Motszko, Anne Hartwick, Jim Winship, Doug Anderson, Kathy Retzke

Nays: none

5. Hearing of Citizen Comments

No formal Library Board action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three-minute speaking period. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those specific issues at the time the Library Board discusses that particular item.

6. New Business

6.I. Approval of Revision to Maker Space Policy

Two small changes have been made to reflect sign-in requirements and fees.

MSC Jim Winship/Doug Anderson to approve the Maker Space Policy with changes.

Ayes: Jennifer Motszko, Anne Hartwick, Jim Winship, Doug Anderson, Kathy Retzke

Nays: none

6.II. Review and Re-Approval of The Regarding Public Concerns About Library Resources Policy

Request re-approval of current policy with changes.

MSC Doug Anderson/Jim Winship to approve the Regarding Public Concerns About Library Resources Policy with changes.

Ayes: Jennifer Motszko, Anne Hartwick, Jim Winship, Doug Anderson, Kathy Retzke

Nays: none

6.III. 2022 Budget - Discussion

I have included documents from the recommended budget for Bridges Library System for 2022 that shows expected payments and costs to the member libraries. I have only included pages relevant to our library from the 32-page document.

I am interested in adding a Community Outreach Librarian to our staff. I have briefly discussed this with Cameron at our monthly meetings and I will be putting it into our Operating Initiatives document for the 2022 City Budget document. I have included a description of what an Outreach Librarian does from the American Library Association website for context and a draft position

description. This position would be instrumental in meeting these strategic plan goals:

Center for Learning and Connecting, Inside the Building and Out

We are committed to excellent and inclusive services for all members of our community. We will provide collections, services, and spaces that appeal to all members of the Whitewater community and meet their learning needs.

- Increase inclusivity and access to services and resources that the library provides.
- Provide programming and collections that appeal across multiple segments of the Whitewater community.

Engaging and Effective Communication

We will expand awareness of the library and our role in Whitewater as a community through effective communication efforts.

- Increase awareness of all the library does and offers

MSC Doug Anderson/Jim Winship motion that the library board approves the inclusion of the Community Outreach Coordinator position in the 2022 Library Budget

Ayes: Jennifer Motszko, Anne Hartwick, Jim Winship, Doug Anderson, Kathy Retzke

Nays: none

6.IV. Polco Library Survey Results

We submitted four questions for the City's Polco surveys. This is the report on the survey's results. 20 people responded.

7. Staff & Board Reports

7.I. Director's Report ~ see attached

7.II. Adult Services Report ~ see attached

7.III Youth Educational Services Report ~ see attached

7.IV. Programming & Makerspace Librarian Report ~ see attached

-in person crafts starting in August

7.V. Bridges Library System Staff Report ~ see attached

8. Board Request for Future Agenda Items

If the board has any questions they want to put to the community through the City's Polco online survey system, they will be collected at this time.

9. Confirmation of the next meeting on August 16, 2021 at 6:30 p.m.

10. Adjourned at 8:22 p.m.

Comments in the Chat Box: none

Minutes respectfully submitted by Jennifer Motszko on July 19, 2021

LIBRARY DIRECTOR REPORT

I. ADMINISTRATION

- a. 12 work orders were submitted in June.
 - i. Numerous bolts were missing from shelving carts and needed to be replaced.
 - ii. A new task chair for the front desk arrived and needed to be assembled.
 - iii. Several boxes of items were cleaned out of the Kraege room and needed to be taken to the basement.
 - iv. An AV cart needed to be brought up from the basement.
 - v. Wooden trim in the Maker Space had come loose from the wall and needed to be re-attached.
 - vi. A lightbulb was out in the staff room.
 - vii. The wastebasket in the wall of the staff rest room fell out of the wall and needed to be re-attached.
 - viii. The Whitewater Room sign fell off the wall due to desiccation of the adhesive and needed to be re-attached.
 - ix. The furniture was taken out of the Community Room and restored to the rest of the library.
 - x. The plastic stanchions used for directing people when we first reopened was removed from the building.
 - xi. An empty file cabinet from the Kraege room was removed from the building.
 - xii. The Plexiglas was removed from the front desk.

II. BUDGET

- a. I completed the Capital Improvements Project worksheet for the 2022 budget.

III. PERSONNEL

- a. None.

IV. LIBRARY COLLECTION

- a. None.

V. PUBLIC AND COMMUNITY RELATIONS

- a. We are having the local cable channel post our videos.

VI. LIBRARY BOARD RELATIONS

- a. None.

VII. LIAISING WITH CITY, STATE, COUNTY, AND SYSTEM GROUPS

- a. I attended the monthly Alliance of Public Libraries meeting virtually on Friday, July 9. Items discussed:

- i. Whether Bridges libraries are planning in-person, virtual, or a mix for children’s programming in the fall. Each library has their own considerations so there was no one way that the group was going.
- ii. Ideas for presenting financial considerations to the Library Board/Council for the 2022 budget. This varies depending on whether or not the municipality’s departments present separately to the local elected board or are just part of the overall budget presentation. Whitewater presents an overall budget presentation without individual departments presenting.
- iii. A conversation about the continuation of Take and Make craft kits as they are time-consuming, sometimes costly, and aren’t necessarily on-mission for some libraries.
- iv. A discussion about what makes a “healthy” Friends of the Library organization. Key takeaways:
 - 1. The group needs individuals who aren’t afraid to make “the ask” when it comes to fundraising.
 - 2. Acknowledge their sponsorship for whatever their funds pay for; e.g. programs or equipment purchases.
 - 3. The Friends give the library one annual check and receive an annual report from the director, rather than receiving money piecemeal throughout the year.
 - 4. Set up subcommittees that do not have regular meetings but are task-based for those who want to help but aren’t interested in administrative duties; e.g. fundraisers such as a garden walk, a wine tasting, an art sale, etc.
 - 5. Have an annual membership meeting with a recognition component; e.g. Volunteer of the Year and quarterly meetings of the board of directors.
 - 6. Have an up-to-date mission statement and logo for marketing the Friends.

VIII. PROFESSIONAL DEVELOPMENT

- a. None.

IX. STRATEGIC PLAN

- a. None.

X. PANDEMIC RESPONSE

- a. We have put back all the furniture, reopened the Friends Book Shop, and removed the Plexiglas from the front desk. We made over \$40 in sales the first three days we had the Book Shop open.

Adult Services Report July 2021

Upcoming Programs:

July 22: Homemade Dog Treats at 3:00 p.m.

July 26: Virtual Gardening: DIY Mosquito Repellent Candles at 10:00 a.m.

Report:

Sixty-five people viewed my Bee and Bug Hotels, virtual gardening program on June 28th.

Forty-six adults have registered for the adult summer reading program.

Virtual Meetings/Webinars/Training Sessions Attended:

June 16: Staff Meeting with Stacey, Deana, Torrie

June 21: Just the Facts: Ransomware & Malware Cyber Training

June 21: Bridges Adult Services Meeting

June 21: Library Board meeting

June 23: Staff Meeting with Stacey, Deana, Torrie

July 07: Staff Meeting with Stacey, Deana, Torrie

Youth Educational Services Report July 2021

Early Childhood Classes

On June 28th, I met with Molly Fuller from WWUSD and Kristen Linzmeier, Carmen Rivers, and Ellen Latorraca from UW Whitewater to discuss creating early childhood classes for the community. The students from Carmen's first cohort will be providing lessons on health, safety and nutrition. Classes will run on Tuesday and Thursday mornings and will be divided into lapsit (0-2 years) and preschool (2-5 years). They will run September 28th-November 16th. Ellen and I will be teaching the Education students how to access our libraries and how to do storytimes. The original plan was to host these programs at the Community Engagement Center, but the room that was available was too small. Currently, they have our community room booked and we are looking forward to hosting them.

Summer Reading Program

We currently have 161 children and teens registered for the summer reading program. 80 of those readers are actively logging their reading. They have earned 402 badges and have read a total of 29,043 minutes.

Storytimes

We are currently averaging about 10 kids per storytime with a mix of old and new families. We have been fortunate to have several guest readers this summer, including a local author organized by Torrie, and the Walworth County Food and Diaper Bank. The food and diaper bank will be doing a total of three storytimes for our library, focusing on healthy eating.

Scavenger Hunts

Scavenger hunts are back due to popular demand. I was pleasantly surprised at how many children remember participating in the scavenger hunts pre-COVID and how much they have missed them. We had over 40 participants for June's scavenger hunt.

Meetings and Trainings

June 23rd: Staff meeting with Stacey, Diane, and Torrie.

June 27th: Meeting with WWUSD and UW Whitewater to discuss early childhood classes.

July 7th: Staff meeting with Stacey, Diane, and Torrie.

Programming and Makerspace Report July 2021

Coming soon...

Programs

- 7/26 Adult Craft (take-and-make)
- 7/29 Fiber Therapy Craft Group (virtual)
- 7/31 Teen Cupcake Wars (in-person, lake front building)
- 8/2 Children's Craft (in-person)
- 8/7 Local Author Storytime with Kaylor Wiedenbeck of Waterloo (Library lawn)
- 8/9 Adult craft (in-person)
- 8/16 Children's Craft (in-person)
- 8/17 Landlord and Tenant Rights & Responsibilities under Wisconsin Law (virtual)
- 8/23 Adult Craft (in-person)
- 8/26 Fiber Therapy Craft Group (virtual)
- 8/30 Children's Craft (in-person)

Outreach

- 7/27 Family Fun Night (Lake Front)
- 8/31 Family Fun Night (Lake Front)
- 9/7 Family Fun Night (Lake Front)
- 10/16 Storytelling Festival

June 2021

Programs

Date	Program	Live attendance	1-Minute+ asynchronous views	Kits distributed
6/7	Community Art Craft		24	46
6/9	Plant Swap	24		
6/14	Fairy Garden Craft			59
6/15	The Power of Positive Parenting	10		
6/17	LGBT+ 101	2	20	
6/19	Watercolor Workshop	15c, 10a		
6/21	Children's Craft		27	59
6/21	Virtual Mummies	1		
6/22	Raising Confident, Competent Children	7		
6/24	Fiber Therapy	2		
6/28	Adult Craft		43	50
6/28	Teen Drawing Workshop	1	2	
6/29	Raising Resilient Children	7		
6/30	Hugga Loula	17c, 11a		

Updates

Starting in August we will begin offering in-person craft programs. However, I will continue to create craft kits and videos for folks who don't feel comfortable/cannot attend the scheduled craft time.

Trainings

6/30 UW-Madison 14-hour course *Spanish for Libraries*

Makerspace Appointments

6/2 VHS to digital

6/5 craft supplies

6/7 3D printer

6/8 Thermal laminator

6/8 Polymer clay kit and craft oven

6/10 Craft supplies

6/16 VHS to digital

6/21 3D printer

6/22 3D printer

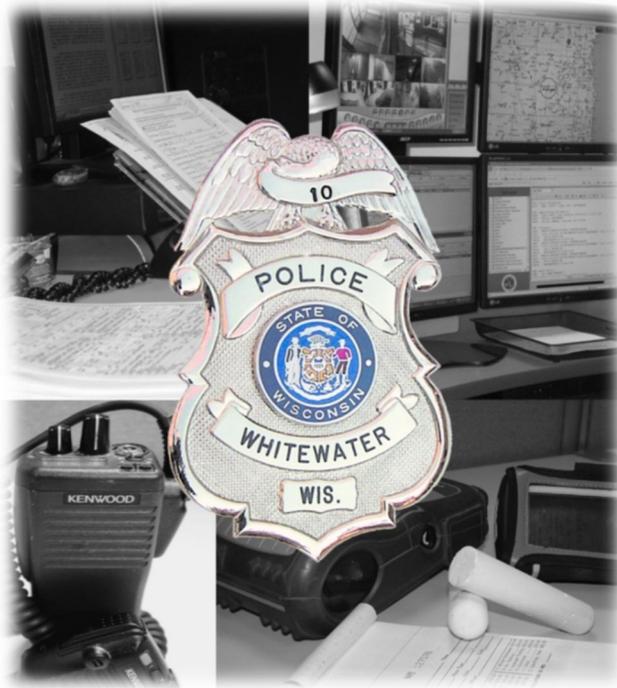
6/23 VHS to digital

6/29 Thermal laminator

6/30 VHS to digital

Whitewater Police Department Consolidated Quarterly Report

**April – May – June
2021**



***Aaron M. Raap
Chief of Police***

**Whitewater Police Department
312 West Whitewater Street
Whitewater, Wisconsin 53190**

2021 IBR (Incident Based Reporting) Crime Counts**January - June 2021**

<u>Crime Category</u>	<u>Offenses</u>	<u>Victims</u>	<u>Clearances</u>	<u>Adult Arrests</u>	<u>Juvenile Arrests</u>	<u>Total Arrests</u>
Total Crime (Group A)	263	264	168	116	11	127
Crimes Against Persons	49	49	35	27	2	29
Murder & Non-Negligent Manslaughter	-	-	-	-	-	-
Manslaughter by Negligence	-	-	-	-	-	-
Sex Offenses	10	10	3	3	-	3
<i>Rape</i>	7	7	2	2	-	2
<i>Sodomy</i>	1	1	-	-	-	-
<i>Sexual Assault w/Object</i>	-	-	-	-	-	-
<i>Fondling</i>	2	2	1	1	-	1
Sex Offenses - Nonforcible	1	1	-	-	-	-
<i>Incest</i>	-	-	-	-	-	-
<i>Statutory Rape</i>	1	1	-	-	-	-
Assault Offenses	38	38	32	24	2	26
<i>Aggravated Assault</i>	14	14	11	8	-	8
<i>Simple Assault</i>	22	22	19	16	2	18
<i>Intimidation</i>	2	2	2	-	-	-
Kidnapping/Abduction	-	-	-	-	-	-
Human Trafficking	-	-	-	-	-	-
<i>Commercial Sex Acts</i>	-	-	-	-	-	-
<i>Involuntary Servitude</i>	-	-	-	-	-	-
Crimes Against Property	116	117	39	28	5	33
Robbery	1	1	-	-	-	-
Burglary	8	8	2	2	-	2
Theft/Larceny	45	46	11	7	4	11
<i>Theft - Pocket-Picking</i>	-	-	-	-	-	-
<i>Theft - Purse Snatching</i>	-	-	-	-	-	-
<i>Theft - Shoplifting</i>	6	6	4	2	4	6
<i>Theft From Building</i>	19	20	3	3	-	3
<i>Theft From Coin-Op. Machine</i>	-	-	-	-	-	-
<i>Theft From Motor Vehicle</i>	7	7	3	2	-	2
<i>Theft of Motor Vehicle Parts</i>	-	-	-	-	-	-
<i>Theft - All Other Larceny</i>	13	13	1	-	-	-
Motor Vehicle Theft	1	1	1	1	-	1
Stolen Property Offenses	2	2	2	2	-	2
Arson	-	-	-	-	-	-
Counterfeiting/Forgery	4	4	1	1	-	1
Fraud Offenses	22	22	7	6	-	6
<i>Fraud - False Pretenses</i>	11	11	2	3	-	3
<i>Fraud - Credit Card/ATM</i>	7	7	4	2	-	2
<i>Fraud - Impersonation</i>	1	1	1	1	-	1
<i>Fraud - Welfare</i>	-	-	-	-	-	-
<i>Fraud - Wire</i>	-	-	-	-	-	-
<i>Fraud - Identity Theft</i>	3	3	-	-	-	-
<i>Fraud - Hacking/Computer Invasion</i>	-	-	-	-	-	-

Continued on next page

<u>Crime Category</u>	<u>Offenses</u>	<u>Victims</u>	<u>Clearances</u>	<u>Adult Arrests</u>	<u>Juvenile Arrests</u>	<u>Total Arrests</u>
Embezzlement	-	-	-	-	-	-
Extortion/Blackmail	-	-	-	-	-	-
Bribery	-	-	-	-	-	-
Destruction/Vandalism	33	33	15	9	1	10
Crimes Against Society	98	98	94	61	4	65
Weapon Law Violations	7	7	7	5	-	5
Prostitution Offenses	2	2	2	1	-	1
<i>Prostitution</i>	1	1	1	1	-	1
<i>Prostitution - Assisting</i>	1	1	1	-	-	-
<i>Prostitution - Purchasing</i>	-	-	-	-	-	-
Drug/Narcotic Offenses	88	88	84	54	4	58
<i>Drug/Narcotics Violations</i>	55	55	53	35	4	39
<i>Drug Equipment Violations</i>	33	33	31	19	-	19
Gambling Offenses	-	-	-	-	-	-
<i>Gambling - Betting</i>	-	-	-	-	-	-
<i>Gambling - Operating</i>	-	-	-	-	-	-
<i>Gambling - Equipment Violations</i>	-	-	-	-	-	-
<i>Gambling - Sports Tampering</i>	-	-	-	-	-	-
Pornography	-	-	-	-	-	-
Animal Cruelty	1	1	1	1	-	1

<u>Crime Category</u>	<u>Adult Arrests</u>	<u>Juvenile Arrests</u>	<u>Total Arrests</u>
Total Group B Arrests	309	84	393
Bad Checks	1	-	1
Curfew/Loitering/Vagrancy	-	10	10
Disorderly Conduct	70	22	92
Driving Under the Influence	36	1	37
Family Offenses Nonviolent	-	-	-
Liquor Law Violation	160	3	163
Peeping Tom	-	-	-
Trespass of Real Property	5	-	5
All Other Offenses	37	48	85

* This report is generated from the Wisconsin DOJ website within twenty-four hours after the police agency submits the last month of data for this period. Numbers could change based on new information received. For more information on counting of data, see the WI DOJ website.

Property Amount Stolen by Offense

	<u>April</u>	<u>May</u>	<u>June</u>	<u>2021 YTD</u>	<u>2020 YTD</u>
Robbery	\$0	\$250	\$0	\$250	\$1,850
Burglary	\$20	\$300	\$383	\$1,078	\$22,107
Theft/Larceny	\$2,991	\$3,780	\$2,800	\$22,234	\$20,633
Motor Vehicle Theft	\$0	\$0	\$0	\$5,100	\$8,000
Total	\$3,011	\$4,330	\$3,183	\$28,662	\$52,590

Property Amount Stolen and Recovered

	<u>April</u>	<u>May</u>	<u>June</u>	<u>2021 YTD</u>	<u>2020 YTD</u>
Property Stolen	\$3,011	\$4,330	\$3,183	\$28,662	\$52,590
Property Recovered	\$20	\$0	\$983	\$14,331	\$29,127
Percentage Recovered/Stolen	1%	0%	31%	50%	55%
Property Stolen Average per Month				\$4,777	\$8,765

Law Enforcement Officers Assaulted or Killed

	<u>April</u>	<u>May</u>	<u>June</u>	<u>2021 YTD</u>	<u>2020 YTD</u>
Officers Assaulted with Injury	0	1	0	3	0
Officers Assaulted without Injury	0	0	0	0	3
Officers Killed	0	0	0	0	0

Please note when comparing the yearly statistics in this report, the COVID-19 pandemic began in March of 2020.

Comparison of Charges

Charge Totals:	Apr	May	Jun	2021 YTD
Adult	182	281	132	1,188
Juvenile	27	14	14	124
Combined Total	209	295	146	1,312

Charges	Apr	May	Jun	2021 YTD	2020 YTD	Increase/ Decrease
Animal Cruelty	-	-	-	1	-	1
Animal Ordinance Violations	-	1	1	3	-	3
Arson	-	-	-	-	-	SAME
Assault (Aggravated)	-	1	1	7	6	1
Assault (Simple & Intimidation)	-	3	6	24	14	10
Bail Jumping	10	19	7	63	34	29
Bomb Threat / Scare	-	-	-	-	-	SAME
Burglary	-	-	1	2	2	SAME
Burglary Tools - Possess	-	-	-	-	-	SAME
Cause <18 to Listen / View Sex Activity	-	-	-	-	-	SAME
Child Abuse-Physical	1	-	-	1	2	-1
Child Neglect	-	-	-	-	2	-2
Cigarette / Tobacco Violation	4	1	-	12	4	8
Citations Written for Parking Tickets	-	-	-	-	-	SAME
Contribute to Delinquency	-	-	-	-	-	SAME
Contribute to Truancy	3	2	-	9	5	4
Controlled Substance - Possession	3	17	8	64	55	9
Controlled Substance - Sale / Manufacture	2	-	-	10	4	6
Court Order Violation	-	1	1	3	4	-1
Curfew	-	-	4	11	3	8
Curfew - Parental Responsibility	-	-	2	2	-	2
Damage to Property	2	2	2	14	26	-12
Disorderly Conduct	20	27	15	114	119	-5
Enticement (Child)	-	-	-	-	-	SAME
Escape	-	-	-	-	-	SAME
Expose Child to Harmful Materials	-	-	-	-	-	SAME
Fail to Obey Officer	1	-	-	1	1	SAME
False Imprisonment	-	-	1	1	1	SAME
Fireworks - Sell / Discharge w/o Permit / Possess	-	-	-	1	-	1
Forgery and Counterfeiting	-	-	1	1	-	1
Fraud	27	3	-	32	1	31
Harbor / Aid Felon	-	-	-	1	-	1
Lewd and Lascivious Behavior	-	-	-	-	-	SAME
Liquor Laws	24	81	6	218	62	156
Littering	-	1	-	1	3	-2

Continued on next Page

Charges	Apr	May	Jun	2021 YTD	2020 YTD	Increase/ Decrease
Maintain Drug Trafficking Place	-	-	-	-	2	-2
Mental Harm of Child	-	-	-	-	-	SAME
Motor Vehicle Theft	1	-	-	1	-	1
Murder and Non-Negligent Manslaughter / Attempt	-	-	-	-	-	SAME
Negligent Handling of Burning Materials	-	-	-	-	-	SAME
Negligent Operation of Motor Vehicle	-	-	-	-	-	SAME
Noise	1	-	1	10	4	6
Obstruct / Resist Officer	6	10	1	30	24	6
Offenses Against Family and Children	-	-	-	-	-	SAME
Operate While Under the Influence - Alcohol	9	12	9	51	36	15
Operate While Under the Influence - Drugs	1	1	3	7	8	-1
Operate with Prohibited Alcohol Concentration	5	8	4	30	25	5
Park Regulations	-	-	-	-	2	-2
Pornography / Obscene Material	-	-	-	-	1	-1
Possess Drug Paraphernalia	3	8	5	34	33	1
Prostitution (to include Promote/Assist)	-	-	-	2	-	2
Public Intoxication	4	4	-	19	10	9
Reckless Endangering Safety	-	2	-	3	2	1
Registered Sex Offender Offenses	-	-	-	-	1	-1
Robbery	-	-	-	-	-	SAME
Runaway	-	-	-	-	1	-1
Sex Offenses (Other)	-	-	-	-	-	SAME
Sexual Assault - 1st Degree	-	-	2	2	2	SAME
Sexual Assault - 2nd Degree	-	-	-	-	-	SAME
Sexual Assault - 3rd Degree	-	2	-	2	-	2
Sexual Assault - 4th Degree	-	-	-	1	1	SAME
Stolen Property	-	-	-	1	-	1
Terrorist Threats	-	-	-	-	2	-2
Theft (Except Motor Vehicle)	1	-	2	12	13	-1
Threat to Injury/Accuse of Crime	-	-	1	1	-	1
Throw/Discharge Bodily Fluid - Public Safety Worker	-	-	-	1	1	SAME
Traffic Offenses	56	73	45	396	322	74
Traffic Ordinance Violations	-	-	-	-	-	SAME
Trespassing	4	1	6	13	9	4
Truancy	6	6	1	38	40	-2
Violation of Absolute Sobriety	-	2	-	4	1	3
Warrant Served - Local	7	1	-	8	8	SAME
Warrant / Pickups for Other Agencies	7	6	10	40	29	11
Weapons (Conceal / Possess / Negligent Use)	1	-	-	10	8	2
Zoning Violations	-	-	-	-	1	-1
Total	209	295	146	1,312	934	378

Calls for Service and Activities

Type of Call for Service/Activity	April	May	June	2021 YTD	2020 YTD
Total WPD Calls for Service/Activity	1,130	1,174	843	6,099	5,184
<i>Officer Initiated Activities</i>	259	306	159	1,554	1,137
<i>Officer Initiated Traffic Stops</i>	165	167	123	1,150	813
<i>WPD Officer 1st Responder EMS/Fire Calls</i>	40	48	45	268	319
<i>Dispatcher Handled Calls</i>	270	206	140	934	809
<i>Noise Complaint Calls</i>	25	26	10	99	131
<i>Animal Calls</i>	21	39	39	171	121
<i>Alarms Calls</i>	8	9	7	45	23
<i>All other WPD Calls for Service</i>	342	373	320	1,878	1,831
Dispatched EMS/Fire Calls for Service	137	178	148	932	782
Dispatched UW-W Police Services Calls for Service	248	240	147	1,471	1,606
Total Calls for Service Dispatched	1,515	1,592	1,138	8,502	7,572
CCL40 Initiated Calls for Service (*started 04/14/21)	4	9	15	28	*

Incidents

Type of Incident	April	May	June	2021 YTD	2020 YTD
Emergency Detention/Protective Custody	7	3	1	18	12
Family Disturbances (Domestic Abuse)	4	7	10	38	47

Motor Vehicle Accidents

Type of Activity/Complaint	April	May	June	2021 YTD	2020 YTD
Fatal	0	0	0	0	0
Personal Injury	0	0	2	2	6
Pedestrian/Bicycle	0	0	1	2	0
Hit and Run	7	6	3	26	15
Property Damage over \$1000	6	8	5	39	39
Property Damage under \$1000	1	1	0	7	3
Total	14	15	11	76	63

Parking Tickets Issued

Type of Activity/Complaint	April	May	June	2021 YTD	2020 YTD
Issued by Patrol Officers	180	179	78	1,104	983
Issued by Community Service Officers	68	51	50	301	208
Total	248	230	128	1,405	1,191

Type	<u>Monies Received</u>				
	April	May	June	2021 YTD	2020 YTD
Bicycle Licenses	\$0.00	\$0.00	\$6.00	\$9.00	\$3.00
Citations/Warrant Payments	\$437.00	\$2,091.50	\$1,063.00	\$6,515.30	\$6,914.50
License Plate Renewal Service Fee *	\$90.00	\$42.00	\$78.00	\$438.00	\$360.00
Miscellaneous	\$0.00	\$0.00	\$0.00	\$1.00	\$0.00
Parking Honor Box	\$545.15	\$442.21	\$266.50	\$2,734.09	\$2,216.49
Parking Permits	\$0.00	\$14,945.00	\$3,440.00	\$19,250.00	\$19,975.00
Parking Violations	\$6,220.00	\$7,325.00	\$3,485.00	\$36,385.00	\$34,373.00
Total	\$7,292.15	\$24,845.71	\$8,338.50	\$65,332.39	\$63,841.99

* These funds are used for crime prevention initiatives, all other monies collected are deposited in the City of Whitewater General Fund.

Type	<u>Overtime Hours</u>				
	April	May	June	2021 YTD	2020 YTD
Administrative Duties	4.25	0.00	1.50	9.25	28.25
Bike / Foot Patrol	0.00	0.00	0.00	0.00	0.00
Clerical / Data Entry	0.50	0.50	0.00	29.00	1.50
County Court	12.50	13.25	19.25	181.50	53.00
Investigation	20.50	16.50	47.50	143.50	89.50
Municipal Court	0.25	2.00	0.00	4.25	5.75
Meeting	14.75	3.50	16.75	65.75	62.00
Other *	9.25	1.00	0.00	25.00	53.75
Prisoners (Transport/Custody)	8.00	17.50	7.50	75.75	58.75
Radio Dispatch	32.00	48.25	44.25	165.25	187.25
Reports	22.25	24.25	37.00	190.25	141.75
Roll Call	26.75	24.25	23.25	160.00	129.25
Special Event	9.50	222.50	8.50	282.75	161.25
Squad Patrol	40.75	63.75	50.50	288.50	305.75
Traffic / Radar	0.00	0.00	0.50	1.75	1.00
Training	31.75	188.25	203.00	578.50	506.00
Holidays	183.75	98.25	0.00	396.25	327.25
Total	416.75	723.75	459.50	2,597.25	2,112.00

WPD Personnel Training

- In April Dispatchers Shrock and Gonzalez completed Virtual Academy-Autism Awareness training for 911.
- In April Communications Coordinator H. Gempler, Dispatchers Shrock, Millis, Gonzalez, Ellis, and Lipski completed Virtual Academy – Telecommunicator CPR training online.
- On April 3rd Dispatcher Gonzalez completed Virtual Academy-Field Training: Utilizing the DOR training online.
- On April 6th Communications Coordinator H. Gempler completed CVMIC’s Employment Law and HR training.
- From April 6th through May 7th Officer Boro attended DRE Training in Franklin.
- On April 7th Support Services Manager Ojibway attended DOJ’s Officer Wellness & LEDR training online.
- On April 8th and 20th Officer Stuppy attended K9 Training at Jefferson County Sheriff’s Office.
- On April 8th Dispatcher Millis completed Virtual Academy-Human Fatigue in 24/7 Operations training online.
- On April 8th Communications Coordinator H. Gempler completed CVMIC’s Professional Communication training online.
- On April 12th Dispatcher Gonzalez completed Virtual Academy-Understanding Stress for the Telecommunicator training online.
- On April 15th Communications Coordinator H. Gempler completed CVMIC’s Communication for Leaders training online.
- On April 15th SRO Martin completed the Virtual Basic Threat Assessment Team Course online.
- On April 20th Communications Coordinator H. Gempler completed CVMIC’s Mentoring for Leaders online.
- On April 20th Captain Vander Steeg attended WILEAG Assessor Training in Pewaukee.
- On April 21st Officer Czapinski completed Introduction to Interview and Interrogation training online.
- On April 22nd Officer Czapinski completed Changing Perceptions training online.
- On April 23rd Officer Czapinski completed Community Policing: Improving Police Efficiency and Building Trust training online.
- On April 28th Support Services Manager Ojibway attended DOJ’s Surviving Trauma training online.
- From April 28th to June 1st Dispatcher Shrock attended APCO Communications Training Officer Training online.
- On April 29th Dispatcher Lipski attended Validation Training Officer training online.
- On April 30th all sworn personnel attended Legal Update in Whitewater.
- On May 1st Support Services Manager Ojibway completed Virtual Academy-Telecommunicator CPR training.
- On May 3rd Officer Czapinski completed Creating Safe Scenes training online.
- On May 5th Dispatcher Gonzalez completed Virtual Academy-Assisting Police K9s and Virtual Academy-Call Handling for the Telecommunicator Center trainings online.
- On May 11th Dispatcher Gonzalez completed Virtual Academy’s De-escalation for Telecommunicators and Counseling and Discussions for Telecommunication Centers trainings online.
- From May 5th through May 7th Support Services Manager Ojibway attended Individual and Group Crisis Intervention in Jefferson.
- From May 11th through May 13th Officers Brock and Becroft attended Reid Interview and Interrogation Training at WCTC.

- From May 11th to May 12th Lieutenant Borchardt and Officer Swartz attended the 2-day Field Force Grenadier Course at WCSO.
- On May 11th and 18th Officer Stuppy attended K9 Training at Jefferson County Sheriff's Office.
- On May 12th Support Services Manager Ojibway and Officer Stuppy completed Virtual Academy-Assisting Police K9s training online.
- On May 18th Dispatcher Gonzalez completed Virtual Academy-Quality Assurance/Improvement PSAP training.
- From May 17th to May 25th all sworn personnel and Dispatchers Gonzalez and Shrock attended EVOC/Pursuit Training at Jefferson Speedway.
- On May 26th Dispatcher Gonzalez completed Virtual Academy's Servant Leadership in the PSAP, Interpersonal Communications, Supervision 101 for Telecommunication Center and Personnel Issues trainings online.
- From May 26th to June 2nd all sworn personnel completed DAAT training at UW-Whitewater PD.
- On May 27th Communications Coordinator H. Gempler completed CVMIC's Leadership (People View) training.
- On May 28th Dispatcher Gonzalez completed Virtual Academy's Emergency Operation Planning for Schools training and Survival Spanish training online.
- On June 1st Dispatcher Gonzalez completed HR Practices for Telecommunication Center training online.
- On June 2nd and June 15th Officer Stuppy attended K9 Training at Jefferson County Sheriff's Office.
- On June 3rd Communications Coordinator H. Gempler completed CVMIC's Leadership (Soft Skills) training online.
- From June 7th through June 11th Officers Taft and Beecroft attended Basic SWAT training at WCTC.
- From June 7th through June 10th Officers Brock and Czapinski attended IPMBA Training at UW-W PD.
- From June 14th through June 18th Detective Lieutenant Brandl attended National Law Enforcement Training on Child Exploitation online.
- From June 14th to June 18th all sworn personnel completed Firearms Qualification at WCSO Range.
- From June 15th through June 17th Officers Krahn, Taylor and Dorman attended Breath Examiner Specialist (Intoximeter EC/IR) training at WCTC.
- On June 17th and 18th SRO Martin attended NCJTC School Resource Officer Training Conference online.
- On June 28th and 29th Officers Dorman and Taylor attended ARIDE Training at Franklin PD.
- From June 29th through July 1st Detective Hintz attended Homicide Investigation and Scene Management at Kenosha PD.
- On June 30th Deputy Chief Meyer, Captain Vander Steeg, Lieutenant D. Gempler, SRO Martin, and Officers Swartz, Ludlum, Boro, Czapinski, and Taylor attended the ME's Child Death Investigation Training at WPD.

Crime Prevention Presentations and Appearances

- On April 7th Chief Raap, Deputy Chief Meyer and Officer Stuppy gave an overview on the WPD K9 Unit to the LETTSEW K9 Foundation.
- On April 12th Detective Schleis gave a presentation virtually on Fire Investigations to the UW-Whitewater Safety Major Students.
- On June 29th SRO Martin gave a presentation on OAWI and other traffic laws to the WHS Driver's Education students.

Walworth County Minimum for Exemption from County Library Tax

	2020 TOTAL E.V.REDUCED BY TID VALUE INCREMENT	2021 TOTAL E.V.REDUCED BY TID VALUE INCREMENT	2021 Levy Minimum for 2022 under SS 43.64(2)	2021 Levy reported by Clerks for 2022:
<u>With Libraries:</u>				
(Burlington, City)	551,900	2,335,600	444	
Darien, Village	122,040,700	133,948,000	25,439	
Delavan, City	669,859,300	701,270,500	133,182	
East Troy, Village	376,499,900	392,314,700	74,507	
Elkhorn, City	879,051,300	960,072,100	182,332	
Fontana, Village	1,258,728,800	1,405,374,300	266,902	
Genoa City, Village	222,358,600	241,890,800	45,939	
Lake Geneva, City	1,511,702,700	1,643,332,300	312,094	
(Mukwonago, Village)	24,458,200	26,396,500	5,013	
Sharon, Village	80,504,600	84,651,500	16,077	
Walworth, Village	248,300,900	262,053,600	49,768	
(Whitewater, City)	584,370,300	637,229,000	121,019	
Williams Bay, Village	877,475,100	972,301,900	184,655	
	<u>6,855,902,300</u>	<u>7,463,170,800</u>		
<u>Without Libraries:</u>				
Bloomfield, Town	127,703,900	135,716,300		
Bloomfield, Village	426,746,100	464,238,700		
Darien, Town	227,940,400	229,135,100		
Delavan, Town	1,093,408,300	1,180,401,400		
East Troy, Town	873,212,700	932,698,000		
Geneva, Town	1,005,873,100	1,141,683,600		
LaFayette, Town	318,482,000	325,244,100		
LaGrange, Town	844,090,700	936,250,800		
Linn, Town	2,109,195,900	2,267,735,800		
Lyons, Town	498,394,600	523,388,000		
Richmond, Town	274,352,000	302,626,600		
Sharon, Town	92,037,800	93,357,600		
Spring Prairie, Town	301,180,400	323,279,800		
Sugar Creek, Town	438,649,900	495,034,500		
Troy, Town	317,154,200	342,626,000		
Walworth, Town	267,465,800	285,914,600		
Whitewater, Town	348,710,500	361,241,200		
	<u>9,564,598,300</u>	<u>10,340,572,100</u>		
Total E.V.	16,420,500,600	17,803,742,900		

Current year appropriations / Prior year EV = County Library Tax

	2020	2021
County Appropriations	1,836,087	1,816,463
County Library Tax	0.00020469246	0.00018991524

<https://www.revenue.wi.gov/slfreportsassessor/2021coappprt.pdf>

Compiled: 8/17/2021



Council Agenda Item

Meeting Date: Tuesday, September 7, 2021

Agenda Item: DNR Grant Authorizing Resolution for Starin Park Arboretum

Staff Contact (name, email, phone): Eric Boettcher eboettcher@whitewater-wi.gov 262-473-0122

BACKGROUND

(Enter the who, what when, where, why)

The Urban Forestry Commission has applied for a matching grant from the Wisconsin DNR to help fund efforts to further develop the Starin Park Arboretum.

The match for DNR funds is coming from the contributions of local residents and businesses.

City staff is asking for adoption of the resolution. The template resolution has been included in your packet.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

The Urban Forestry Committee held numerous discussions at regular and properly posted meetings.

FINANCIAL IMPACT

(If none, state N/A)

None at this time.

STAFF RECOMMENDATION

Adopt the resolution as proposed to comply with grant requirements.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Grant Required Template Resolution

**SAMPLE COMBINED AUTHORIZING RESOLUTION FOR
URBAN FORESTRY GRANT AND
URBAN FORESTRY CATASTROPHIC STORM GRANT PROGRAMS**

INSTRUCTIONS

For a given grant cycle, each applicant (municipality, tribal government, or non-profit 501(c)(3) must submit to the DNR an *Authorizing Resolution*, approved by their governing body, that indicates an **“Authorized Representative.”** The Authorized Representative is defined here as an office, officer, or employee of the applicant, being given authority to act on its behalf to:

1. Sign and submit the grant application
2. Sign a grant agreement between applicant and the DNR
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement
4. Submit grant reimbursement request to the DNR
5. Sign and submit other required documentation

We strongly recommend that the Authorized Representative be listed as the title of a position, rather than name of an employee. Employee changes (retirement, changing jobs, etc.) during a grant cycle cause the resolution to be ineffective.

The following is a sample *combined* authorizing resolution. It allows the Authorized Representative to submit **both** Urban Forestry and/or Urban Forestry Catastrophic Storm grant applications. This is strongly recommended, so that, if a catastrophic storm event occurs and the Governor declares a State of Emergency in the applicant’s county, then the applicant’s Authorized Representative already has the authority to apply for an Urban Forestry Catastrophic Storm grant.

Authorizing Resolution

WHEREAS, the applicant, City of Whitewater, is interested in obtaining a cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm projects specified in s. 23.097(1g) and (1r), Wis. Stats.;

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the applicant requests a grant agreement to carry out the project;

NOW, THEREFORE, BE IT RESOLVED, the applicant, City of Whitewater, will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers Parks & Recreation Director, its official or employee, to act on its behalf to:

1. Sign and submit the grant application
2. Sign a grant agreement between applicant and the DNR
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement
4. Submit grant reimbursement request to the DNR
5. Sign and submit other required documentation

Adopted this _____ day of _____, 20____.

I hereby certify that the foregoing resolution was duly adopted by Whitewater Common Council, at a legal meeting on the _____ day of _____, 20____.

Authorized Signature	Title	Date Certified

ORDINANCE No. _____
AN ORDINANCE AMENDING THE MAP SHOWING THE AREA IN THE CENTRAL
BUSINESS ZONING DISTRICT WHERE FIRST FLOOR RESIDENTIAL CONDITIONAL USES
ARE ALLOWED

The Common Council of the City of Whitewater, Walworth and Jefferson Counties,
Wisconsin, do ordain as follows:

Section 1. Whitewater Municipal Code Section 19.30.030 G 1. is hereby amended to
delete the map included in said section and replace it with the attached map.

Ordinance introduced by Council Member _____, who moved its
adoption.

Seconded by Council Member _____.

AYES:

NOES:

ABSENT:

ADOPTED:

Cameron Clapper, City Manager

Michele R. Smith, City Clerk



North St

W Main St

S Fremont St

E Main St

W Center St

W Whitewater St

Legend

 First Floor Residential Prohibited

9/3/2021

33/214



Common Council Agenda Item

Meeting Date:	September 7, 2021
Agenda Item:	Real Property Policy
Staff Contact (name, email, phone):	Steve Hatton, shatton@whitewater-wi.gov , 262-473-1380

BACKGROUND

(Enter the who, what when, where, why)

Staff has developed a policy to help establish and document City policy for handling of real estate acquisitions, sales, taxation, and retention by the City. Finance and CDA staff have consulted in the drafting and refinement of the policy being presented for approval. Once approved, staff will develop procedures and templates to help ensure Policy is incorporated in requests brought to Council concerning real property.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

- 7/22/21: Draft policy presented to CDA for input.
- 7/27/21: Draft policy presented to Finance Committee for input.
- 8/24/21: Finance Committee recommended Council approval of policy
- 8/26/21: CDA recommended Council approval of policy

FINANCIAL IMPACT

(If none, state N/A)

Impacts all financial aspects of acquiring, disposing and retaining real-property. Impacts both annual operating budget and long-range planning for growth of the tax base.

STAFF RECOMMENDATION

Move to approve Real Property Policy.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Real Property Policy

		Policy 501.01.2 Real Property Policy			
Owner:	City Manager	Approving Position:		Pages:	3
Issue Date:		Revision Date:		Review Date:	
Special Instructions:					

I. POLICY

The City of Whitewater and its sub-units (City) hold real property ‘Property’ for several limited purposes:

- a. to provide services;
- b. for parks/recreational activities;
- c. to foster economic development.

The City’s investment in real property represents a significant commitment of finite public resources. The following Guidelines will be effective for real property acquisition, retention, tax status, and disposal.

II. GUIDELINES

A. Acquisition

- Ultimate authority to approve property acquisition lies with the Common Council under its responsibility for fiscal oversight as a trustee of public funds unless otherwise specified in state Statute, City Ordinance, or by Council Resolution.
- Requests to acquire property shall specify public purpose of the proposed purchase, anticipated ownership period, source(s) of funding, and annual budgetary impact (i.e., debt repayment, operations/maintenance, and property tax impacts.)

B. Funding

- Funding for property acquisition should be sourced from the segregated budgetary Fund(s) whose stated purpose is most closely served by the acquisition. Funds may be advanced among funds internally if required. Internal advances among funds should be repaid as soon as practical.
- Impact on targeted Fund Balance or Undesignated Fund Balance levels, Debt Capacity and Credit Rating shall be considered in determining funding method.

- Debt Policy dictates that use of debt financing will impact other Capital Improvement projects competing for funding.
- Advances among City funds shall not incur interest until repaid, unless otherwise specifically directed by Common Council resolution.

C. Taxation, payment for Municipal services

- General Property Taxes are one of the primary sources of revenue used to pay for local government services provided by the City, County(ies), School District, and Technical College(s).
- Properties held by the City and its subsets are exempt from property taxes under Wisconsin Statute 71.11(2) 'Municipal Exemption'
- As the City or its subsets acquire property that has previously been taxable, the Municipal Exemption reduces the tax base and associated tax revenue necessary to fund services to residents. These acquisitions also concentrate the tax burden on other property holders.
- Accordingly, the City will retain the Municipal Exemption for:
 - I. Property acquired for provision of government services;
 - II. Property acquired for park and recreational activities;
 - III. Property acquired for improvement and held for resale.
- The City waives the Municipal Exemption for:
 - I. Residential Property acquired and held to produce revenue. Revenue producing property shall be subject to the normal non-exempt property assessment and taxation treatment.

D. Rental Revenue

- Proceeds from the lease/rental of land held for economic development shall be held in a separate account in CDA Program Fund 910 for future land purchases. These funds shall be retained and be considered a designated fund balance to fund future land acquisitions. Expenditures from this account require action by the Common Council.
- Proceeds from the lease/rental of Residential Property that is subject to property taxes may be retained by the CDA Residential Rental Program in Fund 910.

E. Disposition

- Ultimate authority to approve sale of real property lies with the Common Council under its responsibility for fiscal oversight as a trustee of public funds unless otherwise specified in state Statute, City Ordinance, or by Council Resolution or formal agreement.
- Requests for approval to sell real property shall include:
 - I. Determination of value: provide basis used to conclude that offered or proposed sale amount represents fair market value and in the best interests of the City.

- II. Sale of real property at less than market value shall only occur if transaction provides offsetting value through one or more of the following:
- written commitment of buyer to deliver taxable property improvements;
 - new employment opportunities;
 - expansion of the tax base and corresponding support of providing municipal services;
 - other offsetting economic benefits.
- III. Recommendation of body responsible for Fund used to acquire/hold property (i.e., CDA, Parks and Recreation Board, Public Works Committee, etc.). CDA shall review and make recommendation for all property sales related to economic development.
- Proceeds from property sale/disposal shall, be used in order of application:
 - I. First, to pay expenses directly incurred in conjunction with the property sale;
 - II. Next, retire debt associated with acquisition;
 - III. Next, reimburse fund balances used for acquisition;
 - IV. Next, be retained for future property acquisitions.
 - Proceeds from the sale of land held for economic development shall be held in a separate account in CDA Program Fund 910 for future land purchases. These funds shall be retained and be considered a designated fund balance to fund future land acquisitions. Expenditures from this account require action by the Common Council.

III. PROCEDURE – N/A

IV. REPORTING – N/A

V. JOB AIDS – N/A



Council Agenda Item

Meeting Date:	September 7, 2021
Agenda Item:	Citizen Committee Appointment – Miguel Aranda
Staff Contact (name, email, phone):	Cameron Clapper, cclapper@whitewater-wi.gov , 262-473-0104

BACKGROUND

(Enter the who, what when, where, why)

The process for the appointment of board, commission, and committee members is outlined in the Whitewater Municipal Code 2.12.011:

- (a) The city manager and the common council president shall review all board, commission and committee applicants and recommend nominees to the common council.
- (b) After considering the candidates nominated to the various boards, commissions, and committees, the common council shall appoint the members of said boards, commissions, or committees.

Tonight's recommended candidate was interviewed on March 11, 2021, at which point, the city manager and common council president determined to recommend the applicant for the seat on the Community Development Authority that is expected to become available later this year when an ordinance amending the composition of the community development authority takes effect. However, with the recent resignation of Greg Meyer one seat is currently vacant.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

None.

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

To appoint Miguel Aranda to the Whitewater Community Development Authority.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Citizen Service Information Form for Miguel Aranda

Kathy Boyd

From: noreply@civicplus.com
Sent: Thursday, February 25, 2021 12:44 AM
To: Lynn Binnie; Kathy Boyd
Subject: Online Form Submittal: Citizen Service Information Form

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Citizen Service Information Form

This form is used to apply to City of Whitewater Boards, Committees or Commissions.

Date	2/25/2021
------	-----------

Applicant Information

First Name	Miguel
------------	--------

Last Name	Aranda
-----------	--------

Home Address	243 N Park St
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City	Whitewater
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State	WI
-------	----

Zip Code	53190
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Home Phone Number	2627511223
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Cell Number	2627511223
-------------	------------

Email Address	miguelaranda89@yahoo.com
---------------	--------------------------

Business/Employer Information

Business/Employer Name	UW-Whitewater
------------------------	---------------

Business/Employer Address	800 W Main St
---------------------------	---------------

City	Whitewater
------	------------

State	WI
-------	----

Zip Code	53190
----------	-------

Business/Employer Phone Number 2624721177

Boards/Committees/Commissions of Interest

Select all Boards, Committees & Commissions you are applying for by checking each box:

Community Development Authority

Give a brief overview of your background, experience, interest, or concerns pertaining to the selected board(s), committee(s) or commission(s).

Whitewater native, job title of Financial Specialist Senior at UW-Whitewater, active in Latino outreaching/community service, working towards my MBA in Finance.

I would consider myself a young professional with a growing family. Talking with other Whitewater natives, conversations about the lack of opportunities for others like myself and my family arise. I was also on the Whitewater school board temporarily, and understand very well the consequences of a decreasing community population. I hope to be able to create opportunity for others thru this committee if accepted.

Optional: Upload supportive documents (resume, recommendation letter, etc.)

Field not completed.

Reference #1 Full Name David Halbach

Reference #1 Address & Phone Number 159 N Esterly Ave, Whitewater, WI 2624725749

Reference #2 Full Name Tom Ganser

Reference #2 Address & Phone Number 140 N. Esterly Ave., Whitewater, WI 53190 (608) 718-0899

Regular Board, Committee and Commission members are expected to attend at least three-quarters of the meetings each year. Alternate members are always welcome to attend all meetings, but are not required to attend meetings unless requested.

Email not displaying correctly? [View it in your browser.](#)



Council Agenda Item

Meeting Date:	Tuesday, September 7, 2021
Agenda Item:	UPS Replacement
Staff Contact (name, email, phone):	Eric Boettcher eboettcher@whitewater-wi.gov 262-473-0122

BACKGROUND

(Enter the who, what when, where, why)

The UPS is required as a secondary back up supply to the generator that ensures the essential portions of the police department and municipal building remain functioning during loss of power. The current system has outlived its life expectancy and was scheduled for replacement in 2020 as one of the approved Capital Improvement Projects. Due to the pandemic this postponed the project due to availability of equipment and contractor's availability for installation. The project has now been planned for installation and awaits approval to move forward with installation this fall.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

Project was approved as part of the 2020 CIP planned projects

FINANCIAL IMPACT

(If none, state N/A)

- Original project amount budget for 2020 was \$38,000
- Current project quote is \$47,973.00

STAFF RECOMMENDATION

- Approve project increased amount to move schedule and complete project for fall of 2021.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

- Radicom Quote for UPS Replacement

Prepared for:
Sabrina Ojibway (262) 473-1373
Whitewater Police Dept
312 W. Whitewater St.
P O Box 117
Whitewater, WI 53190 U.S.A.

Prepared by: Clifford H. Hammarstrom
Account No.: 1981
Phone: (262) 473-0555
Fax: (262) 473-0559

Quantity	Item ID	Description	UOM	Sell	Total
1	9PXM UPS 16 kVA	UPS, 16kVA, 60min at 8kVA, 2 cabinets, casters. Includes Make-Before-Break wall mount bypass switch. <i>Reliable online, high-frequency, double-conversion power protection that provides flexible solutions for mission-critical applications.</i> <i>N + X power and logic redundancy eliminating all system level single point-of-failure</i> <i>Easily scalable to adapt to changing IT environments by simply adding power and/or battery modules</i> <i>Double-conversion, online design delivers the highest level of protection</i> <i>ABM technology significantly increases battery service life</i> <i>Hot-swappable battery and power modules, each weighing less than 30 pounds for easy handling and replacement</i> <i>Configurable output</i> <i>Warranty (US and Canada): Two-year limited warranty and \$250,000 load protection guarantee; optional service plans available</i> <i>Eaton 9PXM Series</i> <i>Scalable Single Phase Online UPS 12-slot enclosure (4, 8, 12, 16 or 20kVA), Hardwired Input/Output includes casters and leveling feet</i> <i>Dims: 36.5"H x 17.5"W x 34.5"D Weight: 206 lbs</i> <i>4 ea Eaton 9PXM Series Split-phase Power Module, 4kVA each Weight: 26.5 lbs</i> <i>Eaton 9PXM Series External Battery Enclosure, 12-slot, black Dimensions: 36.5"H x 17.5"W x 34.5"D Weight: 165 lbs</i> <i>24 ea Eaton 9PXM Series Battery Module (must be installed in pairs, two required per slot/string) 64 min @ 8 kVA Weight: 22.5 lbs</i> <i>Eaton Bypass Power Module Wall Mount, Make Before Break Hardwired Input/Output</i> <i>Dims: 5.1"H (3U) x 17.3"W x 25.6"D each Weight: 35 lbs each</i> <i>Eaton Gigabit Network Card</i> <i>Eaton Onsite 7x24 Startup</i>	EA	\$33,565.00	\$33,565.00
1	WUN72XXX-18000U	Servoce. UPS, 2YR Onsite, Next Day, on UPS	EA	\$2,076.00	\$2,076.00
1.00	Subcontract1	Sub Contract Adams Electric to disconnect old UPS and re-connect new UPS	EA	\$10,182.00	\$10,182.00
16.00	Labor PW Inst R	Radicom labor to disconnect & reconnect services. Labor Rate for Prevailing Wage	HR	\$125.00	\$2,000.00
1.00	Non Inventory 20	Misc cords, power strips, extensions	EA	\$150.00	\$150.00

Your Price: \$47,973.00

Total: \$47,973.00

Quote

No.: **6532**

Date: 8/10/2021

Prices are firm until 10/9/2021

Terms: Upon Receipt

Prepared by: Clifford H. Hammarstrom, chammar@radicom.com

Date: 8/10/2021

Quote 6532a is for a new 16kVA building UPS system.

Included is the UPS unit, and batteries that will run the unit for 60 minutes at 1/2 load.

A 2year on-site maintenance plan is also included with next business day service.

Removal and Installation of the UPS units will be provided by Adams Electric. This includes replacing the By-Pass switch and removing the existing transformer from the line. The new UPS does not require the transformer. A decrease of noise and heat currently being produced by the aged transformer will help the environment of the equipment room.

In order to replace the UPS, all equipment that is on the UPS will need to be temporarily changed to LINE power. Radicom will provide the temporary cords, power strips, etc and labor to move all the equipment off the existing UPS prior to its disconnect.

Once the new UPS is installed and tested, Radicom will move all the temporary connections back to the normal UPS circuits.

Terms:

50% invoice upon P.O.

40% invoice with equipment delivery.

10% invoiced on operation and acceptance.

Accepted by: _____

Date: _____

Disclaimer

To accept this quote, please Sign, Date, and return it to Radicom

- (1) Immediate access to any work areas is required.
- (2) Work will be performed from 8:00 AM to 5:00 PM, Monday through Friday, excluding holidays unless otherwise arranged.
- (3) Information and materials contained in this quote exhibits a technical expertise and is intended to be viewed by the customer that it is addressed to. No part of this information shall be divulged to any entity that would use it to formulate a competitive offer.
- (4) Specifics, such as lengths, genders, and part numbers will be reviewed and/or verified at time of order to ensure accuracy.
- (5) Unless specifically stated, all sales are for domestic use.
- (6) Unless previously arranged, for quotes in excess of \$5,000.00 Radicom requests 50% payment upon approval / purchase order
- (7) Unless otherwise specified, shipping and handling charges are not included and will be added to the associated invoice.



Council Agenda Item

Meeting Date:	Tuesday, September 7, 2021
Agenda Item:	Ordinance Restricting Residence for Sex Offenders
Staff Contact (name, email, phone):	Cameron Clapper, cclapper@whitewater-wi.gov , 262.473.0104

BACKGROUND

(Enter the who, what when, where, why)

Many municipalities have adopted ordinances limiting possible locations where a registered sex offender may reside.

In the past, Whitewater staff members have elected to refrain from establishing an ordinance, partially out of concern for potential legal suits if the ordinance was not properly drafted.

Today, with a greater knowledge of the legal landscape regarding “sex offender ordinances,” city staff members, especially the city attorney, have worked to develop the included ordinance and would seek common council action to adopt it.

Staff would request that the common council review the material associated with this agenda item and prepare for further discussion and action on the ordinance at the September 21 meeting.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

None.

FINANCIAL IMPACT

(If none, state N/A)

None.

STAFF RECOMMENDATION

Staff recommends review and no action at this meeting.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

- Draft Ordinance creating Chapter 1.33 Residence Restrictions for Sex Offenders
- Child Safety Zone Maps:
 - o Excluding Trails
 - o Including Park Trails
 - o Including All Trails
- 1994 Recidivism Statistics
- Recidivism of Sex Offenders Released from Prison 2005-2014
- Sex Offender Statutes

ORDINANCE No. _____
AN ORDINANCE CREATING CHAPTER 1.33 RESIDENCE RESTRICTIONS FOR SEX
OFFENDERS

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 1.33 is hereby created to read as follows:

1.33 Residence Restrictions for Sex Offenders

(1) Findings and Intent. The Common Council finds that Sex Offenders are persons who present a serious threat to public safety. Sex Offenders are extremely likely to use physical violence when they offend. Many Sex Offenders commit multiple offenses, have more victims than are reported, and are prosecuted for only a fraction of their crimes. This makes the cost of Sex Offender victimization to society great and justifies efforts to protect the public from it.

The Common Council has reviewed a 2003 study by the U.S. Department of Justice, Bureau of Justice Statistics, titled Recidivism of Sex Offenders Released from Prison in 1994. That study indicates that sex offenders released from prison were four times more likely to be rearrested for a sex crime as compared to non-sex offenders released from prison. Of those individuals included in the study, forty (40) percent of new sex crimes committed by those sex offenders released from prison had occurred within the first twelve (12) months of release. Further, child molesters who were released from prison were at least six times more likely to be rearrested for another sex crime against a child as compared to a non-sex offender released from prison.

In addition, the City Council has reviewed a 2019 study by the U.S. Department of Justice, Bureau of Justice Statistics, titled Recidivism of Sex Offenders Released from State Prison: A 9-Year Follow-Up (2005-2014). That study indicates that sex offenders released from prison were more than three times as likely as other released prisoners to be arrested for rape or sexual assault.

Because reducing both opportunity and temptation will minimize the risk of re-offense for those Sex Offenders who will re-commit sex offenses against children and others, there is a compelling need to separate Sex Offenders from places where children congregate or play in public places.

The Common Council is also aware that many other communities in Wisconsin, including the City of Milwaukee and the City of Brookfield, have New Resident Restrictions (see (4) below) and that if Whitewater does not have a New Resident Restrictions clause in its ordinance, it may have a disproportionately high number of new residents who are recently convicted sex offenders that had not previously lived in Whitewater. This would have adverse impacts on the health, safety, and welfare of residents of the city.

It is also the intent of the Common Council to protect the safety and welfare of its citizens by creating zones around places where children regularly gather, in which certain Sex Offenders are prohibited from establishing Residence.

It is not the intent of the Common Council to impose additional punishment on Sex Offenders.

(2) Definitions. For purposes of this section:

(a) “Athletic facilities” includes fields used for football, soccer, baseball and other field sports; swimming pools; water parks; skate and skateboard parks; tennis courts; basketball courts; as well as those facilities commonly understood to be used for athletic purposes.

(b) Child means a person under the age of 18 years.

(c) Child Safety Zone means an area within 750 feet of any private or public school, recreational trail, playground, park having a children’s playground, park having athletic facilities used by persons younger than 18 years of age, childcare center licensed pursuant to Wis. Stats. §48.65, within the City of Whitewater.

(d) Residence means a place where a person resides or dwells, or is used by a person as the primary location for basic life functions such as sleeping or eating; whether short or long-term but for an aggregate of 14 or more days in any one-year period.

(e) Chapter means this Municipal Code Chapter 1.33.

(f) Sex Offender, for purposes of this Chapter, means:

(i) Any person who is required to register under Wis. Stats. §301.45.

(ii) Any person committed to the state Department of Health Services for specialized treatment pursuant to Wis. Stats. §975.06.

(iii) Any person placed on lifetime supervision by the state Department of Corrections pursuant to Wis. Stats. §939.615 or §971.17(1j).

(3) Child Safety Zone Restriction. No Sex Offender shall establish or maintain a residence in the City of Whitewater within a child safety zone.

(4) New Resident Restriction. A Sex Offender shall not establish a residence within the City of Whitewater unless the person was domiciled in the city at the time of the offense resulting in the persons most recent conviction which caused the person to qualify as a Sex Offender under this ordinance.

(5) Residence Restriction, Exceptions. No Sex Offender shall establish or maintain a Residence within a Child Safety Zone, except under the following circumstances:

(a) It is specifically ordered that the Sex Offender reside within a Child Safety Zone in the City of Whitewater by a circuit court having competent jurisdiction.

(b) The Sex Offender established the Residence within 750 feet of a private or public school, recreational trail, playground, park having a children’s playground, park having athletic facilities used by persons younger than 18 years of age, licensed day care center as defined in Wis. Stats. §48.65, reported and registered the Residence pursuant to Wis. Stats. §301.45 before September 1, 2021 and has continuously maintained that Residence since then. Interruptions of Residence for the following reasons shall not be deemed to disqualify continuous maintenance of Residence:

(i) Incarceration in a Wisconsin correctional facility.

(ii) Participation in programs as required by the Wisconsin Department of Corrections.

(iii) Participation in activities as required by the federal or state government, or a federal or state court.

(iv) Interruptions of no longer than 180 days, for any reason.

(c) The person is excepted from sex-offender registration pursuant to Wis. Stats. §301.45(1m).

(d) The private or public school, recreational trail, playground, park having a children's playground, park having athletic facilities used by persons younger than 18 years of age, childcare center, around which a Child Safety Zone exists first existed after the Sex Offender established Residence and reported and registered the Residence pursuant to Wis. Stats. §301.45.

(e) The Sex Offender's Residence is within a jail, juvenile facility or other correctional facility at which the Sex Offender is serving a court-ordered sentence.

(f) The Sex Offender is a minor or ward under guardianship and is residing with his or her parent or guardian.

(6) Sex Offenders Subject to Chapter 980. A Sex Offender that has been adjudicated a sexually violent person pursuant to Wisconsin Statutes Chapter 980 shall not be in violation of subsection (3) or (4) if the Sex Offender is subject to supervised release under Chapter 980, the Sex Offender is residing where he or she is ordered to reside under Wis. Stats. §980.08, and the Sex Offender is in compliance with all court orders issued under Chapter 980.

(7) Measurement of Distances. The boundaries of the Child Safety Zone shall be determined by measuring from the outer property boundary of private or public schools, recreational trails, playgrounds, parks having a children's playground, parks having athletic facilities used by persons younger than 18 years of age, and child care centers, along the shortest line to the outer property boundary of a Sex Offender's Residence. If any portion of a property is within a Child Safety Zone, then the entire property shall be deemed within the Child Safety Zone.

(8) Map of Child Safety Zone. The City shall maintain an official map showing the Child Safety Zone defined in subsection (2)(c) and shall update the map at least annually to reflect any changes.

(9) Notice. Sex Offenders shall within 30 days of this ordinance being enacted (or 10 days of establishing residence in the City of Whitewater) whichever is later, provide in writing to the City Clerk of the City of Whitewater their name, date of birth, and address.

(10) Penalty. A person who violates provisions of this ordinance shall be subject to a forfeiture of not less than \$300.00 and no more than \$1,000.00 for each violation. Each day a violation continues shall constitute a separate offense. The City may also seek equitable relief to gain compliance.

(11) Severability. It is the express intent of the Common Council that the provisions of this Chapter are severable, and that if any part of this Chapter is held invalid by a court having competent jurisdiction, then that invalid part shall be severed, and the remainder shall remain in effect and enforceable.

Ordinance introduced by Council Member _____, who moved its adoption.

Seconded by Council Member _____.

AYES:

NOES:

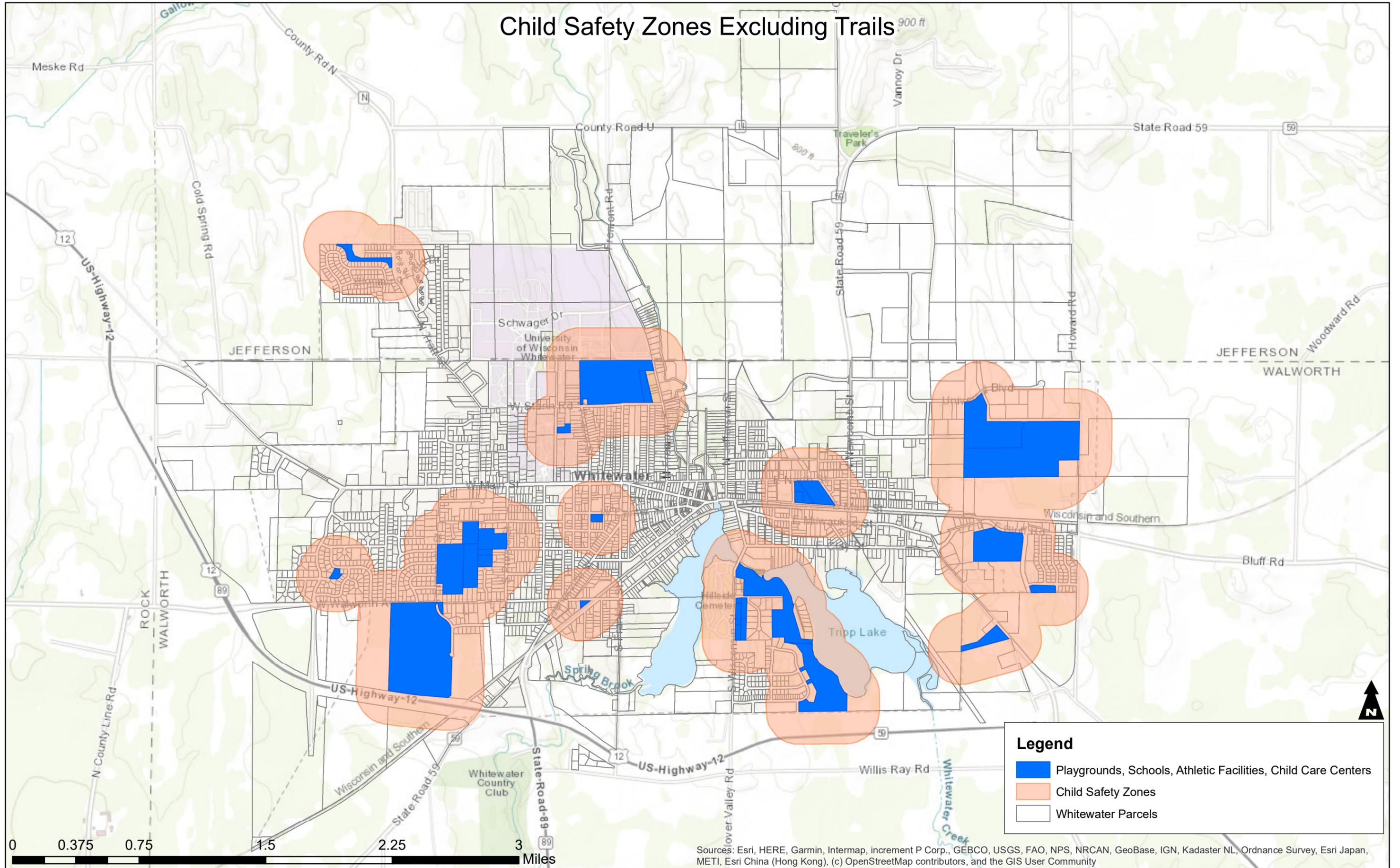
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ADOPTED:

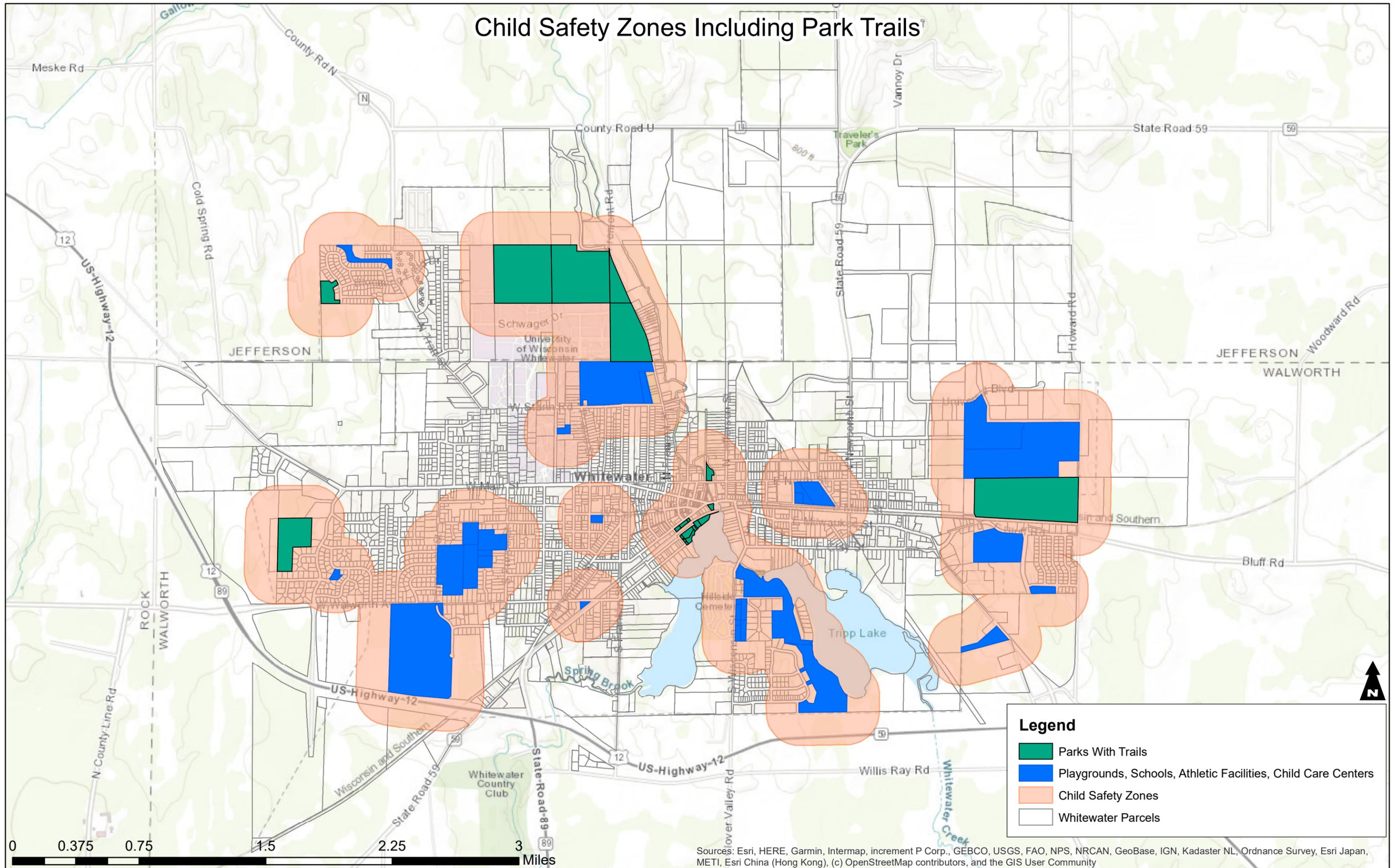
Cameron Clapper, City Manager

Michele R. Smith, City Clerk

Child Safety Zones Excluding Trails

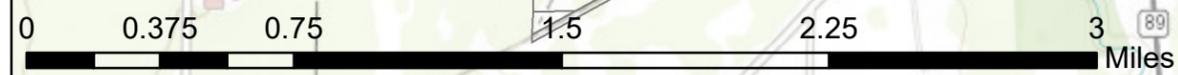


Child Safety Zones Including Park Trails



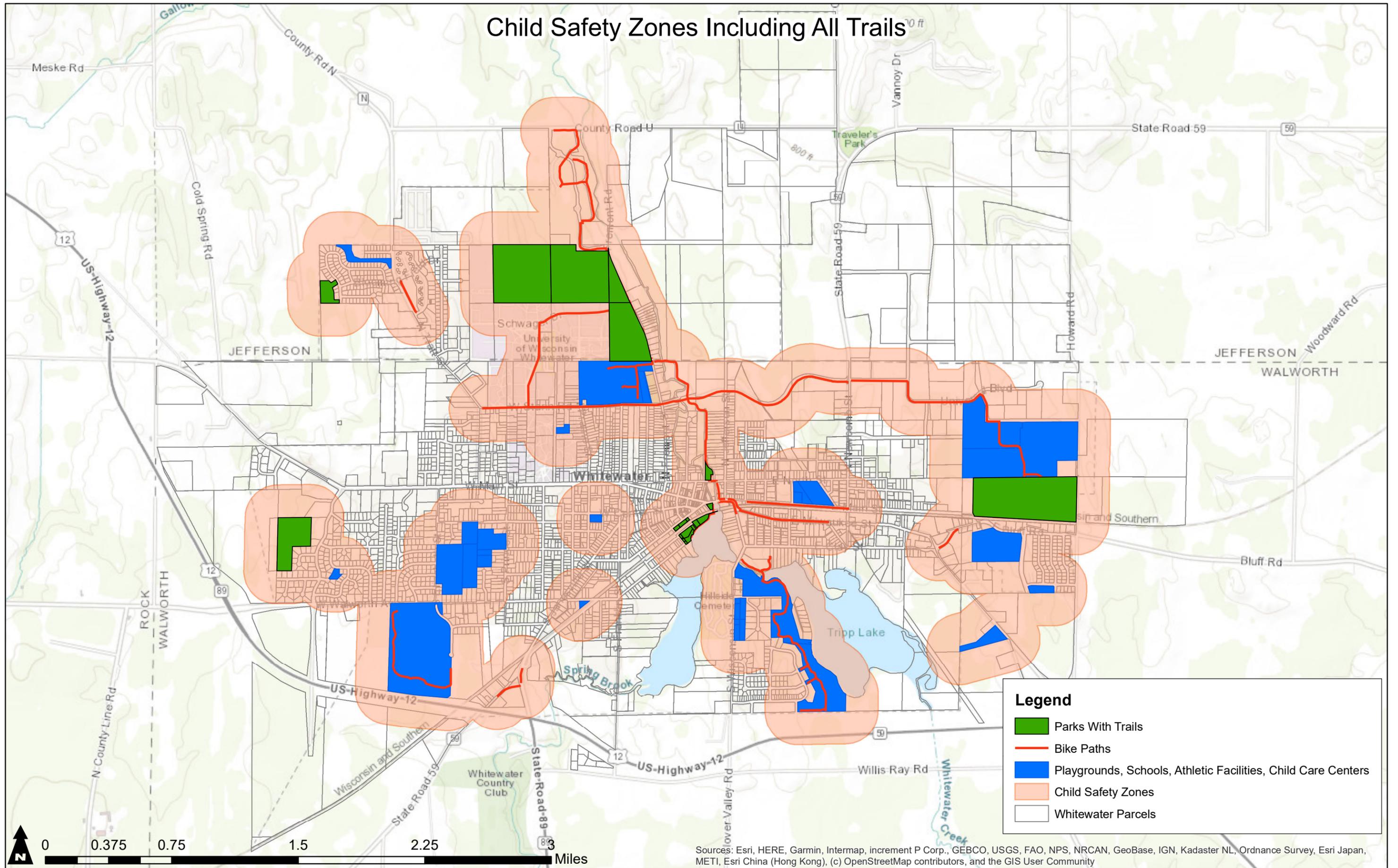
Legend

- Parks With Trails
- Playgrounds, Schools, Athletic Facilities, Child Care Centers
- Child Safety Zones
- Whitewater Parcels



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Child Safety Zones Including All Trails



Legend

- Parks With Trails
- Bike Paths
- Playgrounds, Schools, Athletic Facilities, Child Care Centers
- Child Safety Zones
- Whitewater Parcels

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Bureau of Justice Statistics

Recidivism of Sex Offenders Released from Prison in 1994

Offender characteristics

Sentences and criminal records

Comparisons to other offenders

Rearrests and reconvictions

Rearrests for sex crimes against children

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Office of Justice Programs
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For information contact:
National Criminal Justice Reference Service
1-800-851-3420



Recidivism of Sex Offenders Released from Prison in 1994

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Statisticians, Bureau of Justice Statistics

November 2003, NCJ 198281

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

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Williams and Tom Hester edited and
produced it.

November 2003, NCJ 198281

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Introduction

In 1994, prisons in 15 States released 9,691 male sex offenders. The 9,691 men are two-thirds of all the male sex offenders released from State prisons in the United States in 1994. This report summarizes findings from a survey that tracked the 9,691 for 3 full years after their release. The report documents their "recidivism," as measured by rates of rearrest, reconviction, and reimprisonment during the 3-year followup period.

This report gives recidivism rates for the 9,691 combined total. It also separates the 9,691 into four overlapping categories and gives recidivism rates for each category:

- 3,115 released rapists
- 6,576 released sexual assaulters
- 4,295 released child molesters
- 443 released statutory rapists.

The 9,691 sex offenders were released from State prisons in these 15 States: Arizona, Maryland, North Carolina, California, Michigan, Ohio, Delaware, Minnesota, Oregon, Florida, New Jersey, Texas, Illinois, New York, and Virginia.

Highlights

The 15 States in the study released 272,111 prisoners altogether in 1994. Among the 272,111 were 9,691 men whose crime was a sex offense (3.6% of releases).

On average the 9,691 sex offenders served 3½ years of their 8-year sentence (45% of the prison sentence) before being released in 1994.

Rearrest for a new sex crime

Compared to non-sex offenders released from State prisons, released sex offenders were 4 times more likely to be rearrested for a sex crime. Within the first 3 years following their release from prison in 1994, 5.3% (517 of the 9,691) of released sex offenders were rearrested for a sex crime. The rate for the 262,420 released non-sex offenders was lower, 1.3% (3,328 of 262,420).

The first 12 months following their release from a State prison was the period when 40% of sex crimes were allegedly committed by the released sex offenders.

Recidivism studies typically find that, the older the prisoner when released, the lower the rate of recidivism. Results reported here on released sex offenders did not follow the familiar pattern. While the lowest rate of rearrest for a sex crime (3.3%) did belong to the oldest sex offenders (those age 45 or older), other comparisons between older and younger prisoners did not consistently show older prisoners' having the lower rearrest rate.

The study compared recidivism rates among prisoners who served different lengths of time before being released from prison in 1994. No clear association was found between how long they were in prison and their recidivism rate.

Before being released from prison in 1994, most of the sex offenders had been arrested several times for different types of crimes. The more prior arrests they had, the greater their likelihood of being rearrested for another sex crime after leaving prison. Released sex offenders with 1 prior arrest (the arrest for the sex crime for which they were imprisoned) had the lowest rearrest rate for a sex crime, about 3%; those with 2 or 3 prior arrests for some type of crime, 4%; 4 to 6 prior arrests, 6%; 7 to 10 prior arrests, 7%; and 11 to 15 prior arrests, 8%.

Rearrest for a sex crime against a child

The 9,691 released sex offenders included 4,295 men who were in prison for child molesting.

Of the children these 4,295 men were imprisoned for molesting, 60% were age 13 or younger.

Half of the 4,295 child molesters were 20 or more years older than the child they were imprisoned for molesting.

On average, the 4,295 child molesters were released after serving about 3 years of their 7-year sentence (43% of the prison sentence).

Compared to the 9,691 sex offenders and to the 262,420 non-sex offenders, released child molesters were more likely to be rearrested for child molesting. Within the first 3 years following release from prison in 1994, 3.3% (141 of 4,295) of released child molesters were rearrested for another sex crime against a child. The rate for all 9,691 sex offenders (a category that includes the 4,295 child molesters) was 2.2% (209 of 9,691). The rate for all 262,420 non-sex offenders was less than half of 1% (1,042 of the 262,420).

Of the approximately 141 children allegedly molested by the child molesters after their release from prison in 1994, 79% were age 13 or younger.

Released child molesters with more than 1 prior arrest for child molesting were more likely to be rearrested for child molesting (7.3%) than released child molesters with no more than 1 such prior arrest (2.4%).

Rearrest for any type of crime

Compared to non-sex offenders released from State prison, sex offenders had a lower overall rearrest rate. When rearrests for any type of crime (not just sex crimes) were counted, the study found that 43% (4,163 of 9,691) of the 9,691 released sex offenders were rearrested. The overall rearrest rate for the 262,420 released non-sex offenders was higher, 68% (179,391 of 262,420).

The rearrest offense was a felony for about 75% of the 4,163 rearrested sex offenders. By comparison, 84% of the 179,391 rearrested non-sex offenders were charged by police with a felony.

Reconviction for a new sex crime

Of the 9,691 released sex offenders, 3.5% (339 of the 9,691) were reconvicted for a sex crime within the 3-year followup period.

Reconviction for any type of crime

Of the 9,691 released sex offenders, 24% (2,326 of the 9,691) were reconvicted for a new offense. The reconviction offense included all types of crimes.

Returned to prison for any reason

Within 3 years following their release, 38.6% (3,741) of the 9,691 released sex offenders were returned to prison. They were returned either because they received another prison sentence for a new crime, or because of a technical violation of their parole, such as failing a drug test, missing an appointment with their parole officer, or being arrested for another crime.

Definitions

Imprisonment offense The 9,691 prisoners were men released from State prisons in 1994 after serving some portion of the sentence they received for committing a sex crime. The sex crime they committed is referred to throughout the report as their “imprisonment offense.” Their imprisonment offense should not be confused with any new offense they may have committed after release.

Sex offender The 9,691 released men were all violent sex offenders. They are called “violent” because the crimes they were imprisoned for are widely defined in State statutes as “violent” sex offenses. “Violent” means the offender used or threatened force in the commission of the crime or, while not actually using force, the offender did not have the victim’s “factual” or “legal” consent. Factual consent means that, for physical reasons, the victim did not give consent, such as when the offender had intercourse with a sedated hospital patient or with a woman who had fallen unconscious from excessive drug taking. “Legal” consent means that the victim willingly participated but, in the eyes of the law, the victim was not old enough or not sufficiently mentally capable (perhaps due to mental illness or mental retardation) to give his or her “legal” consent.

State statutes give many different names to violent sex offenses: “forcible rape,” “statutory rape,” “object rape,” “sexual assault,” “sexual abuse,” “forcible sodomy,” “sexual misconduct,” “criminal sexual conduct,” “lascivious conduct,” “carnal abuse,” “sexual contact,” “unlawful sexual intercourse,” “sexual battery,” “unlawful sexual activity,” “lewd act with minor,” “indecent liberties with a child,” “carnal knowledge of a child,” “incest with a minor,” and “child molesting.”

“Violent” sex offenses are distinguished from “nonviolent” sex offenses and from “commercialized sex offenses.” Nonviolent sex offenses include morals and decency offenses (for example,

indecent exposure and peeping tom), bestiality and other unnatural acts, adultery, incest between adults, and bigamy. Commercialized sexual offenses include prostitution, pimping, and pornography. As used throughout this report, the terms “sex crimes” and “sex offenders” refer exclusively to violent sex offenses.

Each of the 9,691 sex offenders in this report is classified as either a rapist or a sexual assaulter. Classification is based on information about the imprisonment offense contained in prison records supplied for each sex offender released from prison in 1994. Also based on imprisonment offense information, an inmate could be categorized as a child molester and/or a statutory rapist. Classification to either of these two categories is in addition to, not separate from, classification as a rapist or sexual assaulter. For example, of the 3,115 sex offenders classified as rapists, 338 were child molesters. Or, to put it another way, the imprisonment offense for 338 of the 4,295 child molesters identified in this report was rape. Similarly, 3,957 of the 4,295 child molesters were also sexual assaulters.

	Total	Rapists	Sexual assaulters
Child molesters	4,295	338	3,957
Statutory rapists	443	21	422

The report gives statistics for all sex offenders and each of the four types — rapists, sexual assaulters, child molesters, and statutory rapists. (See *Methodology* on page 37 for details on how sex offenders were separated into categories.)

Rapist “Violent sex crimes” are separated into two categories: “rape” (short for “forcible rape”) and “other sexual assault.” As used throughout this report the term “rapist” refers to a released sex offender whose imprisonment offense was defined by State law as forcible intercourse (vaginal, anal, or oral) with a female or male. Rape includes “forcible sodomy” and “penetration with a foreign object.” Rape excludes statutory rape or any

other nonforcible sexual act with a minor or with someone unable to give legal or factual consent. As used throughout this report, “rape” always means “forcible rape.” “Statutory rape” is not a type of forcible rape.

A total of 3,115 sex offenders are identified in the report as released rapists — about a third (32%) of the 9,691 released sex offenders. However, enough information to clearly distinguish rapists from other sexual assaulters was not always available in the prison records used to categorize sex offenders into different types. Consequently, the number of rapists among the 9,691 was almost certainly greater than 3,115; how much greater is unknown.

An obstacle to identifying rapists from penal code information is that the label “rape” is not used in about half the 50 States. However, released sex offenders whose imprisonment offense was rape could still be identified. To illustrate, in one State, the term criminal sexual conduct refers to all types of sex crimes. The statutory language was consulted to determine if an offender’s imprisonment offense involved “intercourse” that was “forcible,” in accordance with the definition of rape used in this report. If the offense was not found to involve intercourse (or penetration), then the inmate was not classified as a rapist. The same was true of force; if the statutory language did not include a reference to force (or coercion), the offense was not categorized as rape.

Sexual assaulter By definition in the report, all sex offenders are either “rapists” or “sexual assaulters.” Sex offenders whose imprisonment offense could not be positively identified as “rape” were placed in the “sexual assault” category. To the extent that rapists were reliably distinguished from sexual assaulters, “sexual assaulters” identified in this report were released sex offenders whose imprisonment

offense was “sexual assault,” defined as one of the following:

1. forcible sexual acts, not amounting to intercourse, with a victim of any age,
2. nonforcible sexual acts with a minor (such as statutory rape or incest with a minor or fondling), or
3. nonforcible sexual acts with someone unable to give legal or factual consent because of mental or physical reasons (for example, a mentally ill or retarded person or a sedated hospital patient).

A total of 6,576 sex offenders are identified in this report as released sexual assaulters. The 6,576 sexual assaulters made up about two-thirds (68%) of the 9,691 released sex offenders.

Child molester Many of the 9,691 sex offenders were released prisoners whose imprisonment offense was the rape or sexual assault of a child. Throughout the report, released sex offenders whose forcible or nonforcible sex crime was against a child are referred to as “child molesters.” The sex crime did not have to involve intercourse to fit the definition of child molestation.

Of the 9,691 sex offenders, 4,295 were identified as child molesters based on prison records made available for the study. However, because complete information was not always supplied, not every child molester could be identified. Of the 9,691 released sex offenders, undoubtedly more than 4,295 were child molesters, but 4,295 represent all who could be identified from the information available. One reason child molesters were not easily identified from penal code information is that most States do not use the term “child molester” in their penal code. Nevertheless, all States have laws against sexual activity with children, which does facilitate identification. As a result of the uncertainty regarding the number of child molesters among the 9,691 sex offenders, the study cannot say what percentage of the victims of

the 9,691 sex offenders’ offenses were children, and what percentage were adults.

In short, the 4,295 released child molesters in this report were men who —

- a. had forcible intercourse with a child or
- b. committed “statutory rape” (meaning nonforcible intercourse with a child) or
- c. with or without force, engaged in any other type of sexual contact with a child.

Of the 4,295, at least 338 (about 8%) had forcible intercourse, and at least 443 (10%) committed statutory rape.

Statutory rapist State laws define various circumstances in which intercourse between consenting partners is illegal: for example, when one of the partners is married or when the two are blood relatives or when one is a “child.” Laws that criminalize consensual intercourse based solely on the marital status of the partners are called “adultery laws.” Those that criminalize it based solely on blood relationship are “incest laws.” Laws that prohibit consensual sexual intercourse based solely on the ages of the partners are called “statutory rape laws.”

Statutory rape pertains exclusively to consensual intercourse, as opposed to other types of sexual contact with a child, such as forcible intercourse, forcible fondling, or consensual fondling. Statutory rape is one specific form of what this study calls “child molestation.” The child victim of statutory rape can be male or female, and the offender can be male or female. The offender can be almost any relative (“statutory rape” includes incest with a child), an unrelated person well known to the child (such as a school teacher, neighbor, or minister), someone the child hardly knows, or a stranger.

Statutory rape laws define a “child” as a person who is below the “age of

consent,” meaning below the minimum age at which a person can legally consent to having intercourse. Age of consent in the 50 States ranges from 14 to 18. Most States set age of consent at 16. In those States, consensual intercourse with someone age 16 or older is usually not a criminal offense, but intercourse with someone below 16 generally is. However, all States make exceptions to their age rules. Consequently, consensual intercourse with children below the age of consent is not always a crime, and consensual intercourse with children who are old enough to give consent is not always legally permissible.

Exceptions for children below age of consent Certain statutory exceptions exist to legal prohibitions against nonforcible intercourse with children who are below the age of consent. One way exceptions are made in statutes is by specifying the minimum age the offender must be (for example, at least age 18, at least age 20) for intercourse to be unlawful. Persons below this minimum age generally cannot be prosecuted. Another common way exceptions are made (virtually every State has these provisions in its laws) is by specifying how much older than the victim the perpetrator must be for criminal prosecution to occur. For example, by law in one State where age of consent is 16, no prosecution can occur unless the age difference is at least 3 years. In that State it is legal for a 17-year-old to have consensual intercourse with a 15-year-old, even though 15 is below the age of consent; but the same act with a 15-year-old is illegal when the other is 18. That is because the 17-year-old is not 3 years older than the 15-year-old, whereas the 18-year-old is. The aim of such exceptions is to distinguish teen behavior from exploitative relationships between adults and children. Another exception is consensual intercourse between husband and wife; no prosecution can occur if one spouse is below the age of consent.

Exceptions for children old enough to give consent Certain adults can be prosecuted for having consensual intercourse with a child who has reached the age of consent. For example, in one State it is a third degree felony for a psychotherapist to have intercourse with a 17-year-old client even though 17 is over the minimum age of consent in that State. In another State, where an adult generally cannot be prosecuted for having consensual intercourse with a 16-year-old, an exception is made when the adult is the child's school teacher. In that case the teacher can be prosecuted for a "class A" misdemeanor. Exceptions are made for other professions as well (clergy, for example).

In this report, 443 of the 9,691 released sex offenders are identified as statutory rapists based on information supplied by the prisons that released them. There were more than 443 statutory rapists among the 9,691 released male sex offenders, but the 443 are all that could be positively identified with the limited information available. One reason statutory rapists are not easily identified from penal code information available on the released sex offenders is that most States do not use the term "statutory rape" in their laws.

First release Though all 9,691 sex offenders in the study were released in 1994, for a fourth of the offenders 1994 was not the first year of release since receiving their prison sentence. This group had previously served a portion of the sentence and were released, then violated parole and were returned to prison to continue serving time still left on that sentence. For the remaining 75% of sex offenders released, the 1994 release was their "first release," meaning their first discharge from prison since being convicted and sentenced to prison.

"First release" should not be confused with first ever release from a prison. "First release" pertains solely to the sentence for the imprisonment offense

(as defined above). It does not pertain to any earlier prison sentences offenders may have served for some other offense.

Attention is drawn to first releases because certain statistics in the report — for example, "average time served," "percent of sentence served," "child molester's age when he committed the sex crime for which he was imprisoned" — could only be computed for those prisoners classified as first releases. For such statistics, date first admitted to prison for their imprisonment offense was needed. Since prison records made available for the study only provided this admission date on first releases, first releases necessarily formed the basis for the statistics.

Prior arrest Statistics on prior arrests were calculated using arrest dates from the official criminal records of the 9,691 released sex offenders. Only dates of arrest were counted, not the number of arrest charges associated with that arrest date. To illustrate, one man was arrested on March 5, 1970, and that one arrest resulted in 3 separate arrest charges being filed against him. In this study, that March 5 arrest is considered one prior arrest.

Prior arrests were measured two different ways in this report. The first way did not include the imprisonment offense for which the sex offender was in prison in 1994. Prior arrest statistics that did not include the imprisonment offense are found in sections of the report that describe the criminal records of the 9,691 sex offenders at the time of release from prison. In this case, any arrest that had occurred on a date prior to the sex offender's arrest for his imprisonment offense was considered a prior arrest. For example, one released sex offender was found to have four different dates of arrest prior to the date of arrest for his imprisonment offense. Those four arrests resulted in 17 different charges being brought against him. When describing

this released prisoner's criminal record, he is considered to have four prior arrests.

The second way of measuring prior arrests did include the imprisonment offense of the released sex offender. Prior arrest statistics that did include the imprisonment offense are found in sections of the report that describe the recidivism rates of the 9,691 sex offenders following their release from prison. In this case, any arrest that had occurred on a date prior to the sex offender's release from prison was considered a prior arrest. By definition, all 9,691 sex offenders had at least one arrest prior to their release, which was the sex crime arrest responsible for their being in prison in 1994. This means that the sex offender who was arrested on four different dates prior to the arrest for his imprisonment offense under the first definition of prior arrest was, under this second definition, classified as having five prior arrests, once his imprisonment offense is included.

Thirteen tables in the report provide statistics on prior arrests (and, in 2 of the 13, prior convictions and prior imprisonments). In tables 15, 16, 17, 18, 27, 28, 29, 30, 31, 36, and 37, "prior arrests" includes the sex crime arrest for the imprisonment offense; these tables have the heading "prior to 1994 release." In tables 5 and 6, "prior arrests" excludes that arrest; these tables have the heading "prior to the sex crime for which imprisoned."

In all tables, the same counting rule was used: arrest dates, not arrest charges, were counted to obtain the number of prior arrests.

Rearrest Unless stated otherwise, this recidivism measure is defined as the number or percentage of released prisoners who, within the first three years following their 1994 release, were arrested either in the same State that released them (in this report those arrests are called "in-State" arrests) or in a different State (those arrests are

referred to as “out-of-State” arrests). Data on arrests came from State RAP sheets and FBI RAP sheets. RAP sheets (Records of Arrest and Prosecution) are law enforcement records intended to document a person’s entire adult criminal history, including every arrest, prosecution and adjudication for a felony or serious misdemeanor offense. Arrests, prosecutions and adjudications for minor traffic offenses, public drunkenness, and other petty crimes are not as fully recorded as those for serious crimes. The “percent rearrested” is calculated by dividing the number rearrested by the number released from prison in 1994.

All measures of recidivism based on criminal records are subject to two types of errors. Type 1 errors arise when the arrest or the conviction in the released prisoner’s record is for a crime that person did not commit. Type 2 errors arise when the released prisoner commits a crime but he is not arrested for it, or, even if he is, the arrest does not result in his conviction.

Some amount of type 1 and type 2 error is inevitable, however recidivism is measured. But that does not mean that all recidivism measures are equally suitable, no matter the purpose they are intended to serve. The main purpose of this recidivism study was to document the percentage of sex offenders who continued their involvement in various types of crime after their release from prison in 1994. The more suitable measure for that is the one with the fewest type 2 errors: the one, in other words, less prone to saying someone is not committing crimes when he actually is. Between rearrest and reconviction as the recidivism measure, the one less likely to make that type of error is rearrest. One reason is that the rigorous standard used to convict someone — “proof beyond a reasonable doubt” — makes it certain that guilty persons will sometimes go free. Another reason is record keeping: the justice system does better at recording arrests than

convictions in RAP sheets. For such reasons, this study uses rearrest more often than reconviction as the measure of recidivism.

Rearrest forms a conservative measure of reoffending because many crimes do not result in arrest. Not all types of crime are alike in this regard. Crimes committed in nonpublic places (such as in the victim’s home) by one family member against another (such as by the husband against his wife, or by the father against his own child) are a type that is less likely than many other types to be reported to police and, consequently, less likely to result in arrest. Sex crimes, particularly those against children, are a specific example of this type. While some sex offenders in this study probably committed a new sex crime after their release and were not arrested or convicted, the study cannot say how many.

As mentioned above, one reason why sex offenders are not arrested is that no one calls the police. Results from the National Crime Victimization Survey indicate that the offenses of rape/sexual assault are the least likely crimes to be reported to the police. (See *Reporting Crime to the Police, 1993-2000*, March 2003, <<http://www.ojp.usdoj/bjs/abstract/rcp00.htm>>.)

Reconviction Except where stated otherwise, this recidivism measure pertains to State and Federal convictions in any State (not just convictions in the State that released them) in the three years following release. Information on convictions came from State and FBI RAP sheets. RAP sheets are intended to document every conviction for a felony or serious misdemeanor, but not every conviction for a minor offense. “Percent reconvicted” is calculated by dividing the number reconvicted by the number released from prison in 1994. (It is not calculated by dividing the number reconvicted by the number rearrested.)

Return to prison Two recidivism measures are returned to prison — with a new sentence with or without a new sentence. Recidivism defined as *Returned to prison with a new sentence* pertains exclusively to sex offenders who, within 3 years following release, were reconvicted for any new crime in any State following their release and received a new prison sentence for the new crime.

Recidivism defined as *Returned to prison with or without a new sentence* includes resentenced offenders plus any who were returned to prison within 3 years because they had violated a technical condition of their release. Technical violations include things such as failing a drug test, missing an appointment with their parole officer, or being arrested for a new crime. Offenders returning to prison for such violations are sometimes referred to as “technical violators.”

Prisons should not be confused with jails. A prison is a State or Federal correctional facility reserved for convicted persons with relatively long sentences (generally over a year). A jail is a local correctional facility for convicted persons with short sentences or for persons awaiting trial. Returns to prison refer to any prison, not necessarily the same prison that released the offender in 1994.

The “percent returned to prison with a new sentence” is calculated by dividing the number returned to prison with a new sentence by the number released from prison in 1994. The “percent returned to prison with or without a new sentence” is calculated by dividing the number returned to prison with or without a new sentence by the number released from prison in 1994.

Data on returns with a new sentence are based on State and FBI RAP sheets. Data on returns with or without a new sentence are based on State and FBI RAP sheets plus prison records.

Demographic characteristics

All sex offenders

Of the 9,691 released sex offenders, approximately —

- 6,503 (67.1% of the 9,691) were white males (table 1)
- 3,053 (31.5%) were black males
- 136 (1.4%) were males of other races (Asian, Pacific Islander, American Indian, and Alaska Native).

The vast majority of sex offenders were non-Hispanic males (80.1%). Half were over the age of 35 when released.

Rapists and sexual assaulters

As defined in this report, all sex offenders are either “rapists” or “sexual assaulters.” Of the 9,691 released sex offenders, 3,115 were rapists and the remaining 6,576 were sexual assaulters.

Of the 3,115 rapists, 1,735 (55.7% of 3,115) were white males and 1,327 (42.6%) were black males. Of the 6,576 sexual assaulters, 4,768 (72.5% of 6,576) were white males and 1,723 (26.2%) were black males.

Rapists and sexual assaulters were close in age at time of release: over 70% were age 30 or older. Median age at time of release was about 35 years for both rapists and sexual assaulters.

Table 1. Demographic characteristics of sex offenders released from prison in 1994, by type of sex offender

Prisoner characteristic	Percent of released prisoners		
	All	Rapists	Sexual assaulters
Total	100%	100%	100%
Race			
White	67.1%	55.7%	72.5%
Black	31.5	42.6	26.2
Other	1.4	1.7	1.3
Hispanic origin			
Hispanic	19.9%	22.6%	18.9%
Non-Hispanic	80.1	77.4	81.1
Age at release			
18-24*	12.2%	10.6%	13.0%
25-29	16.4	17.3	16.0
30-34	20.0	22.4	18.8
35-39	19.1	20.9	18.3
40-44	13.3	13.3	13.3
45 or older	19.0	15.5	20.6
Age at release			
Average	36.8 yrs	36.1 yrs	37.1 yrs
Median	35.3	34.9	35.5
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States. Data identifying race were reported for 98.5% of 9,691 released sex offenders; Hispanic origin for 82.5%; age for virtually 100%.

*Age at release 18-24 includes the few who were under age 18 when released from prison in 1994.

Child molesters and statutory rapists

Some of the 9,691 sex offenders were men whose imprisonment offense was a sex offense against a child. Precisely how many is unknown. In this report, the 4,295 who could be identified are called "child molesters" (table 2). The 4,295 identified child molesters included some (443 out of the 4,295) whose specific sex offense against a child was non-forcible intercourse. These 443 are called "statutory rapists." There were more than 443 among the 4,295, but 443 were all that could be identified from the limited information obtained for the study.

Both the 4,295 child molesters and the 443 statutory rapists were predominantly non-Hispanic white males. Nearly three-fourths of the child molesters (73.2%) were age 30 or older. Just over half the statutory rapists (54%) were 30 or older at the time they were released from prison.

Among the released child molesters there were 3,333 white men (77.6% of 4,295) and 889 black men (20.7%). The 443 statutory rapists included 324 white men (73.2% of 443) and 110 black men (24.8%).

Table 2. Demographic characteristics of child molesters and statutory rapists released from prison in 1994

Prisoner characteristic	Percent of released prisoners	
	Child molesters	Statutory rapists
Total	100%	100%
Race		
White	77.6%	73.2%
Black	20.7	24.8
Other	1.7	2.0
Hispanic origin		
Hispanic	23.5%	15.9%
Non-Hispanic	76.5	84.1
Age at release		
18-24*	11.4%	24.8%
25-29	15.4	21.2
30-34	17.7	14.7
35-39	18.6	14.9
40-44	14.3	10.2
45 or older	22.6	14.2
Age at release		
Average	37.8 yrs	33.6 yrs
Median	36.5	31.0
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters." Data identifying race were reported for 99.5% of 4,295 released child molesters; Hispanic origin for 87.8%; and age for 100%. *Age at release 18-24 includes the few who were under age 18 when released from prison in 1994.

Sentence length and time served

All sex offenders

All 9,691 sex offenders selected to be in this study had a prison sentence greater than 1 year. The shortest terms were a day over 1 year; the longest were life sentences. The fact that sex offenders with a life sentence (18 offenders in the study) were among the 9,691 released in 1994 should not be surprising because only rarely do life sentences in the United States literally mean imprisonment for the remainder of a person's life. Most felons receiving a life sentence are eventually paroled (unpublished tabulation of data from the 1997 BJS Survey of Inmates in State Correctional Facilities).

On average, a sex offender released from prison in 1994 had an 8-year term and served 3½ years of that sentence (45%) before being released (table 3). Half of the released sex offenders had a sentence length of 6 years or less. Half had served no more than a third of their sentence before being released. When released, the majority (54.5%) had more than 3 years of their sentence remaining to be served.

Rapists and sexual assaulters

Rape always involves forcible intercourse, whereas sexual assault (as the term is used here) never does, although it can involve other types of forcible sexual assault. Because forcible intercourse is considered to be a more serious offense than other forms of forcible sexual assault, penalties for rape are generally more severe than those for sexual assault.

Consistent with the more serious nature of rape —

- on average a released rapist had a longer sentence (just over 11 years) than a sexual assaulter (just under 7 years)

- on average a rapist spent more time in confinement before being released (5¼ years) than a sexual assaulter (just under 3 years)
- median sentence length was longer for rapists (half of the rapists had a sentence of 9 years or more, while half of the sexual assaulters had a sentence of 5½ years or more)
- 39.2% of the 3,115 rapists were in prison for over 5 years prior to release, while 12.5% of the 6,576 sexual assaulters served 61 months or more
- rapists served 49% of their sentence before being released, compared to 43% for sexual assaulters.

Depending on the length of their sentence and the amount of time they had served before being released, some of the released sex offenders would have been on parole (or some other type of conditional release) throughout the full 3 years they were tracked in this study. For example, when released, 63.3% of rapists had more than 3 years left to serve on their sentence. In their case, any new crimes they committed during this 3-year followup period were offenses committed while still on parole. By comparison, just over half of released sexual assaulters had more than 3 years left to serve.

Table 3. Sentence length and time served for sex offenders released from prison in 1994, by type of sex offender

Characteristic	All	Rapists	Sexual assaulters
Sentence length (in months)			
Mean	97.3 mo	134.0 mo	82.5 mo
Median	72.0	108.0	66.0
Time served (in months)			
Mean	42.3 mo	62.6 mo	34.1 mo
Median	32.3	48.2	26.5
Percent of sentence served	44.9%	49.3%	43.1%
Upon release in 1994, percent who had served —			
6 months or less	4.5%	3.1%	5.0%
7-12	9.5	3.0	12.1
13-18	16.5	10.5	19.0
19-24	9.7	5.1	11.5
25-30	8.1	6.1	8.9
31-36	9.9	8.0	10.7
37-60	21.6	24.9	20.2
61 months or more	20.2	39.2	12.5
Upon release in 1994, percent with time still remaining to be served			
6 months or less	2.8%	2.4%	2.9%
7-12	5.0	5.7	4.7
13-18	8.4	6.2	9.2
19-24	12.8	9.3	14.2
25-30	8.1	6.2	8.8
31-36	8.5	6.9	9.1
37-60	25.1	22.8	26.0
61 months or more	29.4	40.5	24.9
Total first releases	6,470	1,859	5,860

Note: The 6,470 sex offenders were released in 13 States. Figures are based on first releases only. First releases include only those offenders leaving prison for the first time since beginning their sentence. First releases exclude those who left prison in 1994 but who had previously been released under the same sentence and had returned to prison for violating the conditions of release.

Child molesters and sexual assaulters

On average, child molesters were released after serving nearly 3 years (33.7 months) of their nearly 7-year sentence (81.1 months) (table 4). Statutory rapists were released after serving a little over 2 years of their approximately 4-year sentence. Upon release, almost half of the child molesters still had at least 3 years of their sentence remaining to be served, compared to 15% of statutory rapists.

Table 4. Sentence length and time served for child molesters and statutory rapists released from prison in 1994

Characteristic	Child molesters	Statutory rapists
Sentence length (in months)		
Mean	81.1 mo	49.5 mo
Median	66.0	36.0
Time served (in months)		
Mean	33.7 mo	27.6 mo
Median	25.8	19.4
Percent of sentence served	43.3%	52.8%
Upon release in 1994, percent who had served —		
6 months or less	5.7%	9.6%
7-12	12.6	20.4
13-18	20.8	18.2
19-24	10.1	14.3
25-30	7.2	8.6
31-36	11.2	7.0
37-60	19.7	13.4
61 months or more	12.8	8.6
Upon release in 1994, percent with time still remaining to be served		
6 months or less	2.5%	10.8%
7-12	5.4	17.4
13-18	10.2	26.9
19-24	16.1	13.1
25-30	7.9	8.5
31-36	8.9	8.5
37-60	24.9	9.2
61 months or more	24.1	5.6
Total first releases	3,104	317

Note: The 3,104 child molesters were released in 13 States; the 317 statutory rapists in 10 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters." Figures are based on first releases only. First releases include only those offenders leaving prison for the first time since beginning their sentence. First releases exclude those who left prison in 1994 but who had previously been released under the same sentence and had returned to prison for violating the conditions of release.

Prior criminal record

All sex offenders

Arrests and convictions for minor traffic offenses, public drunkenness, and other petty crimes are often not entered into official criminal records. Since official records formed the basis for this study's statistics on arrests and convictions, these statistics understate levels of contact with the justice system. Statistics shown throughout this report on arrests and convictions pertain mostly to arrests and convictions for felonies and serious misdemeanors.

Statistics on prior arrests in this section of the report do not include the imprisonment offense for which the sex offender was in prison in 1994.

At the time the 9,691 male sex offenders were arrested for the sex crime that resulted in their imprisonment —

- 78.5% (7,607 of the 9,691 men) had been arrested at least one earlier time (table 5)
- half had 3 or more prior arrests for some type of crime
- 58.4% (5,660 men) had at least one prior criminal conviction
- 13.9% (1,347 men) had a prior conviction for a violent sex offense
- 4.6% (446 men) had been convicted for a sex crime against a child
- nearly a quarter had served time in a State or Federal prison at least once before for some type of crime.

All 9,691 were in prison in 1994 because they had been arrested and convicted for a sex offense. For 71.5% of the 9,691 men (6,929), that arrest was their first ever for a violent sex crime. In other words, these 6,929 men had no previous arrest for a sex offense. For the remaining 28.5% (2,762 men), that arrest was not their first sex offense arrest. Some had been arrested once before for a sex crime and some two or more times before.

To illustrate, one of the 9,691 sex offenders in this study had his first arrest for a sex crime in 1966, when he was age 19; he was also arrested for sex crimes in the 1970's and 1980's, in three different States. The arrest for his

imprisonment offense was in 1982. In the early part of 1983, 4 months after his arrest, he was convicted of sexual assault and began serving a 25-year prison term. Eleven years later, in 1994 at age 47, he was released.

For 75% of the 9,691 sex offenders, their 1994 release represents their first release since being sentenced for their sex offense. The remaining 25% had previously served time under the same sentence, had been released, had violated one or more conditions of their parole and, consequently, were returned to prison to continue serving time still remaining on their sentence.

Table 5. Prior criminal record of sex offenders released from prison in 1994, by type of sex offender

Prior to the sex crime for which imprisoned	All	Rapists	Sexual assaulters
Percent with at least 1 prior arrest for —^a			
Any crime	78.5%	83.1%	76.3%
Any sex offense	28.5	28.7	28.4
Sex offense against a child	10.3	5.7	12.5
Prior arrests for any crime^a			
Mean	4.5	5.0	4.2
Median	3	3	2
Percent with at least 1 prior conviction for —^a			
Any crime	58.4%	62.9%	56.2%
Any sex offense	13.9	14.6	13.5
Sex offense against a child	4.6	3.4	5.2
Prior convictions for any crime^a			
Mean	1.8	2.0	1.7
Median	1	1	1
Percent with prior prison sentence for any crime^a	23.7%	28%	21.6%
Percent who were first releases^b	74.9%	66.9%	78.7%
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.

^a"Prior" does not include the arrest, conviction, or prison sentence that was the reason the sex offenders were in prison in 1994. Persons with no prior arrest or prior convictions were coded zero and were included in the calculations of mean and median priors. Calculation of prior convictions excluded Ohio, and calculation of prior prison sentences excluded Ohio and Virginia.

^bData on first releases are based on releases from 13 States. First releases include only those offenders leaving prison for the first time since beginning their sentence. First releases exclude those who left prison in 1994 but who had previously been released under the same sentence and had returned to prison for violating the conditions of release.

Sex offenders compared to non-sex offenders

A total of 262,420 non-sex offenders were released from State prisons in 1994 in the 15 States. Of the 262,420 non-sex offenders, 94% had at least 1 prior arrest and 82% had at least 1 prior conviction (not in a table). Overall, the 9,691 sex offenders had a shorter criminal history than the 262,420 non-sex offenders. Before the arrest that resulted in their prison sentence, sex offenders had been arrested 4.5 times, on average. This prior arrest record was about half that of non-sex offenders (8.9 prior arrests). In addition, among the 1994 prison releases, 23.7% of the sex offenders (2,297), compared to 44.3% of non-sex offenders (116,252), had served prior prison sentences.

Sex offenders were more likely to have been arrested (28.5%) or convicted (13.9%) for a sexual offense than non-sex offenders (6.5% with a prior arrest for a sex crime; 0.2% with a prior conviction for a sex crime). The same is true for child molesting — about 1 in 10 sex offenders had a prior arrest for a sex offense against a child, compared to about 1 in 100 non-sex offenders.

Rapists and sexual assaulters

For approximately 71% of the 3,115 rapists, the arrest for rape that resulted in their imprisonment was their first for a sex crime. The remaining 29% had one or more prior sex crime arrests. Likewise, for sexual assaulters, the sexual assault arrest that led to their imprisonment was the first arrest for a sex crime for 72% of the 6,576 sexual assaulters. The remaining 28% had been arrested at least once before for some type of sex crime.

Table 6. Prior criminal record of child molesters and statutory rapists released from prison in 1994

Prior to the sex crime for which imprisoned	Child molesters	Statutory rapists
Percent with at least 1 prior arrest for —^a		
Any crime	76.8%	80.6%
Any sex offense	29.0	38.4
Sex offense against a child	18.3	19.6
Prior arrests for any crime^a		
Mean	4.1	4.8
Median	2	3
Percent with at least 1 prior conviction for —^a		
Any crime	54.6%	64.6%
Any sex offense	11.9	21.2
Sex offense against a child	7.3	11.5
Prior convictions for any crime^a		
Mean	1.6	2.2
Median	1	1
Percent with prior prison sentence for any crime^a	19.3%	23.4%
Percent who were first releases^b	74.5%	73.7%
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."

^a"Prior" does not include the arrest, conviction, or prison sentence that was the reason the sex offenders were in prison in 1994. Persons with no prior arrest or prior convictions were coded zero and were included in the calculations of mean and median priors. Calculation of prior convictions excluded Ohio, and calculation of prior prison sentences excluded Ohio and Virginia.

^bData on first releases are based on releases from 13 States. First releases include only those offenders leaving prison for the first time since beginning their sentence. First releases exclude those who left prison in 1994 but who had previously been released under the same sentence and had returned to prison for violating the conditions of release.

Child molesters and sexual assaulters

The 4,295 child molesters had at least 1 arrest for child molesting (the arrest that led to their imprisonment). For 3,509 (81.7%) of them, that arrest was their first ever arrest for child molesting (table 6). For the other 786 men (18.3% of the 4,295), that was not their first. Some had one prior arrest for a sex offense against a child, some had two, and others had three or more.

Among those with three or more priors was a man whose first arrest for child molesting was in 1966, when he was age 20. When released in 1994, he was serving an 11-year sentence for molesting a child under age 14. The prior criminal record of this serial pedophile spanned three decades, with arrests for child molesting in the 1970's, the 1980's, and the 1990's.

Four measures of recidivism

This section measures recidivism four ways:

- percent rearrested for any type of crime
- percent reconvicted for any type of crime
- percent returned to prison with a new prison sentence for any type of crime
- percent returned to prison with or without a new prison sentence.

“Percent rearrested” is calculated by dividing “the number rearrested” by “the number released from prison in 1994.”

“Percent reconvicted” is obtained by dividing “the number reconvicted” by “the number released from prison in 1994.” (It is *not* calculated by dividing “the number reconvicted” by “the number rearrested.”)

“Percent returned to prison with a new sentence” is calculated by dividing “the number returned to prison with a new sentence” by “the number released from prison in 1994.” (It is *not* calculated by dividing “the number returned to prison with a new sentence” by “the number reconvicted.”)

Except where stated otherwise, all four recidivism measures —

- refer to the full 3-year period following the prisoner's release in 1994
- include both "in-State" and "out-of-State" recidivism.

"In-State" recidivism refers to new offenses committed within the State that released the prisoner in 1994. "Out-of-State" recidivism is any new offenses in States other than the one that released him in 1994.

Not all 4 of the recidivism measures are based on data from 15 States —

- “Percent rearrested” is based on 15 States

- “Percent reconvicted” is based on 14 of the 15 States participating in the study

- “Percent returned to prison with a new sentence” is based on 13 of the 15 States

- “Percent returned to prison with or without a new sentence” is based on 9 of the 15.

Three of the four recidivism measures were calculated from data on fewer than 15 States because the information needed to perform the calculations was not available (or not readily available) from each of the 15 participating States. Notes at the bottom of the tables alert readers to such missing data.

Four measures

All sex offenders

The 9,691 sex offenders in this study were all released from prison in 1994.

Within the first 3 years following their release —

- 43% (4,163 of the 9,691) were rearrested for at least 1 new crime (table 7)

- 24% (2,326 of the 9,691) were reconvicted for any type of crime

- 11.2% (1,085 of the 9,691) were returned to prison with another sentence

- 38.6% (3,741 of the 9,691) were returned to prison with or without a new sentence.

For approximately three-fourths of the 4,163 men who were rearrested for some new crime, their most serious rearrest offense was a felony; for the remaining fourth, the most serious was a misdemeanor (not shown in table).

Of the 4,163 men rearrested for some new offense, nearly 9 in 10 (87%) were still on parole when taken into custody (not shown in table).

Table 7. Recidivism rate of sex offenders released from prison in 1994, by recidivism measure and type of sex offender

Recidivism measure	Percent of released prisoners		
	All	Rapists	Sexual assaulters
Within 3 years following release:			
Rearrested for any type of crime	43.0%	46.0%	41.5%
Reconvicted for any type of crime ^a	24.0%	27.3%	22.4%
Returned to prison with a new sentence for any type of crime ^b	11.2%	12.6%	10.5%
Returned to prison with or without a new sentence ^c	38.6%	43.6%	36.1%
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.

^aBecause of missing data, prisoners released in Ohio were excluded from the calculation of percent reconvicted.

^b"New prison sentence" includes new sentences to State or Federal prisons but not to local jails. Because of missing data, prisoners released in Ohio and Virginia were excluded from the calculation of percent returned to prison with a new sentence.

^c"With or without a new sentence" includes prisoners with new sentences to State or Federal prisons plus prisoners returned for technical violations. Because of missing data, prisoners released in 6 States (Arizona, Delaware, Maryland, New Jersey, Ohio, and Virginia) were excluded from the calculation of percent returned to prison with or without a new sentence. New York State custody records did not always distinguish prison returns from jail returns. Consequently, some persons received in New York jails were probably mistakenly classified as prison returns. Also, California with a relatively high return-to-prison rate affects the overall rate of 38.6%. When California is excluded, the return-to-prison rate falls to 27.9%.

The 2,326 reconvicted for a new crime consisted of 1,672 (71.9%) whose most serious conviction offense was a felony, and 654 (28.1%) whose most serious offense was a misdemeanor (not shown in table).

Of the 2,326 reconvicted for any new crime after their release, 1,085 were resentenced to prison, and the remaining 1,241 were placed on probation or ordered to pay a fine or sentenced to short-term confinement in a local jail. The 1,241 not resentenced to prison made up a little over half (53%) of the total 2,326 reconvicted. One reason why over half were not resentenced to prison was that the new conviction offense for about 650 of the 2,326 newly convicted men (approximately 30%) was a misdemeanor rather than a felony, and State laws usually do not permit State prison sentences for misdemeanors.

Altogether, 3,741 (38.6%) of the 9,691 released sex offenders were returned to prison either because of a new sentence or a technical violation. Of the 3,741, 2,656 (71%) were returned for a technical violation, such as failing a drug test, missing an appointment with the parole officer, or being arrested for another crime; and 1,085 were returned with a new prison sentence. The 2,656 consisted of 664 who were reconvicted but not resentenced to prison, plus 1,992 not reconvicted.

As previously explained, a total of 1,241 released sex offenders were reconvicted but not resentenced to prison for their new crime. The 1,241 included 664 (described immediately above) who were returned to prison for a technical violation. The 664 were 54% of the 1,241, indicating that most of those who were reconvicted but not given a new prison sentence were, nevertheless, returned to prison.

Sex offenders compared to non-sex offenders

The 15 States in this study released 272,111 prisoners altogether in 1994. The 9,691 released sex offenders made up 3.6% of that total. The remaining 262,420 released prisoners were non-sex offenders. Of the 262,420 non-sex offenders, 68% (179,391 men and women out of the 262,420) were rearrested for a new crime within 3 years (not shown in table). The 43% overall rearrest rate of the 9,691 released sex offenders (4,163 out of 9,691) was low by comparison.

Another difference was the rearrest charge. The rearrest offense was a felony for about 3 out of 4 (75%) of the 4,163 rearrested sex offenders (not shown in table). By comparison, about 84% of the 179,391 non-sex offenders were charged by police with a felony (not shown in table).

Of the 4,163 sex offenders rearrested for a new crime, nearly 9 in 10 (87%) were on parole when taken into custody; of the 179,391 rearrested non-sex offenders, also about 9 in 10 (85%) were on parole (not shown in table).

There was a difference in reconvictions. The reconviction rate for the 9,691 released sex offenders was 24.0%, compared to 47.8% for 262,420 non-sex offenders released in 1994 (not shown in table). The 2,326 sex offenders reconvicted for any new crime included 1,672 (71.9%) whose most serious conviction offense was a felony (not shown in table). Of the 262,420 non-sex offenders, 125,437 (47.8%) were reconvicted, which included 94,078 (75.0%) whose most serious reconviction offense was a felony (not shown in table).

Rapists and sexual assaulters

Within the first 3 years following release —

- 46.0% of the 3,115 rapists (1,432 men) and 41.5% of the 6,576 sexual assaulters (2,731 men) were rearrested for all types of crimes (table 7)
- 27.3% of the 3,115 rapists (850 men) were reconvicted, compared to 22.4% of the 6,576 sexual assaulters (1,473 men) for all types of crimes
- 12.6% of the 3,115 rapists (392 men) and 10.5% of the 6,576 sexual assaulters (690 men) were resentenced to prison for their reconviction offense
- 43.6% of the 3,115 rapists (1,358 men) and 36.1% of the 6,576 sexual assaulters (2,374 men) were returned to prison either because of a new sentence or because of a technical violation of their parole.

For approximately three-fourths of the 1,432 rapists who were rearrested for a new crime, the crime was a felony; for the remainder, the most serious was a misdemeanor (not shown in table). As indicated earlier, 2,731 sexual assaulters were rearrested for a new offense after their release, and for about three-fourths, their most serious rearrest offense was a felony; for the remainder, the most serious crime was a misdemeanor (not shown in table).

The 850 rapists reconvicted for any new crime included 617 (72.6%) whose most serious reconviction offense was a felony; the 1,473 reconvicted sexual assaulters included 1,052 (71.4%) who were reconvicted for a felony (not shown in table).

Child molesters and statutory rapists

Of the child molesters and statutory rapists released from prison in 1994 —

- 1,693 of the 4,295 child molesters (39.4%) and 221 of the 443 statutory rapists (49.9%) were rearrested for a new crime (not necessarily a new sex crime) (table 8)
- 876 of the 4,295 child molesters (20.4%) and 145 of the 443 statutory rapists (32.7%) were reconvicted for any type of crime
- 9% of the 4,295 child molesters and 13% of the 443 statutory rapists

were resentenced to prison for their new conviction offense

- 38% of the 4,295 child molesters and 46% of the 443 statutory rapists were back in prison within 3 years as a result of either a new prison sentence or a technical violation of their parole.

The most serious offense for three-fourths of the 1,693 child molesters who were rearrested was a felony, and a misdemeanor for the remainder (not shown in table). Following their release in 1994, 221 statutory rapists were rearrested for a new crime. The most serious offense that approximately

three-fourths were charged with was a felony (not shown in table).

The 876 child molesters reconvicted for any type of crime included 643 (73.4%) whose most serious reconviction offense was a felony; the 145 reconvicted statutory rapists included 97 (66.7%) whose most serious was a felony (not shown in table).

Table 8. Recidivism rate of child molesters and statutory rapists released from prison in 1994, by recidivism measure

Recidivism measure	Percent of released prisoners	
	Child molesters	Statutory rapists
Within 3 years following release:		
Rearrested for any type of crime	39.4%	49.9%
Reconvicted for any type of crime ^a	20.4%	32.7%
Returned to prison with a new sentence for any type of crime ^b	9.1%	13.2%
Returned to prison with or without a new sentence ^c	38.2%	45.7%
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."

^aBecause of missing data, prisoners released in Ohio were excluded from the calculation of percent reconvicted.

^b"New prison sentence" includes new sentences to State or Federal prisons but not to local jails. Because of missing data, prisoners released in Ohio and Virginia were excluded from the calculation of percent returned to prison with a new sentence.

^c"With or without a new sentence" includes prisoners with new sentences to State or Federal prisons plus prisoners returned for technical violations. Because of missing data, prisoners released in 6 States (Arizona, Delaware, Maryland, New Jersey, Ohio, and Virginia) were excluded from the calculation of percent returned to prison with or without a new sentence. New York State custody records did not always distinguish prison returns from jail returns. Consequently, some persons received in New York jails were probably mistakenly classified as prison returns. Also, California with a relatively high return-to-prison rate affects the overall rate of 39.4%. When California is excluded, the return-to-prison rate falls to 23.4%.

Time to recidivism

All sex offenders

Within 6 months following their release, 16% of the 9,691 men were rearrested for a new crime (not necessarily another sex offense) (table 9). Within 1 year, altogether 24.2% were rearrested. Within 2 years the cumulative total reached 35.5%. By the end of the 3-year followup period, 43% (4,163 of the 9,691) were rearrested for some type of crime.

These statistics indicate that most recidivism within the first 3 years following release occurred in the first year (56%, since 24.2% / 43% = 56%).

While the bulk of rearrests occurred in the first year, that period did not account for the bulk of reconvictions or reimprisonments. This is largely because a sizable number of those rearrested in the first year were not reconvicted and reimprisoned until sometime in the second year, due to the additional time needed to prosecute, convict, and sentence a criminal defendant. For example, by the end of the first year, 8.6% of the 9,691 released sex offenders were reconvicted, and by the end of the third year, a cumulative total of 24% were reconvicted, indicating that the first year accounted for a relatively small percentage of all the reconvictions in the 3 years (36%, since 8.6% / 24% = 36%).

Rapists and sexual assaulters

Forty-six percent of released rapists were rearrested within 3 years, and over half of those rearrests (56%) occurred in the first year (since 25.8% /

46.0% = 56%). Similarly, 41.5% of released sexual assaulters were rearrested within the first 3 years following their 1994 release, and over half of those rearrests (56%) occurred in the first year (since 23.4% / 41.5% = 56%).

Table 9. Recidivism rate of sex offenders released from prison in 1994, by type of recidivism measure, type of sex offender, and time after release

Time after 1994 release	Cumulative percent of sex offenders released from prison in 1994		
	All	Rapists	Sexual assaulters
Rearrested for any type of crime within —			
6 months	16.0%	16.3%	15.8%
1 year	24.2	25.8	23.4
2 years	35.5	38.6	34.0
3 years	43.0	46.0	41.5
Reconvicted for any type of crime within —^a			
6 months	3.6%	4.3%	3.3%
1 year	8.6	10.0	8.0
2 years	17.2	19.9	15.9
3 years	24.0	27.3	22.4
Returned to prison with a new sentence for any type of crime within —^b			
6 months	1.8%	1.9%	1.8%
1 year	4.0	4.1	3.9
2 years	8.0	9.0	7.5
3 years	11.2	12.6	10.5
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.

^aBecause of missing data, prisoners released in Ohio were excluded from the calculation of percent reconvicted.

^b"New sentence" includes new sentences to State or Federal prisons but not to local jails. Because of missing data, prisoners released in Ohio and Virginia were excluded from the calculation of percentage returned to prison with a new sentence.

Table 10. Recidivism rate of child molesters and statutory rapists released from prison in 1994, by type of recidivism measure and time after release

Time after 1994 release	Cumulative percent of sex offenders released from prison in 1994	
	Child molesters	Statutory rapists
Rearrested for any type of crime within —		
6 months	16.0%	18.5%
1 year	22.9	29.8
2 years	32.9	42.4
3 years	39.4	49.9
Reconvicted for any type of crime within —^a		
6 months	3.0%	4.5%
1 year	7.1	13.6
2 years	14.5	24.4
3 years	20.4	32.7
Returned to prison with a new sentence for any type of crime within —^b		
6 months	1.5%	0.9%
1 year	3.1	4.0
2 years	6.5	9.3
3 years	9.1	13.2
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."

^aBecause of missing data, prisoners released in Ohio were excluded from the calculation of percent reconvicted.

^b"New sentence" includes new sentences to State or Federal prisons but not to local jails. Because of missing data, prisoners released in Ohio and Virginia were excluded from the calculation of percentage returned to prison with a new sentence.

Child molesters and statutory rapists

Of the 4,295 released child molesters, 1,693 (39.4%) were rearrested during the 3-year followup period (table 10). The majority of those charged (approximately 982 of the 1,693, or 58%) were charged in the first 12 months. While 49.9% of released statutory rapists were rearrested within 3 years, nearly three-fifths of those rearrests occurred within the first year following release (29.8% / 49.9% = 60%).

Table 11. Rearrest rate of sex offenders released from prison in 1994, by type of sex offender and demographic characteristics of released prisoners

Prisoner characteristic	Percent rearrested for any type of crime within 3 years		
	All	Rapists	Sexual assaulters
Race			
White	36.7%	39.1%	35.8%
Black	56.1	55.0	57.0
Other	40.4	38.5	41.7
Hispanic origin			
Hispanic	42.2%	47.7%	39.6%
Non-Hispanic	45.9	50.2	44.3
Age at release			
18-24	59.8%	58.6%	60.2%
25-29	54.2	53.8	54.3
30-34	48.8	52.6	46.7
35-39	41.4	46.1	38.9
40-44	34.7	41.2	31.6
45 or older	23.5	23.0	23.7
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States. Data identifying race were reported for 98.5%; Hispanic origin for 82.5%; age for virtually 100%.

Demographic characteristics

All sex offenders

Race Black men (56.1%) released in 1994 were more likely than white men (36.7%) to be rearrested for a new crime (not limited to just a new sex crime) within the first 3 years following their release (table 11).

Hispanic origin Among released sex offenders, non-Hispanics (45.9%) were more likely than Hispanics (42.2%) to have a new arrest within the 3-year followup period.

Age The younger the prisoner when released, the higher the rate of recidivism. For example, of all the sex offenders under age 25 at the time of discharge from prison, 59.8% were

Table 12. Rearrest rate of child molesters and statutory rapists released from prison in 1994, by demographic characteristics of released prisoners

Prisoner characteristic	Percent rearrested for any type of crime within 3 years	
	Child molesters	Statutory rapists
Race		
White	36.2%	46.0%
Black	51.7	61.5
Other	37.8	55.6
Hispanic origin		
Hispanic	37.1%	56.9%
Non-Hispanic	41.9	48.8
Age at release		
18-24	59.6%	70.0%
25-29	51.4	56.4
30-34	46.5	47.7
35-39	38.0	37.9
40-44	28.0	44.4
45 or older	23.8	23.8
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Data identifying race were reported for 98.5%; Hispanic origin for 82.5%; age for virtually 100%.

rearrested for some type of crime within 3 years, or more than double the 23.5% of those age 45 or older.

Rapists and sexual assaulters

Race Among releasees whose imprisonment offense was sexual assault, 57% of black men and 35.8% of white men were rearrested for all types of crimes. A higher rearrest rate for blacks was also found among released rapists.

Hispanic origin Among released rapists, non-Hispanics (50.2%) were more likely than Hispanics (47.7%) to be rearrested within the 3-year followup period. The same was true among released prisoners whose imprisonment offense was sexual assault.

Age For both rapists and sexual assaulters, younger releasees had higher rearrest rates than older releasees.

Table 13. Rearrest rate of sex offenders released from prison in 1994, by type of sex offender and time served before release

Time served in prison before 1994 release	Percent rearrested for any type of crime within 3 years		
	All	Rapists	Sexual assaulters
6 months or less	45.7%	48.3%	45.0%
7-12	42.1	32.1	43.1
13-18	38.9	37.6	39.2
19-24	46.7	51.1	45.9
25-30	44.6	42.9	45.1
31-36	35.7	42.6	33.7
37-60	38.9	43.2	36.7
61 months or more	39.9	43.4	35.5
Total first releases	6,470	1,859	5,860

Note: The 6,470 sex offenders were released in 13 States. Figures are based on first releases only. First releases include only those offenders leaving prison for the first time since beginning their sentence. First releases exclude those who left prison in 1994 but who had previously been released under the same sentence and had returned to prison for violating the conditions of release.

Child molesters and statutory rapists

Race The rearrest rate among released child molesters was 51.7% for black men and 36.2% for white men (table 12). Among statutory rapists, black men (61.5%) had a higher rearrest rate than white men (46.0%).

Hispanic origin Among released prisoners whose imprisonment offense was statutory rape, Hispanics (56.9%) were more likely than non-Hispanics (48.8%) to be rearrested within the 3-year followup period. The opposite was true of child molesters, as Hispanics had a lower rearrest rate (37.1%) than non-Hispanics (41.9%).

Age The younger the sex offender was when released, the higher was his likelihood of being rearrested. For example, the rearrest percent for statutory rapists younger than 25 was higher (70.0%) than the rearrest percent for statutory rapists ages 25 to 30 (56.4%). The same was true among child molesters.

Time served before 1994 release

All sex offenders

Sex offenders who served the shortest amount of time in prison before being released (6 months or less) had a higher rearrest rate (45.7%) than those who served the longest (over 5 years, 39.9% rate) (table 13). Similarly, prisoners who served 6 months or less had a higher rearrest rate (45.7%) than those who served 7 months to 1 year (42.1%). However, other comparisons did not indicate a connection between serving more time and lower recidivism. For example, among sex offenders who served 1 to 1½ years in prison before being released, 38.9% were rearrested for all types of crimes, compared to 46.7% of sex offenders who served a bit longer — 1½ to 2 years. Similarly, released prisoners

Table 14. Rearrest rate of child molesters and statutory rapists released from prison in 1994, by time served before being released

Time served in prison before 1994 release	Percent rearrested for any type of crime within 3 years	
	Child molesters	Statutory rapists
6 months or less	42.9%	56.7%
7-12	39.7	45.3
13-18	34.5	43.9
19-24	45.5	48.9
25-30	39.4	25.9
31-36	27.2	59.1
37-60	31.5	21.4
61 months or more	29.9	33.3
Total first releases	3,104	317

Note: The 3,104 child molesters were released in 13 States; the 317 statutory rapists in 10 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters." Figures are based on first releases only. First releases include only those offenders leaving prison for the first time since beginning their sentence. First releases exclude those who left prison in 1994 but who had previously been released under the same sentence and had returned to prison for violating the conditions of release.

who served between 3 and 5 years in prison had a higher rate of rearrest (38.9%) than released prisoners who served 2½ to 3 years (35.7%). Because of these mixed results, and others illustrated below, the data do not warrant any general conclusion about an association between the level of recidivism and the amount of time served.

Rapists and sexual assaulters

Among sexual assaulters who served no more than 6 months, 45.0% were rearrested for all types of crimes. Those who served a little longer — from about 6 months to 1 year — had a lower rearrest rate, 43.1%. Those released after serving even more time — 1 to 1½ years — had an even lower rate, 39.2%. However, there are numerous instances where serving more time was not linked to lower recidivism. For example, rapists released after about 1 to 1½ years in prison had a 37.6% rearrest rate, while those imprisoned a little longer — from about 1½ to 2 years — had a higher rate, 51.1%.

Child molesters and statutory rapists

Among released statutory rapists and child molesters, the results continued to be mixed regarding an association between the rate of recidivism and the amount of time served (table 14). For example, child molesters released after serving about 2 to 2½ years had a higher rate of rearrest for all types of crimes (39.4%) than those who served somewhat longer — about 2½ to 3 years (27.2%). However, the rearrest rate rose (31.5%) among molesters who served more time — 3 to 5 years.

Table 15. Rearrest rate of sex offenders released from prison in 1994, by type of sex offender and prior arrest for any type of crime

Arrest prior to 1994 release	All	Rapists	Sexual assaulters
Percent rearrested for any type of crime within 3 years			
Total	43.0%	46.0%	41.5%
The arrest responsible for their being in prison in 1994 was —*			
Their first arrest for any type of crime	24.8	28.3	23.6
Not their first arrest for any type of crime	47.9	49.6	47.1
Percent of released prisoners			
Total	100%	100%	100%
The arrest responsible for their being in prison in 1994 was —*			
Their first arrest for any type of crime	21.5	16.9	23.7
Not their first arrest for any type of crime	78.5	83.1	76.3
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.
 *By definition, all sex offenders had at least 1 arrest prior to their release: namely, the sex crime arrest responsible for their being in prison in 1994.

Prior arrest for any type of crime

All sex offenders

For 2,084 sex offenders (21.5% of the 9,691 total), their only arrest prior to being released in 1994 was the arrest for their imprisonment offense (a sex offense) (table 15). Among these 2,084 released sex offenders with just 1 prior arrest, 24.8% were rearrested for a new crime (not necessarily a new sex crime). For the remaining 7,607 (78.5% of 9,691), their prior record showed an arrest for the sex offense responsible for their current imprisonment plus at least 1 earlier arrest for some type of crime. Of these 7,607 prisoners, 47.9% were rearrested, or about double the rate of their counterparts with 1 prior arrest (24.8%).

Rapists and sexual assaulters

Of the 3,115 released rapists, 83.1% (2,589 rapists) had more than 1 arrest

for some type of crime prior to their release from prison in 1994, and 16.9% (526 rapists) had just 1 prior arrest, the arrest for the sex crime that resulted in their being in prison in 1994. The multiple prior arrests for the 2,589 rapists included the arrest for their imprisonment offense plus at least 1 other arrest for any type of crime. The 2,589 with more than 1 prior arrest had a rearrest rate (49.6%) nearly double that of the 526 with just 1 prior (28.3%).

Child molesters and statutory rapists

Of the 4,295 child molesters, 76.8% (3,299 men) had more than 1 prior arrest (table 16). These 3,299 child molesters had a rearrest rate (44.3%) nearly double the 23.3% rate of the 996 molesters with just 1 prior arrest (996 is 23.2% of 4,295). The 357 statutory rapists with more than 1 prior arrest (357 is 80.6% of 443) had a rearrest rate (55.7%) more than double the 25.6% rate of the 86 statutory rapists with 1 prior arrest (86 is 19.4% of 443).

Table 16. Rearrest rate of child molesters and statutory rapists released from prison in 1994, by prior arrest for any type of crime

Arrest prior to 1994 release	Child molesters	Statutory rapists
Percent rearrested for any type of crime within 3 years		
Total	39.4%	49.9%
The arrest responsible for their being in prison in 1994 was —*		
Their first arrest for any type of crime	23.3	25.6
Not their first arrest for any type of crime	44.3	55.7
Percent of released prisoners		
Total	100%	100%
The arrest responsible for their being in prison in 1994 was — *		
Their first arrest for any type of crime	23.2	19.4
Not their first arrest for any type of crime	76.8	80.6
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."
 *By definition, all sex offenders had at least 1 arrest prior to their release: namely, the sex crime arrest responsible for their being in prison in 1994.

Number of prior arrests for any type of crime

Statistics on prior arrests in this section of the report do include the imprisonment offense of the released sex offender.

All sex offenders

The number of times a prisoner was arrested in the past was a relatively good predictor of whether that prisoner would continue his criminality after release (table 17). Prisoners with just one prior arrest for any type of crime had a 24.8% rearrest rate for all types of crimes. With two priors, the percentage rearrested rose to 31.9%. With three, it increased to 36.9%. With four, it went up to 42.6%. With additional priors, there were further increases, ultimately reaching a rearrest rate of 67.0% for released prisoners with the longest criminal record (more than 15 prior arrests).

Rapists and sexual assaulters

Both rapists and sexual assaulters followed the pattern described immediately above: the more prior arrests they had, the more likely they were to have a new arrest for some type of crime after their release in 1994.

Table 17. Rearrest rate of sex offenders released from prison in 1994, by type of sex offender and number of prior arrests for any type of crime

Number of adult arrests prior to 1994 release*	All	Rapists	Sexual assaulters
Percent rearrested for any type of crime within 3 years			
1 prior arrest for any type of crime	24.8%	28.3%	23.6%
2	31.9	36.4	29.9
3	36.9	36.3	37.1
4	42.6	47.2	40.4
5	50.5	48.6	51.6
6	49.7	47.3	50.9
7-10	59.0	59.6	58.6
11-15	65.1	63.7	66.0
16 or more	67.0	66.1	67.5
Percent of released prisoners			
All sex offenders	100%	100%	100%
1 prior arrest for any type of crime	21.5	16.9	23.7
2	16.0	15.2	16.3
3	11.9	12.1	11.8
4	9.0	9.2	8.9
5	7.2	8.0	6.8
6	6.3	6.6	6.1
7-10	14.4	15.8	13.8
11-15	7.9	8.9	7.4
16 or more	5.8	7.2	5.2
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.

*By definition, all sex offenders had at least 1 arrest prior to their release: namely, the arrest responsible for their being in prison in 1994. In this table, that arrest is counted as 1 prior arrest.

Child molesters and statutory rapists

Among released prisoners with the smallest number of prior arrests (1 prior arrest), 23.3% of child molesters and 25.6% of statutory rapists were rearrested for all types of crimes within 3 years (table 18). Rearrest rates generally rose with each increase in the number of prior arrests. Among released prisoners with the largest number of prior arrests (more than 15), 62.0% of child molesters and 76.2% of statutory rapists had at least 1 new arrest after being released in 1994.

State where rearrested for any type of crime

The State where the rearrest occurred was not always the State that released the prisoner. In some cases, the released sex offender left the State where he was imprisoned and was rearrested for a new crime in a different State. For example, a sex offender released from prison in California may have traveled to Nevada, where he was arrested for committing another crime.

Sex offenders

A total of 4,163 sex offenders were rearrested for some type of new crime after their 1994 release. Of the 4,163 arrests, 16.0% — or 1 in 6 — were outside the State where the prisoner was released (table 19). The rest (84.0%) were made in the State that released them.

Sex offenders compared to non-sex offenders

The 15 States in this study released 262,420 non-sex offenders in 1994, of whom 179,391 were rearrested for a new crime within 3 years (not shown in table). Of the 179,391 arrests for any type of crime, 11.2%, or 20,092 arrests, were arrests that occurred outside the State that released them.

Table 18. Rearrest rate of child molesters and statutory rapists released from prison in 1994, by number of prior arrests for any type of crime

Number of adult arrests prior to 1994 release*	Child molesters	Statutory rapists
Percent rearrested for any type of crime within 3 years		
1 prior arrest for any type of crime	23.3%	25.6%
2	28.0	29.3
3	32.4	46.9
4	39.2	41.0
5	47.4	60.6
6	50.2	53.8
7-10	58.1	65.1
11-15	62.9	81.3
16 or more	62.0	76.2
Percent of released prisoners		
All sex offenders	100%	100%
1 prior arrest for any type of crime	23.2	19.4
2	17.2	13.1
3	12.1	11.1
4	8.5	8.8
5	7.0	7.4
6	6.4	5.9
7-10	13.6	18.7
11-15	7.3	10.8
16 or more	4.8	4.7
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."

*By definition, all sex offenders had at least one arrest prior to their release: namely, the arrest responsible for their being in prison in 1994. In this table, that arrest is counted as 1 prior arrest.

Rearrested sex offenders had a higher percentage: 1 in 6 of their rearrests for any type of crime were in a State other than the one that released them.

Rapists and sexual assaulters

Following their 1994 release, 1,432 rapists and 2,731 sexual assaulters

were rearrested for any new crime (table 19). For 17.4% of the 1,432 rearrested rapists, and 15.2% of the 2,731 rearrested sexual assaulters, the place where the arrest occurred was in a different State than the one that released them.

Table 19. Where sex offenders were rearrested for any new crime following release from prison in 1994, by type of sex offender

State where rearrested within 3 years	Percent of rearrested prisoners		
	All	Rapists	Sexual assaulters
Total	100%	100%	100%
Same State where released	84.0	82.6	84.8
Another State	16.0	17.4	15.2
Total rearrested for any new crime	4,163	1,432	2,731

Note: The 4,163 rearrested sex offenders were released in 15 States, but table percentages are based on 14 States.

Child molesters and statutory rapists

Out of the 4,295 child molesters, 1,693 were rearrested for any new crime after being released from prison in 1994 (table 20). The 1,693 recidivists consisted of 84.8% whose new arrest was in the same State that released them in 1994, and 15.2% whose alleged violation occurred in a different State.

About half of all statutory rapists were not rearrested for any type of crime after their release. Of the 221 who were, 16.6% were rearrested outside the State where they were released.

Table 20. Where child molesters and statutory rapists were rearrested for any new crime following release from prison in 1994

State where rearrested within 3 years	Percent of rearrested prisoners	
	Child molesters	Statutory rapists
Total	100%	100%
Same State where released	84.8	83.4
Another State	15.2	16.6
Total rearrested for any new crime	1,693	221

Note: The 1,693 rearrested child molesters were released in 15 States, but table percentages are based on 14 States. The 221 rearrested statutory rapists were released in 11 States, but table percentages are based on 10 States.

Rearrest and reconviction for a new sex crime

Rearrest and reconviction

All sex offenders

Based on official arrest records, 517 of the 9,691 released sex offenders (5.3%) were rearrested for a new sex crime within the first 3 years following their release (table 21). The new sex crimes for which these 517 men were arrested were forcible rapes and sexual assaults. For virtually all of the 517, the most serious sex crime for which they were rearrested was a felony. Their victims were children and adults. The study cannot say what percentage were children and what percentage were adults because arrest files did not record the victim's age.

Of the total 9,691 released sex, 3.5% (339 of the 9,691) were reconvicted for a sex crime (a forcible rape or a sexual assault) within 3 years.

Sex offenders compared to non-sex offenders

The 15 States in this study released a total of 272,111 prisoners in 1994. The 9,691 released sex offenders made up less than 4% of that total. Of the remaining 262,420 non-sex offenders, 3,328 (1.3%) were rearrested for a new sex crime within 3 years (not shown in table). By comparison, the 5.3% rearrest rate for the 9,691 released sex offenders was 4 times higher.

Assuming that the 517 sex offenders who were rearrested for another sex crime each victimized no more than one victim, the number of sex crimes they committed after their prison release totaled 517. Assuming that the 3,328 non-sex offenders rearrested for a sex crime after their release also victimized one victim each, the number of sex crimes they committed was 3,328. The combined total number of sex crimes is 3,845 (517 plus 3,328 = 3,845). Released sex offenders accounted for 13% and released non-sex offenders accounted for 87% of the 3,845 sex crimes committed by

all the prisoners released in 1994 (517 / 3,845 = 13% and 3,328 / 3,845 = 87%).

Rapists and sexual assaulters

Of the 3,115 rapists, 5.0% (155 men) had a new arrest for a sex crime (either a sexual assault or another forcible rape) after being released. Of the 6,576 released sexual assaulters, 5.5% (362 men) were rearrested for a new sex crime (either a forcible rape or another sexual assault).

A total of 100 released rapists were reconvicted for a sex crime. The 100 men were 3.2% of the 3,115 rapists released in 1994. Among the 6,576 released sexual assaulters, 3.7% (243 men) were reconvicted for a sex crime.

Child molesters and statutory rapists

After their release, 5.1% (221 men) of the child molesters and 5.0% (22 men) of the statutory rapists were rearrested for a new sex crime (table 22). Not all of the new sex crimes were against children. The new sex crimes were forcible rapes and various types of sexual assaults.

Following their release, 3.5% (150 men) of the 4,295 released child molesters were convicted for a new sex crime against a child or an adult. The sex crime reconviction rate for the 443 statutory rapists was 3.6% (16 reconvicted men).

Table 21. Of sex offenders released from prison in 1994, percent rearrested and percent reconvicted for any new sex crime, by type of sex offender

	All	Rapists	Sexual assaulters
Percent rearrested for any new sex crime within 3 years	5.3%	5.0%	5.5%
Percent reconvicted for any new sex crime within 3 years*	3.5%	3.2%	3.7%
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.
*Because of missing data, prisoners released in Ohio were excluded from the calculation of percent reconvicted. Due to data quality concerns, calculation of percent reconvicted excluded Texas prisoners classified as "other type of release."

Table 22. Of child molesters and statutory rapists released from prison in 1994, percent rearrested and percent reconvicted for any new sex crime

	Child molesters	Statutory rapists
Percent rearrested for any new sex crime within 3 years	5.1%	5.0%
Percent reconvicted for any new sex crime within 3 years*	3.5%	3.6%
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."
*Because of missing data, prisoners released in Ohio were excluded from the calculation of percent reconvicted. Due to data quality concerns, calculation of percent reconvicted excluded Texas prisoners classified as "other type of release."

Time to rearrest

All sex offenders

Within 6 months following their release, 1.4% of the 9,691 men were rearrested for a new sex crime (table 23). Within 1 year the cumulative total grew to 2.1% rearrested. By the end of the 3-year followup period, altogether 5.3% had been rearrested for another sex crime. The first year was the period when 40% of the new sex crimes were committed (since 2.1% / 5.3% = 40%).

Rapists and sexual assaulters

The first year following release accounted for 40% of the new sex crimes committed by both released rapists (since 2.0% / 5.0% = 40%) and released sexual assaulters (since 2.2% / 5.5% = 40%).

Child molesters and statutory rapists

For child molesters and statutory rapists, the first year following their release was the period when the largest number of recidivists were rearrested. Similar to rapists and sexual assaulters, about 40% of the arrests for new sex crimes committed by child molesters and statutory rapists occurred during the first year (table 24).

Demographic characteristics

All sex offenders

Race Among sex offenders released from prison in 1994, black men (5.6%) and white men (5.3%) were about equally likely to be rearrested for another sex crime (table 25).

Hispanic origin Among released sex offenders, non-Hispanics were more likely to be rearrested for a new sex offense (6.4%) than Hispanics (4.1%). One reason for the lower rearrest rate for Hispanics may be that some were deported immediately following their release.

Age Recidivism studies typically find that, the older the prisoner when released, the lower the rate of recidivism. Results reported here on released sex offenders did not follow the familiar pattern. While the lowest rate of rearrest for a sex crime (3.3%) did belong to the oldest sex offenders (those age 45 or older), other comparisons between older and younger prisoners did not consistently show older prisoners' having the lower rearrest rate.

Table 23. Of sex offenders released from prison in 1994, percent rearrested for any new sex crime, by type of sex offender and time after release

Time after 1994 release	Cumulative percent rearrested for any new sex crime within specified time		
	All	Rapists	Sexual assaulters
6 months	1.4%	1.3%	1.4%
1 year	2.1	2.0	2.2
2 years	3.9	3.7	4.1
3 years	5.3	5.0	5.5
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.

Table 24. Of child molesters and statutory rapists released from prison in 1994, percent rearrested for any new sex crime, by time after release

Time after 1994 release	Cumulative percent rearrested for any new sex crime within specified time	
	Child molesters	Statutory rapists
6 months	1.3%	1.4%
1 year	2.2	2.0
2 years	3.9	3.2
3 years	5.1	5.0
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."

Table 25. Of sex offenders released from prison in 1994, percent rearrested for any new sex crime, by demographic characteristics of released prisoners

Prisoner characteristic	Percent of released sex offenders rearrested for any new sex crime within 3 years
Total released	5.3%
Race	
White	5.3%
Black	5.6
Other	4.4
Hispanic origin	
Hispanic	4.1%
Non-Hispanic	6.4
Age at release	
18-24	6.1%
25-29	5.5
30-34	5.8
35-39	6.1
40-44	5.6
45 or older	3.3
Total released	9,691

Note: The 9,691 sex offenders were released in 15 States. Data identifying race were reported for 98.5% of 9,691 released sex offenders; Hispanic origin for 82.5%; age for virtually 100%.

Time served before 1994 release

All sex offenders

The study compared recidivism rates among prisoners who served different lengths of time before being released from prison in 1994. No clear association was found between how long they were in prison and their recidivism rate (table 26). For example, those sex offenders who served from 7 to 12 months were rearrested for a new sex crime at a higher rate (5.2%) than those who served slightly less time (3.8%), which seemed to suggest that serving more time raised the recidivism rate. But other comparisons suggested the opposite. Compared to men who were confined for 7 to 12 months (5.2% rearrest rate), those who served more time (13 to 18 months) were less likely to be rearrested for any new sex crime (4.1%).

Prior arrest for any type of crime

All sex offenders

Of the 9,691 released sex offenders, 21.5% (2,084 of the 9,691) had only 1 arrest in their criminal record up to the time they were released (table 27). That one arrest was the arrest for the sex crime that resulted in a prison term. The remaining 78.5% (7,607 men) had the arrest for their imprisonment offense in their record, and they also had at least 1 earlier arrest for some type of crime. For example, some had an earlier arrest for theft or a drug offense. Most of them did not have an earlier arrest for a sex crime.

Compared to the 2,084 sex offenders with the 1 arrest in their criminal record, the 7,607 with a longer prior arrest record were more likely to be

rearrested for another sex crime (5.9% compared to 3.3%).

Rapists and sexual assaulters

Of the 3,115 released rapists, the majority (83.1% of the 3,115, or 2,589 men) had more than 1 arrest (for any type of crime) prior to release from prison in 1994. Of these 2,589 released rapists, 5.4% (140) had a new arrest for a sex crime. The rate was lower (3.0%) for the 526 released rapists with no prior arrest.

Results for sexual assaulters followed the same pattern: the 5,017 sexual assaulters with more than 1 prior arrest (76.3% of 6,576 is 5,017) were more likely to be rearrested for a new sex crime (6.2%) than the 1,559 with just the 1 prior arrest (23.7% of 6,576 is 1,559).

Table 26. Of sex offenders released from prison in 1994, percent rearrested for any new sex crime, by time served before being released

Time served in prison before 1994 release	Percent of released sex offenders rearrested for any new sex crime within 3 years
6 months or less	3.8%
7-12	5.2
13-18	4.1
19-24	6.4
25-30	5.2
31-36	3.3
37-60	5.2
61 months or more	4.9
Total first releases	6,470

Note: The 6,470 sex offenders were released in 13 States. Figures are based on first releases only. First releases include only those offenders leaving prison for the first time since beginning their sentence. First releases exclude those who left prison in 1994 but who had previously been released under the same sentence and had returned to prison for violating the conditions of release.

Table 27. Of sex offenders released from prison in 1994, percent rearrested for any new sex crime, by type of sex offender and prior arrest for any type of crime

Arrest prior to 1994 release	All	Rapists	Sexual assaulters
Percent rearrested for any new sex crime within 3 years			
Total	5.3%	5.0%	5.5%
The arrest responsible for their being in prison in 1994 was —*			
Their first arrest for any type of crime	3.3	3.0	3.4
Not their first arrest for any type of crime	5.9	5.4	6.2
Percent of released prisoners			
Total	100%	100%	100%
The arrest responsible for their being in prison in 1994 was —*			
Their first arrest for any type of crime	21.5	16.9	23.7
Not their first arrest for any type of crime	78.5	83.1	76.3
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.

*By definition, all sex offenders had at least 1 arrest prior to their release: namely, the arrest responsible for their being in prison in 1994. "First arrest for any type of crime" pertains exclusively to those released prisoners whose first arrest was the sex offense arrest responsible for their being in prison in 1994.

Child molesters and statutory rapists

Released child molesters with more than one prior arrest were more likely than those with only one arrest in their criminal record to be rearrested for a new sex crime (5.7% compared to 3.2%) (table 28). The same was true of statutory rapists (5.3% compared to 3.5%).

Number of prior arrests for any type of crime

All sex offenders

The more arrests (for any type of crime) the sex offender had in his criminal record, the more likely he was to be rearrested for another sex crime after his release from prison (table 29). Sex offenders with one prior arrest (the arrest for the sex crime for which they had been imprisoned) had the lowest rate, about 3%; those with 2 or 3 prior arrests for some type of crime, 4%; 4 to 6 prior arrests, 6%; 7 to 10 prior arrests, 7%; and 11 to 15 prior arrests, 8%.

Table 28. Of child molesters and statutory rapists released from prison in 1994, percent rearrested for any new sex crime, by prior arrest for any type of crime

Arrest prior to 1994 release	Child molesters	Statutory rapists
Percent rearrested for any new sex crime within 3 years		
Total	5.1%	5.0%
The arrest responsible for their being in prison in 1994 was — *		
Their first arrest for any type of crime	3.2	3.5
Not their first arrest for any type of crime	5.7	5.3
Percent of released prisoners		
Total	100%	100%
The arrest responsible for their being in prison in 1994 was — *		
Their first arrest for any type of crime	23.2	19.4
Not their first arrest for any type of crime	76.8	80.6
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."

*By definition, all sex offenders had at least 1 arrest prior to their release: namely, the arrest responsible for their being in prison in 1994. "First arrest for any type of crime" pertains exclusively to those released prisoners whose first arrest was the sex offense arrest responsible for their being in prison in 1994.

Table 29. Of sex offenders released from prison in 1994, percent rearrested for any new sex crime, by number of prior arrests for any type of crime

Number of adult arrests prior to 1994 release	Percent rearrested for any new sex crime within 3 years
All sex offenders	5.3%
1 prior arrest for any type of crime	3.3
2	4.3
3	4.4
4	5.8
5	6.3
6	6.1
7-10	6.9
11-15	7.8
16 or more	7.4
Percent of released prisoners	
All sex offenders	100%
1 prior arrest for any type of crime	21.5
2	16.0
3	11.9
4	9.0
5	7.2
6	6.3
7-10	14.4
11-15	7.9
16 or more	5.8
Total released	9,691

Note: The 9,691 sex offenders were released in 15 States. By definition, all sex offenders had at least 1 arrest prior to their release: namely, the arrest responsible for their being in prison in 1994. In this table, that arrest is counted as one prior arrest.

Prior arrest for a sex crime

All sex offenders

Prior to their release in 1994, 2,762 of the sex offenders (28.5% of the total 9,691) had 2 or more arrests for a sex offense in their criminal record: the arrest for the sex offense that resulted in their imprisonment, plus at least 1 earlier arrest for a sex crime (table 30). For the remaining 6,929 (71.5% of the total 9,691), their only prior arrest for a sex crime was the arrest that brought them into prison. (Any other prior arrests the 6,929 may have had were for non-sex crimes.) Following their release, the 2,762 with more than 1 sex crime in their criminal background were about twice as likely to be rearrested for another sex crime (8.3%) as the 6,929 with a single prior arrest (4.2%).

Rapists and sexual assaulters

Rapists (4.0%) and sexual assaulters (4.2%) with one prior arrest for a sex crime were less likely to be rearrested for another sex crime than rapists (7.4%) and sexual assaulters (8.7%) who had been arrested two or more times for a sex crime prior to release from prison in 1994.

Child molesters and statutory rapists

By definition, all 4,295 child molesters had been arrested for a sex offense at least once prior to their release in 1994 — the sex offense that landed them in prison. For 3,049 of them (71% of 4,295), that arrest was their only prior arrest for a sex offense (table 31). The remaining 1,246 child molesters (29% of 4,295) had at least 2 prior arrests for a sex crime: the arrest for their imprisonment offense plus at least 1 other prior arrest for a sex offense (not necessarily one against a child). Of the 1,246 child molesters with multiple sex crimes in their past, 8.4% (105 of the 1,246) were rearrested for another sex crime (not necessarily another sex crime against a child), or more than double the 3.8% rate for the 3,049

released child molesters with just 1 prior arrest for a sex crime.

Similar results were found for released statutory rapists. Those with a more

extensive record of prior arrests for sex crimes were more likely to be rearrested for another sex crime (8.8%) than those with just one past arrest (2.6%).

Table 30. Of sex offenders released from prison in 1994, percent rearrested for any new sex crime, by type of sex offender and prior arrest for any sex crime

Arrest prior to 1994 release	All	Rapists	Sexual assaulters
Percent rearrested for any new sex crime within 3 years			
Total	5.3%	5.0%	5.5%
The arrest responsible for their being in prison in 1994 was —*			
Their first arrest for any sex crime	4.2	4.0	4.2
Not their first arrest for any sex crime	8.3	7.4	8.7
Percent of released prisoners			
Total	100%	100%	100%
The arrest responsible for their being in prison in 1994 was —*			
Their first arrest for any sex crime	71.5	71.3	71.6
Not their first arrest for any sex crime	28.5	28.7	28.4
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.

*By definition, all sex offenders had at least 1 arrest prior to their release: namely, the arrest responsible for their being in prison in 1994. "First arrest for any sex crime" pertains exclusively to those released prisoners whose first arrest was the sex offense arrest responsible for their being in prison in 1994.

Table 31. Of child molesters and statutory rapists released from prison in 1994, percent rearrested for any new sex crime, by prior arrest for any sex crime

Arrest prior to 1994 release	Child molesters	Statutory rapists
Percent rearrested for any new sex crime within 3 years		
Total	5.1%	5.0%
The arrest responsible for their being in prison in 1994 was —*		
Their first arrest for any sex crime	3.8	2.6
Not their first arrest for any sex crime	8.4	8.8
Percent of released prisoners		
Total	100%	100%
The arrest responsible for their being in prison in 1994 was —*		
Their first arrest for any sex crime	71.0	61.6
Not their first arrest for any sex crime	29.0	38.4
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists, 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."

*By definition, all sex offenders had at least 1 arrest prior to their release: namely, the arrest responsible for their being in prison in 1994. "First arrest for any sex crime" pertains exclusively to those released prisoners whose first arrest was the sex offense arrest responsible for their being in prison in 1994.

State where rearrested for a sex crime

When sex offenders were arrested for new sex crimes after their release, the new arrest typically occurred in the same State that released them. Those arrests are referred to as "in-State" arrests. When released sex offenders left the State where they were incarcerated and were charged by police with new sex crimes, those arrests are referred to as "out-of-State" arrests.

All sex offenders

Of the 9,691 released sex offenders, 517 were rearrested for a new sex crime within 3 years. Most of those sex crime arrests (85.2% of the 517, or 440 men) were in the same State that released them (table 32). Seventy-seven of them (14.8% of the 517) were arrests in a different State.

Sex offenders compared to non-sex offenders

The 15 States in this study released 262,420 non-sex offenders in 1994, of whom 3,328 were rearrested for a new sex crime within 3 years (not shown in table). Of the 3,328 non-sex offenders arrested for a new sex crime, an estimated 10% were men rearrested outside the State that released them. The 15% figure for released sex offenders was high by comparison (table 32).

Rapists and sexual assaulters

A total of 155 released rapists and 362 released sexual assaulters were rearrested for a new sex crime within the 3-year followup period. In-State arrests for new sex crimes accounted for 85% of the rearrested rapists and 85% of the rearrested sexual assaulters. Out-of-State arrests accounted for the rest.

Child molesters and statutory rapists

A total of 221 child molesters were rearrested for a new sex crime (not necessarily against a child) after their release (table 33). Among the 221 were 191 (86.6%) whose new sex crime arrest was in the same State that

released them in 1994. For the remaining 13.4%, the arrest was elsewhere.

Of all statutory rapists, 5% (22) were rearrested for a new sex crime after their release. Of these 22, none had the new arrest outside the State that released them.

Table 32. Where sex offenders were rearrested for a new sex crime following their release from prison in 1994, by type of sex offender

State where rearrested within 3 years	Percent of rearrested prisoners		
	All	Rapists	Sexual assaulters
Total	100%	100%	100%
Same State where released	85.2	85.2	85.2
Another State	14.8	14.8	14.8
Total rearrested for a new sex crime	517	155	362

Note: The 517 rearrested sex offenders were released in 15 States, but table percentages are based on 14 States.

Table 33. Where child molesters and statutory rapists were rearrested for a new sex crime following their release from prison in 1994

State where rearrested within 3 years	Percent of rearrested prisoners	
	Child molesters	Statutory rapists
Total	100%	100%
Same State where released	86.6	100
Another State	13.4	0
Total rearrested for a new sex crime	221	22

Note: The 221 rearrested child molesters were released in 14 States, but table percentages are based on 13 States. The 22 rearrested statutory rapists were released in 6 States, but table percentages are based on 5 States.

Undercounts of sex crimes against children

This section documents percentages of men who were arrested for a sex crime against a child after their release from prison in 1994. To some unknown extent, these recidivism rates undercount actual rearrest rates. That is because the arrest records that the study used to document sex crime arrests did not always contain enough information to identify those sex crime arrests in which the victim of the crime was a child. Some sense of the potential size of the undercount can be gained by comparing rearrests for any sex crime and rearrests for any sex crime against a child. Rates of rearrest for a sex crime (tables 21 and 22) are from 2 to 3½ percentage points higher than rates of rearrest for a sex crime against a child (tables 34 and 35), suggesting that rates of rearrest for a sex crime against a child could be, at most, a few percentage points below actual rates.

No data on precise ages of molested children

This section also documents the ages of the children that the men were alleged to have molested after their release from prison. Sex crime statutes contained in the arrest records of the released prisoners were used to obtain ages. The first step was to identify those sex crime statutes that were applicable just to children. Among those that were, some were found to apply just to children whose age fell within a certain range (for example, under 12, or 13 to 15, or 16 to 17). Those statutes applicable to children within specified age ranges became the source of information on the approximate ages of the allegedly molested children. Information on precise ages could not be determined because statutes applicable just to children of a specific age (for example, just to 12-year-olds, or just to age 15-year-olds) do not exist.

Rearrest

All sex offenders

Following their release in 1994, 209 of the total 9,691 released sex offenders (2.2%) were rearrested for a sex offense against a child (table 34). For virtually all 209, the rearrest offense was a felony. For the reason given earlier, the 2.2% figure undercounts the percentage rearrested for a sex offense against a child. It seems unlikely that the correct figure could be as high as 5.3% (table 21), which is the percentage rearrested for a sex crime against a person of any age. The only way it could be that high is if none of the sex crime arrests after release were crimes in which the victim was an adult, an unlikely possibility. The more likely possibility is that the 2.2% figure undercounts the rate by a maximum of 1 or 2 percentage points.

An estimated 76% of the children allegedly molested by the 209 men after their prison release were age 13 or younger, 12% were 14- or 15-years-old, and the remaining 12% were 16- or 17-years-old.

Sex offenders compared to non-sex offenders

Prisons in the 15 States in the study released 272,111 prisoners altogether in 1994, 9,691 of whom were the sex offenders in this report. As previously stated, 2.2% of the 9,691 sex offenders were rearrested for a child sex crime after their release. That rate is high compared to the rate for the remaining 262,420 non-sex offenders. Of the 262,420 non-sex offenders, less than half of 1 percent (1,042 of the 262,420) were rearrested for a sex offense against a child within the 3-year followup period (not shown in table).

Since each of the 1,042 was charged at arrest with molesting at least 1 child, the total number they allegedly molested was conservatively estimated at 1,042. Of the conservatively estimated 1,042 children, 65% were age 13 or younger, 11% were 14- or 15-years-old, and 24% were 16- or 17-years-old (not shown in table). (These percentages were based on the 554 cases out of the 1,042 in which the approximate age of the child could be determined.)

Table 34. Of sex offenders released from prison in 1994, percent rearrested for a sex crime against a child, and percent of their alleged victims, by age of victim and type of sex offender

	Percent rearrested for a sex crime against a child within 3 years		
	All	Rapists	Sexual assaulters
Total	2.2%	1.4%	2.5%
Number released	9,691	3,115	6,576
Age of child that sex offender was charged with molesting after release	Percent of allegedly molested children		
13 or younger	76.2%	89.3%	72.3%
14-15	11.5	0.0*	14.9
16-17	12.3	10.7*	12.8
Number of molested children	209	44	165

Note: The 9,691 sex offenders were released in 15 States. The approximate ages of the children allegedly molested by the 209 prisoners after their release were available for 58.4% of the 209. "Number of molested children" was set to equal the number of released sex offenders rearrested for child molesting.
*Percentage based on 10 or fewer cases.

Assuming that the 209 sex offenders who were rearrested for a sex crime against a child each victimized no more than one child, the number of sex crimes they committed against children after their prison release totaled 209. Assuming that the 1,042 non-sex offenders rearrested for a sex crime against a child after their release also victimized only one child, the number of sex crimes against a child that they committed was 1,042. The combined total number of sex crimes is 1,251 (209 plus 1,042 = 1,251). Released sex offenders accounted for 17% and released non-sex offenders accounted for 83% of the 1,251 sex crimes against children committed by all the prisoners released in 1994 (209 / 1,251 = 17% and 1,042 / 1,251 = 83%).

Rapists and sexual assaulters

Following their 1994 release, 1.4% of the 3,115 rapists (44 men) and 2.5% of the 6,576 sexual assaulters (165 men) were rearrested for molesting a child (table 34).

Child molesters and statutory rapists

Within 3 years following their release from prison in 1994, 141 (3.3%) of the released 4,295 child molesters and 11 (2.5%) of the 443 released statutory rapists were rearrested for molesting another child (table 35). For the reasons outlined earlier, these percentages undercount actual rearrest rates by a few percentage points at most.

Each of the 141 released molesters rearrested for repeating their crime represented at least 1 child victim. Of the conservatively estimated 141 children allegedly molested by released child molesters, 79% were age 13 or younger, 9% were 14 or 15 years of age, and 12% were ages 16 or 17.

Table 35. Of child molesters and statutory rapists released from prison in 1994, percent rearrested for a sex crime against a child, and percent of their alleged victims, by age of victim

	Percent rearrested for a sex crime against a child within 3 years	
	Child molesters	Statutory rapists
Total	3.3%	2.5%
Number released	4,295	443
Age of child that sex offender was charged with molesting after release	Percent of allegedly molested children	
13 or younger	79.2%	30.0**%
14-15	9.1	10.0*
16-17	11.7	60.0*
Number of molested children	141	11

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters." The approximate ages of the children allegedly molested by the 141 prisoners after their release were available for 54.6% of the 141. "Number of molested children" was set to equal the number of released sex offenders rearrested for child molesting.
*Percentage based on 10 or fewer cases.

Prior arrest for a sex crime against a child

All sex offenders

After their 1994 release from prison, sex offenders with a prior arrest for

child molesting were more likely to be arrested for child molesting (6.4%) than those who had no arrest record for sex with a child (1.7%) (table 36).

Table 36. Of sex offenders released from prison in 1994, percent rearrested for a sex crime against a child, by prior arrest for a sex crime against a child and type of sex offender

Arrest prior to 1994 release	All	Rapists	Sexual assaulters
Percent rearrested for a sex crime against a child within 3 years			
Total	2.2%	1.4%	2.5%
The arrest responsible for their being in prison in 1994 was —*			
Their first arrest for a sex crime against a child	1.7	1.3	1.9
Not their first arrest for a sex crime against a child	6.4	4.0	6.9
Percent of released prisoners			
Total	100%	100%	100%
The arrest responsible for their being in prison in 1994 was — *			
Their first arrest for a sex crime against a child	89.7	94.3	87.5
Not their first arrest for a sex crime against a child	10.3	5.7	12.5
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States.
*By definition, all sex offenders had at least 1 arrest prior to their release: namely, the arrest responsible for their being in prison in 1994. "First arrest for a sex crime against a child" pertains exclusively to those released prisoners whose first arrest was the sex offense arrest responsible for their being in prison in 1994.

Rapists and sexual assaulters

After being released in 1994, 4.0% of rapists with a prior arrest record for child molesting and 1.3% of those without were arrested for child molesting. The same pattern — having a history of alleged child molesting was associated with a greater likelihood of arrest for child molesting — was found for sexual assaulters. Those with a prior arrest had a 6.9% rate; those without, 1.9%.

Child molesters and statutory rapists

The 4,295 released child molesters fell into 2 categories: 1) 3,509 (81.7% of the 4,295) whose criminal record prior to their 1994 release contained no more than 1 arrest for a sex offense against a child (this was the offense for which they were imprisoned); and 2) 786 (18.3%) whose record showed the arrest for their imprisonment offense plus at least one earlier arrest for a sex offense against a child (table 37). After release, 7.3% of the 786 and 2.4% of the 3,509 were rearrested for molesting another child, indicating that child molesters with multiple arrests for child molesting in their record posed a greater risk of repeating their crime than their counterparts.

Similarly, the 443 statutory rapists consisted of —

- 356 (80.4%) whose first arrest for a sex offense against a child was the arrest that resulted in their current imprisonment
- 87 (19.6%) with more than 1 prior arrest for a sex offense against a child.

The 87 were more likely to be rearrested for child molesting (6.9%) than the 356 (1.4%).

Molester's and child's ages at time of imprisonment offense

Child molesters

The released child molesters were all men who were arrested, convicted, and

Table 37. Of child molesters and statutory rapists released from prison in 1994, percent rearrested for a sex crime against a child, by prior arrest for a sex crime against a child

Arrest prior to 1994 release	Child molesters	Statutory rapists
Percent rearrested for a sex crime against a child within 3 years	3.3%	2.5%
The arrest responsible for their being in prison in 1994 was —*		
Their first arrest for a sex crime against a child	2.4	1.4
Not their first arrest for a sex crime against a child	7.3	6.9
Percent of released prisoners	100%	100%
The arrest responsible for their being in prison in 1994 was —*		
Their first arrest for a sex crime against a child	81.7	80.4
Not their first arrest for a sex crime against a child	18.3	19.6
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters."

*By definition, all sex offenders had at least 1 arrest prior to their release the arrest responsible for their being in prison in 1994. "First arrest for a sex crime against a child" pertains exclusively to those released prisoners whose first arrest was responsible for their being in prison in 1994.

Table 38. Among child molesters released from prison in 1994, the molester's age when he committed the crime that resulted in his imprisonment, the child's age, and percent rearrested for a sex crime against a child

Age characteristic	Percent of total	Percent of released child molesters rearrested for a sex crime against a child within 3 years
Child molester's age when he committed the sex crime for which imprisoned^a		
18-24	19.7%	4.1%
25-29	17.4	3.1
30-34	18.7	3.3
35-39	16.3	1.2
40-44	11.5	2.8
45 or older	16.4	3.0
Age of child he was imprisoned for molesting^b		
13 or younger	60.3%	2.8%
14-15	30.5	3.7
16-17	9.2	1.2
How much older he was than the child he was imprisoned for molesting		
Up to 5 years older	3.9%	4.9*%
5 to 9 years older	13.6	3.6
10 to 19 years older	34.1	3.2
20 or more years older	48.4	2.5
Total first releases	3,104	3,104

Note: The 3,104 child molesters were released in 13 States. Figures are based on first releases only, those offenders leaving prison for the first time since beginning their sentence. First releases exclude those who left prison in 1994 but who had previously been released under the same sentence and had returned to prison for violating the conditions of release. Data identifying the child molester's age were reported for 100% of the released child molesters. Data identifying the approximate age of the child were reported for 88.1%.

^aThe molester's age at the time of the crime for which imprisoned was estimated by subtracting 6 months (the approximate average time from arrest to sentencing) from his age at admission.

^bThe approximate age of the child "he was imprisoned for molesting" was usually obtained from the State statute the molester was convicted of violating.

*Percentage based on 10 or fewer cases.

sentenced to prison for a sex crime against a child. At the time they committed their imprisonment offense, most (62.9%) were age 30 and older, and most (60.3%) molested a child who was age 13 or younger (table 38). Some of the victims were below age 7. Nearly half of the men (48.4%) were 20 years or more older than the child they were imprisoned for molesting.

Among the men who were in prison for molesting a child age 13 or younger and who were released in 1994 for that crime, 2.8% were subsequently arrested for molesting another child. Of those whose imprisonment offense was against a 14- or 15-year-old, 3.7% had a new arrest for child molesting after their release. Of the men who were in prison for molesting a 16- or 17-year-old, 1.2% were arrested by police for molesting another child after leaving prison in 1994.

Among the men who were 20 years or more older than the child they were imprisoned for molesting, 2.5% were rearrested for another sex offense against a child within the first 3 years following their release. That is a lower rate than the 3.2% rate for men who were 10 to 19 years older than the child victim in their imprisonment offense, and compared to the 3.6% for those 5 to 9 years older than the victim in their imprisonment offense.

State where rearrested for a sex crime against a child

When sex offenders were arrested for new sex crimes against children after their release, the new arrest typically occurred in the same State that released them. Those arrests are referred to as "in-State" arrests. When arrests occurred in a different State, they are referred to as "out-of-State."

All sex offenders

Of the 9,691 sex offenders, 209 were rearrested for child molesting after their

release from prison in 1994 (table 39). In 180 cases (86.3%), the alleged crime took place in the State that released him. In the 29 others (13.7%), it occurred elsewhere.

Sex offenders compared to non-sex offenders

The 15 States in this study released 262,420 non-sex offenders in 1994, of whom 1,042 were rearrested for a sex crime against a child (not shown in table). Of the 1,042 arrests, 11% were out-of-State rearrests. The comparable figure for released sex offenders was higher: 14% (table 39).

Rapists and sexual assaulters

Forty-four released rapists and 165 released sexual assaulters were rearrested for a sex crime against a

child within 3 years. Out-of-State arrests for child molesting accounted for 13.5% of the 44 rearrested rapists and 13.7% of the 165 rearrested sexual assaulters.

Child molesters and statutory rapists

Police arrested 141 of the 4,295 released child molesters for repeating their crime (table 40). For 126 of them (89.2%), the new arrest for child molesting was in the same State that released them. For 15 (10.8%), the new charges for child molesting were filed in a different State.

Of the 443 statutory rapists released from prison in 1994, 11 were rearrested for child molesting. All 11 of the arrests were in the same State that released the men.

Table 39. Where sex offenders were rearrested for a sex crime against a child following their release from prison in 1994, by type of sex offender

State where rearrested within 3 years	Percent of rearrested prisoners		
	All	Rapists	Sexual assaulters
Total	100%	100%	100%
Same State where released	86.3	86.5	86.3
Another State	13.7	13.5	13.7
Total rearrested for a new sex crime against a child	209	44	165

Note: The 209 rearrested sex offenders were released in 10 States, but table percentages are based on 9 States.

Table 40. Where child molesters and statutory rapists were rearrested for a sex crime against a child following their release from prison in 1994

State where rearrested within 3 years	Percent of rearrested prisoners	
	Child molesters	Statutory rapists
Total	100%	100%
Same State where released	89.2	100
Another State	10.8	0
Total rearrested for a new sex crime against a child	141	11

Note: The 141 rearrested child molesters were released in 9 States, but table percentages are based on 8 States. The 11 rearrested statutory rapists were released in 3 States, but table percentages are based on 2 States.

Rearrest for other types of crime

All sex offenders

Of the 9,691 male sex offenders released from prison in 1994 —

- 43% (4,163 men) were rearrested for a crime of any kind (table 41)
- 5.3% (517 men) were rearrested for a sex offense
- 17.1% (1,658 men) were rearrested for a violent crime
- 13.3% (1,285 men) were rearrested for a property crime of some kind.

Of the 9,691 released men, 168 (1.7%) were rearrested for rape and 396 (4.1%) were rearrested for sexual assault. The 168 rearrested for rape plus the 396 rearrested for sexual assault totals 564, which is 47 greater than the total 517 who were rearrested for a sex crime. The reason is that 47 men were rearrested for both rape and sexual assault.

The category of violent crime for which a prisoner was most likely to be rearrested was assault (8.8%, or 848 of the 9,691); the category least likely was homicide (0.5%, or 45 of the 9,691 men).

Just over 1 in 5 sex offenders (2,045 out of 9,691) were rearrested for a public-order offense, such as a parole violation or traffic offense.

Rapists and sexual assaulters

Among the 3,115 released rapists —

- 46% (1,432) were rearrested for a crime of any kind
- 18.7% (582) were rearrested for a violent crime
- 0.7% (22) were rearrested for homicide
- 14.7% (459) were rearrested for a property offense.

A relatively small percentage of rapists (2.5%, or 78 of the 3,115) were charged with repeating the crime for which they were imprisoned.

Among the 6,576 released sexual assaulters —

- 41.5% (2,731) were rearrested for a crime of any kind
- 16.4% (1,076) were rearrested for a violent crime
- 0.3% (23) were rearrested for killing someone

- 12.6% (826) were rearrested for a property offense.

Nearly 1 in 20 released sexual assaulters (4.7%, or 308 of the 6,576) were charged with committing the same type of crime for which had just served time in prison.

Table 41. Rearrest rate of sex offenders released from prison in 1994, by type of sex offender and charge at rearrest

Rearrest charge	Percent rearrested for specified offense within 3 years		
	All	Rapists	Sexual assaulters
All charges ^a	43.0%	46.0%	41.5%
Violent offenses ^b	17.1%	18.7%	16.4%
Homicide ^c	0.5	0.7	0.3
Sex offense ^d	5.3	5.0	5.5
Rape	1.7	2.5	1.4
Sexual assault	4.1	2.8	4.7
Robbery	2.7	3.9	2.1
Assault	8.8	8.7	8.8
Property offenses ^e	13.3%	14.7%	12.6%
Burglary	3.8	4.4	3.5
Larceny/theft	5.7	6.1	5.6
Motor vehicle theft	1.7	2.3	1.4
Fraud	2.1	1.8	2.2
Drug offenses ^f	10.0%	11.2%	9.4%
Public-order offenses ^g	21.1%	20.4%	21.4%
Other offenses	5.9%	5.0%	6.3%
Total released	9,691	3,115	6,576

Note: The 9,691 sex offenders were released in 15 States. Detail may not add to totals because persons may be rearrested for more than one type of charge.

^aAll offenses include any offense type listed in footnotes *b* through *f* plus "other" and "unknown" offenses.

^bTotal violent offenses include homicide, kidnaping, rape, other sexual assault, robbery, assaults, and other violence.

^cHomicide includes murder, voluntary manslaughter, vehicular manslaughter, negligent manslaughter, nonnegligent manslaughter, unspecified manslaughter, and unspecified homicide.

^dIncludes both rape and sexual assault.

^eTotal property offenses include burglary, larceny, motor vehicle theft, fraud, forgery, embezzlement, arson, stolen property, and other forms of property offenses.

^fDrug offenses include drug trafficking, drug possession, and other forms of drug offenses.

^gPublic-order offenses include traffic offenses, weapon offenses, probation and parole violations, court-related offenses, disorderly conduct, and other such offenses.

Child molesters and statutory rapists

Of the 4,295 child molesters released from prison in 1994 —

- 39.4% (1,693) were rearrested for a crime of any kind (table 42)
- 0.4% (17) were rearrested for intentionally or negligently killing someone.

Child molesters were less likely to be rearrested for a property crime (10.6%, 456 of 4,295) than a violent crime (14.1%, 607 of 4,295).

Of the 443 statutory rapists released in 1994 —

- 49.9% (221) were rearrested for some new crime
- 0.7% (3) were rearrested for homicide
- 22.6% (100) were rearrested for a property crime
- 21.2% (94) were rearrested for a violent crime.

Table 42. Rearrest rate of child molesters and statutory rapists released from prison in 1994, by charge at rearrest

Rearrest charge	Percent rearrested for specified offense within 3 years	
	Child molesters	Statutory rapists
All charges ^a	39.4%	49.9%
Violent offenses ^b	14.1%	21.2%
Homicide ^c	0.4	0.7
Sex offense ^d	5.1	5.0
Rape	1.3	1.6
Sexual assault	4.4	3.6
Robbery	1.7	4.3
Assault	7.1	12.6
Property offenses ^e	10.6%	22.6%
Burglary	2.8	4.3
Larceny/theft	4.6	10.8
Motor vehicle theft	1.5	3.8
Fraud	1.9	3.6
Drug offenses ^f	8.6%	12.0%
Public-order offenses ^g	20.0%	27.1%
Other offenses	7.8%	4.3%
Total released	4,295	443

Note: The 4,295 child molesters were released in 15 States; the 443 statutory rapists in 11 States. Because of overlapping definitions, all statutory rapists also appear under the column "child molesters." Detail may not add to totals because of rounding.

^aAll offenses include any offense type listed in footnotes *b* through *f* plus "other" and "unknown" offenses.

^bTotal violent offenses include homicide, kidnaping, rape, other sexual assault, robbery, assaults, and other violence.

^cHomicide includes murder, voluntary manslaughter, vehicular manslaughter, negligent manslaughter, nonnegligent manslaughter, unspecified manslaughter, and unspecified homicide.

^dIncludes both rape and sexual assault.

^eTotal property offenses include burglary, larceny, motor vehicle theft, fraud, forgery, embezzlement, arson, stolen property, and other forms of property offenses.

^fDrug offenses include drug trafficking, drug possession, and other forms of drug offenses.

^gPublic-order offenses include traffic offenses, weapon offenses, probation and parole violations, court-related offenses, disorderly conduct, and other such offenses.

Survey of State inmates

The 9,691 prisoners in this study were all men sentenced to prison for sex crimes. Characteristics of the victims of these sex crimes were largely unavailable for the study. For information on imprisoned sex offenders and their victims, data were drawn from a survey covering the approximately 73,000 male sex offenders in State prisons nationwide in 1997.

Of the 73,000 victims of their sex crimes —

- about 90% were female
- nearly 75% were white
- 89% were non-Hispanic
- 36% were below age 13
- altogether, 70% were under age 18.

Child victims of sex crimes were more likely than adult victims to be male (11% versus 3%). Whites made up 76% of child victims and 66% of adult victims.

The biggest difference between child victims and adult victims was their relationship to the man who committed the sex crime:

Among cases where the victim was under 18, the boy or girl was the prisoner's own child (16%), stepchild (16%), sibling or stepsibling (2%), or other relative (13%) in nearly half of all child victim cases (46%). Among cases where the victim was an adult, the victim was a relative less often (11%).

Among inmates who were in prison for a sex crime against a child, the child was the prisoner's own child or step-child in a third of the cases. Seven

percent of the inmates reported their child victims to have been strangers. Among adult victims, 34% were strangers to their attacker.

Characteristics of victims of rape or sexual assault, for which male inmates were serving a sentence in State prisons, 1997

Victim characteristic	Percent of victims of rape or sexual assault		
	All	Victim age	
		18 years or older	Under 18 years
Total	100%	100%	100%
Gender			
Male	8.8%	2.8%	11.1%
Female	91.2	97.2	88.9
Race			
White	73.2%	66.0%	76.4%
Black	22.8	30.2	19.4
Other	4.0	3.8	4.2
Hispanic origin			
Hispanic	11.3%	9.9%	12.1%
Non-Hispanic	88.7	90.1	87.9
Age			
12 or under	36.4%	--	51.6%
13-17	34.1	--	48.4
18-24	10.8	36.7%	--
25-34	11.2	37.9	--
35-34	7.0	23.8	--
55 or over	0.5	1.6	--
Victim was the prisoner's —			
Spouse	1.1%	3.8%	0%
Ex-spouse	0.6	2.0	0
Parent/stepparent	0.6	0.4	0.6
Own child	11.5	1.4	15.7
Stepchild	11.2	0.4	15.8
Sibling/stepsibling	1.3	0.4	1.7
Other relative	9.4	2.1	12.7
Boy/girlfriend	5.5	8.2	4.4
Ex-boy/girlfriend	1.1	2.0	0.8
Friend/ex-friend	22.7	24.8	22.0
Acquaintance/other	19.4	20.1	19.6
Stranger	15.6	34.4	6.7
Total estimated number	73,116	20,958	50,027

Note: Data are from the BJS Survey of Inmates in State Correctional Facilities, 1997. This table is based on 73,116 prisoners who reported having one victim in the crime for which they were sentenced to prison. (They accounted for approximately 84% of all incarcerated male sex offenders in 1997.) Data identifying victim's sex were reported for 99.8% of the 73,116 males incarcerated for sex crimes; victim's race were reported for 98.9%; Hispanic origin for 98.2%; victim's age for 97.1%; victim's relationship to prisoner for 98.3%. Detail may not sum to total due to missing data for age of victim.

--Not applicable.

3-year followup period

For analytic purposes, "3 years" was defined as 1,096 days from the day of release from prison. Any rearrest, reconviction, or re-imprisonment occurring after 1,096 days from the 1994 release was not included. A conviction after 1,096 days was not counted even if it resulted from an arrest within the period.

Separating sex offenders into four types

The report gives statistics for four types of sex offenders. Separating sex offenders into the four types was done using information — in particular, the statute number for the imprisonment offense, the literal version of the statute, a numeric FBI code (called the "NCIC" code, short for "National Crime Information Center") indicating what the imprisonment offense was, and miscellaneous other information — available in the prison records on the 9,691 men. However, the prison records obtained for the study did not always contain all four pieces of information on the imprisonment offense. Moreover, the available offense information was not always detailed enough to reliably distinguish different types of sex offenders.

The process of sorting sex offenders into different types involved first creating the study's definitions of the four types, and then determining which State statute numbers, which literal versions of those statutes, and which NCIC codes conformed to the definitions. Each inmate was next classified into one of the types (or possibly into more than one type, since the four are not mutually exclusive) depending on whether the imprisonment offense information available on him fit the study's definition.

An obstacle to classifying sex offenders into types was that the labels "rape," "sexual assault," "child molestation," "statutory rape" were not widely used in

State statutes, and when they were used they did not always conform to the study's definitions of them. In deciding which type of sex offender to classify the prisoner as, importance was attached not to the label the law gave to his conviction offense, but to how well the law's definition of the offense fit the study's definition of the type.

Sex offenders compared to non-sex offenders

In 1994, prisons in 15 States released 272,111 prisoners, representing two-thirds of all prisoners released in the United States that year. Among the 272,111 were 262,420 released prisoners whose imprisonment offense was not a sex offense. Non-sex offenders include inmates, both male and female, who were in prison for violent crimes (such as murder or robbery), property crimes (such as burglary or motor vehicle theft), drug crimes, and public order offenses. Like the 9,691 male sex offenders examined in this report, all non-sex offenders were serving prison terms of one year or more in State prison when they were released in 1994.

At various places, this report compares 9,691 released male sex offenders to 262,420 released non-sex offenders. While labeled "non-sex offenders," the 262,420 actually includes a small number—87—who are sex offenders. The 87 are all the female sex offenders released from prisons in the 15 States in 1994.

Ages of molested and allegedly molested children

Information on the ages of molested children was needed for two calculations: 1) age of the child the released sex offender was sent to prison for molesting, and 2) age of the child allegedly molested by the released sex offender during the 3-year follow-up period. The most frequent source of both was a sex statute: either the sex

statute the offender was imprisoned for violating, or the statute the released prisoner was charged with violating when he was rearrested for a sex crime. The former was obtained from the prison records assembled for the study; the latter, from the assembled arrest records.

None of the sex statutes was found to apply to a victim of a specific age; for example, just to 12-year-olds. But some were found to apply just to children in a certain age range; for example, under 12, or 13 to 15, or 16 to 17. While specific ages of children could not be obtained from statutes, the availability of information on age ranges at least made it possible to obtain approximate ages. The rule that was adopted was to record the victim's (or alleged victim's) age as the upper limit of a statute's age range. To illustrate, a statute might indicate that the complainant/victim be "at least 13 but less than 16 years of age." In that case, the age of the child was recorded as 15, since the statute indicated the upper limit of the age range as any age "less than 16." As another example, if a statute indicated the complainant/victim be "under 12 years of age," the child's age was recorded as 11, as the phrasing of the age range did not include 12-year-olds, only those "under 12." Because the victim (or alleged victim) was always assigned the age of the oldest person in the age range, the study made the victims (or alleged victims) appear older than they actually were.

How missing data were handled in the report

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According to arrest records, 5.3% of the 9,691 (517 out of 9,691) released sex offenders were rearrested for another sex crime. For the two reasons described immediately above, 5.3% was probably an undercount of how many were rearrested for a sex crime. How much of an undercount could not be firmly determined from the data assembled for the study. However, a conservative measure of the size of the undercount was obtained from the data. The study database included 121 rearrested sex offenders whose arrest record did not indicate they were rearrested for a sex crime (the rearrest was either for a non-sex crime or for an unknown type of crime) but whose court record did indicate they were charged with a sex crime. When the study calculated the percentage rearrested for a sex crime, the 121 were not included among the 517 with a rearrest for a sex crime. Had the 121 been included in the calculation of the rearrest rate, the total number rearrested for a sex crime would have been 638 rather than 517, and the percentage rearrested for a sex crime would have been 6.6% rather than 5.3%. This suggests an undercount of about 1 percentage point.

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Texas released 692 male sex offenders in 1994, of which 129 were classified as release category "17", defined as "other type of release." Numerous data quality checks were run on the 129 and the 64 of them who were rearrested. The rearrest rate for the 129 was about average for Texas releases. But numerous anomalies were found for the 64 who were rearrested:

1. The rearrest offense for the 64 was always missing from their arrest record
2. The date of rearrest for the 64 was always the same as their release date
3. Virtually all 64 were reconvicted for a sex crime
4. The sentence length imposed for their new sex crime was identical to the

sentence they were serving when released in 1994.

Because of these anomalies, the 129 were excluded from the calculation of "percent reconvicted for a sex crime."

Counting rules

In this report, rearrest was measured by counting the number of different persons who were rearrested at least once. A released prisoner who was rearrested several times or had multiple rearrest charges filed against him was counted as only one rearrested person. The same counting rule applied to reconviction and the other recidivism measures.

If a released prisoner was rearrested several times, his earliest rearrest was used to calculate his time-to-rearrest. The same counting rule applied to reconviction and recidivism defined as a new prison sentence.

If a released prisoner had both in-State and out-of-State rearrests, he was counted as having an out-of-State rearrest regardless of whether the out-of-State rearrest was his earliest rearrest. The same rule applied in cases where the released prisoner had both felony and misdemeanor rearrests, or both sex crime and non-sex crime rearrests. The person was counted as having a felony rearrest or a sex crime rearrest regardless of temporal sequence.

The aim of these rules was to count people, not events. The only tables in the report that do not follow the rule are tables 41 and 42.

First release

All 15 States had first releases, but they could not be identified in 1 State (Ohio). They could be identified in Michigan, but Michigan data on sentence length did not fit the study's definition. Since sentence length was critical to several statistics calculated

from data on first releases (for example, percent of sentence served), Michigan was excluded from all tables based on first releases.

Analysis of statutory rape laws

The publication's analysis of statutory rape laws in the United States benefited greatly from the report "Sexual Relationships Between Adult Males and Young Teen Girls: Exploring the Legal and Social Responses," by Sharon G. Elstein and Noy Davis, American Bar Association, Center on Children and the Law, October 1997.

Sampling error

In 1994 State prisons in 15 States released 302,309 prisoners altogether. A total of 38,624 were sampled for a recidivism study. Results of that study and information regarding sampling and other methodological details are available in the BJS publication *Recidivism of Prisoners Released in 1994*, NCJ 193427, June 2002.

The 302,309 total released consisted of 10,546 released sex offenders plus 291,763 released non-sex offenders. The 38,624 sample consisted of 10,546 released sex offenders plus 28,078 released non-sex offenders. The number of sex offenders in the sample was the same as the number in the 302,309 total because all sex offenders released in 1994 in the 15 States were selected for the study, not a sample of them.

Because no sampling was used to select sex offenders, numbers and percentages in this report for sex offenders were not subject to sampling error. However, comparisons in the report between sex offenders and non-sex offenders were subject to sampling error because sampling was used to select non-sex offenders. Where sex offenders were compared to all non-sex offenders released in 1994, sampling error was taken into account. All differences discussed were statistically significant at the .05 level.

Not all 10,546 sex offenders in the sample were used in the report. To be in the report, the sex offender had to be male and meet all 4 of the following criteria:

1. A RAP sheet on the prisoner was found in the State criminal history repository.
2. The released prisoner was alive throughout the entire 3-year followup period. (This requirement resulted in 21 sex offenders' being excluded.)
3. The prisoner's sentence was greater than 1 year (missing sentences were treated as greater than 1 year).
4. The State department of corrections that released the prisoner in 1994 did not designate him as any of the following release types: release to custody/detainer/warrant, absent without leave, escape, transfer, administrative release, or release on appeal.

A total of 9,691 released male sex offenders met the selection criteria. The number of them released in each State is shown in the appendix table.

Other methodological details

To help the reader understand the percentages provided in the report, both the numerator and denominator were often given. In most cases, the reader could then reproduce the percentages. For example, the report indicates 38.6% (3,741) of the 9,691 sex offenders were returned to prison.

Appendix table. Number of sex offenders released from State prisons in 1994 and number selected for this report, by State

State	Sex offenders released from prison in 1994	
	Total	Selected to be in this report
Total	10,546	9,691
Arizona	156	122
California	3,503	3,395
Delaware	53	45
Florida	1,053	965
Illinois	775	710
Maryland	277	243
Michigan	477	444
Minnesota	249	239
New Jersey	449	429
New York	799	692
North Carolina	508	441
Ohio	824	606
Oregon	452	408
Texas	708	692
Virginia	263	260

Note: "Total released" includes both male and female sex offenders; "Total selected to be in this report" includes only male sex offenders.

Using the 3,741 and the 9,691, the reader could exactly reproduce the results. However, the reader should be aware that in a few places, the calculated percentages will differ slightly from the percentages found in the report. This is due to rounding. For example, 43.0%, or 4,163, of the 9,691 sex offenders were rearrested; however, 4,163 / 9,691 is 42.96%, which was rounded to 43.0%.

Offense definitions and other methodological details are available in the BJS publication *Recidivism of Prisoners Released in 1994*, NCJ 193427, June 2002.

3-year followup period

For analytic purposes, "3 years" was defined as 1,096 days from the day of release from prison. Any rearrest, reconviction, or re-imprisonment occurring after 1,096 days from the 1994 release was not included. A conviction after 1,096 days was not counted even if it resulted from an arrest within the period.

Separating sex offenders into four types

The report gives statistics for four types of sex offenders. Separating sex offenders into the four types was done using information — in particular, the statute number for the imprisonment offense, the literal version of the statute, a numeric FBI code (called the "NCIC" code, short for "National Crime Information Center") indicating what the imprisonment offense was, and miscellaneous other information — available in the prison records on the 9,691 men. However, the prison records obtained for the study did not always contain all four pieces of information on the imprisonment offense. Moreover, the available offense information was not always detailed enough to reliably distinguish different types of sex offenders.

The process of sorting sex offenders into different types involved first creating the study's definitions of the four types, and then determining which State statute numbers, which literal versions of those statutes, and which NCIC codes conformed to the definitions. Each inmate was next classified into one of the types (or possibly into more than one type, since the four are not mutually exclusive) depending on whether the imprisonment offense information available on him fit the study's definition.

An obstacle to classifying sex offenders into types was that the labels "rape," "sexual assault," "child molestation," "statutory rape" were not widely used in

State statutes, and when they were used they did not always conform to the study's definitions of them. In deciding which type of sex offender to classify the prisoner as, importance was attached not to the label the law gave to his conviction offense, but to how well the law's definition of the offense fit the study's definition of the type.

Sex offenders compared to non-sex offenders

In 1994, prisons in 15 States released 272,111 prisoners, representing two-thirds of all prisoners released in the United States that year. Among the 272,111 were 262,420 released prisoners whose imprisonment offense was not a sex offense. Non-sex offenders include inmates, both male and female, who were in prison for violent crimes (such as murder or robbery), property crimes (such as burglary or motor vehicle theft), drug crimes, and public order offenses. Like the 9,691 male sex offenders examined in this report, all non-sex offenders were serving prison terms of one year or more in State prison when they were released in 1994.

At various places, this report compares 9,691 released male sex offenders to 262,420 released non-sex offenders. While labeled "non-sex offenders," the 262,420 actually includes a small number- 87- who are sex offenders. The 87 are all the female sex offenders released from prisons in the 15 States in 1994.

Ages of molested and allegedly molested children

Information on the ages of molested children was needed for two calculations: 1) age of the child the released sex offender was sent to prison for molesting, and 2) age of the child allegedly molested by the released sex offender during the 3-year follow-up period. The most frequent source of both was a sex statute: either the sex

statute the offender was imprisoned for violating, or the statute the released prisoner was charged with violating when he was rearrested for a sex crime. The former was obtained from the prison records assembled for the study; the latter, from the assembled arrest records.

None of the sex statutes was found to apply to a victim of a specific age; for example, just to 12-year-olds. But some were found to apply just to children in a certain age range; for example, under 12, or 13 to 15, or 16 to 17. While specific ages of children could not be obtained from statutes, the availability of information on age ranges at least made it possible to obtain approximate ages. The rule that was adopted was to record the victim's (or alleged victim's) age as the upper limit of a statute's age range. To illustrate, a statute might indicate that the complainant/victim be "at least 13 but less than 16 years of age." In that case, the age of the child was recorded as 15, since the statute indicated the upper limit of the age range as any age "less than 16." As another example, if a statute indicated the complainant/victim be "under 12 years of age," the child's age was recorded as 11, as the phrasing of the age range did not include 12-year-olds, only those "under 12." Because the victim (or alleged victim) was always assigned the age of the oldest person in the age range, the study made the victims (or alleged victims) appear older than they actually were.

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Recidivism of Sex Offenders Released from State Prison: A 9-Year Follow-Up (2005-14)

Marier Alper, Ph.D., and Matthew R. Durose, *BJS Statisticians*

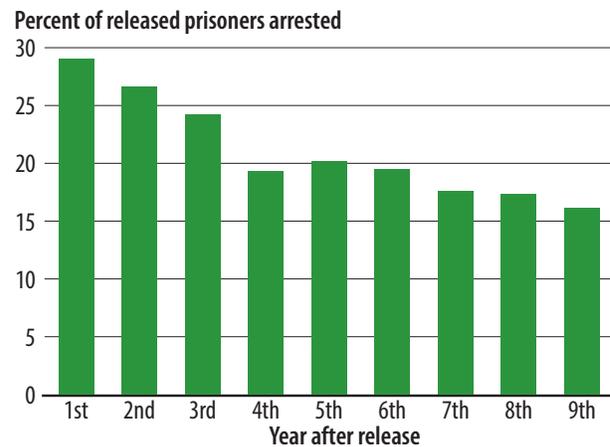
Among persons released from state prisons in 2005 across 30 states after serving a sentence for rape or sexual assault, 8% were arrested for rape or sexual assault during the 9 years after their release. Overall, 67% of sex offenders released in 2005 were arrested at least once for any type of crime during the 9-year follow-up period.¹

About 3 in 10 (29%) sex offenders released in 2005 were arrested during their first year after release (figure 1). About 1 in 5 (20%) were arrested during their fifth year after release, and nearly 1 in 6 (16%) were arrested during their ninth year.

The Bureau of Justice Statistics (BJS) used criminal-history data and prisoner records to analyze the post-release offending patterns of former prisoners both within and outside of the state where they were imprisoned. This is BJS's first recidivism study on sex offenders with a 9-year follow-up period.

¹For this report, "sex offenders" refers to released prisoners whose most serious commitment offense was rape or sexual assault.

FIGURE 1
Annual arrest percentage of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault



Note: The denominator is the 20,195 prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault. See table 7 for estimates and appendix table 9 for standard errors.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

HIGHLIGHTS

Within 9 years of their release from prison in 2005—

- Rape and sexual assault offenders were less likely than other released prisoners to be arrested, but they were more likely than other released prisoners to be arrested for rape or sexual assault.
- Released sex offenders were more than three times as likely as other released prisoners to be arrested for rape or sexual assault (7.7% versus 2.3%).
- About two-thirds (67%) of released sex offenders were arrested for any crime, compared to about five-sixths (84%) of other released prisoners.
- Half of released sex offenders had a subsequent arrest that led to a conviction.
- Released sex offenders accounted for 5% of releases in 2005 and 16% of arrests for rape or sexual assault during the 9-year follow-up period.
- Less than half of released sex offenders were arrested for any crime within the first 3 years, while more than two-thirds were arrested within 9 years.
- Eleven percent of released sex offenders were arrested at least once for any crime outside the state of release.
- Among released prisoners who had a prior arrest for a sex offense but were serving time for an offense other than a sex offense, 6.7% were subsequently arrested for rape or sexual assault.

This study compares released prisoners whose most serious commitment offense was rape or sexual assault to all other released prisoners, in terms of their characteristics and recidivism patterns. It also compares the characteristics and recidivism patterns of released sex offenders to those of released prisoners whose most serious commitment offense was assault.

Prisoners whose most serious commitment offense was a violent crime of rape, sexual assault, or assault (whether aggravated or simple) were involved in a generally nonfatal attack upon a person, whereas homicide involves a fatality, and robbery involves an attack with the aim of taking property. So, in addition to comparisons with other released prisoners as a whole, this report examines how the recidivism patterns of sex offenders compare to the recidivism patterns of prisoners released after serving time for a non-sexual assault. (See Methodology for offense definitions.)

Separate recidivism rates for prisoners released after serving time for rape or sexual assault against a child were unavailable because a large number of prison records did not distinguish between crimes against children and crimes against adults. Prisoners released after serving time for rape or sexual assault against a child are included with all other rape and sexual assault offenders. Released prisoners whose most serious commitment offense was a non-violent sex offense, such as prostitution or pornography, are included with public-order offenders.

This study was based on a sample of 67,966 released prisoners who were randomly sampled to represent the 401,288 state prisoners released in 30 states in 2005. These 30 states were responsible for 77% of all persons released from state prisons nationwide. (See map on page 15.) A total of 358,398 male prisoners and 42,890 female prisoners were released in the study's 30 states in 2005. These persons may have been serving time for more than one offense and were categorized by the offense with the longest maximum sentence. For instance, prisoners released after serving time for homicide and rape or sexual assault were categorized as homicide offenders if the sentence length for the homicide was longer.

Males accounted for 19,871 (98%) of the 20,195 prisoners released after serving time for rape or sexual assault in 2005 in the study's 30 states (table 1). This report examines the recidivism rates of male and female sex offenders separately in tables 10 to 13.

TABLE 1
Characteristics of prisoners released in 30 states in 2005, by most serious commitment offense

Characteristic	All prisoners	Most serious commitment offense		
		Rape/sexual assault	Assault	Offense other than rape/sexual assault
Sex				
Male	89.3%	98.4%	93.0%	88.8%
Female	10.7	1.6	7.0	11.2
Race/Hispanic origin				
White ^a	39.7%	52.1%	36.1%	39.1%
Black/African American ^a	40.1	27.2	38.0	40.8
Hispanic/Latino	17.7	17.2	22.5	17.7
Other ^{a,b}	2.4	3.5	3.4	2.4
Age at release				
24 or younger	17.7%	12.3%	19.4%	18.0%
25–29	19.4	15.9	21.3	19.6
30–34	16.0	14.1	17.1	16.1
35–39	15.7	14.0	14.9	15.8
40 or older	31.2	43.8	27.3	30.6
Median	34 yrs.	38 yrs.	32 yrs.	34 yrs.
Mean	35.0	38.8	34.0	34.8
Type of prison release				
Conditional	74.1%	67.9%	75.3%	74.4%
Unconditional	25.9	32.1	24.7	25.6
Maximum sentence length^c				
1–<2 years	19.2%	10.5%	12.9%	19.6%
2–<5 years	44.7	34.2	56.3	45.3
5–<10 years	22.1	28.0	20.4	21.8
10 years or more	14.0	27.3	10.4	13.3
Median	36 mos.	60 mos.	36 mos.	36 mos.
Number of prior arrests per released prisoner^d				
4 or fewer	24.8%	52.4%	25.0%	23.4%
5–9	30.3	26.6	30.2	30.5
10 or more	44.9	21.0	44.8	46.2
Median	9 arsts.	4 arsts.	9 arsts.	9 arsts.
Mean	11.0	6.3	10.8	11.3
At least one prior arrest for—				
Drug offense	70.7%	30.5%	57.9%	72.8%
Property offense	81.3	55.8	78.0	82.6
Number of released prisoners				
	401,288	20,195	38,468	381,093

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. Percentages exclude missing data. Data on prisoners' age at release were reported for 100% of cases; race/Hispanic origin, for 99.86%; type of prison release, for 98.19%; and maximum sentence length, for 99.72%. See appendix table 3 for standard errors.

^aExcludes persons of Hispanic/Latino origin (e.g., "white" refers to non-Hispanic whites and "black" refers to non-Hispanic blacks).

^bIncludes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

^cBased on the released prisoners' total maximum sentence length for all commitment offenses. Study excludes prisoners sentenced to less than one year.

^dIncludes arrests for any type of crime prior to the prisoners' date of release in 2005.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

Sex offenders were more likely than other released prisoners to receive longer sentences and to be granted unconditional releases

Rape or sexual assault was the most serious commitment offense for 5% of the 401,288 prisoners released in 30 states in 2005. (See appendix table 1.) In comparison, assault was the most serious commitment offense of 10% (38,468) of released prisoners.

The median sentence length among prisoners released in 30 states in 2005 after serving time for rape or sexual assault (60 months) was longer than the median sentence length among all prisoners (36 months) or prisoners released after serving time for assault (36 months). Twenty-seven percent of prisoners released after serving time for rape or sexual assault were serving a maximum sentence length of 10 years or more, compared to 10% of prisoners released after serving time for assault.

Sex offenders were more likely to be given unconditional releases than other offenders. About 1 in 3 (32%) sex offenders were granted an unconditional release and not placed on parole, probation, or some other form of community supervision, compared to about 1 in 4 (26%) offenders overall and 1 in 4 (25%) assault offenders. Among prisoners who were granted an unconditional release, 96% were released for an expiration of sentence, and the remaining 4% were commutations or other types of unconditional releases (not shown in tables).

The median age at release for sex offenders was 38

The demographic composition of prisoners released after serving time for rape or sexual assault differed from those released after serving time for other offenses. About half (52%) of sex offenders were white, compared to 36% of assault offenders and 40% of all offenders.

Criminal-history data were used to measure recidivism outcomes of former prisoners

This study uses several measures to examine the post-release offending patterns of former state prisoners, including new arrests and returns to prison. The recidivism patterns were examined in terms of post-release arrests for any type of offense and for the same type of offense for which the former prisoner had been serving time. These estimates do not include crimes that were not reported to the police or that did not result in an arrest.

Prisoners released in 2005 may not have been able to commit certain types of crimes for a portion of the 9-year period following their release because they were re-incarcerated. Data on the amount of time that the prisoners released in 30 states in 2005 spent in prison or jail during the 9-year follow-up period were not available for this study. The recidivism estimates include offenses that the released prisoners were charged with while incarcerated during the follow-up period.

The **cumulative arrest percentage** is the percentage of former prisoners who were arrested at least once during the follow-up period. For example, the cumulative arrest percentage for year-3 is the percentage of prisoners who had at least one arrest during the first, second, or third years following their release. This report also examines the cumulative percentage of prisoners who had a subsequent arrest that led to a court conviction and the cumulative percentage who returned to prison following release. Because not all arrests result in a conviction or reimprisonment, recidivism rates based on these measures are lower than those based on an arrest.

The **annual arrest percentage** is the percentage of released prisoners who were arrested at least once during a particular year within the follow-up period. The denominator for each percentage from years 1 through 9 is the total number of prisoners released in the 30 states during 2005. The numerator is the number of former prisoners arrested during the particular year, regardless of whether they had been arrested during a prior year.

The **annual percentage of first arrests** is the percentage of prisoners who had their first arrest following release during a specific year during the follow-up period. The denominator for each annual first-arrest percentage from years 1 through 9 is the total number of prisoners released in the 30 states in 2005. The numerator is the number of former prisoners arrested for the first time during each of those years (i.e., they had not been arrested during a prior year during the follow-up period). The sum of the annual first-arrest percentages during a follow-up period equals the cumulative arrest percentage for the same period.

The **volume of arrest offenses** is the total number of arrest offenses among the released prisoners during the follow-up period. A former prisoner may have had multiple arrests during the follow-up period, and a single arrest may have involved charges for more than one crime.

The median age at the time of release was older for sex offenders (age 38) than for all released prisoners (age 34) and for assault offenders (age 34). Forty-four percent of sex offenders were age 40 or older at release, compared to 27% of assault offenders and 31% of all offenders.

About half of sex offenders had 5 or more prior arrests and about a third had at least 1 prior drug arrest

About half (52%) of prisoners released after serving a sentence for rape or sexual assault had four or fewer arrests for any type of crime in their criminal history prior to their release in 2005, and about half (48%) had five or more prior arrests. On average, sex offenders had fewer prior arrests in their criminal history than assault offenders. The median number of prior arrests among sex offenders was four, compared to nine for assault offenders. Prior to their release, 31% of sex offenders had been arrested at least once for a drug offense and 56% for a property offense.

Sex offenders were less likely than other released prisoners to be arrested during the 9 years following release

An estimated 83% of the 401,288 prisoners released in 30 states in 2005 were arrested for a new crime within 9 years of release (table 2). The percentage of released prisoners arrested within 9 years for any type of crime after serving time for rape or sexual assault was 67%. That was higher than for prisoners released after serving time for homicide (60%) and lower than for prisoners released after serving time for robbery (84%) or assault (83%). Sex offenders (67%) were also less likely to be arrested following release than prisoners released after serving time for property (88%), drug (84%), or public-order (82%) offenses. Among released prisoners who were arrested during the 9-year follow-up period, 96% of sex offenders and 99% of all offenders were arrested for an offense other than a probation or parole violation (not shown in tables).

Among all 401,288 prisoners released in 30 states in 2005, 381,093 (95%) were serving time for offenses other than rape or sexual assault (i.e., their most serious commitment offense was not a violent sex offense). An estimated 84% of prisoners released after serving time for an offense other than rape or sexual assault were arrested for any type of offense during the 9-year follow-up period.

TABLE 2
Percent of prisoners released in 30 states in 2005 who were arrested within 9 years following release, by most serious commitment offense and types of post-release arrest charges

Most serious commitment offense	Post-release arrest offense								
	Any offense	Violent					Property	Drug	Public order
		Total violent ^a	Homicide	Rape/sexual assault	Robbery	Assault			
All prisoners	83.3%	39.1%	1.2%	2.6%	7.8%	31.3%	48.0%	48.0%	68.4%
Violent^a	78.1%	43.4%	1.4%	4.0%	9.2%	34.1%	39.6%	36.7%	65.0%
Homicide	60.0	29.5	2.7	1.9	4.3	23.1	24.4	26.1	45.8
Rape/sexual assault	66.9	28.1	0.2	7.7	3.8	18.7	24.2	18.5	58.9
Robbery	84.1	47.2	1.5	3.4	16.8	34.3	47.7	45.3	67.1
Assault	82.9	50.7	1.4	2.8	7.7	44.2	44.3	43.2	69.6
Property	87.8%	40.3%	1.0%	2.5%	9.1%	31.9%	63.5%	48.4%	72.4%
Drug	83.7%	34.0%	1.1%	1.6%	5.8%	28.0%	42.4%	60.4%	66.9%
Public order	81.8%	39.8%	1.3%	2.4%	6.7%	32.5%	42.5%	38.8%	70.1%
Rape/sexual assault*	66.9%	28.1%	0.2%	7.7%	3.8%	18.7%	24.2%	18.5%	58.9%
Offense other than rape/sexual assault^b	84.1% †	39.6% †	1.2% †	2.3% †	8.0% †	31.9% †	49.2% †	49.6% †	68.9% †

Note: The numerator for each percentage is the number of persons arrested for that offense during the 9-year follow-up period, and the denominator is the number released after serving time for each type of commitment offense. Persons could have been in prison for more than one offense, the most serious of which is reported. Details may not sum to totals because a person may be arrested more than once for different types of offenses and each arrest may involve more than one offense. See appendix table 4 for standard errors.

*Comparison group.

†Difference with comparison group (rape/sexual assault) is significant at the 95% confidence level.

^aIncludes other miscellaneous violent offenses that are not shown separately.

^bIncludes the 381,093 prisoners whose most serious commitment offense was an offense other than rape or sexual assault.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

Sex offenders were three times as likely as other offenders to be arrested for rape or sexual assault during the 9 years following release

Among all prisoners released across 30 states in 2005, 2.6% were arrested for rape or sexual assault during the 9-year follow-up period. Among prisoners released after serving time for rape or sexual assault, 7.7% were arrested for rape or sexual assault within 9 years of release. Prisoners released after serving time for rape or sexual assault (7.7%) were more than twice as likely to be arrested for rape or sexual assault during the 9-year follow-up period than prisoners released after serving time for robbery (3.4%), assault (2.8%), or homicide (1.9%). Overall, prisoners released after serving time for rape or sexual assault (7.7%) were more than three times as likely as other released prisoners (2.3%) to be arrested for rape or sexual assault during the 9 years following release.

Sex offenders were more likely to be arrested for an assault or a drug, property, or public-order offense than for rape or sexual assault during the 9 years after release. During the 9-year follow-up period, approximately 1 in 5 (19%) sex offenders were arrested at least once for assault, 1 in 4 (24%) were arrested for a property offense, and 1 in 5 (18%) were arrested for a drug offense, while 1 in 13 (7.7%) were arrested for a rape or sexual assault. The majority (59%) of prisoners released after serving time for rape or sexual assault were arrested for a public-order offense within 9 years.

In addition to the 20,195 prisoners released in 30 states in 2005 after serving time for rape or sexual assault, other prisoners released that year had prior arrests for rape or sexual assault in their criminal-history records.

Of the 381,093 prisoners released in 2005 after serving time for offenses other than rape or sexual assault, 25,948 (6.5%) had been arrested at least once for rape or sexual assault in their criminal history prior to being released in 2005 (not shown in tables).

Among the 25,948 prisoners released in 2005 whose most serious commitment offense was not rape or sexual assault but who had at least one prior arrest for rape or sexual assault, 6.7% were arrested for rape or sexual assault during the 9 years following release (not shown in tables). Of those prisoners released after serving time for offenses other than rape or sexual assault who had no prior arrests for rape or sexual assault, 2.0% were arrested for rape or sexual assault during the 9-year follow-up period.

Overall, a combined total of 46,144 prisoners released in 2005 either had been serving time for rape or sexual assault (20,195) or had been serving time for another type offense but had previously been arrested for rape or sexual assault (25,948). Of these 46,144 released prisoners, 7.2% were arrested for rape or sexual assault during the 9 years following release.

18% of sex offenders were arrested for the first time during years 4 through 9 after release

The cumulative arrest percentage among released sex offenders increased 18 percentage points when the follow-up period was extended from 3 to 9 years. About half (49%) of prisoners released after serving time for rape or sexual assault were arrested within 3 years, while 62% were arrested within 6 years (table 3). By the end of the 9-year follow-up period, the percentage

TABLE 3
Cumulative percent of prisoners released in 30 states in 2005 who were arrested following release, by year following release and most serious commitment offense

Year after release	Most serious commitment offense							
	All prisoners		Rape/sexual assault		Assault		Offense other than rape/sexual assault	
	Year of first arrest	Cumulative arrest percentage	Year of first arrest	Cumulative arrest percentage	Year of first arrest	Cumulative arrest percentage	Year of first arrest	Cumulative arrest percentage
1	43.8%	43.8%	29.0%	29.0%	43.2%	43.2%	44.5%	44.5%
2	16.2	60.0	12.9	41.9	16.2	59.4	16.4	60.9
3	8.3	68.3	7.0	48.9	8.5	67.9	8.4	69.3
4	5.1	73.4	4.9	53.8	5.6	73.5	5.2	74.4
5	3.5	76.9	4.4	58.2	4.1	77.5	3.5	77.9
6	2.3	79.3	3.6	61.8	2.1	79.6	2.3	80.2
7	1.7	80.9	2.0	63.8	1.5	81.2	1.7	81.8
8	1.3	82.3	1.9	65.7	1.1	82.3	1.3	83.1
9	1.0	83.3	1.2	66.9	0.7	82.9	1.0	84.1

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 5 for standard errors. Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

of sex offenders arrested after release had increased to 67%. Released sex offenders were less likely (49%) than other released prisoners (69%) to be arrested within 3 years but more likely to be arrested for the first time in years 4 through 9 (18% versus 15%).

Among prisoners released after serving time for rape or sexual assault who were arrested during the 9-year follow-up period, 63% were arrested for the first time during the first 2 years. Among prisoners released after serving time for an offense other than rape or sexual assault who were arrested during the 9-year follow-up period, 72% were arrested for the first time during the first 2 years (not shown in tables).

Sex offenders had a lower cumulative arrest percentage than assault offenders. During year-1, 29% of sex offenders were arrested, compared to 43% of assault offenders. By the end of year-9, 67% of sex offenders had been arrested, compared to 83% of assault offenders.

As with released prisoners as a whole, the longer sex offenders went without being arrested after release, the less likely they were to be arrested during the 9-year follow-up period. While 13% of sex offenders were arrested following release for the first time in year-2, that constituted 18% of the 71% who were not arrested in year-1 (not shown in tables). For those not arrested by the end of year-2, 12% were arrested by the end of year-3. Nine percent of those not arrested in years 1 through 5 were arrested in year-6. In year-9, 4% of the released sex offenders who went 8 years without an arrest were arrested.

Half of prisoners released after serving time for rape or sexual assault had an arrest within 9 years that led to a conviction

This study also examines the percentage of prisoners who had an arrest during the 9 years following release that resulted in a conviction. This measure was based on prisoners released from the 29 states in the study (all but Louisiana) that had the necessary data. (See *Methodology*.)

Sex offenders were less likely than all prisoners released in 2005 to have had a new arrest that resulted in a conviction after release. During the first 3 years after release, 28% of prisoners released after serving time for rape or sexual assault had a new arrest that led to a conviction, compared to 49% of all prisoners (table 4). At the end of the 9-year follow-up period, 50% of prisoners released after serving time for rape or sexual assault had a new arrest that led to a conviction, compared to 69% of all prisoners.

The percentage of sex offenders who had an arrest that led to a conviction within 9 years of release (50%) was about three-quarters of the percentage of sex offenders who were arrested within 9 years of release (67%).

TABLE 4
Cumulative arrest percentage of prisoners released in 29 states in 2005 after serving a sentence for rape/sexual assault or assault who had an arrest that led to a conviction after release

Year after release	All prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	25.4%	12.8%	22.4%
2	39.6	22.3	37.7
3	49.0	28.4	46.4
4	55.3	34.2	53.5
5	59.8	38.5	58.3
6	63.1	42.2	62.1
7	65.7	45.2	65.1
8	67.8	48.1	67.7
9	69.2	49.6	68.8

Note: Estimates based on time from release to first arrest that led to a conviction among prisoners released in 29 of the study's 30 states (all but Louisiana). Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 6 for standard errors.

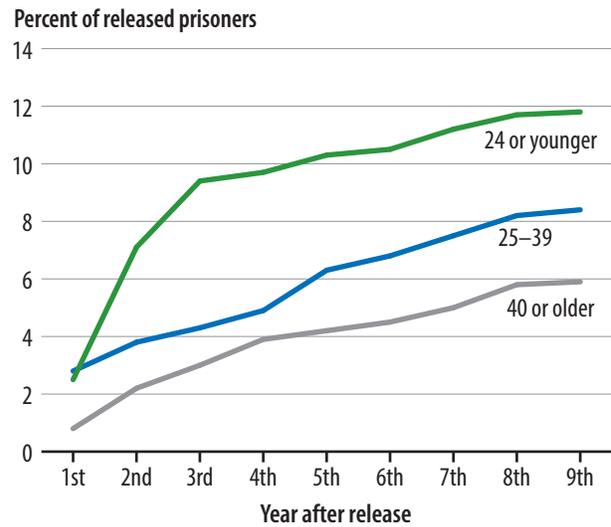
Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

Younger sex offenders were more likely than older sex offenders to be arrested for another sex offense post-release

Overall, 4.4% of sex offenders were arrested for another sex offense within 3 years following release (table 5). After 9 years following release, the percentage rose to 7.7%. Younger sex offenders (those age 24 or younger at the time of release) were more likely to be arrested for rape or sexual assault following release than older sex offenders (age 40 or older at the time of release).

Nearly 10% (9.4%) of sex offenders age 24 or younger at the time of their release were arrested for rape or sexual assault within 3 years of release, compared to 3.0% of those age 40 or older (figure 2). About half of those age 24 or younger who were arrested within 3 years of release for rape or sexual assault were arrested in year-2 alone (4.6%). Overall, within 9 years of release, sex offenders age 24 or younger were twice as likely to be arrested for rape or sexual assault (11.8%) as sex offenders age 40 or older (5.9%).

FIGURE 2
Cumulative percent of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault who were arrested for rape/sexual assault after release, by age and year after release



Note: Age groups are based on prisoners' age at time of release after serving a sentence for rape or sexual assault. See table 5 for estimates and appendix table 7 for standard errors.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

TABLE 5
Cumulative percent of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault who were arrested for rape/sexual assault after release, by age and year after release

Most serious commitment offense	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
All prisoners	0.5%	0.9%	1.2%	1.5%	1.8%	2.0%	2.2%	2.4%	2.6%
Prisoners released after serving a sentence for rape/sexual assault	1.9	3.5	4.4	5.1	5.9	6.3	6.9	7.6	7.7%
Age at release									
24 or younger	2.5	7.1	9.4	9.7	10.3	10.5	11.2	11.7	11.8
25–39	2.8	3.8	4.3	4.9	6.3	6.8	7.5	8.2	8.4
40 or older	0.8	2.2	3.0	3.9	4.2	4.5	5.0	5.8	5.9
Race/Hispanic origin									
White ^a	1.6	2.6	3.2	3.9	4.6	5.1	5.5	5.8	6.2
Black/African American ^a	1.7	4.4	4.6	6.0	6.5	6.8	7.7	9.7	9.7
Hispanic/Latino	3.3	4.9	7.5	7.5	8.1	8.1	8.6	8.6	8.6
Other ^{a,b}	1.0	2.6	3.8	4.1	4.5	4.7	6.7	6.7	6.9

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. Data on prisoners' sex and age at release were known for 100% of cases, and race/Hispanic origin was known for 99.86%. See appendix table 7 for standard errors.

^aExcludes persons of Hispanic/Latino origin (e.g., "white" refers to non-Hispanic whites and "black" refers to non-Hispanic blacks).

^bIncludes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

Measuring recidivism as a return to prison

In addition to arrests, returns to prison are another measure that can be used when studying prisoner recidivism. The Bureau of Justice Statistics (BJS) relies on a combination of criminal-history records from the Federal Bureau of Investigation and state repositories, along with prisoner records obtained from state departments of corrections through the National Corrections Reporting Program (NCRP), to estimate the percentage of released state prisoners who returned to prison.

BJS published a report in 2014 on state prisoners released in 2005 that used a 5-year follow-up period to examine offending patterns based on other recidivating events, including a conviction and return to prison.² The return-to-prison analysis for that report was based on prisoners released from the 23 states that could provide the necessary data. (See *Methodology*.) BJS used the annual 2005-10 NCRP files to supplement the criminal-history records with information on released prisoners who returned to prison for a probation or parole violation or a sentence for a new crime.

When BJS extended the follow-up period from 5 to 9 years, only 17 states could provide the

prison-admission data needed to identify returns to prison for the entire time frame. As a result, this report provides return-to-prison rates for only the first 5 years following release for the prisoners released in the 23 states with the necessary data. The 5-year return-to-prison rates of released sex offenders were not included in prior reports on prisoners released in 2005.

Prisoners released after serving time for rape or sexual assault had a lower 5-year return-to-prison rate than released prisoners overall. Among prisoners serving time for rape or sexual assault who were released in 2005 in the 23 states with available data on returns to prison, 35% had a parole or probation violation or an arrest for a new offense that led to imprisonment within 3 years, while 40% had one within 5 years. In comparison, 55% of all prisoners released in 2005 had a parole or probation violation or an arrest for a new offense that led to imprisonment within 5 years.

Due to limitations with the prison-admission data used for this study, it is not possible to distinguish between returns to prison for parole or probation violations and returns to prison for sentences for new crimes. It is also not possible to determine how many of the returns to prison were for rape or sexual assault (or other types of crimes).

²*Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010*, NCJ 244205, BJS web, April 2014.

Within 3 years of release, sex offenders with 10 or more prior arrests for any crime (5.7%) were not statistically significantly more likely to be arrested for rape or sexual assault than those with 5 to 9 prior arrests (4.5%) and those with 4 or fewer prior arrests (3.7%) (not shown in tables). Within 9 years of release, sex offenders with 10 or more prior arrests for any crime (10.4%) were not statistically significantly more likely to be arrested for rape or sexual assault than those with 5 to 9 prior arrests (8.3%) and those with 4 or fewer prior arrests (6.4%) (not shown in tables).

11% of prisoners released after serving time for rape or sexual assault were arrested at least once outside the state that released them

Five percent of prisoners released after serving time for rape or sexual assault were arrested outside of the state that released them, for any type of crime, during the first 3 years after release (table 6). During years 4 through 9, the out-of-state cumulative arrest rate increased to 11%. Among prisoners released after serving time for assault, 8% were arrested in another state within 3 years and 17% were arrested within 9 years. Fewer than 1% of sex offenders were arrested in another state for rape or sexual assault during the

9 years following release (not shown in tables). Of the released sex offenders arrested for a new crime during the 9-year follow-up period, 17% had been arrested out-of-state and 83% had been arrested only within the state that released them (not shown in tables).

TABLE 6
Cumulative percent of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault who were arrested outside the state of release, by year after release

Year after release	All prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	3.3%	2.1%	3.6%
2	5.7	3.4	6.4
3	7.7	5.2	8.4
4	9.3	6.7	10.2
5	10.8	8.2	11.9
6	12.1	9.4	13.1
7	13.3	10.1	14.4
8	14.4	10.6	15.6
9	15.4	11.4	16.7

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 8 for standard errors.

Source: Bureau of Justice Statistics, *Recidivism of State Prisoners Released in 2005* data collection, 2005–2014.

Annual arrest percentages among sex offenders declined during the 9 years following their release

Overall, 84% of sex offenders who were age 24 or younger at release were arrested for any type of crime within 9 years after release, compared to 72% of those ages 25 to 39 and 57% of those age 40 or older (table 7). Twenty-nine percent of all sex offenders were arrested during their first year after release, compared to 16% during their ninth year. Among sex offenders who were age 24 or younger at release, the annual arrest percentage declined from 43% in year-1 to 19%

in year-9. Roughly a third (33%) of sex offenders ages 25 to 39 were arrested during their first year after release, compared to about a sixth (17.5%) during their ninth year.

Thirty-five percent of sex offenders who were Hispanic were arrested in year-1, while the annual arrest rate declined by more than two-thirds to 11% in year-9. This decrease was larger than the decrease between years 1 and 9 for sex offenders who were white (from 24% to 13%) or who were black (from 35% to 26%).

TABLE 7
Annual arrest percentage of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault, by prisoner characteristics

Characteristic	Number of released prisoners	Total arrested within 9 years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
All prisoners	401,288	83.3%	43.8%	37.6%	34.2%	31.9%	30.0%	27.9%	27.2%	25.9%	24.0%
Prisoners released after serving a sentence for rape/sexual assault	20,195	66.9%	29.0%	26.6%	24.2%	19.3%	20.2%	19.5%	17.6%	17.3%	16.1%
Age at release											
24 or younger	2,486	83.8	42.9	37.5	29.7	21.2	26.9	21.9	25.5	27.5	18.7
25–39	8,867	72.0	32.7	30.4	27.5	21.7	23.1	22.5	19.3	17.5	17.5
40 or older	8,842	57.1	21.3	19.7	19.2	16.3	15.3	15.7	13.7	14.3	14.0
Race/Hispanic origin											
White ^a	10,499	61.3	23.8	22.0	20.1	16.7	16.4	17.2	14.0	15.9	12.8
Black/African American ^a	5,482	78.6	35.0	34.1	30.1	24.8	27.4	21.6	26.0	25.3	25.7
Hispanic/Latino	3,459	64.9	34.9	26.6	27.1	16.4	20.9	22.4	15.1	9.2	11.2
Other ^{a,b}	713	66.9	25.4	31.7	19.7	24.3	11.6	17.2	13.6	11.5	9.8
Prisoners released after serving a sentence for assault	38,468	82.9%	43.2%	38.1%	34.0%	32.4%	31.3%	29.0%	29.0%	28.4%	24.8%
Age at release											
24 or younger	7,468	87.3	50.9	43.5	35.4	31.0	35.5	29.1	25.8	29.1	27.4
25–39	20,511	85.2	44.1	39.1	36.1	33.8	32.2	30.0	32.1	30.8	26.7
40 or older	10,489	75.4	35.9	32.4	28.9	30.7	26.5	27.1	25.3	23.4	19.2
Race/Hispanic origin											
White ^a	13,841	80.3	38.8	34.5	32.5	29.7	30.9	29.7	27.5	26.6	23.1
Black/African American ^a	14,562	86.4	45.2	41.4	35.7	35.0	31.2	30.3	29.9	28.9	25.6
Hispanic/Latino	8,629	80.6	46.0	37.5	32.8	33.0	31.7	24.9	28.8	28.7	25.4
Other ^{a,b}	1,312	85.0	47.0	44.6	34.6	29.5	34.0	32.6	33.1	37.6	24.8

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. Percentages exclude missing data. Data on prisoners' age at release were reported for 100% of cases, and race/Hispanic origin was known for 99.86%. See appendix table 9 for standard errors.

^aExcludes persons of Hispanic/Latino origin (e.g., "white" refers to non-Hispanic whites and "black" refers to non-Hispanic blacks).

^bIncludes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

During the first year following release, 7% of sex offenders were arrested for a violent offense, 6% for a property offense, 4% for a drug offense, and 23% for a public-order offense (table 8). During the ninth year, these percentages fell to 3% each for a violent, property, or drug offense, and 13% for a public-order offense. During the 9 years after release, 28% of prisoners released after serving time for rape or sexual

assault were arrested for a violent crime at least once, compared to 59% arrested for a public-order crime, 24% for a property crime, and 18% for a drug crime. Sex offenders were arrested for a violent offense less often than assault offenders during each year after release. This pattern was also observed for arrests for property, drug, and public-order offenses.

TABLE 8

Annual arrest percentage of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault, by types of post-release arrest offenses

Most serious commitment offense and type of post-release arrest offense	Total arrested within 9 years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
Commitment offense: Rape or sexual assault										
Post-release arrest offense										
Violent	28.1%	6.6%	6.4%	5.3%	5.4%	5.3%	3.7%	4.1%	3.0%	2.6%
Property	24.2	5.7	5.7	4.7	4.0	4.7	3.8	4.2	4.5	3.1
Drug	18.5	4.2	4.5	3.8	1.9	3.3	3.0	3.1	3.1	3.3
Public order	58.9	23.4	20.9	19.5	15.3	14.7	14.7	13.9	13.4	13.0
Commitment offense: Assault										
Post-release arrest offense										
Violent	50.7%	12.9%	13.1%	10.4%	11.1%	11.6%	8.1%	8.6%	8.6%	7.5%
Property	44.3	12.5	10.7	11.1	8.8	7.9	8.0	8.7	8.9	8.3
Drug	43.2	11.5	12.1	7.8	9.2	8.7	8.1	8.7	9.0	8.0
Public order	69.6	30.9	25.1	23.2	22.4	20.0	19.3	19.2	19.6	16.3

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 10 for standard errors.
Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

Prisoners released after serving time for rape or sexual assault accounted for 16% of arrests for rape or sexual assault during the follow-up period

Prisoners released in 30 states in 2005 were arrested an estimated 2 million times during the 9 years after release. An arrest may involve charges for more than one offense. For instance, one arrest could include charges for a violent crime and a drug crime. These arrests included an estimated 2.9 million different types of offenses (table 9).

The majority of arrests for a specific type of crime did not involve those who had been in prison for the same type of offense. During the 9-year follow-up period, prisoners released after serving time for rape or sexual assault made up 16% of the approximately 12,000

arrests for rape or sexual assault that occurred among all prisoners released in 2005 in the study’s 30 states. Prisoners released after serving time for other offenses accounted for the remaining 84% of the arrests for rape or sexual assault during the 9-year follow-up period. Although sex offenders accounted for 16% of the post-release arrests for rape or sexual assault, they represented 5% of all those released from prison in 30 states in 2005. (See appendix table 1.)

During the 9 years after release, prisoners released after serving time for assault made up 15% of the 232,000 arrests for assault, and prisoners released after serving time for other offenses accounted for the remaining 85% of the assault arrests. Prisoners released after serving time for assault accounted for 10% of all released prisoners.

TABLE 9
Types of offenses for which prisoners were arrested within 9 years following release in 30 states in 2005, by most serious commitment offense

Post-release arrest offense	Number of post-release arrest offenses	Most serious commitment offense									
		Total	Violent					Other violent	Property	Drug	Public order
			Homicide	Rape/sexual assault	Robbery	Assault					
Any offense	2,900,000	100%	0.9%	2.8%	6.6%	9.8%	1.9%	35.1%	31.8%	11.2%	
Violent											
Total*	347,000	100%	1.3%	3.3%	8.8%	14.2%	2.8%	30.0%	26.5%	13.2%	
Homicide	5,000	100%	4.5	1.2	8.2	10.6	5.4	27.6	28.1	14.5	
Rape/sexual assault	12,000	100%	1.4	15.6	10.4	10.1	3.0	27.7	19.9	11.9	
Robbery	40,000	100%	1.0	2.2	16.3	9.4	1.8	35.1	23.8	10.4	
Assault	232,000	100%	1.3	2.7	7.5	15.5	2.6	29.9	27.1	13.6	
Property	688,000	100%	0.7%	1.8%	7.0%	7.4%	1.5%	47.0%	24.6%	10.0%	
Drug	673,000	100%	0.8%	1.5%	5.7%	7.7%	1.1%	29.4%	44.6%	9.2%	
Public order	1,193,000	100%	1.0%	3.9%	6.1%	11.1%	2.3%	33.0%	30.3%	12.3%	
Percent of all released prisoners		100%	1.9%	5.0%	7.2%	9.6%	2.1%	29.7%	31.9%	12.7%	

Note: An arrest may involve charges for more than one type of offense. Each unique offense category included in an arrest is counted once. There were an estimated 1,990,000 post-release arrests of the 401,288 prisoners released in 30 states in 2005, and these included approximately 2,900,000 different offenses. Persons could have been in prison for more than one offense, the most serious of which is reported. Number of post-release arrest offenses for each sub-category was rounded to the nearest 1,000. See appendix table 11 for standard errors.

*Includes other miscellaneous violent offenses, not shown separately.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

Almost 6% of male prisoners released in 30 states in 2005 were serving time for rape or sexual assault

Rape or sexual assault was the most serious commitment offense for 5.5% (19,871) of the 358,398 male prisoners released in 30 states in 2005 (table 10). The median age at the time of release in 2005 was older for male sex offenders (age 38) than for all male prisoners released in the 30 states (age 34) and male assault offenders (age 32). Forty-four percent of male sex offenders were age 40 or older at release, compared to 27% of male assault offenders and 31% of all male offenders.

TABLE 10
Characteristics of male prisoners released in 30 states in 2005, by most serious commitment offense

Characteristic	All male prisoners	Most serious commitment offense		Offense other than rape/sexual assault
		Rape/sexual assault	Assault	
Total	100%	100%	100%	100%
Race/Hispanic origin				
White ^a	38.4%	51.7%	36.1%	37.6%
Black/African American ^a	40.9	27.4	37.2	41.7
Hispanic/Latino	18.4	17.3	23.2	18.4
Other ^{a,b}	2.4	3.6	3.4	2.3
Age at release				
24 or younger	18.3%	12.3%	19.6%	18.7%
25–29	19.7	15.9	21.7	20.0
30–34	15.9	14.0	17.1	16.0
35–39	15.2	13.9	14.7	15.3
40 or older	30.8	44.0	26.9	30.1
Median	34 yrs.	38 yrs.	32 yrs.	34 yrs.
Mean	34.9	38.9	34.0	34.6
Type of prison release				
Conditional	74.3%	68.0%	76.0%	74.7%
Unconditional	25.7	32.0	24.0	25.3
Maximum sentence length^c				
1–<2 years	18.1%	10.4%	12.4%	18.6%
2–<5 years	44.6	34.4	56.4	45.2
5–<10 years	22.5	27.8	20.5	22.2
10 years or more	14.7	27.4	10.7	14.0
Median	39 mos.	60 mos.	36 mos.	36 mos.
Number of prior arrests per released prisoner^d				
4 or fewer	24.5%	52.0%	24.2%	22.8%
5–9	30.4	26.8	30.2	30.6
10 or more	45.2	21.2	45.6	46.6
Median	9 arsts.	4 arsts.	9 arsts.	9 arsts.
Mean	11.0	6.4	10.9	11.3
At least one prior arrest for—				
Drug offense	70.5%	30.6%	58.5%	72.9%
Property offense	81.2	56.1	78.6	82.7
Number of released prisoners	358,398	19,871	35,771	338,527

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. Percentages exclude missing data. Data on male prisoners' age at release were reported for 100% of cases; race/Hispanic origin, for 99.85%; type of prison release, for 98.21%; and maximum sentence length, for 99.72%. See appendix table 12 for standard errors.

^aExcludes persons of Hispanic/Latino origin (e.g., "white" refers to non-Hispanic whites and "black" refers to non-Hispanic blacks).

^bIncludes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

^cBased on the released prisoners' total maximum sentence length for all commitment offenses. Study excludes prisoners sentenced to less than one year.

^dIncludes arrests for any type of crime prior to the prisoners' date of release in 2005.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

Fewer than 1% of female prisoners released in 30 states in 2005 were serving time for rape or sexual assault

Fewer than 1% (324) of the 42,890 female prisoners released in 30 states in 2005 were serving time for rape or sexual assault (table 11). The median age at release for female sex offenders was 34, four years younger than the median age for male sex offenders. The median maximum sentence length for female sex offenders was 5 years, the same as for male sex offenders. Seventy-six percent of female sex offenders were white, compared to 52% of male sex offenders.

On average, female sex offenders had fewer prior arrests in their criminal history than male sex offenders. The median number of prior arrests among male sex offenders was four, compared to two for female sex offenders.

Nearly 8 in 10 (79%) female sex offenders had fewer than five arrests for any type of crime prior to their release in 2005, compared to about half (52%) of male sex offenders.

TABLE 11
Characteristics of female prisoners released in 30 states in 2005, by most serious commitment offense

Characteristic	All female prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
Total	100%	100%	100%
Race/Hispanic origin			
White ^a	51.0%	75.9%	35.5%
Black/African American ^a	33.9	14.3	47.9
Hispanic/Latino	12.3	8.6	13.0
Other ^{a,b}	2.9	1.2	3.6
Age at release			
24 or younger	12.0%	15.0%	17.2%
25–29	16.6	15.9	16.0
30–34	17.1	20.1	17.4
35–39	19.7	16.1	17.6
40 or older	34.6	32.8	31.8
Median	36 yrs.	34 yrs.	35 yrs.
Mean	36.0	35.7	34.8
Type of prison release			
Conditional	71.9%	62.7%	66.8%
Unconditional	28.1	37.3	33.2
Maximum sentence length^c			
1–<2 years	27.8%	17.8%	19.8%
2–<5 years	45.8	21.6	55.2
5–<10 years	18.3	36.6	18.3
10 years or more	8.1	24.0	6.7
Median	36 mos.	60 mos.	36 mos.
Number of prior arrests per released prisoner^d			
4 or fewer	28.0%	78.9%	35.5%
5–9	29.3	12.6	30.7
10 or more	42.7	8.5	33.8
Median	8 arsts.	2 arsts.	6 arsts.
Mean	10.8	3.8	9.0
At least one prior arrest for—			
Drug offense	72.0%	27.4%	49.8%
Property offense	81.8	36.4	69.8
Number of released prisoners	42,890	324	2,697

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. Percentages exclude missing data. Data on female prisoners' age at release were reported for 100% of cases; race/Hispanic origin, for 99.97%; and maximum sentence length, for 99.68%. See appendix table 13 for standard errors.

^aExcludes persons of Hispanic/Latino origin (e.g., "white" refers to non-Hispanic whites and "black" refers to non-Hispanic blacks).

^bIncludes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

^cBased on the released prisoners' total maximum sentence length for all commitment offenses. Study excludes prisoners sentenced to less than one year.

^dIncludes arrests for any type of crime prior to the prisoners' date of release in 2005.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

67% of male prisoners released after serving time for rape or sexual assault were arrested within 9 years

About half (49%) of male prisoners released after serving time for rape or sexual assault were arrested for any type of crime within 3 years, while 62% were arrested within 6 years (table 12). By the end of the 9-year follow-up period, the percentage of male sex offenders arrested after release had increased to 67%. At the end of the 9-year follow-up period, male sex offenders had a lower cumulative arrest percentage than all male prisoners (84%).

Four percent of male prisoners released after serving time for rape or sexual assault were arrested for rape or sexual assault within 3 years, while 8% were arrested for rape or sexual assault within 9 years (appendix table 18). Additional recidivism statistics on male sex offenders are available in appendix tables 16 to 22.

Among the 324 females released from state prisons after serving time for rape or sexual assault in 30 states in 2005, an estimated 29% were arrested for any type of crime at least once during the first year after release (table 13). Forty percent were arrested within 3 years of their release, while 50% were arrested within 6 years. By the end of the 9-year follow-up period, 54% of female sex offenders had been arrested after release. Female sex offenders had a lower 9-year cumulative arrest percentage than all female prisoners (77%). The sample of female sex offenders in this study included too few cases to provide reliable estimates on the percentage arrested for rape or sexual assault following release.

TABLE 12
Cumulative arrest percentage of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault who were arrested after release, by year after release

Year after release	All male prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	44.8%	29.0%	44.1%
2	61.1	42.0	60.3
3	69.4	49.1	68.9
4	74.4	53.9	74.5
5	77.9	58.4	78.5
6	80.2	62.0	80.6
7	81.8	64.0	82.1
8	83.1	65.9	83.1
9	84.0	67.1	83.8

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 14 for standard errors.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

TABLE 13
Cumulative arrest percentage of female prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault who were arrested after release, by year after release

Year after release	All female prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	35.1%	28.8%	31.5%
2	50.8	38.1	47.0
3	59.2	40.2	54.9
4	64.7	44.6	60.3
5	68.9	47.0	64.4
6	71.4	50.0	67.1
7	73.6	53.8	69.0
8	75.3	53.8	70.9
9	76.7	54.4	71.7

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 15 for standard errors.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

Methodology

Sampling

This study estimates the recidivism patterns of persons released in 2005 from state prisons in 30 states. States were included in this study if the state departments of corrections (DOCs) could provide the prisoner records and the Federal Bureau of Investigation (FBI) or state identification numbers on persons released from prison during 2005, through the National Corrections Reporting Program (NCRP), which is administered by the Bureau of Justice Statistics (BJS).

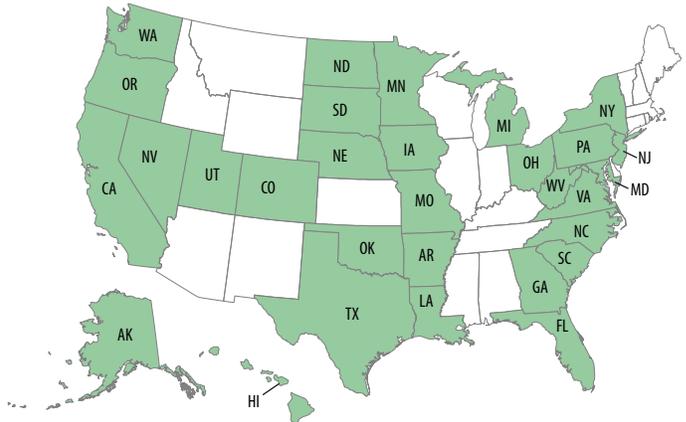
The fingerprint-based identification numbers were required to obtain the criminal-history records on released prisoners. Prisoner records also included each prisoner's sex, race, Hispanic origin, date of birth, confinement offenses, sentence length, type of prison release, and date of release. The 30 states with DOCs that submitted the NCRP data on prisoners released in 2005 were Alaska, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Iowa, Louisiana, Maryland, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, and West Virginia ([map 1](#)).

Across the 30 states in 2005, a total of 412,731 prisoners were released and were eligible for this study. That number excludes 131,997 prisoners (for a total of 544,728) who were sentenced to less than one year, were transferred to the custody of another authority, died in prison, were released on bond, were released to seek or participate in an appeal of a case, or escaped from prison or were absent without official leave. When a prisoner was released multiple times during the year, the first release during 2005 was used.

From the universe of prisoners released in 30 states in 2005 in this study, all males and females who were in prison for homicide were selected with certainty into the study. Analyses were completed to determine the number of prisoners released after serving time for non-homicide offenses that would be needed from each state's universe of released prisoners to yield a statistically sound estimate of that state's recidivism rates.

MAP 1

States included in the BJS recidivism study of prisoners released in 2005



Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

As a result, states contributed different numbers of records to the final sample. To achieve the desired state-level samples, lists of all males and females imprisoned for a non-homicide offense were sorted separately by race, Hispanic origin, age, most serious commitment offense, and the country in which the sentence was imposed. The within-state sampling rate for female prisoners was double that of males to improve the precision of female recidivism estimates. The combined number of persons in the 30 state samples totaled 70,878 individuals. (This number dropped to 67,966 after accounting for those who died during the subsequent 9 years, lacked criminal-history records, or had invalid release records.) Each prisoner in the sample was assigned a weight based on the probability of selection within the state.

Collecting and processing criminal-history data for recidivism research

BJS used the state and FBI identification numbers to collect the criminal-history records on the released prisoners through the FBI's Interstate Identification Index (III) via the International Justice and Public Safety Network (Nlets). These records contained arrests, from state and federal criminal-justice agencies across the 50 states and the District of Columbia, prior to and following prison releases in 2005. Nlets parsed

fields from individual criminal-history records into a relational database with a uniform record layout consisting of state- and federal-specific numeric codes and text descriptions (e.g., criminal statutes and case-outcome information).

NORC at the University of Chicago helped BJS standardize the content of the relational database into a uniform coding structure to support the national-level recidivism research. With the exception of vehicular manslaughter, driving under the influence or driving while intoxicated (DUI/DWI), and hit-and-run offenses, BJS excluded traffic violations from the study due to the variation in coverage of these events in state criminal-history records.

This study used the death information from the FBI's III and the Social Security Administration's public Death Master File to identify individuals who died during the 9-year follow-up period. BJS documented that 2,173 of the 70,878 sampled prisoners died during the 9-year follow-up period and removed these cases from the recidivism analysis along with four additional cases that were determined to be invalid release records.

Missing criminal-history records

Among the 68,701 sampled prisoners not identified as deceased during the follow-up period, BJS did not receive criminal-history records on a total of 735 prisoners (involving 27 of the study's 30 states) because either the state DOCs were unable to provide the prisoners' FBI or state identification number or the prisoner had an identification number that did not link to a criminal-history record either in the FBI or a state record repository. To account for the missing criminal-history records and to ensure the recidivism statistics were representative of all 68,701 prisoners in the analysis, BJS developed weighting-class adjustments to account for those prisoners without criminal-history information to reduce non-response bias.

To create the statistical adjustments, the 68,701 sampled prisoners were stratified into groups by crossing two categories of sex (male or female), five categories of age at release (24 or younger, 25 to 29, 30 to 34, 35 to 39, or 40 or older), four categories of race and Hispanic origin (non-Hispanic white, non-Hispanic black, Hispanic, or other race), and four categories of the most serious commitment offense (violent, property,

drug, or public order). Within each subgroup, statistical weights were applied to the data of the 67,966 prisoners with criminal-history information to allow their data to represent the 735 prisoners without criminal-history information.

Conducting tests of statistical significance

This study was based on a sample, not a complete enumeration, so the estimates are subject to sampling error. One measure of the sampling error associated with an estimate is the standard error. The standard error can vary from one estimate to the next. In general, an estimate with a smaller standard error provides a more accurate approximation of the true value than an estimate with a larger standard error. Estimates with relatively large standard errors should be interpreted with caution. BJS conducted tests to determine whether differences in the estimates were statistically significant once the sampling error was taken into account.

All differences discussed in this report are statistically significant at the 95% confidence level unless otherwise stated. Standard errors were generated using Stata, a statistical software package that calculates sampling errors for data from complex sample surveys.

Other measures of recidivism

In addition to new arrests, this study examined the recidivism patterns of former prisoners based on arrests within 9 years of exiting prison in 2005 that resulted in a subsequent court conviction. This measure is based on the time from release to the first date of arrest that led to a conviction, not the date of the conviction. The arrests that occurred within the follow-up period were tracked for 6 more months after year-9 to determine whether the case outcomes led to a subsequent conviction. This measure included prisoners released in 29 of the study's 30 states. Prisoners released in Louisiana were excluded because the disposition information from that state was generally not linked to the associated arrest.

The return-to-prison rates were based on prisoners released from 23 of the 30 states. The criminal-history data provided information on arrests that resulted in imprisonment during the follow-up period either within or outside of the state that released the prisoner, while the NCRP data provided

information on returns to prison for probation or parole violations or sentences for new crimes within the state that released them. Prisoners released in Maryland, Nebraska, Nevada, Ohio, Pennsylvania, and Virginia were excluded from the return-to-prison analysis because the complete prison-admission data needed to locate returns to prison during the first 5 years following release were unavailable. Prisoners released in Louisiana were also excluded from the return-to-prison analysis because the sentencing information in the criminal-history records was generally not linked to the associated arrest.

Comparing recidivism rates in this report to those from prior BJS studies

Given the increases in the number of states in the study and the length of the follow-up period, as well as improvements to the nation's criminal-history records over time, direct comparisons of the recidivism estimates from this study should not be made to those from BJS recidivism studies of previously released cohorts of prisoners.

Direct comparisons of the 9-year recidivism rates from this study on prisoners released in 30 states in 2005 to the 3-year rates from the previous BJS recidivism study on prisoners released in 15 states in 1994 should not be made due to differences in the two samples of prisoners. To control for the differences in the number of states in the studies and follow-up period lengths, BJS conducted analyses that limited the comparison to the 3-year cumulative arrest percentages among the prisoners released in the 11 states that provided the data for both studies (California, Florida, Michigan, Minnesota, New Jersey, New York, North Carolina, Ohio, Oregon, Texas, and Virginia).

Among the prisoners released in these 11 states in 1994 after serving time for rape or sexual assault, 5% of the prisoners were arrested for rape or sexual assault within 3 years. Of those released in these 11 states in 2005 after serving time for rape or sexual assault, 4% of the prisoners were arrested for rape or sexual assault within 3 years. The difference between these percentages was not statistically significant.

Due to efforts by the FBI and individual states to improve their criminal-history record systems, national criminal-history data may now capture more information on offenders' criminal activities than in the past. However, the potential effects of these improvements of the nation's criminal-history records on the observed recidivism rates are difficult to quantify.

For the 2005 study, BJS first used the prisoner records and criminal-history data to analyze the 5-year recidivism patterns. BJS extended the original 5-year follow-up period to 9 years to assess how recidivism patterns change with longer follow-up periods. Findings from this study were published in *2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period (2005-2014)* (NCJ 250975, BJS web, May 2018). Recidivism estimates in this report may differ slightly from previously published estimates on prisoners released in 2005 based on updates to the data used for the study.

Offense definitions

Violent offenses include homicide, rape or sexual assault, robbery, assault, and other miscellaneous or unspecified violent offenses.

Homicide includes murder, non-negligent and negligent manslaughter, and unspecified homicide offenses.

Rape or sexual assault includes (1) forcible intercourse (vaginal, anal, or oral) with a female or male; (2) forcible sodomy or penetration with a foreign object (sometimes called "deviate sexual assault"); (3) forcible or violent sexual acts not involving intercourse; (4) non-forcible sexual acts with a minor (such as statutory rape or incest with a minor); and (5) non-forcible sexual acts with someone unable to give legal or factual consent due to mental or physical defect or intoxication.

Robbery is the unlawful taking of property that is in the immediate possession of another, by force or the threat of force. Includes forcible purse-snatching but excludes non-forcible purse-snatching.

Assault includes aggravated, simple, and unspecified assault. Aggravated assault includes (1) intentionally and without legal justification causing serious bodily injury, with or without a deadly weapon; or (2) using a deadly or dangerous weapon to threaten, attempt, or cause bodily injury, regardless of the degree of injury, if any. It also includes attempted murder, aggravated battery, felonious assault, and assault with a deadly weapon. Simple assault includes intentionally and without legal justification causing less-than-serious bodily injury without a deadly or dangerous weapon, or attempting or threatening bodily injury without a dangerous or deadly weapon.

Property offenses include burglary, fraud or forgery, larceny, motor vehicle theft, and other miscellaneous or unspecified property offenses.

Drug offenses include possession, trafficking, and other miscellaneous or unspecified drug offenses.

Public-order offenses include violations of the peace or order of the community or threats to the public health or safety through unacceptable conduct, interference with a governmental authority, or the violation of civil rights or liberties. This category includes weapons offenses, DUI/DWI, probation and parole violations, obstruction of justice, commercialized vice, disorderly conduct, and other miscellaneous or unspecified offenses.

Arrests for probation and parole violations

In this report, arrests for probation and parole violations were included as public-order offenses. Excluding arrests for probation and parole violations from the analysis would have had only a small impact on the recidivism rates. Excluding arrests for probation and parole violations, 64.2% of state prisoners released in 2005 in 30 states after serving time for rape or sexual assault were arrested at least once within 9 years. By comparison, 66.9% of such released offenders were arrested within 9 years when including these arrests. In other words, 96% of the released sex offenders who were arrested during the 9-year follow-up period were arrested for an offense other than a probation or parole violation.

APPENDIX TABLE 1**Most serious commitment offense of prisoners released in 30 states in 2005, by sex of offender**

Most serious commitment offense	All prisoners		Male		Female	
	Number	Percent	Number	Percent	Number	Percent
Total	401,288	100%	358,398	100%	42,890	100%
Violent	103,197	25.7%	96,879	27.0%	6,317	14.7%
Homicide	7,569	1.9	6,869	1.9	700	1.6
Rape/sexual assault	20,195	5.0	19,871	5.5	324	0.8
Robbery	28,717	7.2	27,046	7.5	1,671	3.9
Assault	38,468	9.6	35,771	10.0	2,697	6.3
Other violent	8,247	2.1	7,323	2.0	924	2.2
Property	119,323	29.7%	103,013	28.7%	16,310	38.0%
Drug	127,890	31.9%	111,565	31.1%	16,325	38.1%
Public order	50,879	12.7%	46,940	13.1%	3,939	9.2%

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 2 for standard errors.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 2**Standard errors for appendix table 1: Most serious commitment offense of prisoners released in 30 states in 2005, by sex of offender**

Most serious commitment offense	All prisoners		Male		Female	
	Number	Percent	Number	Percent	Number	Percent
Total	44	~	42	~	13	~
Violent	1,053	0.26%	1,043	0.29%	149	0.35%
Homicide	1	--	3	--	3	0.01
Rape/sexual assault	535	0.13	534	0.15	36	0.08
Robbery	592	0.15	587	0.16	81	0.19
Assault	781	0.19	773	0.22	109	0.25
Other violent	361	0.09	354	0.10	68	0.16
Property	1,108	0.28%	1,086	0.30%	215	0.50%
Drug	1,116	0.28%	1,096	0.31%	214	0.50%
Public order	740	0.18%	732	0.20%	107	0.25%

--Less than 0.005%.

~Not applicable.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 3**Standard errors for table 1: Characteristics of prisoners released in 30 states in 2005, by most serious commitment offense**

Characteristic	Most serious commitment offense			
	All prisoners	Rape/sexual assault	Assault	Offense other than rape/sexual assault
Sex				
Male	0.003%	0.18%	0.30%	0.02%
Female	0.003	0.18	0.30	0.02
Race/Hispanic origin				
White	0.28%	1.37%	1.02%	0.29%
Black/African American	0.27	1.17	0.99	0.28
Hispanic/Latino	0.27	1.28	1.07	0.27
Other	0.09	0.52	0.41	0.09
Age at release				
24 or younger	0.22%	0.83%	0.84%	0.23%
25–29	0.24	0.98	0.90	0.24
30–34	0.22	0.93	0.83	0.23
35–39	0.22	0.95	0.78	0.23
40 or older	0.28	1.37	0.96	0.28
Mean	0.06 yrs.	0.32 yrs.	0.20 yrs.	0.06 yrs.
Type of prison release				
Conditional	0.17%	1.11%	0.74%	0.17%
Unconditional	0.17	1.11	0.74	0.17
Maximum sentence length				
1–<2 years	0.23%	0.86%	0.61%	0.24%
2–<5 years	0.29	1.38	1.02	0.29
5–<10 years	0.22	1.21	0.80	0.23
10 years or more	0.14	1.06	0.45	0.13
Number of prior arrests per released prisoner				
4 or fewer	0.20%	1.37%	0.80%	0.20%
5–9	0.26	1.23	0.97	0.27
10 or more	0.28	1.31	1.10	0.28
Mean	0.06 arsts.	0.22 arsts.	0.21 arsts.	0.06 arsts.
At least one prior arrest for—				
Drug offense	0.25%	1.36%	1.04%	0.25%
Property offense	0.20	1.34	0.80	0.20
Number of released prisoners	44	535	781	537

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 4

Standard errors for table 2: Percent of prisoners released in 30 states in 2005 who were arrested within 9 years following release, by most serious commitment offense and types of post-release arrest charges

Most serious commitment offense	Post-release arrest offense									
	Any offense	Violent							Drug	Public order
		Total violent	Homicide	Rape/sexual assault	Robbery	Assault	Property			
All prisoners	0.20%	0.29%	0.07%	0.10%	0.18%	0.28%	0.30%	0.30%	0.24%	
Violent	0.45%	0.59%	0.13%	0.24%	0.36%	0.57%	0.59%	0.59%	0.52%	
Homicide	0.06	0.06	0.02	0.02	0.02	0.05	0.05	0.05	0.06	
Rape/sexual assault	1.24	1.25	0.06	0.72	0.61	1.07	1.21	1.12	1.30	
Robbery	0.74	1.07	0.18	0.44	0.80	1.01	1.07	1.08	0.93	
Assault	0.76	1.09	0.25	0.36	0.62	1.08	1.09	1.09	0.91	
Property	0.33%	0.56%	0.12%	0.18%	0.36%	0.53%	0.54%	0.56%	0.45%	
Drug	0.35%	0.51%	0.12%	0.14%	0.28%	0.48%	0.53%	0.51%	0.45%	
Public order	0.56%	0.76%	0.20%	0.19%	0.46%	0.72%	0.77%	0.77%	0.66%	
Rape/sexual assault	1.24%	1.25%	0.06%	0.72%	0.61%	1.07%	1.21%	1.12%	1.30%	
Offense other than rape/sexual assault	0.20%	0.30%	0.07%	0.09%	0.18%	0.29%	0.31%	0.30%	0.24%	

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 5

Standard errors for table 3: Cumulative percent of prisoners released in 30 states in 2005 who were arrested following release, by year following release and most serious commitment offense

Year after release	Most serious commitment offense							
	All prisoners		Rape/sexual assault		Assault		Offense other than rape/sexual assault	
	Year of first arrest	Cumulative arrest percentage	Year of first arrest	Cumulative arrest percentage	Year of first arrest	Cumulative arrest percentage	Year of first arrest	Cumulative arrest percentage
1	0.29%	0.29%	1.36%	1.36%	1.10%	1.10%	0.29%	0.29%
2	0.21	0.27	0.90	1.38	0.78	1.02	0.22	0.27
3	0.15	0.25	0.64	1.37	0.57	0.95	0.15	0.25
4	0.11	0.23	0.47	1.35	0.45	0.88	0.12	0.23
5	0.09	0.22	0.57	1.31	0.38	0.82	0.09	0.22
6	0.07	0.21	0.49	1.28	0.24	0.80	0.07	0.21
7	0.06	0.21	0.32	1.26	0.17	0.78	0.06	0.21
8	0.05	0.20	0.26	1.25	0.17	0.77	0.06	0.20
9	0.05	0.20	0.28	1.24	0.12	0.76	0.05	0.20

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 6

Standard errors for table 4: Cumulative arrest percentage of prisoners released in 29 states in 2005 after serving a sentence for rape/sexual assault or assault who had an arrest that led to a conviction after release

Year after release	All prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	0.28%	1.00%	0.94%
2	0.30	1.18	1.08
3	0.31	1.25	1.09
4	0.30	1.32	1.08
5	0.29	1.34	1.05
6	0.29	1.36	1.03
7	0.28	1.36	1.00
8	0.28	1.36	0.97
9	0.27	1.36	0.96

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 8

Standard errors for table 6: Cumulative percent of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault who were arrested outside the state of release, by year after release

Year after release	All prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	0.09%	0.27%	0.38%
2	0.11	0.37	0.49
3	0.13	0.54	0.56
4	0.15	0.62	0.62
5	0.16	0.69	0.67
6	0.17	0.74	0.70
7	0.18	0.75	0.73
8	0.19	0.76	0.76
9	0.19	0.79	0.79

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 7

Standard errors for table 5 and figure 2: Cumulative percent of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault who were arrested for rape/sexual assault after release, by age and year after release

Most serious commitment offense	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
All prisoners	0.04%	0.06%	0.07%	0.07%	0.08%	0.09%	0.09%	0.09%	0.10%
Prisoners released after serving a sentence for rape/sexual assault	0.37%	0.47%	0.56%	0.63%	0.67%	0.67%	0.69%	0.72%	0.72%
Age at release									
24 or younger	0.75	1.92	2.44	2.45	2.46	2.46	2.46	2.50	2.50
25–39	0.77	0.82	0.85	0.87	1.01	1.02	1.04	1.06	1.07
40 or older	0.27	0.43	0.64	0.90	0.90	0.91	0.93	1.04	1.04
Race/Hispanic origin									
White	0.46	0.52	0.56	0.68	0.71	0.72	0.74	0.75	0.76
Black/African American	0.48	0.78	0.80	1.11	1.13	1.14	1.19	1.41	1.41
Hispanic/Latino	1.47	1.87	2.44	2.44	2.46	2.46	2.48	2.48	2.48
Other	0.39	0.95	1.16	1.19	1.25	1.28	1.67	1.67	1.69

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 9

Standard errors for table 7: Annual arrest percentage of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault, by prisoner characteristics

Characteristic	Number of released prisoners	Total arrested within 9 years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
All prisoners	44	0.20%	0.29%	0.29%	0.29%	0.29%	0.28%	0.28%	0.28%	0.27%	0.27%
Prisoners released after serving a sentence for rape/sexual assault	535	1.24%	1.36%	1.31%	1.30%	1.12%	1.14%	1.17%	1.12%	1.09%	1.10%
Age at release											
24 or younger	176	2.25	3.61	3.55	3.34	2.71	3.41	2.92	3.41	3.31	2.67
25–39	355	1.75	2.08	2.05	1.99	1.70	1.78	1.78	1.71	1.62	1.71
40 or older	374	2.07	2.01	1.88	1.98	1.77	1.59	1.80	1.62	1.62	1.67
Race/Hispanic origin											
White	356	1.63	1.68	1.56	1.57	1.38	1.32	1.45	1.30	1.35	1.26
Black/African American	267	1.79	2.48	2.46	2.46	2.16	2.31	2.05	2.34	2.37	2.45
Hispanic/Latino	295	4.01	4.24	4.13	4.08	3.26	3.55	3.78	3.35	2.63	2.85
Other	106	7.03	6.97	7.81	5.53	7.05	2.67	5.46	2.70	2.32	1.85
Prisoners released after serving a sentence for assault	781	0.76%	1.10%	1.09%	1.06%	1.05%	1.05%	1.03%	1.04%	1.04%	1.01%
Age at release											
24 or younger	351	1.49	2.37	2.40	2.31	2.20	2.35	2.18	2.06	2.22	2.23
25–39	599	1.01	1.53	1.51	1.50	1.48	1.46	1.45	1.49	1.49	1.43
40 or older	425	1.66	2.10	2.04	1.95	2.02	1.96	1.98	1.94	1.90	1.78
Race/Hispanic origin											
White	465	1.27	1.75	1.69	1.67	1.67	1.67	1.69	1.63	1.64	1.56
Black/African American	435	0.89	1.55	1.55	1.52	1.51	1.49	1.47	1.51	1.50	1.45
Hispanic/Latino	483	2.16	2.89	2.85	2.76	2.75	2.73	2.58	2.67	2.72	2.66
Other	159	4.28	6.07	6.17	5.80	5.15	5.80	5.79	5.79	6.01	5.01

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 10

Standard errors for table 8: Annual arrest percentage of prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault, by types of post-release arrest offenses

Most serious commitment offense and type of post-release arrest offense	Total arrested within 9 years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
Commitment offense: Rape or sexual assault										
Post-release arrest offense										
Violent	1.25%	0.76%	0.69%	0.67%	0.71%	0.65%	0.46%	0.53%	0.42%	0.41%
Property	1.21	0.72	0.65	0.65	0.59	0.66	0.56	0.62	0.65	0.47
Drug	1.12	0.67	0.66	0.59	0.30	0.49	0.53	0.56	0.54	0.55
Public order	1.30	1.31	1.26	1.25	1.06	1.02	1.08	1.08	1.00	1.06
Commitment offense: Assault										
Post-release arrest offense										
Violent	1.09%	0.74%	0.76%	0.66%	0.70%	0.73%	0.57%	0.61%	0.64%	0.60%
Property	1.09	0.75	0.69	0.71	0.62	0.57	0.61	0.66	0.68	0.66
Drug	1.09	0.77	0.78	0.58	0.68	0.68	0.65	0.71	0.72	0.71
Public order	0.91	1.09	1.03	1.00	0.99	0.96	0.95	0.95	0.97	0.90

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 11

Standard errors for table 9: Types of offenses for which prisoners were arrested within 9 years following release in 30 states in 2005, by most serious commitment offense

Post-release arrest offense	Number of post-release arrest offenses	Most serious commitment offense							
		Homicide	Rape/sexual assault	Robbery	Assault	Other violent	Property	Drug	Public order
Any offense	24,074	0.01%	0.17%	0.25%	0.39%	0.16%	0.57%	0.55%	0.34%
Violent									
Total	4,212	0.02%	0.24%	0.34%	0.57%	0.28%	0.65%	0.60%	0.44%
Homicide	335	0.29	0.32	1.08	1.87	2.04	3.25	2.75	2.28
Rape/sexual assault	504	0.06	1.53	1.38	1.20	0.66	1.86	1.80	1.25
Robbery	1,086	0.03	0.37	0.91	0.86	0.30	1.38	1.27	0.81
Assault	3,082	0.02	0.21	0.32	0.64	0.34	0.68	0.63	0.47
Property	7,651	0.01%	0.18%	0.30%	0.34%	0.15%	0.65%	0.55%	0.33%
Drug	8,728	0.01%	0.16%	0.30%	0.42%	0.13%	0.73%	0.77%	0.45%
Public order	12,873	0.01%	0.26%	0.30%	0.54%	0.22%	0.68%	0.68%	0.44%
Percent of all released prisoners		--	0.13	0.15	0.19	0.09	0.28	0.28	0.18

--Less than 0.005%.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 12**Standard errors for table 10: Characteristics of male prisoners released in 30 states in 2005, by most serious commitment offense**

Characteristic	All male prisoners	Most serious commitment offense		Offense other than rape/sexual assault
		Rape/sexual assault	Assault	
Race/Hispanic origin				
White	0.31%	1.39%	1.09%	0.32%
Black/African American	0.30	1.18	1.06	0.31
Hispanic/Latino	0.29	1.30	1.14	0.30
Other	0.10	0.52	0.43	0.10
Age at release				
24 or younger	0.25%	0.84%	0.89%	0.26%
25–29	0.26	1.00	0.96	0.27
30–34	0.24	0.94	0.89	0.25
35–39	0.24	0.96	0.83	0.25
40 or older	0.31	1.38	1.02	0.31
Mean	0.07 yrs.	0.33 yrs.	0.21 yrs.	0.07 yrs.
Type of prison release				
Conditional	0.18%	1.12%	0.78%	0.19%
Unconditional	0.18	1.12	0.78	0.19
Maximum sentence length				
1–<2 years	0.25%	0.88%	0.64%	0.26%
2–<5 years	0.32	1.40	1.09	0.32
5–<10 years	0.25	1.23	0.86	0.25
10 years or more	0.15	1.07	0.48	0.15
Number of prior arrests per prisoner				
4 or fewer	0.23%	1.39%	0.84%	0.22%
5–9	0.29	1.25	1.03	0.30
10 or more	0.31	1.33	1.17	0.31
Mean	0.07 arsts.	0.23 arsts.	0.23 arsts.	0.07 arsts.
At least one prior arrest for—				
Drug offense	0.28%	1.38%	1.11%	0.28%
Property offense	0.23	1.35	0.85	0.22
Number of released prisoners	42	534	773	536

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 13

Standard errors for table 11: Characteristics of female prisoners released in 30 states in 2005, by most serious commitment offense

Characteristic	All female prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
Race/Hispanic origin			
White	0.50%	4.64%	1.95%
Black/African American	0.47	3.29	2.07
Hispanic/Latino	0.41	3.77	1.78
Other	0.15	0.36	0.69
Age at release			
24 or younger	0.32%	4.17%	1.46%
25–29	0.38	3.25	1.56
30–34	0.38	4.28	1.62
35–39	0.41	4.24	1.61
40 or older	0.49	5.40	1.95
Mean	0.09 yrs.	1.04 yrs.	0.36 yrs.
Type of prison release			
Conditional	0.30%	5.29%	1.79%
Unconditional	0.30	5.29	1.79
Maximum sentence length			
1–<2 years	0.46%	4.14%	1.44%
2–<5 years	0.50	3.80	2.00
5–<10 years	0.34	5.70	1.48
10 years or more	0.17	4.56	0.73
Number of prior arrests per released prisoner			
4 or fewer	0.35%	4.96%	1.85%
5–9	0.45	3.87	1.94
10 or more	0.47	3.73	2.09
Mean	0.11 arsts.	0.50 arsts.	0.38 arsts.
At least one prior arrest for—			
Drug offense	0.40%	5.96%	2.08%
Property offense	0.34	5.19	1.78
Number of released prisoners			
	13	36	109

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 14

Standard errors for table 12: Cumulative arrest percentage of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault who were arrested after release, by year after release

Year after release	All male prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	0.32%	1.37%	1.17%
2	0.29	1.40	1.09
3	0.27	1.38	1.00
4	0.26	1.36	0.93
5	0.24	1.33	0.87
6	0.23	1.30	0.84
7	0.23	1.28	0.83
8	0.22	1.27	0.81
9	0.22	1.25	0.81

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 15

Standard errors for table 13: Cumulative arrest percentage of female prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault who were arrested after release, by year after release

Year after release	All female prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	0.49%	5.64%	2.04%
2	0.49	5.68	2.09
3	0.47	5.66	2.04
4	0.45	5.62	1.98
5	0.43	5.58	1.92
6	0.42	5.53	1.87
7	0.41	5.49	1.83
8	0.40	5.49	1.79
9	0.39	5.48	1.78

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 16

Percent of male prisoners released in 30 states in 2005 who were arrested within 9 years following release, by most serious commitment offense and types of post-release arrest offenses

Most serious commitment offense	Post-release arrest offense								
	Any offense	Violent					Property	Drug	Public order
		Total violent ^a	Homicide	Rape/sexual assault	Robbery	Assault			
All male prisoners	84.0%	40.9%	1.3%	2.9%	8.3%	32.8%	48.0%	48.6%	69.6%
Violent^a	78.8%	44.2%	1.4%	4.3%	9.5%	34.7%	39.6%	37.2%	65.8%
Homicide	61.9	30.7	2.9	2.1	4.5	23.9	25.2	27.3	47.6
Rape/sexual assault	67.1	28.4	0.2	7.9	3.9	18.8	24.4	18.7	59.0
Robbery	84.5	48.1	1.5	3.6	17.1	34.8	47.4	45.6	67.6
Assault	83.8	51.9	1.4	3.0	8.1	45.1	44.4	44.2	70.8
Property	88.8%	43.1%	1.1%	2.9%	9.8%	34.2%	64.1%	49.5%	74.0%
Drug	84.9%	36.1%	1.2%	1.8%	6.3%	29.8%	42.6%	61.5%	68.4%
Public order	82.3%	41.0%	1.4%	2.6%	7.0%	33.3%	42.5%	39.1%	71.0%
Rape/sexual assault*	67.1%	28.4%	0.2%	7.9%	3.9%	18.8%	24.4%	18.7%	59.0%
Offense other than rape/sexual assault^b	85.0% †	41.7% †	1.3% †	2.6% †	8.5% †	33.6% †	49.3% †	50.3% †	70.2% †

Note: The numerator for each percentage is the number of persons arrested for that offense during the 9-year follow-up period, and the denominator is the number released after serving time for each type of commitment offense. Persons could have been in prison for more than one offense, the most serious of which is reported. Details may not sum to totals because a person may be arrested more than once for different types of offenses and each arrest may involve more than one offense. See appendix table 1 for the number of released male prisoners by most serious commitment offense. See appendix table 23 for standard errors.

*Comparison group.

†Difference with comparison group (rape/sexual assault) is significant at the 95% confidence level.

^aIncludes other miscellaneous violent offenses, not shown separately.

^bIncludes the 338,527 male prisoners whose most serious commitment offense was an offense other than rape or sexual assault.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 17

Cumulative percent of male prisoners released in 29 states in 2005 after serving a sentence for rape/sexual assault or assault who had an arrest that led to a conviction after release

Year after release	All male prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	26.0%	12.9%	23.1%
2	40.3	22.4	38.7
3	49.9	28.7	47.5
4	56.2	34.5	54.7
5	60.8	38.9	59.4
6	64.1	42.5	63.4
7	66.7	45.3	66.4
8	68.7	48.3	69.1
9	70.1	49.7	70.0

Note: Estimates based on time from release to first arrest that led to a conviction among prisoners released in 29 of the study's 30 states (all but Louisiana). Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 24 for standard errors.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 18

Cumulative percent of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault who were arrested for rape/sexual assault after release, by age and year after release

Most serious commitment offense	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
All male prisoners	0.6%	1.0%	1.4%	1.7%	1.9%	2.2%	2.5%	2.7%	2.9%
Male prisoners released after serving a sentence for rape/sexual assault	1.9%	3.5%	4.4%	5.1%	6.0%	6.4%	7.0%	7.7%	7.9%
Age at release									
24 or younger	2.5	7.2	9.5	9.9	10.4	10.6	11.4	11.9	12.0
25–39	2.9	3.9	4.4	5.0	6.4	7.0	7.6	8.3	8.6
40 or older	0.8	2.2	3.0	4.0	4.3	4.6	5.0	5.9	6.0
Race/Hispanic origin									
White ^a	1.6	2.7	3.3	4.0	4.7	5.2	5.6	6.0	6.3
Black/African American ^a	1.7	4.4	4.6	6.0	6.6	6.9	7.8	9.7	9.7
Hispanic/Latino	3.4	5.0	7.6	7.6	8.2	8.2	8.6	8.7	8.7
Other ^{a,b}	0.8	2.4	3.7	3.9	4.3	4.6	6.5	6.5	6.8

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. Data on prisoners' sex and age at release were known for 100% of cases; and race/Hispanic origin, for 99.96%. See appendix table 25 for standard errors.

^aExcludes persons of Hispanic/Latino origin (e.g., "white" refers to non-Hispanic whites and "black" refers to non-Hispanic blacks).

^bIncludes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 19

Cumulative percent of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault who were arrested outside the state of release, by year after release

Year after release	All male prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	3.4%	2.1%	3.8%
2	5.9	3.5	6.5
3	7.9	5.3	8.6
4	9.6	6.8	10.4
5	11.1	8.3	12.2
6	12.5	9.5	13.4
7	13.7	10.2	14.7
8	14.8	10.8	15.9
9	15.8	11.5	17.1

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 26 for standard errors.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 20

Annual arrest percentage of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault, by prisoner characteristics

Characteristic	Number of released prisoners	Total arrested within 9 years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
All male prisoners	358,398	84.0%	44.8%	38.2%	34.7%	32.3%	30.4%	28.3%	27.6%	26.3%	24.3%
Male prisoners released after serving a sentence for rape/sexual assault	19,871	67.1%	29.0%	26.6%	24.3%	19.4%	20.4%	19.6%	17.7%	17.5%	16.3%
Age at release											
24 or younger	2,437	83.7	42.4	37.4	29.7	21.2	27.1	22.1	25.8	27.8	18.9
25–39	8,698	72.3	32.8	30.5	27.8	21.9	23.4	22.6	19.4	17.7	17.7
40 or older	8,736	57.3	21.5	19.7	19.3	16.4	15.4	15.9	13.8	14.4	14.1
Race/Hispanic origin											
White ^a	10,253	61.5	23.7	21.9	20.2	16.9	16.6	17.5	14.2	16.1	13.0
Black/African American ^a	5,435	78.9	35.2	34.1	30.3	24.9	27.6	21.6	26.0	25.5	25.8
Hispanic/Latino	3,431	65.1	34.8	26.7	27.3	16.2	21.0	22.4	15.1	9.2	11.3
Other ^{a,b}	709	66.7	25.2	31.7	19.7	24.1	11.3	17.1	13.5	11.4	9.7
Male prisoners released after serving a sentence for assault	35,771	83.8%	44.1%	38.7%	34.4%	32.8%	31.9%	29.7%	29.7%	29.0%	25.2%
Age at release											
24 or younger	7,005	88.2	52.2	45.2	36.3	31.0	36.1	29.8	25.9	29.9	28.0
25–39	19,134	85.9	44.7	39.3	36.3	34.3	32.8	30.5	32.8	31.1	27.1
40 or older	9,631	76.3	36.9	32.6	29.5	31.3	27.2	28.0	26.3	24.1	19.5
Race/Hispanic origin											
White ^a	12,884	81.1	39.5	34.7	32.9	29.8	31.5	30.3	27.9	26.9	23.3
Black/African American ^a	13,270	87.6	46.4	42.5	36.4	36.0	32.0	31.1	30.9	29.6	26.3
Hispanic/Latino	8,278	81.2	46.5	37.8	33.0	33.1	32.0	25.4	29.5	29.1	25.9
Other ^{a,b}	1,215	86.1	48.6	45.6	35.7	29.7	35.3	33.9	34.4	39.4	25.0

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. Percentages exclude missing data. Data on male prisoners' age at release were reported for 100% of cases; and race/Hispanic origin, for 99.85%. See appendix table 27 for standard errors.

^aExcludes persons of Hispanic/Latino origin (e.g., "white" refers to non-Hispanic whites and "black" refers to non-Hispanic blacks).

^bIncludes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 21

Annual arrest percentage of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault, by types of post-release arrest offenses

Most serious commitment offense and type of post-release arrest offense	Total arrested within 9 years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
Male prisoners released after serving a sentence for rape/sexual assault										
Violent	28.4%	6.7%	6.4%	5.4%	5.4%	5.3%	3.8%	4.1%	3.0%	2.6%
Property	24.4	5.7	5.7	4.7	4.0	4.7	3.9	4.3	4.5	3.1
Drug	18.7	4.3	4.6	3.9	1.9	3.3	3.0	3.1	3.2	3.3
Public order	59.0	23.4	20.9	19.6	15.3	14.8	14.8	14.0	13.5	13.1
Male prisoners released after serving a sentence for assault										
Violent	51.9%	13.3%	13.6%	10.7%	11.5%	12.1%	8.3%	8.9%	8.9%	7.5%
Property	44.4	12.6	10.7	11.1	8.9	7.8	7.9	8.7	8.8	8.5
Drug	44.2	11.9	12.3	7.9	9.4	9.0	8.3	8.9	9.2	8.2
Public order	70.8	31.6	25.6	23.6	22.7	20.4	19.9	19.8	20.2	16.7

Note: Persons could have been in prison for more than one offense, the most serious of which is reported. See appendix table 28 for standard errors.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 22

Types of offenses for which male prisoners were arrested within 9 years following release in 30 states in 2005, by most serious commitment offense

Most serious commitment offense	Arrest offense								
	Any offense	Total*	Violent						
			Homicide	Rape/sexual assault	Robbery	Assault	Property	Drug	Public order
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
Violent	22.9%	30.9%	29.9%	40.7%	31.4%	29.9%	19.3%	17.7%	25.3%
Homicide	0.9	1.3	4.4	1.4	1.1	1.3	0.7	0.8	1.0
Rape/sexual assault	3.0	3.4	1.2	15.8	2.3	2.8	2.0	1.6	4.2
Robbery	6.8	8.9	8.2	10.4	16.5	7.6	7.4	6.0	6.3
Assault	10.2	14.4	10.6	10.1	9.7	15.6	7.7	8.2	11.5
Other violent	1.9	2.8	5.5	3.0	1.8	2.6	1.5	1.1	2.3
Property	34.5%	29.6%	27.5%	27.5%	34.5%	29.6%	46.2%	28.8%	32.5%
Drug	31.2%	26.2%	28.0%	19.8%	23.5%	26.9%	24.1%	43.9%	29.6%
Public order	11.5%	13.4%	14.7%	12.0%	10.6%	13.6%	10.4%	9.6%	12.6%
Number of arrest offenses during the 9 years following release	2,644,000	329,000	5,000	12,000	38,000	219,000	613,000	606,000	1,096,000

Note: An arrest may involve charges for more than one type of offense. Each unique offense category included in an arrest is counted once. There were an estimated 1,809,000 post-release arrests of male prisoners released in 30 states in 2005, and these included approximately 2,644,000 different offenses. Persons could have been in prison for more than one offense, the most serious of which is reported. Number of post-release arrest offenses was rounded to the nearest 1,000. See appendix table 29 for standard errors.

*Includes other miscellaneous violent offenses, not shown separately.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 23

Standard errors for appendix table 16: Percent of male prisoners released in 30 states in 2005 who were arrested within 9 years following release, by most serious commitment offense and types of post-release arrest offenses

Most serious commitment offense	Post-release arrest offense								
	Any offense	Violent					Property	Drug	Public order
		Total violent	Homicide	Rape/sexual assault	Robbery	Assault			
All male prisoners	0.22%	0.32%	0.08%	0.11%	0.20%	0.31%	0.33%	0.33%	0.26%
Violent	0.47%	0.63%	0.14%	0.26%	0.38%	0.60%	0.62%	0.62%	0.55%
Homicide	0.19	0.18	0.06	0.06	0.08	0.17	0.17	0.17	0.19
Rape/sexual assault	1.25	1.27	0.06	0.74	0.62	1.09	1.22	1.14	1.32
Robbery	0.78	1.12	0.19	0.47	0.84	1.06	1.12	1.13	0.98
Assault	0.81	1.16	0.26	0.39	0.66	1.15	1.16	1.16	0.97
Property	0.37%	0.63%	0.14%	0.21%	0.41%	0.60%	0.61%	0.63%	0.50%
Drug	0.39%	0.57%	0.14%	0.16%	0.32%	0.54%	0.60%	0.57%	0.50%
Public order	0.59%	0.82%	0.22%	0.20%	0.50%	0.78%	0.83%	0.82%	0.70%
Rape/sexual assault	1.25%	1.27%	0.06%	0.74%	0.62%	1.09%	1.22%	1.14%	1.32%
Offense other than rape/sexual assault	0.22%	0.33%	0.08%	0.11%	0.20%	0.32%	0.34%	0.33%	0.27%

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 24

Standard errors for appendix table 17: Cumulative percent of male prisoners released in 29 states in 2005 after serving a sentence for rape/sexual assault or assault who had an arrest that led to a conviction after release

Year after release	All male prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	0.31%	1.03%	1.01%
2	0.33	1.21	1.16
3	0.34	1.29	1.17
4	0.33	1.36	1.15
5	0.32	1.38	1.13
6	0.32	1.40	1.10
7	0.31	1.40	1.07
8	0.30	1.41	1.04
9	0.30	1.40	1.03

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 26

Standard errors for appendix table 19: Cumulative percent of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault who were arrested outside the state of release, by year after release

Year after release	All male prisoners	Most serious commitment offense	
		Rape/sexual assault	Assault
1	0.10%	0.27%	0.41%
2	0.13	0.38	0.52
3	0.15	0.55	0.60
4	0.16	0.63	0.66
5	0.18	0.70	0.71
6	0.19	0.75	0.75
7	0.20	0.76	0.78
8	0.20	0.77	0.81
9	0.21	0.80	0.85

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 25

Standard errors for appendix table 18: Cumulative percent of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault who were arrested for rape/sexual assault after release, by age and year after release

Most serious commitment offense	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
All male prisoners	0.05%	0.06%	0.07%	0.08%	0.09%	0.10%	0.10%	0.10%	0.11%
Male prisoners released after serving a sentence for rape/sexual assault	0.38%	0.48%	0.57%	0.64%	0.68%	0.68%	0.70%	0.73%	0.74%
Age at release									
24 or younger	0.76	1.95	2.49	2.50	2.50	2.51	2.51	2.55	2.55
25–39	0.78	0.83	0.86	0.89	1.03	1.04	1.06	1.08	1.09
40 or older	0.28	0.44	0.64	0.91	0.92	0.92	0.94	1.05	1.05
Race/Hispanic origin									
White	0.47	0.54	0.57	0.70	0.72	0.74	0.76	0.77	0.78
Black/African American	0.49	0.79	0.80	1.12	1.14	1.15	1.20	1.42	1.42
Hispanic/Latino	1.48	1.88	2.46	2.46	2.48	2.48	2.50	2.50	2.50
Other	0.37	0.94	1.16	1.18	1.24	1.27	1.66	1.66	1.69

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 27

Standard errors for appendix table 20: Annual arrest percentage of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault, by prisoner characteristics

Characteristic	Number of released prisoners	Total arrested within 9 years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
All male prisoners	42	0.22%	0.32%	0.32%	0.32%	0.32%	0.31%	0.31%	0.31%	0.30%	0.30%
Male prisoners released after serving a sentence for rape/sexual assault	534	1.25%	1.37%	1.33%	1.32%	1.14%	1.16%	1.18%	1.14%	1.11%	1.11%
Age at release											
24 or younger	176	2.29	3.68	3.61	3.40	2.76	3.48	2.97	3.47	3.37	2.72
25–39	354	1.78	2.11	2.09	2.02	1.73	1.82	1.82	1.74	1.65	1.74
40 or older	373	2.09	2.03	1.90	2.00	1.79	1.61	1.82	1.64	1.64	1.69
Race/Hispanic origin											
White	354	1.66	1.71	1.59	1.60	1.41	1.35	1.48	1.33	1.38	1.29
Black/African American	267	1.80	2.50	2.48	2.48	2.17	2.33	2.07	2.36	2.38	2.47
Hispanic/Latino	295	4.04	4.27	4.16	4.11	3.29	3.58	3.81	3.37	2.66	2.87
Other	106	7.07	7.01	7.85	5.56	7.10	2.66	5.49	2.70	2.32	1.85
Male prisoners released after serving a sentence for assault	773	0.81%	1.17%	1.16%	1.13%	1.12%	1.12%	1.10%	1.11%	1.11%	1.07%
Age at release											
24 or younger	348	1.57	2.50	2.53	2.45	2.33	2.48	2.32	2.18	2.35	2.37
25–39	593	1.07	1.62	1.61	1.59	1.57	1.55	1.54	1.58	1.59	1.52
40 or older	420	1.78	2.26	2.19	2.10	2.18	2.11	2.13	2.09	2.05	1.92
Race/Hispanic origin											
White	461	1.34	1.85	1.79	1.77	1.78	1.78	1.80	1.73	1.75	1.66
Black/African American	429	0.95	1.66	1.68	1.64	1.63	1.61	1.59	1.64	1.62	1.57
Hispanic/Latino	480	2.24	2.99	2.95	2.86	2.85	2.83	2.68	2.77	2.82	2.76
Other	157	4.54	6.50	6.59	6.23	5.51	6.23	6.22	6.22	6.44	5.38

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 28

Standard errors for appendix table 21: Annual arrest percentage of male prisoners released in 30 states in 2005 after serving a sentence for rape/sexual assault or assault, by types of post-release arrest offenses

Most serious commitment offense and type of post-release arrest offense	Total arrested within 9 years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
Male prisoners released after serving a sentence for rape/sexual assault										
Violent	1.27%	0.78%	0.70%	0.68%	0.72%	0.66%	0.47%	0.54%	0.43%	0.42%
Property	1.22	0.73	0.66	0.66	0.60	0.67	0.57	0.63	0.66	0.48
Drug	1.14	0.68	0.67	0.60	0.30	0.50	0.54	0.57	0.55	0.55
Public order	1.32	1.33	1.28	1.27	1.08	1.03	1.10	1.09	1.01	1.08
Male prisoners released after serving a sentence for assault										
Violent	1.16%	0.79%	0.81%	0.71%	0.75%	0.79%	0.61%	0.66%	0.69%	0.64%
Property	1.16	0.80	0.74	0.75	0.66	0.61	0.64	0.70	0.72	0.71
Drug	1.16	0.83	0.83	0.62	0.73	0.73	0.70	0.76	0.76	0.75
Public order	0.97	1.16	1.10	1.07	1.05	1.02	1.01	1.01	1.04	0.96

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

APPENDIX TABLE 29

Standard errors for appendix table 22: Types of offenses for which male prisoners were arrested within 9 years following release in 30 states in 2005, by most serious commitment offense

Most serious commitment offense	Arrest offense								
	Any offense	Total	Homicide	Violent Rape/sexual assault	Robbery	Assault	Property	Drug	Public order
Violent	0.52%	0.70%	2.82%	2.07%	1.29%	0.75%	0.53%	0.59%	0.69%
Homicide	0.01	0.02	0.31	0.07	0.04	0.02	0.01	0.01	0.01
Rape/sexual assault	0.19	0.25	0.33	1.55	0.39	0.23	0.21	0.18	0.28
Robbery	0.27	0.35	1.10	1.39	0.95	0.34	0.33	0.33	0.33
Assault	0.42	0.60	1.91	1.21	0.90	0.67	0.37	0.46	0.58
Other violent	0.17	0.30	2.09	0.67	0.31	0.35	0.17	0.14	0.23
Property	0.61%	0.68%	3.34%	1.88%	1.44%	0.72%	0.72%	0.79%	0.73%
Drug	0.60%	0.63%	2.82%	1.82%	1.32%	0.66%	0.60%	0.84%	0.74%
Public order	0.38%	0.46%	2.34%	1.26%	0.85%	0.50%	0.37%	0.49%	0.47%
Number of arrest offenses during the 9 years following release	23,699	4,181	334	504	1,075	3,053	7,501	8,551	12,707

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Jeffrey H. Anderson is the director.

This report was written by Mariel Alper and Matthew R. Durose. Joshua Markman, a former BJS statistician, assisted with developing this study. Stephanie Mueller verified the report.

Caitlin Scoville and Jill Thomas edited the report. Tina Dorsey produced the report.

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48.65 Child care centers licensed; fees.

- (1) No person may for compensation provide care and supervision for 4 or more children under the age of 7 for less than 24 hours a day unless that person obtains a license to operate a child care center from the department. To obtain a license under this subsection to operate a child care center, a person must meet the minimum requirements for a license established by the department under s. 48.67, meet the requirements specified in s. 48.686, and pay the license fee under sub. (3). A license issued under this subsection is valid until revoked or suspended, but shall be reviewed every 2 years as provided in s. 48.66 (5).
- (2) This section does not include any of the following:
- (a) A parent, grandparent, greatgrandparent, stepparent, brother, sister, first cousin, nephew, niece, uncle, or aunt of a child, whether by blood, marriage, or legal adoption, who provides care and supervision for the child.
 - (am) A guardian of a child who provides care and supervision for the child.
 - (b) A public or parochial school or a tribal school.
 - (c) A person employed to come to the home of the child's parent or guardian for less than 24 hours a day.
 - (d) A county, city, village, town, school district or library that provides programs primarily intended for recreational or social purposes.
- (3)
- (a) Except as provided in par. (c), before the department may issue a license under sub. (1) to a child care center that provides care and supervision for 4 to 8 children, the child care center must pay to the department a biennial fee of \$60.50. Except as provided in par. (c), before the department may issue a license under sub. (1) to a child care center that provides care and supervision for 9 or more children, the child care center must pay to the department a biennial fee of \$30.25, plus a biennial fee of \$16.94 per child, based on the number of children that the child care center is licensed to serve. A child care center that wishes to continue a license issued under sub. (1) shall pay the applicable fee under this paragraph by the continuation date of the license. A new child care center shall pay the applicable fee under this paragraph no later than 30 days before the opening of the child care center.
 - (b) A child care center that wishes to continue a license issued under par. (a) and that fails to pay the applicable fee under par. (a) by the continuation date of the license or a new child care center that fails to pay the applicable fee under par. (a) by 30 days before the opening of the child care center shall pay an additional fee of \$5 per day for every day after the deadline that the child care center fails to pay the fee.
 - (c) An individual who is eligible for a fee waiver under the veterans fee waiver program under s. 45.44 is not required to pay a fee under par. (a) for a license under sub. (1).

History: 1983 a. 193; 1985 a. 29; 1987 a. 399; 1991 a. 39; 1995 a. 27, 289; 1997 a. 27, 35; 2005 a. 25, 232; 2009 a. 28, 185, 302; 2011 a. 209; 2017 a. 59.

Cross-reference: See also chs. DCF 250, 251, and 252, Wis. adm. code.

The distinction created by sub. (2) (b) between private parochial schools and other private schools is unconstitutional. *Milwaukee Montessori School v. Percy*, 473 F. Supp. 1358 (1979).

301.45 Sex offender registration.

(1d) DEFINITIONS. In this section:

- (a)** "Employed or carrying on a vocation" means employment or vocational activity that is full-time or part-time for a continuous period of time exceeding 14 days or for an aggregate period of time exceeding 30 days during any calendar year, whether financially compensated, volunteered or for the purpose of government or educational benefit.
- (am)** "Found to have committed a sex offense by another jurisdiction" means any of the following:
 1. Convicted or found not guilty or not responsible by reason of mental disease or defect for a violation of a law of another state that is comparable to a sex offense.
 2. Convicted or found not guilty by reason of mental disease or defect for a violation of a federal law that is comparable to a sex offense.
 3. Convicted or found not guilty or not responsible by reason of mental disease or defect in the tribal court of a federally recognized American Indian tribe or band for a violation that is comparable to a sex offense.
 4. Sentenced or found not guilty by reason of mental disease or defect by a court martial for a violation that is comparable to a sex offense.
- (b)** "Sex offense" means a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 944.18, 948.02 (1) or (2), 948.025, 948.05, 948.051, 948.055, 948.06, 948.07 (1) to (4), 948.075, 948.08, 948.085, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or 948.30, of s. 940.302 (2) if s. 940.302 (2) (a) 1. b.applies, or of s. 940.30 or 940.31 if the victim was a minor and the person who committed the violation was not the victim's parent.
- (c)** "Student" means a person who is enrolled on a full-time or part-time basis in any public, private, or tribal educational institution, including a secondary school, a business, trade, technical or vocational school, or an institution of higher education.

(1g) WHO IS COVERED. Except as provided in subs. (1m) and (1p), a person shall comply with the reporting requirements under this section if he or she meets one or more of the following criteria:

- (a)** Is convicted or adjudicated delinquent on or after December 25, 1993, for a sex offense.
- (b)** Is in prison, a juvenile correctional facility, or a secured residential care center for children and youth or is on probation, extended supervision, parole, supervision, community supervision, or aftercare supervision on or after December 25, 1993, for a sex offense.
- (bm)** Is in prison, a juvenile correctional facility, or a secured residential care center for children and youth or is on probation, extended supervision, parole, supervision, community supervision, or aftercare supervision on or after December 25, 1993, for a violation, or for the solicitation, conspiracy, or attempt to commit a violation, of a law of this state that is comparable to a sex offense.
- (c)** Is found not guilty or not responsible by reason of mental disease or defect on or after December 25, 1993, and committed under s. 51.20 or 971.17 for a sex offense.
- (d)** Is in institutional care or on conditional transfer under s. 51.35 (1) or conditional release under s. 971.17 on or after December 25, 1993, for a sex offense.
- (dd)** Is in institutional care or on conditional transfer under s. 51.35 (1) or conditional release under s. 971.17 on or after December 25, 1993, for a violation, or for the solicitation, conspiracy or attempt to commit a violation, of a law of this state that is comparable to a sex offense.
- (dh)** Is on parole, extended supervision, or probation in this state from another state under s. 304.13 (1m), 304.135, or 304.16 on or after December 25, 1993, for a violation, or for the solicitation, conspiracy, or attempt to commit a violation, of the law of another state that is comparable to a sex offense.
- (dj)** Is a juvenile in this state on or after May 9, 2000, and is on supervision in this state from another state pursuant to the interstate compact on the placement of children under ss. 48.988 and 48.989, the interstate compact for the placement of children under s. 48.99, or the interstate compact for juveniles under s. 938.999 for a violation of a law of another state that is comparable to a sex offense.
- (dL)** Is placed on lifetime supervision under s. 939.615 on or after June 26, 1998.
- (dp)** Is in institutional care under, or on parole from, a commitment for specialized treatment under ch. 975 on or after December 25, 1993.

- (dt) Is in institutional care or on supervised release under ch. 980 on or after June 2, 1994.
- (e) Is ordered by a court under s. 51.20 (13) (ct) 1m., 938.34 (15m) (am), 938.345 (3), 971.17 (1m) (b) 1m. or 973.048 (1m) to comply with the reporting requirements under this section.
- (em) Was required to register under s. 301.45 (1) (a), 1997 stats., based on a finding that he or she was in need of protection or services and is ordered to continue complying with the requirements of this section by a court acting under 1999 Wisconsin Act 89, section 107 (1) (c).
- (f) On or after December 1, 2000, is registered as a sex offender in another state or is registered as a sex offender with the federal bureau of investigation under 42 USC 14072 and is a resident of this state, a student in this state or employed or carrying on a vocation in this state.
- (g) Has been found to have committed a sex offense by another jurisdiction and, on or after December 1, 2000, is a resident of this state, a student in this state or employed or carrying on a vocation in this state. This paragraph does not apply if 10 years have passed since the date on which the person was released from prison or placed on parole, probation, extended supervision or other supervised release for the sex offense.
- (1m) EXCEPTION TO REGISTRATION REQUIREMENT; UNDERAGE SEXUAL ACTIVITY.**
- (a) A person is not required to comply with the reporting requirements under this section if any of the following applies:
- 1m.** All of the following apply:
- The person meets the criteria under sub. (1g) (a) to (dd) based on any violation, or on the solicitation, conspiracy or attempt to commit any violation, of s. 948.02 (1) or (2), 948.025, or 948.085 (2).
 - The violation, or the solicitation, conspiracy or attempt to commit the violation, of s. 948.02 (1) or (2), 948.025, or 948.085 (2) did not involve sexual intercourse, as defined in s. 948.01 (6), either by the use or threat of force or violence or with a victim under the age of 12 years.
 - At the time of the violation, or of the solicitation, conspiracy or attempt to commit the violation, of s. 948.02 (1) or (2), 948.025, or 948.085 (2), the person had not attained the age of 19 years and was not more than 4 years older or not more than 4 years younger than the child.
 - It is not necessary, in the interest of public protection, to require the person to comply with the reporting requirements under this section.
- 2m.** All of the following apply:
- The person meets the criteria under sub. (1g) (a) based on a violation, or on the solicitation, conspiracy or attempt to commit a violation, of s. 940.225 (3) (a).
 - At the time of the violation, or of the solicitation, conspiracy or attempt to commit the violation, of s. 940.225 (3) (a), the person had not attained the age of 19 years and the victim had attained the age of 15 years.
 - It is not necessary, in the interest of public protection, to require the person to comply with the reporting requirements under this section.
- (b) If a person believes that he or she is not required under par. (a) to comply with the reporting requirements under this section and the person is not before the court under s. 51.20 (13) (ct), 938.34 (15m), 971.17 (1m) (b) or 973.048, the person may move a court to make a determination of whether the person satisfies the criteria specified in par. (a). A motion made under this paragraph shall be filed with the circuit court for the county in which the person was convicted, adjudicated delinquent or found not guilty or not responsible by reason of mental disease or defect.
- (be) A person who files a motion under par. (b) or s. 51.20 (13) (ct) 2m., 938.34 (15m) (bm), 971.17 (1m) (b) 2m. or 973.048 (2m) requesting a determination of whether the person is required to comply with the reporting requirements under this section shall send a copy of the motion to the district attorney for the county in which the motion is filed. The district attorney shall make a reasonable attempt to contact the victim of the crime that is the subject of the person's motion to inform the victim of his or her right to make or provide a statement under par. (bv).
- (bm) A court shall hold a hearing on a motion made by a person under par. (b) or s. 51.20 (13) (ct) 2m., 938.34 (15m) (bm), 971.17 (1m) (b) 2m. or 973.048 (2m) requesting a determination of whether the person is required to comply with the reporting requirements under this section. The district attorney who receives a copy of a motion under par. (be) may appear at the hearing.
- (bv) Before deciding a motion filed under par. (b) or s. 51.20 (13) (ct) 2m., 938.34 (15m) (bm), 971.17 (1m) (b) 2m. or 973.048 (2m) requesting a determination of whether the person is required to comply with the reporting

971.17(1j)

(1j) SEXUAL ASSAULT; LIFETIME SUPERVISION.

(a) In this subsection, "serious sex offense" has the meaning given in s. 939.615 (1) (b).

(b) If a person is found not guilty by reason of mental disease or defect of a serious sex offense, the court may, in addition to committing the person to the department of health services under sub. (1), place the person on lifetime supervision under s. 939.615 if notice concerning lifetime supervision was given to the person under s. 973.125 and if the court determines that lifetime supervision of the person is necessary to protect the public.

975.06 Commitment to the department.

(1)

- (a) If the department recommends specialized treatment for the defendant's mental or physical aberrations, the court shall order a hearing on the issue of the need for specialized treatment unless such hearing is expressly waived by the defendant. The hearing shall be conducted by the court or as provided in par. (b). The court may consider any department rule established in accordance with ch. 227 establishing criteria for recommending specialized treatment. The defendant shall be afforded the opportunity to appear with counsel; process to compel the attendance of witnesses and the production of evidence; and a physician, or clinical psychologist of defendant's choosing to examine the defendant and testify in defendant's behalf. If unable to provide counsel or expert witness, the court shall appoint such to represent or examine the defendant.
- (b) The hearing shall be to a jury, unless the defendant waives a jury. The number of jurors shall be determined under s. 756.06 (2) (b). The procedure shall be substantially like a jury trial in a civil action. The judge may instruct the jurors in the law. No verdict is valid or received unless agreed to and signed by five-sixths of the jurors. At the time of ordering a jury to be summoned, the court shall fix the date of hearing, which date shall be not less than 30 days nor more than 40 days after the demand for the jury was made. The court shall submit to the jury the following form of verdict:

STATE OF WISCONSIN

.... County

Members of the Jury:

Do you find from the evidence that the defendant (Insert name) is in need of specialized treatment? Answer "Yes" or "No".

- (2) If, upon completion of the hearing as required in sub. (1), it is found that the defendant is in need of specialized treatment the court shall commit the defendant to the department. The court may stay execution of the commitment and place the defendant on probation under ch. 973 with a condition of probation that the defendant receive treatment in a manner to be prescribed by the court. If the defendant is not placed on probation, the court shall order the defendant conveyed by the proper county authorities, at county expense, to the sex crimes law facility designated by the department.
- (3) Probation under sub. (2) shall be construed as a commitment to the department for the purposes of continuation of control as provided in this chapter.
- (4) If, upon the completion of the hearing required in sub. (1), it is found that the defendant is not in need of such specialized treatment the court shall sentence the defendant as provided in ch. 973.
- (5) If records of the department are required for any hearing under this chapter, they shall be made available upon a subpoena directed to the coordinator of the special review board of the department, who may respond in person or designate an agent to produce the records of the department.
- (6) Persons committed under this section who are also encumbered with other sentences, whether concurrent with or consecutive to the commitment, may be placed by the department in any of the facilities listed in s. 975.08 (2) or (3) (a). Such facilities may be regarded as state prisons for the purpose of beginning the other sentences, crediting time served on them, and computing parole eligibility dates.
- (7) If the defendant is not subject to a court order determining the defendant to be not competent to refuse medication or treatment for the defendant's mental condition and if the facility to which the defendant is conveyed under sub. (2) determines that the defendant should be subject to such a court order, the facility may file with the court with notice to the counsel for the defendant, the defendant and the district attorney, a motion for a hearing, under the standard specified in s. 51.61 (1) (g) 4., on whether the defendant is not competent to refuse medication or treatment. A report on which the motion is based shall accompany the motion and notice of motion and shall include a statement signed by a licensed physician that asserts that the defendant needs medication or treatment and that the defendant is not competent to refuse medication or treatment, based on an examination of the defendant by a licensed physician. Within 10 days after a motion is filed under this subsection, the court without a jury shall determine the defendant's competency to refuse medication or treatment. At the request of the defendant, the defendant's counsel or the district attorney, the hearing may be postponed, but in no case may the postponed hearing be held more than 20 days after a motion is filed under this subsection. If the district attorney, the defendant and defense counsel waive their respective opportunities to present other evidence on the issue, the court shall determine without a jury the defendant's competency to refuse medication or treatment on the basis of the report accompanying the motion. In the absence of these waivers, the court shall hold an evidentiary hearing on the issue.

Upon consent of all parties and approval by the court for good cause shown, testimony may be received into the record of the hearing by telephone or live audiovisual means. If the state proves by evidence that is clear and convincing that the defendant is not competent to refuse medication or treatment, under the standard specified in s. 51.61 (1) (g) 4., the court shall make a determination and issue as part of the defendant's commitment order an order that the defendant is not competent to refuse medication or treatment and that whoever administers the medication or treatment to the defendant shall observe appropriate medical standards.

History: 1973 c. 44; 1975 c. 155, 199, 200; 1977 c. 318; 1977 c. 447 s. 210; 1981 c. 20; 1989 a. 31; 1995 a. 268; Sup. Ct. Order No. 96-08, 207 Wis. 2d xv (1997); 1999 a. 85.

Legislative Council Note, 1975: This bill inserts provisions for a jury trial in the procedures to commit (s. 975.06) and recommit (s. 975.14) convicted defendants for special treatment under the Sex Crimes Law. In *State ex rel. Farrell v. Stovall* (1973), 59 Wis. 2d 148, the Wisconsin Supreme Court ruled, on equal protection grounds, that hearings on commitment and recommitment under the Sex Crimes Law must give the defendant the same rights as a proceeding under Ch. 51 (commitment for mental illness); i.e., a hearing on the issue to a jury. This bill provides for a 12-person jury, but allows the defendant to request a 6-person jury or waive a jury. It also requires that jury verdicts favoring special treatment must be agreed to by five-sixths of the jurors. The five-sixths requirement is drawn from ch. 51, and is also the standard for civil actions (see s. 270.25 [805.09 (2)]). [Bill 259-A]

A commitment to the department does not constitute cruel and unusual punishment. *Howland v. State*, 51 Wis. 2d 162, 186 N.W.2d 319 (1971).

The defendant is entitled to a jury determination on the question of his sexual deviancy at his initial commitment and any recommitment under s. 975.14. The procedure is substantially like a jury trial in a civil action. Some distinctions as to judicial review and release are still permitted. *State ex rel. Farrell v. Stovall*, 59 Wis. 2d 148, 207 N.W.2d 809 (1973).

A defendant, convicted of rape, committed while out on bail awaiting a new trial on a prior rape charge, who was placed on probation and ordered to receive outpatient treatment as a sex deviate upon the department's recommendation, did not, after retrial and conviction of the first offense and a change in the department's report, establish trial court abuse of discretion in committing him to the department. *Cousins v. State*, 62 Wis. 2d 217, 214 N.W.2d 315 (1974).

A court may impose a criminal sentence consecutive to a sex crimes commitment. *State v. Kruse*, 101 Wis. 2d 387, 305 N.W.2d 85 (1981).

975.07 The effect of appeal from a judgment of conviction.

- (1) The right of a defendant to appeal from the judgment of conviction is not affected by this chapter.
- (2) If a person who has been convicted and committed to the department appeals from a conviction, the execution of the commitment to the department shall not be stayed by the appeal except as provided in sub. (3).
- (3) If the committing court is of the opinion that the appeal was taken in good faith and that the question raised merits review by the appellate court, or when there has been filed with the court a certificate that a judge of an appellate court is of the opinion that questions have been raised that merit review, the judge of the court in which the person was convicted, or in the case of the judge's incapacity to act, the judge by whom the certificate was filed, may direct that such person be released on bond under such conditions as, in the judge's opinion, will insure the person's submission to the control of the department at the proper time if it is determined on the appeal that the department is entitled to custody.

History: 1993 a. 486.

939.615 Lifetime supervision of serious sex offenders.

(1) DEFINITIONS. In this section:

- (a)** "Department" means the department of corrections.
- (b)** "Serious sex offense" means any of the following:
 - 1. A violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2), or (3), 948.02 (1) or (2), 948.025 (1), 948.05 (1) or (1m), 948.051, 948.055 (1), 948.06, 948.07, 948.075, 948.08, 948.085, 948.11 (2) (a), 948.12, or 948.13 or of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.
 - 2. A violation, or the solicitation, conspiracy or attempt to commit a violation, under ch. 940, 942, 943, 944 or 948 other than a violation specified in subd. 1., if the court determines that one of the purposes for the conduct constituting the violation was for the actor's sexual arousal or gratification.

(2) WHEN LIFETIME SUPERVISION MAY BE ORDERED.

- (a)** Except as provided in par. (b), if a person is convicted of a serious sex offense or found not guilty of a serious sex offense by reason of mental disease or defect, the court may, in addition to sentencing the person, placing the person on probation or, if applicable, committing the person under s. 971.17, place the person on lifetime supervision by the department if notice concerning lifetime supervision was given to the person under s. 973.125 and if the court determines that lifetime supervision of the person is necessary to protect the public.
- (b)** A court may not place a person on lifetime supervision under this section if the person was previously placed on lifetime supervision under this section for a prior conviction for a serious sex offense or a prior finding of not guilty of a serious sex offense by reason of mental disease or defect and that previous placement on lifetime supervision has not been terminated under sub. (6).
- (c)** If the prosecutor is seeking lifetime supervision for a person who is charged with committing a serious sex offense specified in sub. (1) (b) 2., the court shall direct that the trier of fact find a special verdict as to whether the conduct constituting the offense was for the actor's sexual arousal or gratification.

(3) WHEN LIFETIME SUPERVISION BEGINS. Subject to sub. (4), the period of lifetime supervision on which a person is placed under this section shall begin at whichever of the following times is applicable:

- (a)** If the person is placed on probation for the serious sex offense, upon his or her discharge from probation.
- (b)** If the person is sentenced to prison for the serious sex offense, upon his or her discharge from parole or extended supervision.
- (c)** If the person is sentenced to prison for the serious sex offense and is being released from prison because he or she has reached the expiration date of his or her sentence, upon his or her release from prison.
- (d)** If the person has been committed to the department of health services under s. 971.17 for the serious sex offense, upon the termination of his or her commitment under s. 971.17 (5) or his or her discharge from the commitment under s. 971.17 (6), whichever is applicable.
- (e)** If par. (a), (b), (c) or (d) does not apply, upon the person being sentenced for the serious sex offense.

(4) ONLY ONE PERIOD OF LIFETIME SUPERVISION MAY BE IMPOSED. If a person is being sentenced for more than one conviction for a serious sex offense, the court may place the person on one period of lifetime supervision only. A period of lifetime supervision ordered for a person sentenced for more than one conviction begins at whichever of the times specified in sub. (3) is the latest.

(5) STATUS OF PERSON PLACED ON LIFETIME SUPERVISION; POWERS AND DUTIES OF DEPARTMENT.

- (a)** A person placed on lifetime supervision under this section is subject to the control of the department under conditions set by the court and regulations established by the department that are necessary to protect the public and promote the rehabilitation of the person placed on lifetime supervision.
- (am)** The department may temporarily take a person on lifetime supervision into custody if the department has reasonable grounds to believe that the person has violated a condition or regulation of lifetime supervision. Custody under this paragraph may last only as long as is reasonably necessary to investigate whether the person violated a condition or regulation of lifetime supervision and, if warranted, to refer the person to the appropriate prosecuting agency for commencement of prosecution under sub. (7).
- (b)** The department shall charge a fee to a person placed on lifetime supervision to partially reimburse the department for the costs of providing supervision and services. The department shall set varying rates for persons placed on

lifetime supervision based on ability to pay and with the goal of receiving at least \$1 per day, if appropriate, from each person placed on lifetime supervision. The department may decide not to charge a fee while a person placed on lifetime supervision is exempt as provided under par. (c). The department shall collect moneys for the fees charged under this paragraph and credit those moneys to the appropriation account under s. 20.410 (1) (gh).

(c) The department may decide not to charge a fee under par. (b) to any person placed on lifetime supervision while he or she meets any of the following conditions:

1. Is unemployed.
2. Is pursuing a full-time course of instruction approved by the department.
3. Is undergoing treatment approved by the department and is unable to work.
4. Has a statement from a physician certifying to the department that the person should be excused from working for medical reasons.

(6) PETITION FOR TERMINATION OF LIFETIME SUPERVISION.

(a) Subject to par. (b), a person placed on lifetime supervision under this section may file a petition requesting that lifetime supervision be terminated. A person shall file a petition requesting termination of lifetime supervision with the court that ordered the lifetime supervision.

(b)

1. A person may not file a petition requesting termination of lifetime supervision if he or she has been convicted of a crime that was committed during the period of lifetime supervision.
2. A person may not file a petition requesting termination of lifetime supervision earlier than 15 years after the date on which the period of lifetime supervision began. If a person files a petition requesting termination of lifetime supervision at any time earlier than 15 years after the date on which the period of lifetime supervision began, the court shall deny the petition without a hearing.

(c) Upon receiving a petition requesting termination of lifetime supervision, the court shall send a copy of the petition to the district attorney responsible for prosecuting the serious sex offense that was the basis for the order of lifetime supervision. Upon receiving a copy of a petition sent to him or her under this paragraph, a district attorney shall conduct a criminal history record search to determine whether the person has been convicted of a criminal offense that was committed during the period of lifetime supervision. No later than 30 days after the date on which he or she receives the copy of the petition, the district attorney shall report the results of the criminal history record search to the court and may provide a written response to the petition.

(d) After reviewing the report of the district attorney submitted under par. (c) concerning the results of a criminal history record search, the court shall do whichever of the following is applicable:

1. If the report of the district attorney indicates that the person filing the petition has been convicted of a criminal offense that was committed during the period of lifetime supervision, the court shall deny the person's petition without a hearing.
2. If the report of the district attorney indicates that the person filing the petition has not been convicted of a criminal offense that was committed during the period of lifetime supervision, the court shall order the person to be examined under par. (e), shall notify the department that it may submit a report under par. (em) and shall schedule a hearing on the petition to be conducted as provided under par. (f).

(e) A person filing a petition requesting termination of lifetime supervision who is entitled to a hearing under par. (d) 2. shall be examined by a person who is either a physician or a psychologist licensed under ch. 455 and who is approved by the court. The physician or psychologist who conducts an examination under this paragraph shall prepare a report of his or her examination that includes his or her opinion of whether the person petitioning for termination of lifetime supervision is a danger to public. The physician or psychologist shall file the report of his or her examination with the court within 60 days after completing the examination, and the court shall provide copies of the report to the person filing the petition and the district attorney who received a copy of the person's petition under par. (c). The contents of the report shall be confidential until the physician or psychologist testifies at a hearing under par. (f). The person petitioning for termination of lifetime supervision shall pay the cost of an examination required under this paragraph.

(em) After it receives notification from the court under par. (d) 2., the department may prepare and submit to the court a report concerning a person who has filed a petition requesting termination of lifetime supervision. If the department prepares and submits a report under this paragraph, the report shall include information concerning the person's conduct while on lifetime supervision and an opinion as to whether lifetime supervision of the person is still necessary to protect the public. When a report prepared under this paragraph has been received by

the court, the court shall, before the hearing under par. (f), disclose the contents of the report to the attorney for the person who filed the petition and to the district attorney. When the person who filed the petition is not represented by an attorney, the contents shall be disclosed to the person.

- (f) A hearing on a petition requesting termination of lifetime supervision may not be conducted until the person filing the petition has been examined and a report of the examination has been filed as provided under par. (e). At the hearing, the court shall take evidence it considers relevant to determining whether lifetime supervision should be continued because the person who filed the petition is a danger to the public. The person who filed the petition and the district attorney who received the petition under par. (c) may offer evidence relevant to the issue of the person's dangerousness and the continued need for lifetime supervision.
 - (g) The court may grant a petition requesting termination of lifetime supervision if it determines after a hearing under par. (f) that lifetime supervision is no longer necessary to protect the public.
 - (h) If a petition requesting termination of lifetime supervision is denied after a hearing under par. (f), the person may not file a subsequent petition requesting termination of lifetime supervision until at least 3 years have elapsed since the most recent petition was denied.
 - (i) If the court grants a petition requesting termination of lifetime supervision and the person is registered with the department under s. 301.45, the court may also order that the person is no longer required to comply with the reporting requirements under s. 301.45. This paragraph does not apply to a person who must continue to comply with the reporting requirements for life under s. 301.45 (5) (b) or for as long as he or she is in this state under s. 301.45 (5m) (b).
- (7) PENALTY FOR VIOLATION OF A CONDITION OF LIFETIME SUPERVISION.**
- (a) No person placed on lifetime supervision under this section may knowingly violate a condition or regulation of lifetime supervision established by the court or by the department.
 - (b)
 1. Except as provided in subd. 2., whoever violates par. (a) is guilty of a Class A misdemeanor.
 2. Whoever violates par. (a) is guilty of a Class I felony if the same conduct that violates par. (a) also constitutes a crime that is a felony.

History: 1997 a. 275; 1999 a. 3, 89; 2001 a. 109; 2005 a. 277; 2007 a. 20 s. 9121 (6) (a); 2007 a. 116; 2013 a. 362.

CHAPTER 980

SEXUALLY VIOLENT PERSON COMMITMENTS

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980.01 Definitions. In this chapter:

- (1b)** "Act of sexual violence" means conduct that constitutes the commission of a sexually violent offense.
- (1d)** "Agency with jurisdiction" means the agency with the authority or duty to release or discharge the person.
- (1e)** "Assisted living facility" has the meaning given in s. 101.123 (1) (ab).
- (1g)** "Child care facility" means a child care facility that is operated by a person licensed under s. 48.65 or certified under s. 48.651 or that is established or contracted for under s. 120.13 (14).
- (1h)** "Department" means the department of health services.
- (1j)** "Incarceration" includes confinement in a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured residential care center for children and youth, as defined in s. 938.02 (15g), if the person was placed in the facility for being adjudicated delinquent under s. 48.34, 1993 stats., or under s. 938.183 or 938.34 on the basis of a sexually violent offense.
- (1m)** "Likely" means more likely than not.
- (2)** "Mental disorder" means a congenital or acquired condition affecting the emotional or volitional capacity that predisposes a person to engage in acts of sexual violence.
- (2m)** "Nursing home" has the meaning given in s. 50.01 (3).
- (3)** "Petitioner" means the agency or person that filed a petition under s. 980.02.

- (3d)** "Place of worship" means a church building where religious services are held.
- (3g)** "Public park" means a park or playground that is owned or maintained by the state or by a city, village, town, or county.
- (3m)** "School premises" has the meaning given in s. 948.61 (1) (c).
- (4)** "Secretary" means the secretary of health services.
- (4m)** "Serious child sex offender" means a person who has been convicted, adjudicated delinquent or found not guilty or not responsible by reason of insanity or mental disease, defect or illness for committing a violation of a crime specified in s. 948.02 (1) or (2), 948.025 (1), or 948.085 against a child who had not attained the age of 13 years.
- (5)** "Sexually motivated" means that one of the purposes for an act is for the actor's sexual arousal or gratification or for the sexual humiliation or degradation of the victim.
- (6)** "Sexually violent offense" means any of the following:
- (a)** Any crime specified in s. 940.225 (1), (2), or (3), 948.02 (1) or (2), 948.025, 948.06, 948.07, or 948.085.
 - (am)** An offense that, prior to June 2, 1994, was a crime under the law of this state and that is comparable to any crime specified in par. (a).
 - (b)** Any crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19 (2), (4), (5), or (6), 940.195 (4) or (5), 940.30, 940.305, 940.31, 941.32, 943.10, 943.32, or 948.03 that is determined, in a proceeding under s. 980.05 (3) (b), to have been sexually motivated.
 - (bm)** An offense that, prior to June 2, 1994, was a crime under the law of this state, that is comparable to any crime specified in par. (b) and that is determined, in a proceeding under s. 980.05 (3) (b), to have been sexually motivated.
 - (c)** Any solicitation, conspiracy, or attempt to commit a crime under par. (a), (am), (b), or (bm).
- (7)** "Sexually violent person" means a person who has been convicted of a sexually violent offense, has been adjudicated delinquent for a sexually violent offense, or has been found not guilty of or not responsible for a sexually violent offense by reason of insanity or mental disease, defect, or illness, and who is dangerous because he or she suffers from a mental disorder that makes it likely that the person will engage in one or more acts of sexual violence.
- (8)** "Significant progress in treatment" means that the person is doing all of the following:
- (a)** Meaningfully participating in the treatment program specifically designed to reduce his or her risk to reoffend offered at a facility described under s. 980.065.
 - (b)** Participating in the treatment program at a level that is sufficient to allow the identification of his or her specific treatment needs and demonstrating, through overt behavior, a willingness to work on addressing the specific treatment needs.
 - (c)** Demonstrating an understanding of the thoughts, attitudes, emotions, behaviors, and sexual arousal linked to his or her sexual offending and an ability to identify when the thoughts, emotions, behaviors, or sexual arousal occur.
 - (d)** Demonstrating sufficiently sustained change in the thoughts, attitudes, emotions, and behaviors and sufficient management of sexual arousal such that one could reasonably assume that, with continued treatment, the change could be maintained.
- (9)** "Substantially probable" means much more likely than not.
- (10)** "Treating professional" means a licensed physician, licensed psychologist, licensed social worker, or other mental health professional who provides, or supervises the provision of, sex offender treatment at a facility described under s. 980.065.
- (11)** "Youth center" means any center that provides, on a regular basis, recreational, vocational, academic, or social services activities for persons younger than 18 years old or for those persons and their families.

History: 1993 a. 479; 1995 a. 27 s. 9126 (19); 1997 a. 284, 295; 2003 a. 187; 2005 a. 277, 2005 a. 434 ss. 60 to 73; 2007 a. 20 s. 9121 (6) (a); 2007 a. 96, 97; 2013 a. 84; 2015 a. 156.

Chapter 980 creates a civil commitment procedure primarily intended to provide treatment and protect the public, not to punish the offender. As such the chapter does not provide for "punishment" in violation of the constitutional prohibitions against double jeopardy or ex post facto laws. *State v. Carpenter*, 197 Wis. 2d 252, 541 N.W.2d 105 (1995), 94-1898.

Chapter 980 does not violate substantive due process guarantees. The definitions of "mental disorder" and "dangerous" are not overbroad. The treatment obligations under ch. 980 are consistent with the nature and duration of commitments under the chapter. The lack of a precommitment finding of treatability is not offensive to due process requirements. *State v. Post*, 197 Wis. 2d 279, 541 N.W.2d 115 (1995), 94-2356.



Finance Committee Agenda Item

Meeting Date:	September 7, 2021
Agenda Item:	Annual vs. Biennial Budget Cycle
Staff Contact (name, email, phone):	Cameron Clapper, cclapper@whitewater-wi.gov , 262-473-0104

BACKGROUND

(Enter the who, what when, where, why)

City staff members are considering a two-year budget cycle as a time saving measure. Modifying the budget process would enable city staff to dedicate time currently spent on budget preparation to other less urgent, but important tasks and activities. To date, the anticipated number of meetings eliminated by moving to a two-year cycle (both staff and committee levels) is 22.

Finance committee reports, annual state reporting requirements, and the budget amendment process would maintain transparency in budgeting.

Below are a few key points to note regarding a two-year cycle:

- The budget cycle must align with state biennial budget cycle per statute (State Statute 65.025), this means the city would have to wait until the 2024-2025 biennium to consider this change again if forgone for 2022-2023.
- Switching to a biennial budget cycle would require passage of a resolution or ordinance stating intent to adopt a biennial budget.
- Though the cycle would move from one to two years, the ability to amend the budget or to decrease appropriation amounts within the budget can be done by the common council at any time, just as is done currently. This would help mitigate any challenges with forecasting revenues/expenditure for year two.
- While slightly more onerous in year one, the biennial budget process would reduce the total amount of time spent budgeting over the two-year period, freeing up significant time for other projects in year two;
- Promote strategic planning over multiple years vs. balancing the budget for a single year.
- The common council would still set the annual levy which would allow for a mid-biennium review and adjustments, if needed.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

7/27/2021 Finance Committee recommended moving to a biennial budget cycle as requested by the city manager.

FINANCIAL IMPACT

(If none, state N/A)

n/a

STAFF RECOMMENDATION

The city manager recommends approval.

Suggested language would be to “recommend switching to a biennial budget cycle for budget years 2022 and 2023 and directing the city manager to provide resolutions to the same as part of the budgeting process.”

ATTACHMENT(S) INCLUDED

(If none, state N/A)

For more details on the general practice of biennial budgeting at the municipal level, see the following page supported by the Municipal Research and Services Center of Washington: <https://mrsc.org/Home/Explore-Topics/Finance/Budgets/Biennial-Budgeting.aspx>



Council Agenda Item

Meeting Date: Tuesday, September 7, 2021

Agenda Item: Budget Process Update and Capital Improvement Rating Request

Staff Contact (name, email, phone): Eric Boettcher eboettcher@whitewater-wi.gov 262-473-0122

BACKGROUND

(Enter the who, what when, where, why)

City staff members will provide the common council with a listing of all capital improvement projects as submitted by each city department as well as a project sheet for each proposed project.

Projects are listed as either Funded, Deferred, or Pending. Funded projects are projects recommended for funding through one or more sources including GO debt, revenue debt, fund balance, or other grant-related sources.

Prior to preparing the list of projects, the City Leadership Team, comprised of the public works director, finance director, and city manager, reviewed all submitted projects as well as available funding resources. In addition, the City Management Team, comprised of all department directors and select mid-level managers, met to review the list of projects and the Leadership Teams classification of all projects in order of priority and funding source.

While projects are currently listed in an order recommended by the city manager and Leadership Team, we would still request common council feedback and rating of projects prior to submitting a final recommended CIP as part of the municipal budget.

Further details regarding available funding resources, proposed projects, and the rating/feedback timeline will be provided at the meeting.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

Staff requests feedback and a rating of projects by each common council member at a later date to be determined and provided at the meeting.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Capital Improvement Program Project Listing and Project Descriptions Packet



City of

WHITEWATER

Live • Learn • Work • Play

Capital Improvement Program
Fiscal years 2022 through 2031

Department	Project Title	Payer	Expenditure								
			Fund	Page	'FY 22	'FY 23	FY 24	'FY 25	'FY 26	'FY 27-31	Total
DPW	E. Main Street Reconstruction	Levy	450	17	1,017,637	-	-	-	0	0	1,017,637
	Yoder Lane Reconstruction	Levy	450	20	263,675	-	-	-	0	0	263,675
	Street Garage	Levy	450	56	210,000	7,000,000	200,000	3,000,000	0	0	10,410,000
	Whitewater Street Brick Replacement	Levy	450	57	147,000	-	-	-	0	0	147,000
	Biennial St Reconstruction	Levy	450	21	-	90,000	1,000,000	90,000	1,000,000	3,180,000	5,360,000
	WE Energies LED Conversion 3	Levy	450	58	115,722	115,722	115,722	-	0	0	347,166
	WE Energies LED Conversion 2	Levy	450	58	173,583	173,583	-	-	0	0	347,166
	WE Energies LED Conversion 1	Levy	450	58	347,165	-	-	-	0	0	347,165
DPW Total					2,274,782	7,379,305	1,315,722	3,090,000	1,000,000	3,180,000	18,239,809
DPW - Streets	Downtown Decorative LED lights	Levy	450	23	182,000	182,000	-	-	0	0	364,000
	Plow/Patrol Truck '23	Levy	215	24	-	250,000	-	-	0	0	250,000
	Toro Wing Mower '22	Levy	215	25	85,000	-	-	-	0	0	85,000
	Toro Wing Mower '23	Levy	215	26	-	87,500	-	-	0	0	87,500
	DPW Storage Shed	Levy	450	59	122,000	-	-	-	0	0	122,000
	F250 Pickup '22	Levy	215	27	40,000	-	-	-	0	0	40,000
	Skid Loader Replacement	Levy	215	28	6,000	6,000	6,000	6,000	6,000	30,000	60,000
	F350 Pickup '24	Levy	215	76	-	-	48,000	-	0	0	48,000
	F350 Pickup '25	Levy	215	77	-	-	-	50,000	0	0	50,000
	F350 Pickup '27	Levy	215	78	-	-	-	-	0	50,000	50,000
	Loader Snow Blower Replacement	Levy	215	79	-	-	240,000	-	0	0	240,000
	Plow/Patrol Truck '27	Levy	215	80	-	-	-	-	300,000	0	300,000
	Quad Axle Dump Truck Replacement	Levy	215	81	-	-	-	250,000	0	0	250,000
	Bobcat Soil Finisher	Levy	215	29	8,000	-	-	-	0	0	8,000
DPW - Streets Total					443,000	525,500	294,000	306,000	306,000	80,000	1,954,500
DPW - Water	Water Tower - New	TID 10	610	8	215,250	-	-	-	0	0	215,250
		TID 11	610	8	215,250	-	-	-	0	0	215,250
		TID 13	610	8	648,750	-	-	-	0	0	648,750
		TID 14	610	8	648,750	-	-	-	0	0	648,750
		Water	610	8	1,287,000	-	-	-	0	0	1,287,000
	E. Main Street Reconstruction	Water	610	17	724,938	-	-	-	0	0	724,938
		Water	610	20	136,688	-	-	-	0	0	136,688
		Water	610	21	-	90,000	450,000	90,000	450,000	1,530,000	2,610,000
		Water	610	49	75,000	-	75,000	-	0	0	150,000
		Water	610	32	50,000	50,000	50,000	-	0	0	150,000
		Water	610	33	55,000	-	-	-	0	0	55,000
		Water	610	34	300,000	-	-	-	0	0	300,000
		Water	610	53	35,000	-	-	-	0	0	35,000
		Water	610	50	38,500	-	-	-	0	0	38,500
		Water	610	51	15,500	-	-	-	0	0	15,500
		Water	610	52	50,000	-	-	-	0	0	50,000
		Water	610	31	100,000	110,000	110,000	110,000	110,000	550,000	1,090,000
Main Improvement - Well #9/RR	TID 13	610	9	520,000	-	-	-	0	0	520,000	
	Water	610	9	55,000	-	-	-	0	0	55,000	

Department	Project Title	Payer	Expenditure									
			Fund	Page	'FY 22	'FY 23	FY 24	'FY 25	'FY 26	'FY 27-31	Total	
	Main looping - Elkhorn Roundabout	Water	610	60	75,000	-	-	-	-	0	0	75,000
	Main Imprmnt - Franklin/Wisconsin	Water	610	82	-	-	-	-	0	1,360,000	1,360,000	
	Main Imprmnt - LSP/Enterprise	Water	610	83	-	-	-	-	0	1,180,000	1,180,000	
	Main Imprmnt - Pearson /Main	Water	610	84	-	-	-	-	0	450,000	450,000	
	Main Imprmnt - Tratt/Prairie Village	Water	610	85	-	-	-	-	0	910,000	910,000	
DPW - Water Total					5,245,626	250,000	685,000	200,000	560,000	5,980,000	12,920,626	
DPW - Sewer	Vanderlip Lift Station Replacement	Sewer	620	10	687,200	740,000	-	-	0	0	1,427,200	
		TID 14	620	10	1,400,000	-	-	-	0	0	1,400,000	
	E. Main Street Reconstruction	Sewer	620	17	764,313	-	-	-	0	0	764,313	
	Yoder Lane Reconstruction	Sewer	620	20	121,575	-	-	-	0	0	121,575	
	Biennial St Reconstruction	Sewer	620	21	-	90,000	450,000	90,000	450,000	1,530,000	2,610,000	
	Wetwell Coating	Sewer	620	30	275,000	-	-	-	0	0	275,000	
	Roof Replacement Program - Wastewater Utility	Sewer	620	39	57,000	30,000	75,000	65,000	78,500	0	305,500	
	GIS Software Development	Sewer	620	40	8,000	6,000	-	-	0	0	14,000	
	Repurpose Fraternity LS genset	Sewer	620	41	-	15,000	-	-	0	0	15,000	
	Structure 429 - Mixer Installation	Sewer	620	42	-	5,000	-	-	0	0	5,000	
	Replacement Solids Loadout Pump	Sewer	620	43	-	65,000	-	-	0	0	65,000	
	Milwaukee St. LS access road	Sewer	620	44	-	17,000	-	-	0	0	17,000	
	Biogas Sphere Coating	Sewer	620	70	-	-	-	-	0	185,000	185,000	
	CAT Switchgear PLC replacement	Sewer	620	71	-	-	8,000	-	0	0	8,000	
	(1) VFD install for Primary Digester mixer	Sewer	620	72	-	-	-	-	0	0	0	
	Installation of RAS pump No.4	Sewer	620	73	-	-	-	-	0	0	0	
	Primary Dig. 1 - ScumBuster installation	Sewer	620	74	-	-	-	-	0	0	0	
Secondary Scum Waste Piping	Sewer	620	75	-	-	-	14,800	0	0	14,800		
DPW - Sewer Total					3,313,088	968,000	533,000	169,800	528,500	1,715,000	7,227,388	
DPW - Stormwater	E. Main Street Reconstruction	Stormwater	630	17	223,750	-	-	-	0	0	223,750	
	Yoder Lane Reconstruction	Stormwater	630	20	20,301	-	-	-	0	0	20,301	
	Biennial St Reconstruction	Stormwater	630	21	-	90,000	100,000	90,000	100,000	480,000	860,000	
	Walworth Ave Storm Sewer	Stormwater	630	(blank)	237,500	-	-	-	0	0	237,500	
DPW - Stormwater Total				481,551	90,000	100,000	90,000	100,000	480,000	1,341,551		
IT	Fiber Router- Wiscnet	Levy	450	11	4,700	-	-	-	0	0	4,700	
	Redundant Firewalls- Fortigate	Levy	450	12	5,000	-	-	-	0	0	5,000	
	Penetration Testing	Levy	100	13	10,000	-	-	-	0	0	10,000	
	MDC Replacement	Levy	450	14	-	14,000	-	-	0	0	14,000	
	Server Virtual Host Replacement	Levy	450	15	-	10,000	10,000	-	0	0	20,000	
	Livescan Fingerprint Scanner Replacement	Levy	450	16	10,000	-	-	-	0	0	10,000	
IT Total				29,700	24,000	10,000	-	0	0	63,700		
Library	Library Expansion / Renovation	Levy	220	22	-	250,000	3,305,000	-	0	0	3,555,000	
		Other	220	22	-	-	1,500,000	-	0	0	1,500,000	
Library Total					-	250,000	4,805,000	-	0	0	5,055,000	
Park & Rec - Facilities	Treyton Field Updates	Levy	450	45	10,000	-	-	-	0	0	10,000	
		Other	450	45	10,000	-	-	-	0	0	10,000	
	W AFC Pool Shell Replacement	Other	247	46	-	100,000	-	-	0	0	100,000	

Department	Project Title	Payer	Expenditure		'FY 22	'FY 23	FY 24	'FY 25	'FY 26	'FY 27-31	Total
			Fund	Page							
Park & Rec - Facilities	Effigy Mound Improvements	Levy	450	47	-	25,000	-	-	0	0	25,000
	Bike and Pedestrian Pathways	Levy	450	48	12,000	-	-	-	0	0	12,000
	Moraine View Playground	Levy	450	61	40,000	-	-	-	0	0	40,000
	South Trippe Lake Property Purchase	Levy	240	62	48,000	-	-	-	0	0	48,000
			450	62	272,000	-	-	-	0	0	272,000
	Outdoor Splash Pad	Levy	450	63	-	50,000	330,000	-	0	0	380,000
		Other	450	63	-	-	50,000	-	0	0	50,000
	Moraine View Park Shelter	Levy	450	86	-	-	-	200,000	0	0	200,000
	PR Bark Park Water and Playground	Levy	450	87	-	-	-	15,000	0	0	15,000
WAFC HVAC Repair	Other	247	88	-	-	95,000	-	0	0	95,000	
Park & Rec - Facilities Total					392,000	175,000	475,000	215,000	0	0	1,257,000
Park & Rec - Other	Lakes Drawdown Project	Levy	450	18	1,328,000	50,000	-	-	0	0	1,378,000
Park & Rec - Other Total					1,328,000	50,000	-	-	0	0	1,378,000
Police Other	Portable/Mobile P25 Dual Band Radio Upgrade	Levy	450	55	-	83,000	83,000	82,000	0	0	248,000
	Surveillance Cameras	Levy	450	37	5,000	5,000	-	-	0	0	10,000
	PD Drone	Levy	450	38	7,697	-	-	-	0	0	7,697
	Evidence Garage	Levy	450	36	50,000	-	-	-	0	0	50,000
Police Other Total					62,697	88,000	83,000	82,000	0	0	315,697
Fire / Rescue	Replace Ladder 1250	Levy	210	19	350,000	350,000	350,000	-	0	0	1,050,000
			850	19	-	-	350,000	-	0	0	350,000
	Replace Ambulance 1281	Levy	210	64	-	325,000	-	-	0	0	325,000
	Replace Command Unit 1220	Levy	210	65	-	700,000	-	-	0	0	700,000
	Replace Ambulance 1280	Levy	210	57	-	-	-	-	0	285,000	285,000
	Replace Ambulance 1282	Levy	210	68	-	-	-	285,000	0	0	285,000
	Replace Ambulance 1283	Levy	210	69	-	-	-	-	0	285,000	285,000
Fire / Rescue Total					350,000	1,375,000	700,000	285,000	0	570,000	3,280,000
Grand Total					13,920,444	11,174,805	9,000,722	4,437,800	2,494,500	12,005,000	53,033,271

Sum of 22-23 Biennial					Funding Type					Rank in Order	
2022 Status	Project Title	Department	Payer	Page	GO Debt	Rev Debt	Fund Bal	Grant / Other	Grand Total	1 = Most Important	
Funded	Water Tower - New	DPW - Water	Water	8	0	859,366	0	427,634	1,287,000		Grant / Time Sensitive / Approved Projects
			TID 14	8	0	648,750	0	0	648,750		
			TID 10	8	0	215,250	0	0	215,250		
			TID 11	8	0	215,250	0	0	215,250		
			TID 13	8	0	648,750	0	0	648,750		
	Main Improvement - Well #9/RR	DPW - Water	Water	9	0	55,000	0	0	55,000		
			TID 13	9	0	520,000	0	0	520,000		
	Vanderlip Lift Station Replacement	DPW - Sewer	Sewer	10	0	394,496	0	1,032,704	1,427,200		
			TID 14	10	0	1,400,000	0	0	1,400,000		
	Fiber Router- Wiscnet	IT	Levy	11	0	0	0	4,700	4,700		
	Redundant Firewalls- Fortigate	IT	Levy	12	0	0	0	5,000	5,000		
	Penetration Testing	IT	Levy	13	0	0	0	10,000	10,000		
	MDC Replacement	IT	Levy	14	0	0	0	14,000	14,000		
	Server Virtual Host Replacement	IT	Levy	15	0	0	0	10,000	10,000		
	Livescan Fingerprint Scanner Replacement	IT	Levy	16	0	0	0	10,000	10,000		
	E. Main Street Reconstruction	DPW	Levy	17	1,017,637	0	0	0	1,017,637		
		DPW - Sewer	Sewer	17	0	764,313	0	0	764,313		
		DPW - Water	Water	17	0	724,938	0	0	724,938		
		DPW - Stormwater	Stormwater	17	223,750	0	0	0	223,750		
	Lakes Drawdown Project	Park & Rec - Other	Levy	18	1,328,000	0	25,000	25,000	1,378,000		
	Replace Ladder 1250	Fire / Rescue	Levy	19	700,000	0	0	0	700,000		
	Yoder Lane Reconstruction	DPW	Levy	20	263,675	0	0	0	263,675		
		DPW - Sewer	Sewer	20	0	121,575	0	0	121,575		
		DPW - Water	Water	20	0	136,688	0	0	136,688		
		DPW - Stormwater	Stormwater	20	20,301	0	0	0	20,301		
	Biennial St Reconstruction	DPW	Levy	21	90,000	0	0	0	90,000		
		DPW - Sewer	Sewer	21	0	90,000	0	0	90,000		
		DPW - Water	Water	21	0	90,000	0	0	90,000		
		DPW - Stormwater	Stormwater	21	90,000	0	0	0	90,000		
	Library Expansion / Renovation	Library	Levy	22	0	0	250,000	0	250,000		
	Downtown Decorative LED lights	DPW - Streets	Levy	23	364,000	0	0	0	364,000		
Plow/Patrol Truck '23	DPW - Streets	Levy	24	0	0	250,000	0	250,000			
Toro Wing Mower '22	DPW - Streets	Levy	25	0	0	85,000	0	85,000			
Toro Wing Mower '23	DPW - Streets	Levy	26	0	0	87,500	0	87,500			
F250 Pickup '22	DPW - Streets	Levy	27	0	0	40,000	0	40,000			
Skid Loader Replacement	DPW - Streets	Levy	28	0	0	12,000	0	12,000			
Bobcat Soil Finisher	DPW - Streets	Levy	29	0	0	8,000	0	8,000			
Wetwell Coating	DPW - Sewer	Sewer	30	0	235,000	40,000	0	275,000			
Fire Hydrant Replacement	DPW - Water	Water	31	0	210,000	0	0	210,000			

Grant / Time Sensitive / Approved Projects

Ongoing multi-year projects

Sum of 22-23 Biennial					Funding Type					Rank in Order
2022 Status	Project Title	Department	Payer	Page	GO Debt	Rev Debt	Fund Bal	Grant / Other	Grand Total	1 = Most Important
Funded	Water Line Removal	DPW - Water	Water	32	0	0	100,000	0	100,000	
	Skid Steer Loader Purchase	DPW - Water	Water	33	0	55,000	0	0	55,000	
	Vehicle Garage / Material Storage	DPW - Water	Water	34	0	300,000	0	0	300,000	
Funded Total					4,097,363	7,684,376	897,500	1,539,038	14,218,277	
Deferred	Portable/Mobile P25 Dual Band Radio Upgrade	Police Other	Levy	55	83,000	0	0	0	83,000	
	Street Garage	DPW	Levy	56	7,210,000	0	0	0	7,210,000	
	Whitewater Street Brick Replacement	DPW	Levy	57	147,000	0	0	0	147,000	
	WE Energies LED Conversion 1	DPW	Levy	58	347,165	0	0	0	347,165	
	WE Energies LED Conversion 2	DPW	Levy	58	347,166	0	0	0	347,166	
	WE Energies LED Conversion 3	DPW	Levy	58	231,444	0	0	0	231,444	
	DPW Storage Shed	DPW - Streets	Levy	59	122,000	0	0	0	122,000	
	Main looping - Elkhorn Roundabout	DPW - Water	Water	60	0	75,000	0	0	75,000	
	Moraine View Playground	Park & Rec - Facilities	Levy	61	17,000	0	23,000	0	40,000	
	South Trippe Lake Property Purchase	Park & Rec - Facilities	Levy	62	272,000	0	48,000	0	320,000	
	Outdoor Splash Pad	Park & Rec - Facilities	Levy	63	50,000	0	0	0	50,000	
				63	0	0	0	0	0	
	Replace Ambulance 1281	Fire / Rescue	Levy	64	325,000	0	0	0	325,000	
	Replace Command Unit 1220	Fire / Rescue	Levy	65	700,000	0	0	0	700,000	
Well 8 Discharge	DPW - Water	Water	53	0	0	35,000	0	35,000		
Deferred Total					9,851,775	75,000	106,000	0	10,032,775	
Pending	Evidence Garage	Police Other	Levy	36	50,000	0	0	0	50,000	
	Surveillance Cameras	Police Other	Levy	37	0	0	10,000	0	10,000	
	PD Drone	Police Other	Levy	38	0	0	7,697	0	7,697	
	Roof Replacement Program - Wastewater Utility	DPW - Sewer	Sewer	39	0	0	87,000	0	87,000	
	GIS Software Development	DPW - Sewer	Sewer	40	0	0	14,000	0	14,000	
	Repurpose Fraternity LS genset	DPW - Sewer	Sewer	41	0	0	15,000	0	15,000	
	Structure 429 - Mixer Installation	DPW - Sewer	Sewer	42	0	0	5,000	0	5,000	
	Replacement Solids Loadout Pump	DPW - Sewer	Sewer	43	0	0	65,000	0	65,000	
	Milwaukee St. LS access road	DPW - Sewer	Sewer	44	0	0	17,000	0	17,000	
	Treyton Field Updates	Park & Rec - Facilities	Levy	45	10,000	0	0	0	10,000	
				45	0	0	10,000	0	10,000	
	WAFC Pool Shell Replacement	Park & Rec - Facilities	Other	46	0	0	100,000	0	100,000	
	Effigy Mound Improvements	Park & Rec - Facilities	Levy	47	0	0	25,000	0	25,000	
	Bike and Pedestrian Pathways	Park & Rec - Facilities	Levy	48	0	0	12,000	0	12,000	
	Service Vehicle	DPW - Water	Water	49	0	0	75,000	0	75,000	
	Well 6 Building Improvements	DPW - Water	Water	50	0	0	38,500	0	38,500	
	Dump Trailer - New	DPW - Water	Water	51	0	15,500	0	0	15,500	
Tower Preservation/Repair	DPW - Water	Water	52	0	50,000	0	0	50,000		
Pending Total					60,000	65,500	481,197	0	606,697	
Grand Total					14,009,138	7,824,876	1,484,697	1,539,038	24,857,749	

Proposed 2022-2023 Projects

Department / Group: DPW - Sewer Need Group: Core

Affected Dept.: DPW - Sewer

Project Title: Vanderlip Lift Station Replacement

Department Priority: 1

Description & Scope: In preparation for this project we worked with consultants on the Westside Sanitary Sewer review project in 2020. This was done to assure that we "right" size future infrastructure and invest funds appropriately based on long term goals. At this time both the force main, which discharges to a MH on Starin Road, and the pumping station itself are in need of substantial work/replacement. As part of the sewer review project we compared the costs of two "long term" alternatives. Those are: 1. Replace both Vanderlip and Fraternity pumping stations and associated force mains or, 2. Combine the Fraternity Lane service area into a new larger Vanderlip service area with the installation of a gravity line connecting the two. This project may be able to broken up into multiple phases dependent on engineering recommendations and cost estimates. In a broad sense the project will include, replacement of all pumping equipment, associated piping and controls, installation of a backup generator and force main piping. Construction is tentatively planned to begin in 2022 with engineering and design work to be completed in 2021. Engineering costs are included in the included estimate.

Purpose & Need: Constructed in 1965, Vanderlip lift station saw its last renovation in 1997 with new controls and a conversion to larger submersible pumps. However, the physical size of the pump station was not addressed. Capacity and future development concerns were the driver for those updates. In recent years, we have had an increase in the amount of severe rain events. These events have maximized the pumping capacity for brief periods. Additionally, in early 2019, there was a failure of the force main. Lastly, this lift station, which happens to be our largest, is one of three that does not have a backup power supply on site. This project will address that concern.

Impact on Future Operating Budget: Capital for this project would come from the reserve funding and capital funding accounts. If development were to occur prior to this project, future capacities could be assessed to those parties.

External Funding Sources Available: It is feasible that the utility could apply for a Clean Water Fund Loan (CWF) for this project and/or apply for CDBG funding. ARPA monies could be used to help offset some of the cost.

City of Whitewater
 Capital Improvement Program
 F.Y. 2022 - 2031

Initiative Type: Capital

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

An alternative (Alternative A) was discussed as part of the West Side Sanitary Study. This alternate assumed that both lift stations would remain separate. Over the next 20 years would each need replacement. 20 Year Present Worth projections showed it was more cost effective to combine lift stations at this time. Largely, this was the result of O&M costs being required for only one lift station versus two.



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
620-62810-821	620	2,087,200						2,087,200
620-62810-821	620		740,000					740,000
								0
								0
								0
								0
Subtotal		2,087,200	740,000	0	0		0	2,827,200

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Sewer	Rev Debt: Bond							0
Sewer	Rev Debt: Bond		394,496					394,496
Sewer	Grant	687,200	345,504					1,032,704
TID 14	Rev Debt: Bond	1,400,000						1,400,000
								0
								0
Subtotal		2,087,200	740,000	0	0	0	0	2,827,200

Department / Group: Need Group:

Affected Dept.:

Project Title:

Department Priority:

Description & Scope:

Purpose & Need:

Impact on Future Operating Budget:

External Funding Sources Available:

City of Whitewater
 Capital Improvement Program
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Initiative Type:

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

A mill and overlay could be looked at, but that would not address the long term maintenance of road or drainage concerns. It would also not address water main and sanitary sewer concerns.



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
450-54000-900	450	1,017,637						1,017,637
610-61936-820	610	724,938						724,938
620-62810-820	620	764,313						764,313
630-63440-820	630	223,750						223,750
								0
								0
Subtotal		2,730,638	0	0	0	0	0	2,730,638

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Bond	1,017,637						1,017,637
Water	Rev Debt: Bond	724,938						724,938
Sewer	Rev Debt: Bond	764,313						764,313
Stormwater	GO Debt: Bond	223,750						223,750
								0
								0
Subtotal		2,730,638	0	0	0	0	0	2,730,638

Department / Group: Fire / Rescue Need Group: Core

Affected Dept.:

Project Title: Replace Ladder 1250

Department Priority: High

Description & Scope: Work with well known and reliable manufacturers of aerial fire fighting apparatus to create and develop blueprints, proposals, and bids to replace the current, aged 1250 aerial ladder.

Purpose & Need: Aerial Ladder 1250 provides critical support on fire ground operations for fire suppression, citizen rescue, and firefighter safety.

Impact on Future Operating Budget: Single purchase

External Funding Sources Available: There are no known grants or outside funding sources available.

City of Whitewater
Capital Improvement Program
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Initiative Type: Capital

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

While it may be possible to move the extendable ladder and mount to another suitable vehicle, repair and replacement parts are becoming difficult to locate and install as the original manufacturer and the subsequent assigns are no longer in operation.

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
210-52200-810	210	350,000	350,000	350,000				1,050,000
850-52270-810	850			350,000				350,000
								0
								0
								0
								0
Subtotal		350,000	350,000	700,000	0	0	0	1,400,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Note	350,000	350,000	350,000				1,050,000
Levy	Cash / Fund Balance	0	0	350,000				350,000
								0
								0
								0
								0
Subtotal		350,000	350,000	700,000	0	0	0	1,400,000



Department / Group: Need Group:

Affected Dept.:

Project Title:

Department Priority:

Description & Scope:

Purpose & Need:

Impact on Future Operating Budget:

External Funding Sources Available:

**City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031**

Initiative Type:

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

A mill and overlay could be looked at, but that would not address the long term maintenance of road or drainage concerns. It would also not address water main and sanitary sewer concerns.



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
450-54000-899	450	263,675						263,675
610-61936-820	610	136,688						136,688
620-62810-820	620	121,575						121,575
630-63440-820	630	20,301						20,301
								0
								0
Subtotal		542,239	0	0	0	0	0	542,239

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Bond	263,675						263,675
Water	Rev Debt: Bond	136,688						136,688
Sewer	Rev Debt: Bond	121,575						121,575
Stormwater	GO Debt: Bond	20,301						20,301
								0
								0
Subtotal		542,239	0	0	0	0	0	542,239

Department / Group: Need Group:

Affected Dept.:

Project Title:

Department Priority:

Description & Scope:

Purpose & Need:

Impact on Future Operating Budget:

External Funding Sources Available:

City of Whitewater
Capital Improvement Program
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Initiative Type:

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

A mill and overlay could be looked at, but that would not address the long term maintenance of road or drainage concerns. It would also not address water main and sanitary sewer concerns.

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
450	450		90,000	1,000,000	90,000	1,000,000	3,180,000	5,360,000
610-61936-820	610		90,000	450,000	90,000	450,000	1,530,000	2,610,000
620-62810-820	620		90,000	450,000	90,000	450,000	1,530,000	2,610,000
630-63440-820	630		90,000	100,000	90,000	100,000	480,000	860,000
								0
								0
Subtotal		0	360,000	2,000,000	360,000	2,000,000	6,720,000	11,440,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Bond		90,000	1,000,000	90,000	1,000,000	3,180,000	5,360,000
Water	Rev Debt: Bond		90,000	450,000	90,000	450,000	1,530,000	2,610,000
Sewer	Rev Debt: Bond		90,000	450,000	90,000	450,000	1,530,000	2,610,000
Stormwater	GO Debt: Bond		90,000	100,000	90,000	100,000	480,000	860,000
								0
								0
Subtotal		0	360,000	2,000,000	360,000	2,000,000	6,720,000	11,440,000



Department / Group: Need Group:

Affected Dept.:

Project Title:

Department Priority:

Description & Scope:

Purpose & Need:

Impact on Future Operating Budget:

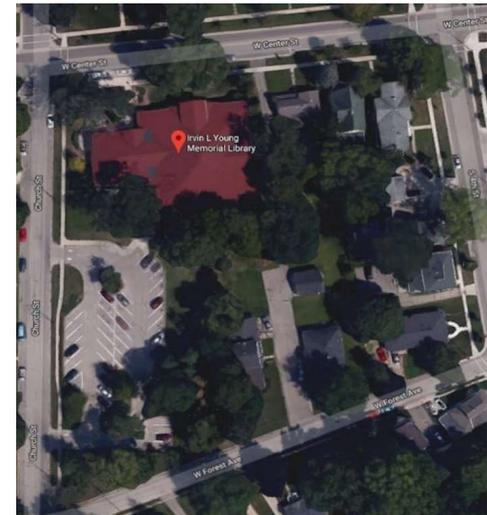
External Funding Sources Available:

City of Whitewater
Capital Improvement Program
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Initiative Type:

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

An expansion of the current building was estimated at \$11,000,000 due to site considerations and retrofitting the old building. All measures to maximize the space have already been implemented over the last 15 years. A three-year investigation of potential private/public partnerships proved to be too complex and expensive to be a viable choice. Setting a budget for the project of \$5 million and prioritizing the most pressing needs has produced the current expansion and renovation proposal.



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
220-55110-810	220		250,000	4,805,000				5,055,000
								0
								0
								0
								0
								0
								0
Subtotal		0	250,000	4,805,000	0	0	0	5,055,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Bond			3,000,000				3,000,000
Other	Fundraising			1,500,000				1,500,000
Levy	Cash / Fund Balance		250,000	305,000				555,000
								0
								0
								0
Subtotal		0	250,000	4,805,000	0		0	5,055,000

Department / Group: DPW - Streets **Need Group:** Core
Affected Dept.: DPW - Streets & Equipment
Project Title: Downtown Decorative LED lights
Department Priority: 5
Description & Scope: Conversion of existing decorative downtown lights to LED. This is a continuation from 2018 when 56 lights were replaced. There are 112 lights remaining. The scope of this project is to replace half of the remaining lights (56) in 2022 and the remaining 56 in 2023.
Purpose & Need: The existing decorative light poles are corroding at the base from years of salt usage on the sidewalk and street. New poles will be cast aluminum and match the ones installed in 2018 and on the Eastgate Project. In addition, the High Pressure Sodium light fixtures will be replaced with more energy efficient LED fixtures.
Impact on Future Operating Budget: Electricity costs for the 56 downtown lights will be reduced.
External Funding Sources Available: None

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
450-54000-828	450	182,000	182,000					364,000
								0
								0
								0
								0
								0
								0
Subtotal		182,000	182,000	0	0		0	364,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Bond	182,000	182,000					364,000
								0
								0
								0
								0
								0
								0
Subtotal		182,000	182,000	0	0		0	364,000

City of Whitewater
Capital Improvement Program
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Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

The existing lights could remain in place and only replaced as they fall over. The proposed lights will match the style and material of recent lights installed that replaced the existing style lights.



Department / Group: DPW - Sewer Need Group: Core

Affected Dept.: DPW - Sewer

Project Title: Wetwell Coating

Department Priority: 4

Description & Scope: The wetwell area is 38'L x 18'W x 32'D. To follow through on the good maintenance work performed in 2021 and to extend the integrity of this area we will be looking to coat the structural steel and concrete walls in this structure. The cost of this work will not necessarily be tied up in square footage of product. Quite simply, the area is difficult to work in. There is wastewater influent to deal with and much of the area is not easily accessed. Therefore, significant scaffolding will be required. Bypass pumping may also be required to safely complete this work. The total project cost is detailed below. \$100,000 of this amount was approved in 2021. The 2022-2023 CIP borrowing will add another 137,500 to comprise the total below.

Purpose & Need: All coatings and structural components in the wetwell are currently 40 years old. Due to corrosion, select structural supports are planned for replacement and painting in 2021. The painting effort in 2021 accounts for a very small amount of the total area in the wetwell. Before more steel work becomes corroded beyond repair it would be wise to professionally prepare and coat this entire structure. Most importantly, the remaining structural steel should be coated.

Impact on Future Operating Budget: The items mentioned above have been split out over a period of five years. Cost effective solutions may arise that will or could alter this timeframe.

External Funding Sources Available: None.

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 23	FY 24	FY 25	FY 26-30	Total
620-62810-821	620	275,000						275,000
								0
								0
								0
								0
								0
								0
Subtotal		275,000	0	0	0	0	0	275,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 23	FY 24	FY 25	FY 26-30	Total
Sewer	Rev Debt: Bond	235,000						235,000
Sewer	Cash / Fund Balance	40,000						40,000
								0
								0
								0
								0
								0
Subtotal		275,000	0	0	0	0	0	275,000

City of Whitewater
Capital Improvement Program
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Initiative Type: Capital

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

We could attempt to separate coating of the structural steel items and the walls. This would decrease the yearly impact but the overall cost would be larger because of the need to scaffold and mobilize during each event.



Department / Group: DPW - Water **Need Group:** Non-Core
Affected Dept.: DPW - Water
Project Title: Fire Hydrant Replacement
Department Priority: 6
Description & Scope: This project entails the continuation of replacing obsolete hydrants throughout the City. Each year approximately 10 hydrants are replaced.
Purpose & Need: Replacement of older hydrants is required as parts become obsolete and are harder to find. The operation of these older ones can also be a challenge at times.
Impact on Future Operating Budget: Material cost are at all time high due to shortage. Hopefully cost will come down when factories catch up with orders. This goes for all water related material.
External Funding Sources Available: None.

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
610-61936-810	610	100,000	110,000	110,000	110,000	110,000	550,000	1,090,000
								0
								0
								0
								0
								0
								0
Subtotal		100,000	110,000	110,000	110,000	110,000	550,000	1,090,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Water	Rev Debt: Bond	100,000	110,000	110,000	110,000	110,000	550,000	1,090,000
								0
								0
								0
								0
								0
								0
								0
								0
Subtotal		100,000	110,000	110,000	110,000	110,000	550,000	1,090,000

City of Whitewater
Capital Improvement Program
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 Initiative Type: **Capital**

No other options. Need to be done

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?



Department / Group: DPW - Water **Need Group:** Non-Core
Affected Dept.: DPW - Water
Project Title: Skid Steer Loader Purchase
Department Priority: 8
Description & Scope: Purchased of a skid steer with forks and bucket attachments.
Purpose & Need: One is to eliminate having to borrow street departments equipment and have them haul water material to work site for us. When we purchase materials and it gets delivered we are responsible to unload the trucks. Having our own, frees up having to wait to borrow street departments. There have been times the street department was using their equipment and the equipment was called back from the job site to help us unload material.. This equipment will allow us to remove snow at our well houses and do re-hab work at work sites.
Impact on Future Operating Budget: Future maintenance and repairs are possible
External Funding Sources Available: None

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
610-61936-810	610	55,000						55,000
								0
								0
								0
								0
								0
								0
Subtotal		55,000	0	0	0	0	0	55,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Water	Rev Debt: Bond	55,000						55,000
								0
								0
								0
								0
								0
								0
Subtotal		55,000	0	0	0	0	0	55,000

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031
 Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

leasing (\$6,000 per yr.) is always an option with an exchange every year but that will come with penalties if you exceed hour usage per agreement. Purchasing outright I feel is best option because then its ours. Terms and conditions of purchase can be negotiated.



2022-2023
Pending Projects

Department / Group: Police Other Need Group: Non-Core

Affected Dept.: DPW

Project Title: PD Drone

Department Priority: 4

Description & Scope: DJI Mavic 2 Enterprise Advanced Urban Scout Drone Package. This drone has a ceiling of 6,000 feet above sea level and a max flight time of 31 minutes. The drone has a 48 megapixel camera as well as a thermal camera that provide an ideal platform for law enforcement use.

Purpose & Need: This drone would open up many opportunities to increase our capabilities in high-risk and time-sensitive cases. The drone has a thermal camera which allows the operator to see body heat. That will be extremely helpful for search-and-rescue operations as well as searching for suspects who have fled from officers. The drone will also be useful for incidents involving search warrants where we have a need to view areas outside the view of officers on the ground. Having the capability to view areas where a suspect may have hidden greatly increases the safety of our officers and our citizens. The department has had to request drones from outside agencies multiple times in 2020, however, there is a substantial time lag and having one in-house is a substantial benefit.

Impact on Future Operating Budget: Periodic training for drone pilot will have minimal impact on budget.

External Funding Sources Available: No known sources.

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
450 New	450	7,697						7,697
								0
								0
								0
								0
								0
								0
Subtotal		7,697	0	0	0	0	0	7,697

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	Operating Transfer	7,697						7,697
								0
								0
								0
								0
								0
								0
Subtotal		7,697	0	0	0	0	0	7,697

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031
Initiative Type: Capital

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

The drone currently owned by City Parks and Rec (DJI Mavic 2 Pro) is not sufficient for the purposes of the PD because it does not have the camera quality, or thermal capability that this drone has.



Department / Group: DPW - Sewer Need Group: Core

Affected Dept.: DPW - Sewer

Project Title: GIS Software Development

Department Priority: 7

Description & Scope: The software capabilities are already in place. We will be seeking assistance from GIS professionals, using their experience, to help guide us and preview examples that would make our Utility operations more efficient. Agreed upon GIS applications or functionality would then be incorporated into our current system. The underlying goal will be to develop a program that is designed for capturing and sharing knowledge with future Utility staff.

Purpose & Need: The Utility uses the ESRI ArcGIS platform to house a variety of infrastructure information. Most all of us are familiar with GIS systems for their locations or spatial services. However, updated user applications allow people to leverage the GIS backbone for numerous other purposes. The Wastewater Utility has a good base to build upon as most typical information has been entered. However, once that initial effort was made the challenge has become, "how do we maintain records/information so that it is current"? In addition, we are interested in the ease of access and the various ways that good information can be viewed via GIS. By incorporating the use of the "Field Maps" platform the Utility will more easily be able to capture, save and interpret infrastructure information.

Impact on Future Operating Budget: Though this may be our first year in targeting GIS improvements I feel this may transition into a operating expense as good programs will always need regular updates and tweaks to maintain affectiveness.

External Funding Sources Available: None

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
620-62810-221	620	8,000	6,000					14,000
								0
								0
								0
								0
								0
								0
Subtotal		8,000	6,000	0	0	0	0	14,000

Funding Source Summary

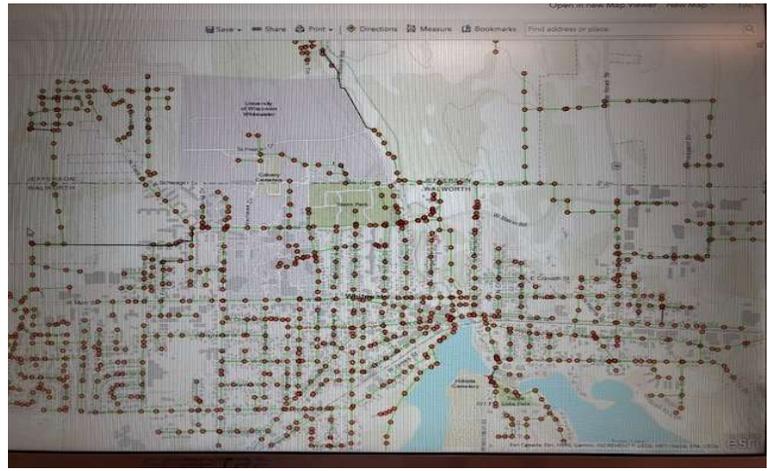
Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Sewer	Cash / Fund Balance	8,000	6,000					14,000
								0
								0
								0
								0
								0
								0
Subtotal		8,000	6,000	0	0	0	0	14,000

**City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031**

Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

We can investigate perscribed ways to leverage the City GIS technician position to assist in this effort.



Department / Group: DPW - Sewer Need Group: Core

Affected Dept.: DPW - Sewer

Project Title: Repurpose Fraternity LS genset

Department Priority: 1

Description & Scope: We would be required to increase the footprint of the current lift station, via land acquisitions and recorded easements, in order to accommodate the generator. The lift station is located at 940 E. Milwaukee St. Both WE Energies and electrical contractors would be involved to complete this project. Removal and placement of the the generator would be handled by Utility staff. Timing of this work would be coordinated with the larger Vanderlip project on the west side. If lift station controls updates were to become a timely item we would capture this work in a separate proposal. Meaning, this generator addition would

Purpose & Need: Since 2005 all lift stations in Whitewater have been constructed to include a back up power source. In the near future only two lift stations, Oak and Milwaukee, will be without this option. To minimize risk it would be beneficial to the Utility to address this concern over time. As part of pending modifications to lift stations located on the west side of town we will be left with a 35kW generator that is still in very good mechanical condition. We are proposing to repurpose this generator at the Milwaukee St. LS.

Impact on Future Operating Budget: None

External Funding Sources Available: None

City of Whitewater
 Capital Improvement Program
 F.Y. 2022 - 2031

Initiative Type: Capital

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

We do not have to re-purpose the generator from the Fraternity LS. We could salvage this unit and sell through an online auction house. Most likely the generator would develop mechanical issues if we were to "mothball" the project and let the unit sit idle for an extended period of time. Currently, any backup power needs are provided, as needed, by a portable generator.



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
620-62830-353	620	0	15,000					15,000
								0
								0
								0
								0
								0
								0
Subtotal		0	15,000	0	0	0	0	15,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Sewer	Cash / Fund Balance		15,000					15,000
								0
								0
								0
								0
								0
								0
Subtotal		0	15,000	0	0	0	0	15,000

Department / Group: DPW - Sewer **Need Group:** Core
Affected Dept.: DPW - Sewer
Project Title: Milwaukee St. LS access road
Department Priority: 6
Description & Scope: Upon land acquisition old base material would have to be removed. Proper elevations would be determined before preparing the site and installing asphalt in this access area. The proposed area is behind the sidewalk and would not involve any impact to recently performed roadway maintenance.
Purpose & Need: Current access to provide inspection, routine service and maintenance of lift station equipment requires staff to set up on private property. This can cause further grounds maintenance issues and access is not assured due to vehicle parking or snow storage by adjacent land owners. We propose to acquire an adjacent portion of land to the west of the lift station to provide reliable and safe access for Utility staff.
Impact on Future Operating Budget: None
External Funding Sources Available: None

City of Whitewater
 Capital Improvement Program
 F.Y. 2022 - 2031
 Initiative Type: Capital

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
620-62810-820	620		17,000					17,000
								0
								0
								0
								0
								0
								0
Subtotal		0	17,000	0	0	0	0	17,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Sewer	Cash / Fund Balance		17,000					17,000
								0
								0
								0
								0
								0
								0
Subtotal		0	17,000	0	0	0	0	17,000

Department / Group: Park & Rec - Facilities **Need Group:** Core
Affected Dept.: Park & Rec - Facilities
Project Title: Treyton Field Updates
Department Priority: 3
Description & Scope: Expansion of concession seating area, facility and field improvements to outfield and dugout areas. Addition of field grooming vehicle to be kept on site.
Purpose & Need: Treyton Field has been very successful with tournament and community programming since it opened in the fall of 2014. Each year our tournaments attract 150 plus tournament teams to our community from communities in Wisconsin and Illinois. The program generates a fund balance of approximately \$10,000 on average. CIP projects need to continue in order to keep the facility fresh as we continue to attract teams in a competitive tournament market.
Impact on Future Operating Budget: Improvements will provide for easier maintenance and which will reduce maintenance time
External Funding Sources Available: Treyton Field Account and additional funding from Whitewater Community Foundation and Treyton Field of Dreams account.

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031

Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

Empty box for alternative options.



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Facility Improvements	450	10,000						10,000
Facility and Equipment	Other	10,000						10,000
								0
								0
								0
								0
								0
Subtotal		20,000	0	0	0	0	0	20,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Note	10,000						10,000
Other	Cash / Fund Balance	10,000						10,000
								0
								0
								0
								0
								0
Subtotal		20,000	0	0	0	0	0	20,000

...
Department / Group: Park & Rec - Facilities **Need Group:** Non-Core
Affected Dept.: Park & Rec - Facilities
Project Title: Bike and Pedestrian Pathways
Department Priority: 2
Description & Scope: This project will add additional pathway to the area in front of the parking area at Moraine View Park.
Purpose & Need: At Moraine View Park the addition of a parking lot has added the concern of bike safety since the existing bike path runs behind the street parking. This proposed project would move the bike lane in front of the parking lot area in order to provide a safer route for bicyclists to ride. (See attached photo)
Impact on Future Operating Budget: Additional pathway to maintain
External Funding Sources Available: We would tag on to a street project scheduled to lower costs of creating new pathways.

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031
Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
450	450	12,000						12,000
								0
								0
								0
								0
								0
								0
Subtotal		12,000	0	0	0	0	0	12,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	Cash / Fund Balance	12,000						12,000
								0
								0
								0
								0
								0
								0
Subtotal		12,000	0	0	0	0	0	12,000

Department / Group: DPW - Water **Need Group:** Core
Affected Dept.: DPW - Water
Project Title: Service Vehicle
Department Priority: 10
Description & Scope: Replacing service vehicle that is used by our summer worker(s). Once approved the new service vehicle will go to a full time operator and the part time worker(s) will use the full time employees old vehicle.
Purpose & Need: Replace 25-30 year old vehicle that is costing more in repairs than worth. The new service truck would include utility boxes mounted to the frame. The current water department service vehicles are just pic-ups with a tool box attached.
Impact on Future Operating Budget: Reduction in costs for repairs and parts.
External Funding Sources Available: None

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031

Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

Leasing if available.



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
610-61936-820	610	75,000		75,000				150,000
								0
								0
								0
								0
								0
								0
Subtotal		75,000	0	75,000	0	0	0	150,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Water	Cash / Fund Balance	75,000		75,000				150,000
								0
								0
								0
								0
								0
								0
Subtotal		75,000	0	75,000	0	0	0	150,000

Department / Group: DPW - Water **Need Group:** Core
Affected Dept.: DPW - Water
Project Title: Tower Preservation/Repair
Department Priority: 19
Description & Scope: Tower repair by tuckpointing

Purpose & Need: More cracks and material on the outside perimeter and in the entrance door area have been noticed. Full inspection and quote is needed to give an accurate budget cost.

Impact on Future Operating Budget: There should be no impact on future operating budgets.

External Funding Sources Available: Historical Preservation Grants

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
610-61936-820	610	50,000						50,000
								0
								0
								0
								0
								0
								0
Subtotal		50,000	0	0	0	0	0	50,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Water	Rev Debt: Note	50,000						50,000
								0
								0
								0
								0
								0
								0
Subtotal		50,000	0	0	0	0	0	50,000

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031
 Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

Do nothing and tear down when the new tower is operational.



Department / Group: DPW - Water **Need Group:** Core
Affected Dept.: DPW - Water
Project Title: Well 8 Discharge
Department Priority: 14
Description & Scope: Connect our backwash discharge line to the wastewater sanitary main.
Purpose & Need: By connecting to the sanitary system this will eliminate having to test TSS (total suspended solids) and Manganese. DNR classifies the backwash water as wastewater. At present time the discharge water goes into a holding pond and must set or settle for at least 24hrs before any testing. Once sample is taken we open a valve near the holding pond and the wastewater makes its way into Whitewater Creek. Right now we are required to test once a month at a cost of \$60 per test. Things can change as we all know when it comes to clean water act. When the water main and sanitary was replaced on Industrial Dr. in 2020 a sanitary stub (steel post in picture shows where sanitary is stubbed to) was installed into our property for this particular reason. There will be no need to go out into the road. Also we can probably fill the existing holding pond if so desired but that may have to be approved by the DNR.
Impact on Future Operating Budget: The required testing costs would go away.
External Funding Sources Available: None

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031

Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

Status quo and follow DNR required monthly testing for now. Always a possibility the EPA and DNR might put in stricter wastewater discharge regulations. Chosen to eliminate sampling and any future requirements from DNR.



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
610-61936-823	610	35,000						35,000
								0
								0
								0
								0
								0
								0
Subtotal		35,000	0	0	0	0	0	35,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Water	Cash / Fund Balance	35,000						35,000
								0
								0
								0
								0
								0
								0
Subtotal		35,000	0	0	0	0	0	35,000

2022-2023 Deferred Projects

Department / Group: Need Group:

Affected Dept.:

Project Title:

Department Priority:

Description & Scope:

Purpose & Need:

Impact on Future Operating Budget:

External Funding Sources Available:

City of Whitewater
 Capital Improvement Program
 F.Y. 2022 - 2031

Initiative Type:

Can continue with High Pressure Sodium

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?



Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
450	450	347,165						347,165
or								0
450	450	173,583	173,583					347,166
or								0
450	450	115,722	115,722	115,722				347,166
								0
Subtotal		636,470	289,305	115,722	0	0	0	1,041,497

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Bond	347,165						347,165
								0
Levy	GO Debt: Bond	173,583	173,583					347,166
								0
Levy	GO Debt: Bond	115,722	115,722	115,722				347,166
								0
Subtotal		636,470	289,305	115,722	0	0	0	1,041,497

Department / Group: DPW - Water **Need Group:** Core
Affected Dept.: DPW - Water
Project Title: Main looping - Elkhorn Roundabout
Department Priority: 3
Description & Scope: Continuation of looping of dead end water mains at empty lot near Elkhorn Roundabout.
Purpose & Need: Kwik Trip will soon have a store at the corner of Bluff Road and Elkhorn Road. Their water service will come off a dead end water main. Water main should be looped from Elkhorn Road to the east to tie into another dead end water main.
Impact on Future Operating Budget: There should be no impact to future operating budgets.
External Funding Sources Available: None

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
610-61936-810	610	75,000						75,000
								0
								0
								0
								0
								0
								0
Subtotal		75,000	0	0	0	0	0	75,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Water	Rev Debt: Bond	75,000						75,000
TID	GO Debt: Bond	TBD						0
								0
								0
								0
								0
								0
Subtotal		75,000	0	0	0	0	0	75,000

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031
 Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

No other alternatives exist to deliver water.



Department / Group: Park & Rec - Facilities Need Group: Non-Core

Affected Dept.: Park & Rec - Facilities

Project Title: Moraine View Playground

Department Priority: Medium

Description & Scope: As the park has developed over recent years and with the Soccer Club exclusively utilizing the site for youth soccer, the park would be a tremendous location for a playground

Purpose & Need: A playground would serve siblings of soccer players and provide another recreational amenity in the park.

Impact on Future Operating Budget: The equipment would require replacement in 15-20 years

External Funding Sources Available:

City of Whitewater
Capital Improvement Program
 F.Y. 2022 - 2031
 Initiative Type: Capital

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Park Facility Improvement	450	40,000						40,000
								0
								0
								0
								0
								0
								0
Subtotal		40,000	0	0	0	0	0	40,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Note	17,000						17,000
Levy	Cash / Fund Balance	23,000						23,000
								0
								0
								0
								0
								0
Subtotal		40,000	0	0	0	0	0	40,000



Department / Group: Park & Rec - Facilities **Need Group:** Non-Core
Affected Dept.: Park & Rec - Other
Project Title: South Trippe Lake Property Purchase
Department Priority: 2
Description & Scope: Purchase of Property on South end of Trippe Lake

Purpose & Need: The Hunt trust property has become available for purchase. This property surrounds the south end of Trippe Lake and also includes acreage along Willis Ray Road. This property could be used for a future expansion to add a nature park as well as provide a possible area to deposit future lake dredging soils. In addition this would give us access to Whitewater Creek and the South end of Trippe Lake..

Impact on Future Operating Budget:

External Funding Sources Available:

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
450-58100-999	450	272,000						272,000
Fund 240	240	48,000						48,000
								0
								0
								0
								0
Subtotal		320,000	0	0	0	0	0	320,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Note	272,000						272,000
Levy	Cash / Fund Balance	48,000						48,000
								0
								0
								0
								0
Subtotal		320,000	0	0	0	0	0	320,000

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031

Initiative Type: **Capital**

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?



Department Fire / Rescue **Core**
Affected Dept. EMS Division
Project Title: Replace Ambulance 1281
Department Priority
Description & Scope: Work with well known and reliable manufacturers of ambulances to create and develop blueprints, proposals, and bids to replace the current 1281.
Purpose & Need: Ambulance 1281 provides critical equipment and personnel responding to medical calls
Impact on Future Operating Budget: Single purchase
External Funding Sources Available: There are no known grants or outside funding sources available.

Project Cost Summary

Expenditure Category	Expenditure Fund	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
210-52200-810	210	-	325,000	-	-			325,000
850-52270-810	850							-
Land/R.O.W.								-
Technology								-
								-
								-
Subtotal		-	325,000	-	-	-	325,000	650,000

Funding Source Summary

Payer Group	Funding Source	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27-31	Total
Levy	GO Debt: Note	-	325,000	-	-			325,000
WFD	Cash / Fund Balance							-
								-
								-
								-
								-
Subtotal		-	325,000	-	-	-	-	325,000

City of Whitewater
Capital Improvement Program
F.Y. 2022 - 2031

Initiative Capital **Capital**

Ambulances are currently rotated in the fleet to for service/maintenance in order to guarantee a top performing unit responding to medical emergencies.

ALTERNATIVES: What options exist vs. this request? Why is this option being chosen?



