

## Racine County Ch 980 Committee

WebEx Meeting

Monday, May 24, 2021 – 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, Racine County Real Property Lister/GIS Manager Kim Christman, Public Works and Development Services Director Julie Anderson, DOC Corrections Field Supervisor Nancy Ahler, and Wisconsin Department of Health Services (DHS) Contract Specialist Angela Serwa.

### 1. Convene meeting

The meeting of the Ch. 980 Committee was called to order at 9:02 a.m. by Assistant Corporation Counsel Erika Frank Motsch.

### 2. Public Comments

There were members of the public present (Caledonia Police Department Detective Schuster and Caledonia Police Department Sergeant Laehr), but there were no comments.

### 3. Approve Agenda & Minutes

Agenda for May 24, 2021 meeting and Minutes from February 22, 2021 meeting reviewed.

**Motion:** John Serketich moved to approve both the agenda and minutes. Seconded by Julie Anderson.

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

### 4. Legal updates (Office of Corporation Counsel)

Legal Updates: 9:04 a.m.

#### **Daniel Williams & Hung Tran:**

The Committee submitted a report to DHS for 9901 Saratoga Drive in Caledonia for the placement of Williams and Tran and DHS submitted its Supervised Release Plans for both individuals to the Court. The Court approved, the plans and DHS drafted a lease for the property. The Village of Caledonia petitioned the Court to intervene in the case and review the placement. The Court denied the motion to intervene, but on its own motion, reconsidered the placement of Williams and Tran at a hearing on May 12, 2021. The Court ruled placement was not appropriate for Tran since minors were present in the area and he is designated as a serious child sex offender. The Court did not agree with the Committee's argument that the Root River Parkway was not a park. Thus, the Root River Parkway shall be considered a park for the purposes of this Committee's analysis for placement. The Court ordered that the Chapter 980 Committee find a new placement for Williams and Tran within 120 days. The Court had not yet signed a final order so the 120-day deadline cannot be calculated, but the expectation is the due date for a report will be on or around September 22, 2021.

The County previously appealed the Court's Order for the County to buy or build a placement for Williams, but because placement was found, the appeal was stayed. The appeal is still pending but will likely remain

stayed for the next 120 days. The Office of the Corporation Counsel will work with retained outside counsel regarding the appeal but the Committee hopes to find proper placement within the designated 120 days.

The Committee discussed parkway designations for other “parkways” in reviewing other potential properties throughout the county. Kim Christman confirmed that the Root River Parkway is defined on the GIS mapping tool and Michelle Goggins confirmed that HSD will return to the practice of excluding properties near designated parkways.

The Court has further ordered local law enforcement reports to be filed along with the report to DHS as well as GIS mapping. Angela Serwa requested that law enforcement reports submitted be sealed regarding minor information in order to prevent potential release to the offenders. Attorney Serketich indicated the Office of the Corporation Counsel agrees and will clarify with the Court if the record should be redacted or sealed.

9:50 Detective Schuster raised the question regarding sealing court filings and Attorney Serketich clarified that the discussion regarding sealing and redacting applied only to filings that contained juvenile information to prevent release. Detective Schuster further requested his department be notified regarding potential placements. Attorney Serketich confirmed that such notifications are in place as local law enforcement is contacted when a property is identified, and that department is directed to review the area and submit their investigative report to the committee.

**Dennis Yarber:**

Order for Supervised release signed on April 21, 2021, 120-day placement deadline is August 19, 2021. Yarber is a serious child sex offender and, therefore, subject to the distance limits like Tran.

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

9:28. Ms. Goggins provided the following updates on HSD’s evaluations of the potential properties provided to HSD by Ms. Christman and HSD’s other efforts to identify suitable housing for the pending parties.

Ms. Goggins noted that HSD did not send out any properties in April based on the pending Court ruling. So far in May, the HSD has searched over 1,000 properties and some in-rem properties but will not have the final report until the end of May. HSD continues to work with potential vendors, but notes that the market is difficult at this time because most homes listed are sold within 24 hours. Thus, HSD struggles to timely contact the vendors and for the vendors to view and make an offer on the home before it is already sold.

Ms. Christman began her searches the week of April 27, 2021 upon notification of the order for Mr. Yarber.

**Properties for sale:**

Property searches continue, but HSD has not been forwarding results to vendors because the Committee has identified a residence for each Mr. Williams and Mr. Tran that is awaiting review and approval by the Court.

January: 1,450 properties were referred to HSD for evaluation, of which only 128 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 128 properties, 25 met statutory criteria after HSD’s preliminary evaluation using the digital mapping tool.

## Rentals:

January: None to report due to pending identified residence for Mr. Williams and Mr. Tran.

## In-rem:

No new in-rem properties to review.

Ms. Christman provided the following updates regarding the total number of properties that were sent to HSD for evaluation:

- MLS Listings
  - No changes to the search criteria
  - Send listings every week on Tuesday
  - 02/23/2021: 16 single family, 2 two-family, 0 multi-family, and 2 condos (total: 20)
  - 03/02/2021: 21 single family, 1 two-family, 0 multi-family, and 3 condos (total: 25)
  - 03/09/2021: 28 single family, 2 two-family, 0 multi-family, and 3 condos (total: 33)
  - 03/16/2021: 11 single family, 2 two-family, 2 multi-family, and 4 condos (total: 19)
  - 04/27/2021: 15 single family, 1 two-family, 1 multi-family, and 3 condos (total: 20)
  - 05/04/2021: 20 single family, 0 two-family, 1 multi-family, and 0 condos (total: 21)
  - 05/11/2021: 13 single family, 2 two-family, 0 multi-family, and 2 condos (total: 17)
  - 05/18/2021: 14 single family, 4 two-family, 0 multi-family, and 3 condos (total: 21)
    - **Grand total: 176**
  
- Wihomes.com sales list
  - No change to the search criteria
  - Send listings every week on Wednesday
  - 02/24/2021: 209 single family (20 new), 31 duplex (1 new), 42 condo/townhouse (3 new), 6 Multi Family (0 new), 8 rentals (0 new). **Total: 296 (24 new)**
    - Note: Ms. Christman defines “new” in this section as a property not included on the previous week’s list.
  - 03/03/2021: 191 single family (21 new), 27 duplex (2 new), 43 condo/townhouse (8 new), 6 multifamily (0 new), 3 rentals (0 new). **Total: 270 (31 new)**
  - 03/10/2021: 179 single family (22 new), 26 duplex (4 new), 43 condo/townhouse (6 new), 7 multifamily (1 new), 4 rentals (1 new). **Total: 259 (34 new)**
  - 04/28/2021: 197 single family, 31 duplex, 66 condo/townhouse, 4 multi-family, 2 rentals. **Total: 300 (no new numbers because of the gap in searches to compare)**
  - 05/05/2021: 198 single family (47 new), 30 duplex (5 new), 61 condo/townhouse (6 new), 5 multi-family (1 new), 2 rentals (0 new). **Total: 296 (59 new)**
  - 05/12/2021: 209 single family (41 new), 28 duplex (3 new), 63 condo/townhouse (7 new), 6 multi-family (1 new), 3 rentals (2 new). **Total: 308 (54 new)**
  - 05/19/2021: 221 single family (40 new), 28 duplex (1 new), 69 condo/townhouse (11 new), 7 multi-family (1 new), 5 rentals (2 new). **Total: 330 (55 new)**
    - **Grand total: 2059 (257 new)**
  
- GIS Mapping Tool
  - No updates/changes to Tool since last meeting.

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

9:32 a.m. – The Committee discussed and clarified that HSD shall continue searching for potential residences until all committed persons are placed.

Michelle Goggins suggests that the County hire a realtor to perform the searches, identify suitable homes, and forward the options to potential vendors. Most homes are listed on Fridays and have accepted offers by the time the County is able to provide options to vendors by the end of the following week.

DHS believed the the Court mentioned wanting to review potential placement options before the report is filed. Counsel present for the hearing did not recall this statement by the Court but discussion was held and the concern was that this extra step would add extra time to the location process and would make the Committee's chances of working with a vendor to purchase a property less likely due to the current competitive market. Counsel agreed to look at this issue and review any final Court order.

Julie Anderson noted the extreme cost increase in lumber which will present problems for potential new builds or rehabs.

Nancy Ahler noted that the DOC's potential placements are not suitable for Ch. 980 placements since 980 rules are more restrictive than their standard placements. Ms. Ahler offered DOC's assistance in committee's review of potential west end properties.

Attorney Motsch discussed with Ms. Christman the potential for a GIS map of the entirety of Racine County clearly marking all restricted areas (parks, schools, churches, etc.). Ms. Christman says she could manually create a map and expressed concerns with how often childcare locations change, but that she will work on a draft.

7. **Closed Session**

9:53 Attorney Serketich moved for closed session, seconded by Julie Anderson. Roll call vote, all ayes. Committee entered closed session at 9:55 am, returned to open session at: 10:02.

8. **Adjournment**

Next meeting scheduled for: **Monday, June 28, 2021 at 9:00 a.m.** and will be **in person** at Ives Grove in the auditorium.

**Motion:** John Serketich moved to adjourn meeting at 10:06 a.m. Seconded by Julie Anderson.

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

Recorded May 24, 2021

Nicole Jurgens - Office of the Corporation Counsel