

DAI Policy 500.50.08 – Access by Inmate Patients to Their Health Care Records
Attachment A – Example of Redacted Document
Effective Date: 08/25/14

DEPARTMENT OF CORRECTIONS
Division of Adult Institutions
DOC-2295 (Rev. 1/2009)

WISCONSIN
Wisconsin Statutes
Chapter 980

SPECIAL PURPOSE EVALUATION REPORT

OFFENDER NAME (Last, First) XXXX	DOC NUMBER XXX	DATE OF BIRTH XXX
FACILITY NAME XXX Correctional Institution	DATE OF EVALUATION 6/4/2010	DATE OF SPE REPORT 6/22/2010
NAME OF EVALUATOR	[x] INITIAL SPE [] SPE RE-EVALUATION	[] SPE "YES" [x] SPE "NO"

REDACTING NOTE: This document contains references to the PSI Report which would have to be redacted prior to permitting an inmate to review and/or obtain a copy, and prior to disclosing this document. Strike-outs show the redacted PSI information. Other information has been deleted or revised with an "X" to protect the identity of the subject of this report. The Reason for Referral, Informed Consent and Information Reviewed sections do not refer to the PSI Report, so would not be redacted.

Reason for Referral

The subject is a X female who was referred for a psychological evaluation in order to determine her potential eligibility for civil commitment as a Sexually Violent Person as that term is defined in Chapter 980 of the Wisconsin Statutes. According to available records, the subject was convicted in X County Circuit Court on one count of First Degree Sexual Assault of a Child. The subject was initially placed on 20 years probation to be served concurrent with a previously imposed sentence of five years to the Wisconsin Prison System on a charge of incest also charged in X County Circuit Court. Again, according to available information, the subject was formally revoked from probation supervision in April of 2000, and was re-sentenced on count one of case X First Degree Sexual Assault of a Child receiving 15 years to the Wisconsin Prison System on June 23, 2000. According to available records, the subject has a current calculated Mandatory Release date of July 18, 2010 and a Maximum Discharge date of February 22, 2015.

Informed Consent

Prior to the clinical interview, the subject was informed of the following:

- The purpose of the present evaluation is to assess whether or not the subject meets the requirements for commitment under chapter 980 from the Wisconsin statute also known as the sexually violent person's law.
- The subject has the right to not participate in the examination or answer any questions posed in the form of direct interview or through psychological testing.
- The subject's decision regarding participation in the interview will not be used against them in the preparation of this report.
- Nothing said during the evaluation would be confidential and could be repeated either in written report or in testimony.
- The examiner would be writing a report concerning potential commitment under chapter 980 of the Wisconsin statute based on whatever relevant information the examiner could obtain through the review of any and all records pertaining to the subject's criminal offense history. Record review and the evaluation would be completed whether or not the subject agreed to participate in the evaluation process. Records reviewed could include any and all Pre-sentence Investigations completed as part of the subject's criminal offense history, as well as records pertaining to drug and alcohol assessment and treatment, and educational assessment.

The subject reported that she understood the provisions of the informed consent and was able to reiterate these provisions to both this examiner and to X, PhD who was also present at the time of the clinical interview. Despite the subject's assertions that she understood the provisions of the informed consent, it became clear that due to her obvious cognitive limitations a full understanding of the nature and purpose of the present evaluation, as well as inherent limitations on confidentiality associated with her participation in the present clinical interview was limited; however, after answering all questions the subject posed regarding Chapter 980 and the purpose of the clinical interview, it was her decision to participate in the examination. The subject then signed the Special Purpose Evaluation Informed Consent so indicating.

Information Reviewed

The following materials were reviewed in the preparation of this evaluation: The subject's Department of Corrections Institutional files including the Social Services file, Legal file, and Psychological Services file. In addition, this examiner had an opportunity to review materials contained in the subject's probation and parole file, as well as making attempts to consult with the district attorney's office in X County. It is the opinion of the present examiner that the quantity and quality of information contained within the subject's Department of Corrections files, where of a level of sufficiency which allows for the opinions offered herein.

Sexual Offense History

REDACTINGNOTE: In the following paragraph, the psychologist indicates which information was contained in the PSI Report, so only that information is redacted.

As summarized in the End of Confinement Review Board Summary dated December 16, 2009, as well as from information obtained from the ~~Pre-sentence Investigation~~ completed in July of 1991, and in the ~~Pre-sentence Investigation~~ completed in August of 1991, as well as information summarized in the Criminal Complaint prepared for case XXX and filed in X County Circuit Court, the subject was charged with one count of Incest relating to behavior which reportedly occurred between June of 1989 and January of 1990 involving her then 6-year-old daughter and 4-year-old son. As a result of this charge and conviction, the subject was ordered to serve five years in the Wisconsin Prison System. ~~As noted in the Pre-sentence Investigation completed in July of 1991, the initial Criminal Complaint included two counts of Contributing to the Neglect of a Minor Child, one count of Sexual Contact with a Child Under the Age of 13 with these three charges dismissed as a result of the subject entering a plea of Guilty to one count of Incest. All of these charges related to the subject, over the dates reported above, engaging in ongoing sexual contact with her then six year old daughter and four year old son. Through the use of anatomically correct dolls, her daughter explained to investigating authorities that she and her brother had been asked to undress and lay down beside their mother on the bed. They were then instructed to simulate penis to vagina intercourse with her brother lying on top of his sister. According to the children, the subject had her 4 year old son lay on top of her placing his penis into her vagina. Additionally both children reported that their mother had them suck on her breasts.~~

REDACTING NOTE: In the following paragraph, it appears that all the information is from the PSI Report, so the entire paragraph would be redacted.

~~As further summarized in the Pre-sentence Investigation completed in July of 1991, the subject initially denied the allegations of sexual abuse as reported by her children. Eventually, the subject underwent a polygraph investigation during which time she admitted to having engaged in sexual activity with both her 6 year old daughter and her 4 year old son. She also admitted to having the 4 year old son lie on top of her and placed his penis near her vagina. She also admitted that she had observed her son and daughter engaging in penis to vagina intercourse between 25 and 30 times; however, she reported that she had told them to stop engaging in this behavior, but then made no follow through efforts to separate the children. It was further noted in the Pre-sentence Investigation that the subject returned to a total denial of her involvement in the offenses for which she was charged insisting that she only plead guilty to Incest in order to reduce the number of charges she faced upon her lawyer's advice. She insisted that her daughter was lying as to the allegations. She also claimed to love her children and that she would do anything for them.~~

REDACTING NOTE: In the following paragraph, the psychologist refers to a clinical evaluation, and not the PSI Report, so it would not be redacted.

At the time of the present clinical evaluation, the subject stated that she feels extreme shame and guilt over what she did. She specifically reported "I can't forgive myself for what I did." Admitting that she forced her oldest daughter and son to engaged in intercourse with each other. She then went on to state that she would never do it again.

REDACTING NOTE: In the following paragraphs, the psychologist indicates when information from the PSI Report is being cited, so that part of the paragraph would be redacted.

According to information contained in various Department of Corrections records including the End of Confinement Review Board Summary and the ~~Pre-sentence Investigations~~ noted previously, the subject was charged in X County Circuit Court with one count of First Degree Sexual Assault of a Child and two counts of Bail Jumping (X) These charges were eventually amended to one count of First Degree Sexual Assault of a Child and one count of Bail Jumping for which the subject was found Guilty initially receiving a sentence of 20 years probation concurrent with her sentence imposed in case X as described above. On the same date, the subject received an additional five years of probation supervision on count two, Bail Jumping to be served concurrent with the sentence of 20 years probation pertaining to count one (case X). Eventually, the subject was formally revoked from probation supervision receiving a sentence of 15 years to the Wisconsin State Prison System imposed on January 23, 2000 and a five year sentence to the Wisconsin State Prison System imposed on count two, Bail Jumping, also on January 23, 2000.

The events of sexual assault leading to her charge of First Degree Sexual Assault of a Child reportedly occurred in X, Wisconsin while the subject was on bail relative to the charges filed in case . Specifically, the subject during the course of her pending legal matters related to her charge of Incest, engaged in a pattern of fondling a 4-year-old nonrelative male's penis on several occasions. According to available records, the subject had access to the victim as he was the child of neighbors who lived on the first floor of the duplex where the subject was residing. ~~According to information contained in the Pre-sentence Investigation completed in August of 1991, the victim's father reported to the X Police Department that his 4 year old son indicated that the~~

~~neighbor (the subject) played with his “wee wee.” At first the father did not believe his son and let the matter pass. However, his son apparently reported similar events having occurred on four or five subsequent occasions resulting in the father reporting these allegations to the X Police Department. According to records reviewed, it was also reported that the subject had similarly touched the victim’s younger brother; however, due to the age and an apparent speech problem of this second victim, confirmatory information was unable to be provided to either his parents or the investigating police officer. As a result, the subject was charged with one count of First Degree Sexual Assault of a Child, and two counts of Bail Jumping. Records indicated that at the time of the investigation into these allegations, the subject denied any form of sexual contact with either the four year old victim or his younger brother. She did acknowledge that she had unsupervised contact with her eight month old nephew.~~

At the time of the present clinical evaluation, the subject indicated that, in fact, she had perpetrated the sexual assault of a four-year-old nonrelative male as reported in available records. She continued to assert that she is unable to forgive herself for what she did and again she felt as though she would never do this type of behavior again.