

Racine County Ch 980 Committee
Ives Grove Office Complex
14200 Washington Ave
Public Works and Development Services Auditorium
Sturtevant, WI 53177
March 27, 2023 – 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 Heitman (nee Tangerstrom), Aging and Disability Quality Assurance Supervisor Natalie Meinert, Racine County Real Property Lister-GIS Manager Kim Christman, Angela Serwa from Wisconsin Department of Health Services (“DHS”), and Public Works and Development Services Superintendent Brian Jensen. Also in attendance was Scott Timm from Wisconsin Department of Health Services (“DHS”).

1. Convene meeting

The meeting of the Ch. 980 Committee was called to order at 09:08 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 March 27, 2023, meeting and Minutes from February 27, 2023, meeting reviewed.

Motion: Kim Christman moved to approve both the agenda and amended minutes. Seconded by Natalie Meinert.

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

4. Legal updates (Office of Corporation Counsel)

9:11 a.m.

James Levandowski

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

The committee continues to search for an appropriate residential option. The Committee on November 4, 2022, sent a report to the Court describing the efforts that the Committee has made in its attempts to locate a residential option for Mr. Levandowski. During his last review hearing, Atty, Ayala indicated there is a possible placement coming up. The next status conference is scheduled for April 3, 2023.

NOTE - The following legal updates are informational only and no action is needed by the Committee at this time:

Jamerrel V. Everett

Waukesha County Circuit Court Case No:2004CI01

A petition to revoke order for supervised release was filed on December 7, 2022. A motion hearing is scheduled for May 25, 2023.

Dennis Yarber

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

On January 9, 2023, Committee report identifying an appropriate Adult Family Home (AFH) for Mr. Yarber was provided to DHS with copies provided to parties and filed with the court in Mr. Yarber's commitment case. Committee's identified placement was approved by the court on February 10, 2023, and DHS confirmed that Mr. Yarber will be placed at the AFH within the appropriate statutory time periods. DHS noted some recent concerns regarding his placement which DHS requested be discussed in closed session.

James Hinkle

Racine County Circuit Court Case No: 2012CI01

On December 21, 2022, a motion was made by Mr. Hinkle to return to the community, but that motion was withdrawn at the court hearing held on January 30, 2023. Mr. Hinkle will therefore remain at Sandridge Secure Treatment Facility ("Sandridge") at this time. Another review hearing was rescheduled to April 10, 2023, in Mr. Hinkle's case to address which rules Mr. Hinkle is required to follow while at Sandridge.

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

9:17 a.m.

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 March 24, 2023:

- MLS Listings
 - 2/27/2023: 25 single family, 1 two-family, 1 multi-family, and 0 condos (total: 27)
 - 2/28/2023: 30 single family, 0 two-family, 0 multi-family, and 1 condo (total: 31)
 - 3/01/2023: 28 single family, 0 two-family, 0 multi-family, and 2 condos (total: 30)
 - 3/02/2023: 31 single family, 0 two-family, 0 multi-family, and 4 condos (total: 35)
 - 3/03/2023: no list was sent
 - 3/06/2023: 29 single family, 2 two-family, 0 multi-family, and 4 condos (total: 35)
 - 3/07/2023: 24 single family, 1 two-family, 0 multi-family, and 4 condos (total: 29)
 - 3/08/2023: 19 single family, 1 two-family, 1 multi-family, and 5 condos (total: 26)
 - 3/09/2023: 23 single family, 1 two-family, 1 multi-family, and 12 condos (total: 37)
 - 3/10/2023: 30 single family, 1 two-family, 1 multi-family, and 11 condos (total: 43)
 - 3/13/2023: 24 single family, 0 two-family, 0 multi-family, and 4 condos (total: 28)
 - 3/14/2023: 21 single family, 1 two-family, 0 multi-family, and 3 condos (total: 25)
 - 3/15/2023: 25 single family, 1 two-family, 0 multi-family, and 1 condo (total: 27)
 - 3/16/2023: 31 single family, 3 two-family, 0 multi-family, and 2 condos (total: 36)

- 3/17/2023: 27 single family, 2 two-family, 0 multi-family, and 4 condos (total: 33)
- 3/20/2023: 31 single family, 0 two-family, 0 multi-family, and 3 condos (total: 34)
- 3/21/2023: 25 single family, 1 two-family, 0 multi-family, and 2 condos (total: 28)
- 3/22/2023: 22 single family, 4 two-family, 0 multi-family, and 3 condos (total: 29)
- 3/23/2023: 20 single family, 4 two-family, 0 multi-family, and 6 condos (total: 30)
- 3/24/2023: 27 single family, 2 two-family, 0 multi-family, and 9 condos (total: 38)

- **Grand total: 601**
 - **492 single family**
 - **25 two-family**
 - **4 multi-family**
 - **80 condos**

Ms. Meinert 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:

January: 583 properties were referred to HSD for evaluation, of which only 45 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 45 properties, 25 met statutory criteria after HSD’s preliminary evaluation using the digital mapping tool. Nineteen of the 25 properties exceeded the amount of all the participating vendors’ preferred purchase prices for residential properties (maximum amount of \$350,000), so the remaining 6 properties were sent to vendors for consideration. To date, no vendors have expressed any interest in the properties.

February: 506 properties were referred to HSD for evaluation, of which only 25 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 25 properties, 17 met statutory criteria after HSD’s preliminary evaluation using the digital mapping tool. Nine of the 17 properties exceeded the amount of all the participating vendors’ preferred purchase prices for residential properties (maximum amount of \$350,000), so the remaining 8 properties were sent to vendors for consideration. To date, no vendors have expressed any interest in the properties.

March (through the 24th): 477 properties were referred to HSD for evaluation, of which only 27 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 27 properties, 20 met statutory criteria after HSD’s preliminary evaluation using the digital mapping tool. Thirteen of the 20 properties exceeded the amount of all the participating vendors’ preferred purchase prices for residential properties (maximum amount of \$350,000), so the remaining 7 properties were sent to vendors for consideration. To date, no vendors have expressed any interest in the properties.

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

9:20 a.m.

Ms. Christman asked if the HSD vendor list had changed in the new year. Ms. Meinert stated that there was one new vendor added to the list in February.

Principal Assistant Corporation Counsel John P. Serketich asked if HSD could follow up with the vendors to confirm the amount that the current vendor list would be willing to spend to purchase a house. Ms. Meinert said that her team would follow up with the vendors.

Principal Assistant Corporation Counsel John P. Serketich reported that the state-wide zoom meeting of corporation counsels regarding Chapter 980 issues did not occur since it was to be held on St. Patrick's Day. Corporation Counsel will continue to monitor the following cases: the pending Wisconsin Court of Appeals case involving Kenosha County being ordered to build a placement with the State being responsible for the construction funding and the pending Federal Eastern District Court case concerning offenders who are challenging the constitutionality of the 980 statute and process.

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.

9:23 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 Kim Christman second by Brian Jensen. Roll call vote, all ayes.

Kim Christman made a motion to return to open session, seconded by Natalie Meinert.

All ayes. Open session resumed at 09:47 a.m.

8. Adjournment

9:47 a.m.

Next meeting scheduled for: **Monday, April 24th at 9:00 a.m.**

Motion: Kim Christman moved to adjourn the meeting at 9:48 a.m. Seconded by Principal Assistant Corporation Counsel John P. Serketich.

Motion passed. Meeting adjourned at 9:48 a.m.

Recorded March 27, 2023

Bethany Heitman (nee Tangerstrom) - Office of the Corporation Counsel