

**Racine County Ch 980 Committee**  
WebEx Meeting  
Monday, November 16, 2020 – 9:00 a.m.

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**Meeting attended by:** Principal Assistant Corporation Counsel John Serketich, Assistant Corporation Counsel Erika Frank Motsch, 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, Racine County Real Property Lister/GIS Manager Kim Christman, 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 9:01 a.m. by Assistant Corporation Counsel Erika Frank Motsch.

**2. Public Comments**

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

**3. Approve Agenda & Minutes**

Agenda for November 16, 2020 meeting and Minutes from October 16, 2020 meeting reviewed. Kim Christman noted a correction to numbers in section 5.

**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: 9:04 a.m.

**Daniel Williams:** Committee continues to search for suitable housing. On October 23, 2020, Judge Wynne P. Laufenberg issued a written decision granting Mr. Williams’ Motion to Compel. In that decision, Judge Laufenberg ordered, in relevant part, the “County shall create a residential placement for the respondent and seek financial reimbursement from DHS. . . [and that] the court will schedule this matter in six months to review the 980 Committee’s progress in implementing this order.” Considerations for the County’s response to Judge Laufenberg’s decision, through the Office of Corporation Counsel, and in cooperation with the Committee, are underway. 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. No legal actions have occurred in Mr. Tran’s case since the last Committee meeting, so there are no additional updates for the Committee.

**James Hinkle:** Mr. Hinkle has been living in a residence identified by this Committee since July 2020. As the County is not a party to that case or otherwise involved in the supervision of Mr. Hinkle, Angela Serwa provided the following updates regarding the Statement of Probable Cause for Detention and Petition for Revocation of Supervised Release that was filed against Mr. Hinkle on October 30, 2020 according to Wisconsin Circuit Court Access (CCAP). Neither the Committee nor the County was made aware of the

Petition and related actions until this Committee meeting. Per Ms. Serwa, although Mr. Hinkle was found to have violated his supervised release, Mr. Hinkle's Community Reintegration Team (CRT), which is responsible for overseeing Mr. Hinkle's supervised release, ultimately determined that they were not going to recommend that Mr. Hinkle's supervised release be revoked. As a result, the October 30, 2020 Petition against Mr. Hinkle was withdrawn. Instead, the Court entered an order based on a stipulation filed by the parties. Pursuant to the parties' stipulation, the Court ordered that Mr. Hinkle was required to return to Sand Ridge Secure Treatment Center (Sand Ridge) for treatment, and that Mr. Hinkle's placement in his current residence be held for him until he is released from Sand Ridge. Mr. Hinkle's treatment is expected to take from one to three months, but the exact time period he will remain at Sand Ridge is unknown as he must remain at Sand Ridge until he has satisfied his required treatment. Because the Court ordered that Mr. Hinkle's placement in the residence be held, the Committee cannot place any of the persons currently approved for supervised release and awaiting placement.

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

Kim Christman provided the following updates:

- MLS Listings
  - No changes to the search criteria.
  - Ms. Christman sends list to HSD every week on Tuesday for evaluation.
  - 10-20-2020: 23 single-family, 2 two-family, 1 multi-family, and 1 condos (total: 27)
  - 10-27-2020: 27 single-family, 1 two-family, 0 multi-family, and 4 condos (total: 32)
  - 11-03-2020: 19 single-family, 1 two-family, and 3 condos (total: 23)
  - 11-10-2020: 29 single-family, 3 two-family, 2 condos (total: 34)
    - **Grand total: 116**
  
- Wihomes.com sales list
  - No change to the search criteria.
  - Ms. Christman sends listings to HSD every week on Wednesday for evaluation.
  - Note: "New" as provided in this section was defined by Kim as not on the previous week's list.
  - 10-21-2020: 377 single family (41 new), 43 duplex (5 new), 55 condo/townhouse (4 new), 9 Multi Family (2 new), 9 rental (2 new). Total: 498 (54 new)
  - 10-28-2020: 383 single family (43 new), 38 duplex (0 new), 53 condo/townhouse (6 new), 9 multi-family (0 new), 10 rental (1 new). Total: 493 (50 new)
  - 11-03-2020: 344 single family (35 new), 40 duplex (5 new), 46 condo/townhouse (5 new), 9 multi-family (1 new), 10 rental (1 new). Total: 449 (47 new)
  - 11-11-2020: 337 single family (26 new), 44 duplex (5 new), 67 condo/townhouse (25 new), 9 multi-family (0 new), 11 rental (1 new). Total: 468 (57 new)
    - **Grand total: 1908 (208 new)**
  
- GIS Mapping Tool
  - No updates/changes to Tool since last meeting.

Michelle Goggins provided the following updates on properties evaluated by HSD and their continued search to find suitable housing for Mr. Williams and Mr. Tran.

### **Properties for sale:**

October: 2,083 properties were referred to HSD for evaluation, of which only 163 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 163 properties, 57 met statutory criteria

after HSD's preliminary evaluation using the digital mapping tool. All 57 properties were sent to the vendors for consideration. One property was identified, and a vendor was willing to put in an offer, but DHS provided feedback indicating this residence does not adhere to statutory criteria because the residence is within the 1,500-foot (as the crow flies) restriction. For this property, HSD explored an alternative to "as the crow flies" method, and instead, calculated the 1,500-foot measurement by measuring the distance of the most direct route of travel via the roads from structure to structure. However, DHS shared that "as the crow flies" was the only way DHS had ever measured the 1,500-foot restriction when DHS is responsible for identifying a residence, and DHS was aware of only one circumstance in Milwaukee County in which a court granted an exception to the 1,500-foot restriction. In that circumstance in Milwaukee County, a pre-Act 184 committed person was already living at a property that was located 1,223' from a public park "as the crow flies", but when measured by walking / driving distance, it was over 1,500' from the public park. Discussion of this issue for the property located in Racine County led the Committee to reconsider how HSD should measure the statutory restriction that requires any identified residence be located 1,500-feet from certain statutorily identified points of interest.

The year-to-date totals for 2020 are as follows: 14,413 properties were referred to HSD for evaluation, and only 1,925 had not been previously evaluated by HSD for conformity with statutory criteria. Of the 1,925 properties, 434 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool, and all 434 properties were sent to the vendors for consideration.

#### **Rentals:**

October: 21 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: 337 rental units were identified by HSD and evaluated for conformity with statutory criteria, 37 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. Additionally, 135 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 properties have been secured by the Treasurer's Office. Of the properties subject to in-rem actions discussed at previous meetings, two residences are being evaluated by the Committee; each requires significant repairs to become habitable. HSD and the Office of Corporation Counsel to work with the Treasurer's Office to continue the evaluation of these properties and to further assess the damage. As shared at previous meetings, although these properties are not available for purchase yet, these two (2) properties were sent to vendors for consideration. HSD/Michelle Goggins will reach out to vendors to directly discuss whether any are interested in these in-rem properties.

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

Discussion held regarding how HSD should measure the statutory restriction that requires any identified residence be located 1,500-feet from certain statutorily identified points of interest. Other counties have

sought prior approval from a court before pursuing a particular residential property that appeared to be located close to the 1,500-foot requirement. Other counties also measure the 1,500-foot requirement with parameters that define an encroachment zone to permit consideration residences on the edge of the 1,500-foot buffer. The Committee agrees that properties shall be measured using the “as the crow flies” method.

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 December 14, 2020 at 9:00 am.**

**Motion:** Angela Serwa moved to adjourn meeting at 9:52 a.m. Seconded by Julie Anderson.

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

Recorded November 16, 2020

Nicole Jurgens -Office of the Corporation Counsel