

Racine County Ch 980 Committee
WebEx Meeting
Monday, September 14, 2020 – 9:00 a.m.

Meeting attended by: Assistant Corporation Counsel Erika Frank Motsch, Principal Assistant Corporation Counsel John Serketich, Legal Coordinator for the Office of the Corporation Counsel Nicole Jurgens, Aging and Disability Services Administrator Michelle Goggins, Public Works and Development Services Director Julie Anderson, DOC Corrections Field Supervisor Nancy Ahler, and Wisconsin Department of Health Services Contract Specialist Angela Serwa.

1. Convene meeting

The meeting of the Ch. 980 Committee was called to order at 9:03 a.m. by Principal Assistant Corporation Counsel John Serketich.

2. Public Comments

There were no comments made by the members of the public present.

3. Approve Agenda & Minutes

Agenda for September 14, 2020 meeting and Minutes from August 31, 2020 meeting reviewed.

Motion: Julie Anderson moved to approve both the agenda and minutes as corrected. Seconded by Michelle Goggins.

Action: All Ayes, No Nays. Unanimous. **Motion passed.**

4. Legal updates (Office of Corporation Counsel)

Legal Updates: 9:07 a.m.

Daniel Williams: Committee continues to search for suitable housing. As provided at the last Committee meeting, the continued Motion hearing regarding Mr. Williams' Motion to Compel was held on June 30, 2020, and testimony was provided by committee members Kim Christman and Michelle Goggins. The evidentiary portion of the Motion hearing was not completed; therefore, a continued Motion hearing was held on September 3, 2020 at 1:30 pm. Evidence was heard, Michelle Goggins and Angela Serwa testified. Written closing arguments are due October 2, 2020, and parties' responses to each other's closing arguments are due October 8, 2020. Decision Hearing scheduled November 6, 2020, but the Court may issue a written decision before that date. Mr. Williams' Motion for Sanctions is still being held in abeyance and remains pending before the Court.

Hung Tran: Committee continues to search for suitable housing. As provided at the last Committee meeting, the Order for Supervised Release was entered on February 14, 2020. As no residential option has been identified yet for Mr. Tran, the Committee filed a Report of Committee's efforts to identify such an option on June 12, 2020. Mr. Tran's counsel has filed a motion for withdrawal, but, the Court has yet to schedule that Motion for any further proceedings. At this time, as the County is not a party to the case, and the Department has not participated in any recent hearings for Mr. Tran, there is no further information as to the basis or grounds for that Motion. Mr. Tran may be subject to a Federal/U.S. Immigration and Customs Enforcement (ICE) detainer.

5. Residential option updates (Racine County Human Services Department (HSD))

Michelle Goggins provided an update on properties evaluated by HSD and their continued search to find suitable housing for Mr. Williams and Mr. Tran:

Properties for sale:

August: 1,858 properties were referred to HSD for evaluation, of which only 239 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 239 properties, 71 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. All 71 properties were sent to the vendors for consideration.

The year-to-date totals for 2020 are as follows: 9,868 properties were referred to HSD for evaluation, and only 1,492 had not been previously evaluated by HSD for conformity with statutory criteria. Of the 1,492 properties, 278 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool, and all 278 properties were sent to the vendors for consideration.

In August, HSD measured the 1,500' statutory restriction by radius and by route of travel. Also, two vendors reported to HSD that they are currently not interested in purchasing properties but wished to continue receiving the property lists from the Committee. HSD contacted all vendors to discuss their requirements for properties, including desired price ranges and specifications for location of properties other than statutory criteria.

Rentals:

August: 31 rental units were identified by HSD and evaluated for conformity with statutory criteria, three (3) met statutory criteria after HSD's preliminary evaluation using the digital mapping tool, but all landlords reported to HSD that they were not interested in entering a lease with the Department for housing Mr. Williams and Mr. Tran.

The year-to-date totals for 2020 are as follows: 295 rental units were identified by HSD and evaluated for conformity with statutory criteria, 32 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. Additionally, 130 landlords have been contacted (total number of landlords includes both landlords that had property available that met statutory criteria, and landlords that did not have any properties available that met statutory criteria but were contacted to determine whether they had interest in housing subjects committed under ch. 980).

In-rem: In-rem actions took place in August. Of the properties subject to in-rem actions, 28 properties were identified and referred to HSD for evaluation, and five (5) met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. Although the properties are not available for purchase yet, all five (5) properties were sent to vendors for consideration. HSD contacted Caledonia Police Department (CAPD) to investigate two (2) of the properties further for evaluation, but the Committee has not yet received their reports. The Office of the Corporation Counsel and the Department of Public Works has received calls from concerned neighbors of one of the properties investigated by CAPD expressing their concern with any potential placement in that area.

Julie Anderson evaluated six County owned farmland leases to see if any properties are buildable and found that all properties are landlocked or floodplain/wetland and, therefore, are not buildable. There is another property pending sale but could possibly be built upon if the sale falls through, however the area is quickly urbanizing and may not meet statutory criteria and would be an expensive and lengthy process to split the parcel, change the zoning, etc.

6. Discuss/consider process for making recommendation to DHS and Court for Chapter 980 sex offender placement

Angela Serwa provide updates on actions by other Counties/Committees including Milwaukee County. In Milwaukee County, Ch. 980 requires that the committee place subjects in a certain municipality in Milwaukee County. Recently, their committee had one subject that required placement, but the committee's only available option for placement was in a municipality other than the municipality that statute required. To place that subject, the Committee requested the circuit court for an exception to the statutory restrictions related to that municipality requirement, and the court authorized the Committee's request.

7. Closed Session

There were no discussions that required a closed session; therefore, the meeting remained open for its entirety.

8. Adjournment

Next meeting scheduled for: **Monday Oct 19, 2020 at 9:00 am.**

Motion: Julie Anderson moved to adjourn meeting at 9:37 a.m. Seconded by Nancy Ahler.

Action: All Ayes, No Nays. Unanimous. **Motion passed.**

Recorded September 14, 2020
Nicole Jurgens
Office of the Corporation Counsel