

Racine County Ch 980 Committee
Ives Grove Office Complex
14200 Washington Ave
Public Works and Development Services Auditorium
Sturtevant, WI 53177
May 22, 2023 – 9:00 a.m.

Meeting attended by: Principal Assistant Corporation Counsel John P. Serketich, 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, Public Works and Development Services Superintendent Brian Jensen, and Nancy Ahler from the Wisconsin Department of Corrections (“DOC”). In attendance for the Wisconsin Department of Health Services (“DHS”) were Scott Timm and Hannah Christian.

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. Introduction of new DHS representatives that will replace Angela Serwa.

2. Public Comments

No members of the public present, therefore no comments.

3. Approve Agenda & Minutes

Agenda for May 22, 2023, meeting and Minutes from April 24, 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)

9:09 a.m.

Gilbert L. Williams

Racine County Circuit Court Case No: 2004CI02

An Order for Supervised Release was signed by Judge Repischak on March 31, 2023. Mr. Williams has been classified as a serious sex offender. The Committee continues to search for a residential placement and has 120 days from that date to identify a residential option for Mr. Williams.

Dennis Yarber

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

Mr. Yarber was placed at the identified Adult Family Home (AFH). On March 31, 2023, DHS sent a letter to the Court providing information about issues identified at the AFH and which were previously discussed by the Committee last meeting. The Court then entered an Order on April 18, 2023 to have Community Care (his MCO) identify a new AFH.

James Levandowski

Racine County Circuit Court Case No: 2013CI01

The Committee continues to search for an appropriate residential option. On April 3, 2023, Attorney for Mr. Levandowski filed an affidavit in support of an order to show cause for a finding of contempt, and the Court entered an Order to Show Cause for Finding of Contempt that will be heard May 30, 2023 at 1:30PM.

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 on that petition is scheduled for May 25, 2023 at 2:30PM. This hearing could affect the Levendowski case. The Office of Corporation Counsel will continue to monitor this case.

Michael Fink

Racine County Circuit Court Case No: 2006CI01

On March 29, 2023, Mr. Fink filed a petition for discharge. The court set a status conference for October 27, 2023 and a court trial for November 13, 2023. The Office of Corporation Counsel will continue to monitor this case.

James Hinkle

Racine County Circuit Court Case No: 2012CI01

On April 10, 2023, a motion hearing was held. The Community Reintegration Team requested more time to consider whether Mr. Hinkle should be returned to the community. A review hearing is scheduled for June 12, 2023. The Office of Corporation Counsel will continue to monitor this case.

Daniel R. Williams

Racine County Circuit Court Case No: 1995CF1197

Mr. Williams remains at Sandridge Secure Treatment Facility (“Sandridge”) pursuant to the agreement reached by Mr. Williams and the State as an alternative to revocation. A review hearing is scheduled before the Court on July 7, 2023. Our office will continue to monitor this case.

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

9:15 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 May 19, 2023:

- MLS Listings
 - 4/24/2023: 16 single family, 1 two-family, 1 multi-family, and 4 condos (total: 22)
 - 4/25/2023: 16 single family, 1 two-family, 1 multi-family, and 7 condos (total: 25)
 - 4/26/2023: 20 single family, 1 two-family, 1 multi-family, and 9 condos (total: 31)
 - 4/27/2023: no list
 - 4/28/2023: 26 single family, 5 two-family, 1 multi-family, and 5 condos (total: 37)
 - 5/01/2023: 25 single family, 1 two-family, 0 multi-family, and 2 condos (total: 28)
 - 5/02/2023: 25 single family, 0 two-family, 0 multi-family, and 6 condos (total: 31)
 - 5/03/2023: 22 single family, 1 two-family, 1 multi-family, and 7 condos (total: 31)
 - 5/04/2023: 17 single family, 2 two-family, 1 multi-family, and 7 condos (total: 27)
 - 5/05/2023: 25 single family, 1 two-family, 2 multi-family, and 6 condos (total: 34)
 - 5/08/2023: 23 single family, 0 two-family, 0 multi-family, and 4 condos (total: 27)
 - 5/09/2023: 21 single family, 1 two-family, 0 multi-family, and 3 condos (total: 25)
 - 5/10/2023: 18 single family, 2 two-family, 0 multi-family, and 4 condos (total: 24)
 - 5/11/2023: 23 single family, 5 two-family, 1 multi-family, and 4 condos (total: 33)
 - 5/12/2023: 28 single family, 2 two-family, 1 multi-family, and 6 condos (total: 37)
 - 5/15/2023: 23 single family, 1 two-family, 0 multi-family, and 4 condos (total: 28)
 - 5/16/2023: 19 single family, 0 two-family, 0 multi-family, and 5 condos (total: 24)
 - 5/17/2023: 22 single family, 1 two-family, 1 multi-family, and 7 condos (total: 31)
 - 5/18/2023: 20 single family, 1 two-family, 1 multi-family, and 9 condos (total: 31)
 - 5/19/2023: 25 single family, 1 two-family, 0 multi-family, and 6 condos (total: 32)

- **Grand total: 558**
- **414 single family**
- **27 two-family**
- **12 multi-family**
- **105 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:

May (through the 18th): 415 properties were referred to HSD for evaluation, of which only 22 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 22 properties, 20 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. Twelve 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 8 properties were sent to vendors for consideration. To date, no vendors have expressed any interest in the properties.

Vendors were also asked if they would like to modify their price range and they all confirmed that would like to stay at a max value of \$350,000.

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

9:18 a.m.

Principal Assistant Corporation Counsel John P. Serketich also reported that the Wisconsin Court of Appeals has made a decision in the case involving Kenosha County being ordered to build a placement with the State being responsible for the construction funding. The Wisconsin Court of Appeals agreed with the lower court's decision and affirmed concluding that the State would have to pay for or reimburse the cost of the building. Principal Assistant Corporation Counsel John P. Serketich did note that this decision remains unpublished, so this ruling is for specifically the Kenosha County case. He also mentioned that the State could still appeal.

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.**

9:27 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 Natalie Meinert. 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 09:43 a.m.

8. **Returned to open session**

9:43 a.m.

Motion: Kim Christman moved to send the 2036 West Road property (which has a Sturtevant mailing address but is located in the Village of Mt. Pleasant) to DHS and the Courts for consideration for the new placement of Mr. Yarber. The motion was seconded by Natalie Meinert

Action: All Ayes. **Motion passed.**

9. **Adjournment**

9:46 a.m.

Next meeting scheduled for: **Monday, June 26th at 9:00 a.m.**

Motion: Kim Christman moved to adjourn the meeting at 9:48 a.m. Seconded by Natalie Meinert
Motion passed. Meeting adjourned at 9:48 a.m.

Recorded May 22, 2023

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