


To: DCF Area Administrators
Child Placing Agency Directors
Child Welfare Agency Directors
County Departments of Community Programs Directors
County Departments of Developmental Disabilities Services Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
Group Home Providers
Tribal Social Service/Indian Child Welfare Directors
Private Child Placing Agencies
Residential Care Center Providers
Shelter Care Providers
Tribal Chairpersons

From: Fredi-Ellen Bove 
Administrator

Re: Reverse Address Sex Offender Checks

PURPOSE

Caregiver background checks mandated by the Caregiver Law under Wisconsin Statute section 48.685 help a child regulatory or placement agency identify any criminal background of reported residents of specified entities seeking a license or approval to care for children, such as foster homes and other unlicensed providers.

This policy updates the requirement for checking Wisconsin Sex Offender Registry information to assist in identifying sex offenses of unreported residents of entities that seek licensure or certification to care for children or unreported residents of other unlicensed placements for children, such as relative placements.

BACKGROUND

The Wisconsin Department of Corrections operates a Sex Offender Registry Website which provides automated information about sex offenders who are required to register with the Department of Corrections and serves as a means for monitoring an offender's whereabouts. The Department of Corrections hosts a web-based application that identifies where registered sex offenders reside. The Department of Corrections has changed vendors.

POLICY AND PROCEDURE REQUIREMENTS

Under this policy requirement, a county department and a child welfare agency under contract with the department, and as applicable by contract or other legal requirements, a county or tribal agency, must conduct a reverse search by address of the Sex Offender Registry information for any entity that applies for licensure or approval under the Children's Code, Wisconsin Statutes chapter 48. These agencies must also conduct a reverse search by address of Sex Offender Registry information for a child placement or approval of a child's placement under the Children's Code. For example, before an agency licenses a foster home or approves kinship care or relative placement for a child, the agency must conduct a search of Sex Offender Registry information by the address of a foster home, kinship care provider, or other out-of-home provider.

This requirement applies to:

Licensure of:

Foster homes

Placement or approval of care in the home of:

Relatives

Unlicensed individuals

Voluntary or court-ordered kinship care

Guardians under Wisconsin Statute section 48.977 or chapter 54.

A reverse search by address is done by entering the entity or placement address at:

<http://offender.doc.state.wi.us/public/>

The sex offender registry check must be completed using the “Geographical Search” function on the website. Select a distance of “1 Mile” from the address entered. Once the address is entered, a list of offenders in the surrounding area is shown. Use the “list” function to view the nearest registered offender to the address being checked. Alternatively, use the “zoom in” function on the map to view if a registered offender is shown at the address.

Based on any relevant information found and appropriate authority, county departments, their contract agencies, child placing agencies and tribal agencies should follow-up with appropriate licensing or child protection action. For example, if warranted, an agency may make a report of suspected child abuse, or if warranted and the agency has the necessary authority, an agency may remove a child from a home.

Note that it is illegal to use information obtained through the Sex Offender Registry to engage in any illegal discrimination or harassment. However, taking appropriate regulatory action or other appropriate action to protect children does not constitute illegal discrimination or harassment.

Note also that Registry information does not contain information on all convicted sex offenders. The information is limited by the effective date of the applicable law and to those offenders who have been arrested and convicted, adjudicated or committed for a crime specified under the law and who meet registration and publication requirements. For example, certain sex offenses by juveniles or other persons may not meet registration or publication requirements. Please consider these limitations when obtaining information from the Registry.

eWiSACWIS DOCUMENTATION

All background check documentation for foster homes with out of home placements must be scanned into eWiSACWIS within seven (7) calendar days from the issuance date of a license. Continued federal Title IV-E funding is contingent on the required background checks being documented as part of the provider record in eWiSACWIS.

When checking an address, choose the “List” view to verify the results of the search. When in the List view, check the addresses against the address of the provider to ensure that no addresses match the address of the provider; verification must be completed on *each* page of the search results. All pages of the results list must be scanned into eWiSACWIS and the entire list of results must be printed and saved in the provider’s file.

ACTION SUMMARY

Agencies are required to comply with all background check requirements, including the use of the Sex Offender Registry website. Agencies are responsible to begin complying with the new website for the Sex Offender Registry check requirements as of May 1, 2015 using the sex offender registry website detailed above.

REGIONAL OFFICE CONTACT: DCF Area Administrator

CENTRAL OFFICE CONTACT: Out of Home Care Specialist
Division of Safety and Permanence
Bureau of Permanence and Out of Home Care
608.422.693

Child Welfare Licensing Program Specialist
Division of Safety and Permanence
Bureau of Permanence and Out of Home Care
262-446-7856

MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>