

Racine County Ch 980 Committee
Ives Grove Office Complex
14200 Washington Ave
Public Works and Development Services Auditorium
Sturtevant, WI 53177
July 25, 2022 – 9:00 a.m.

Meeting attended by: Principal Assistant Corporation Counsel John P. Serketich, Assistant Corporation Counsel Erika Frank Motsch, Legal Coordinator for the Office of the Corporation Counsel Bethany Tangerstrom Heitman, Aging and Disability Services Operations Manager Jelena Jones, Angela Serwa from Wisconsin Department of Health Services (“DHS”), Nancy Ahler from the Wisconsin Department of Corrections, and Racine County Real Property Lister-GIS Manager Kim Christman.

1. Convene meeting

The meeting of the Ch. 980 Committee was called to order at 9:08 a.m. by Principal Assistant Corporation Counsel John P. Serketich.

2. Public Comments

No members of the public present, therefore no comments.

3. Approve Agenda & Minutes

Agenda for July 25, 2022, meeting and Minutes from June 27, 2022, meeting reviewed.

Motion: Michelle Goggins moved to approve both the agenda and minutes. Seconded by Kim Christman.

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

4. Legal updates (Office of Corporation Counsel)

9:09 a.m.

Daniel Williams

Racine County Circuit Court Case No: 1995-CF-1197

Wisconsin Court of Appeals District II Case No: 2020-AP-2074

As discussed by the Committee previously, after Mr. Williams was placed at the residence identified by this Committee, the Town of Burlington filed a Motion to Intervene. That motion was heard and denied by the Court on January 6, 2022. The appeal related to the Court’s order requiring the County to buy or build was dismissed on April 28, 2022. Mr. Williams will remain in his placement in the Town of Burlington, and therefore, no further action should be required of the Committee for this case at this time.

Dennis Yarber

Racine County Circuit Court Case No: 2014-CI-02

Committee continues to search for an appropriate residential option.

Jamerrel Everett

Waukesha County Circuit Court Case No: 2004-CI-01

Committee continues to search for an appropriate residential option. As discussed by the Committee previously, Mr. Everett's case related to his commitment is venued in Waukesha County. Like other commitment cases, Racine County is not a party to the action, however, counsel for the County is considering its role in that hearing. Attorney Bob Petersen filed a petition on behalf of Jamerrel Everett for discharge in May 2022. A court trial for the motion for discharge is scheduled for August 25, 2022. Furthermore, on June 20, 2022, Racine County Human Services Department ("HSD") contacted the Racine County Sheriff's Office ("RASO") and the Village of Caledonia Police Department ("CAPD") to investigate whether 7741 Douglas Avenue is still an appropriate property for serious child sex offenders due to Mr. Hinkle's Alternative to Revocation ("ATR") resulting in his return to Sand Ridge Secure Treatment Center ("Sand Ridge").

Michael Fink

Racine County Circuit Court Case No: 2006-CI-01

As previously discussed by the Committee, Mr. Fink has been on supervised release and living at a residence identified by this Committee since July 2020. On March 16, 2022, Mr. Fink filed a petition for discharge, and a hearing date for that discharge was set for May 9, 2022. However, on March 24, 2022, DHS filed a Petition to Revoke Order for Supervised Release. Each of those matters were heard on May 9, 2022, and again on May 31, 2022. On May 31, 2022, the Office of Corporation Counsel did not attend, but, per the Wisconsin Circuit Court Access Page ("CCAP"), the parties stipulated to an ATR and the Petition to Revoke was withdrawn by the DHS. Pursuant to that ATR, Mr. Fink will remain at the residence identified by the Committee previously.

James Hinkle

Racine County Circuit Court Case No: 2012-CI-01

As previously discussed by the Committee, Mr. Hinkle has been on supervised release and living at a residence identified by this Committee since August 2020. On April 8, 2022, the State filed a Petition to Revoke Order for Supervised Release. On May 2, 2022, the parties entered an ATR, which required that Mr. Hinkle return to Sand Ridge. Although defense requested a hold on Mr. Hinkle's current placement, that was refused by the Court. A review hearing on the ATR was held on June 3, 2022, and the Court Record and DHS advises that Mr. Hinkle will remain at Sand Ridge. DHS has confirmed that they will enter lease for another committed person to live at the residence if the statutory requirements are met. As a result, as reported during the discussion of Mr. Everett, the residence at which Mr. Hinkle was placed, 7741 Douglas Avenue, is to be evaluated to determine whether the property still meets the statutory requirements for a serious child sex offender by law enforcement.

James Levandowski

Racine County Circuit Court Case No: 2013-CI-01

An order for Supervised Release Plan and Community Placement Report was signed by Circuit Court Judge Timothy D. Boyle on July 7, 2022. Per this order, the Committee has 120 days, or until November 4, 2022, to find a residential option for Mr. Levandowski.

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

9:14 a.m.

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.

July: 700 properties were referred to HSD for evaluation, of which only 54 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 54 properties, 53 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. 30 of the 53 properties exceeded the amount of all the participating vendors' preferred purchase prices for residential properties, so 23 properties that were within the vendors' purchase prices were sent to vendors for consideration. No vendor has expressed interest in any of those properties to date.

Ms. Christman provided the following updates regarding the total number of properties that were sent to HSD for evaluation since the last committee meeting and as of July 22, 2022:

- MLS Listings
 - 06/27/2022: no list sent
 - 06/28/2022: 24 single family, 1 two-family, 0 multi-family, and 4 condos (total: 29)
 - 06/29/2022: 25 single family, 5 two-family, 0 multi-family, and 7 condos (total: 37)
 - 06/30/2022: 33 single family, 1 two-family, 1 multi-family, and 1 condos (total: 36)
 - 07/01/2022: 29 single family, 0 two-family, 0 multi-family, and 4 condos (total: 33)
 - 07/05/2022: no list sent
 - 07/06/2022: 30 single family, 2 two-family, 1 multi-family, and 3 condos (total: 35)
 - 07/07/2022: 34 single family, 4 two-family, 0 multi-family, and 2 condos (total: 40)
 - 07/08/2022: 35 single family, 7 two-family, 0 multi-family, and 2 condos (total: 44)
 - 07/11/2022: no list sent
 - 07/12/2022: 20 single family, 2 two-family, 0 multi-family, and 3 condos (total: 25)
 - 07/13/2022: 25 single family, 4 two-family, 0 multi-family, and 4 condos (total: 33)
 - 07/14/2022: 31 single family, 2 two-family, 1 multi-family, and 3 condos (total: 37)
 - 07/15/2022: 36 single family, 3 two-family, 1 multi-family, and 5 condos (total: 45)
 - 07/18/2022: 22 single family, 4 two-family, 3 multi-family, and 1 condos (total: 30)
 - 07/19/2022: 22 single family, 1 two-family, 3 multi-family, and 1 condos (total: 27)
 - 07/20/2022: 31 single family, 1 two-family, 1 multi-family, and 5 condos (total: 38)
 - 07/21/2022: 33 single family, 2 two-family, 0 multi-family, and 4 condos (total: 39)
 - 07/22/2022: 27 single family, 5 two-family, 0 multi-family, and 5 condos (total: 37)

- **Grand total: 566**
 - **457 single family**
 - **44 two-family**
 - **11 multi-family**
 - **54 condos**

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

9:16 a.m.

Principal Assistant Corporation Counsel John P. Serketich reported that the state-wide meeting of corporation counsels regarding Chapter 980 issues was not held in July, and he does not expect there will be a meeting in August either.

CAPD completed its property investigation and sent a report on 06/28/22. The Committee reviewed the report and concluded the 7741 Douglas Avenue property continued to be appropriate to house 980 offenders.

7. **Closed Session pursuant to section 19.85(1)(d), (e), and (f) of the Wisconsin State Statutes to discuss confidential offender information under Wis. Stats § 980.06.**

9:17 a.m.

Motion to go into Closed Session pursuant to section 19.85(1)(d), (e), and (f) of the Wisconsin State Statutes to discuss confidential offender information under Wis. Stats § 980.06 was made by Michelle Goggins and seconded by Kim Christman. Roll call vote, all ayes.

Michelle Goggins made a motion to return to open session, seconded by Kim Christman. All ayes. Open session was resumed at 9:39 a.m.

8. **Return to Open Session.**

9:39 a.m.

Motion: Kim Christman moved to recommend the placement of either Yarber or Everett into the 7741 Douglas Avenue property depending on the forthcoming MCO report on Mr. Yarber's needs. The motion was seconded by Michelle Goggins

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

9. **Adjournment**

9:42 a.m.

Next meeting scheduled for: **Monday, August 29th at 9:00 a.m.**

Motion: Attorney Motsch moved to adjourn the meeting at 9:43 a.m. Seconded by Kim Christman.
Motion passed. Meeting adjourned at 9:43 a.m.

Recorded July 25, 2022

Bethany Tangerstrom Heitman - Office of the Corporation Counsel