

Racine County Ch 980 Committee
Ives Grove Office Complex
14200 Washington Ave
Public Works and Development Services Auditorium
Sturtevant, WI 53177
June 26, 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 Tanagerstrom), Public Works and Development Services Superintendent Brian Jensen, and Hannah Christian from the Wisconsin Department of Health Services (“DHS”).

1. Convene meeting

The meeting of the Ch. 980 Committee was called to order at 09:05 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 June 26, 2023, meeting and Minutes from May 22, 2023, meeting reviewed.

Motion: Brian Jensen moved to approve both the agenda and amended minutes. Seconded by Attorney Motsch.

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

4. Legal updates (Office of Corporation Counsel)

9:07 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.

James Levandowski

Racine County Circuit Court Case No: 2013CI01

The Committee continues to search for an appropriate residential option. On April 3, 2023, counsel 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. The Contempt

hearing has been adjourned to July 14, 2023 at 1:30PM. An opening at one of our current properties has arisen and the Committee plans to discuss whether Mr. Levandowski is appropriate for that residence during the closed session of this meeting.

Dennis Yarber

Racine County Circuit Court Case No: 2014CI02

As previously discussed, the prior Adult Family Home (AFH) at which Mr. Yarber was placed was found to no longer be appropriate, and on April 18, 2023 the Court ordered to have Community Care (his MCO) identify a new AFH for him. On May 22, 2023, the Committee filed a letter with the Court addressed to DHS that identified a new AFH for Mr. Yarber. On June 13, 2023, the Court approved that AFH for Yarber. Ms. Christian confirmed that Mr. Yarber had moved to that new AFH.

NOTE - The following legal updates are informational only and no action is required 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. On May 25, 2023, the Court considered that petition and at the conclusion of that hearing revoked Mr. Everett's supervised release and ordered he be placed in custody at Sand Ridge Secure Treatment Center (SRSTC). 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 has now scheduled proceedings for that matter with a pretrial conference on November 13, 2023, and the court trial to be December 11, 2023. Ms. Christian reported that Mr. Fink has recently been found to have violated a condition of his supervised release; however, DHS is seeking an alternative to revocation (ATR) of his supervised release, so Mr. Fink will remain at the residence in the community at this time. The Office of Corporation Counsel will continue to monitor this case.

James Hinkle

Racine County Circuit Court Case No: 2012CI01

As previously discussed, Mr. Hinkle has been subject to an agreement pursuant to an ATR and has been residing at SRSTC. On April 10, 2023, the Court considered a motion filed by Mr. Hinkle to return to the community; however, the Community Reintegration Team (CTR) responsible for Mr. Hinkle's placement opined that they did not believe he was ready to return to the community on that date, but they requested more time to consider that matter and requested a review hearing to be held in 60 days. On June 19, 2023, that review hearing was held, but the parties again requested another review hearing. The Court therefore has

scheduled another review hearing for July 31, 2023. The Office of Corporation Counsel will continue to monitor this case.

Daniel R. Williams

Racine County Circuit Court Case No: 1995CF1197

Pursuant to the agreement reached under his ATR, Mr. Williams is currently placed at SRSTC. A review hearing is scheduled before the Court on July 7, 2023. The Office of Corporation Counsel will continue to monitor this case.

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

9:15 a.m.

Ms. Heitman reported on behalf of Ms. Christman the following updates regarding the total number of properties that were sent to HSD for evaluation since the last committee meeting and as of June 23, 2023:

- **MLS Listings**
 - 5/22/2023: 24 single family, 2 two-family, 2 multi-family, and 9 condos (total: 37)
 - 5/23/2023: 19 single family, 3 two-family, 0 multi-family, and 10 condos (total: 32)
 - 5/24/2023: 23 single family, 3 two-family, 2 multi-family, and 4 condos (total: 32)
 - 5/25/2023: 26 single family, 4 two-family, 2 multi-family, and 3 condos (total: 35)
 - 5/26/2023: 26 single family, 5 two-family, 2 multi-family, and 2 condos (total: 35)
 - 5/29/2023: no list – Memorial Day
 - 5/30/2023: 25 single family, 3 two-family, 2 multi-family, and 2 condos (total: 32)
 - 5/31/2023: 20 single family, 5 two-family, 0 multi-family, and 12 condos (total: 37)
 - 6/01/2023: 24 single family, 4 two-family, 0 multi-family, and 10 condos (total: 38)
 - 6/02/2023: no list
 - 6/05/2023: 23 single family, 0 two-family, 1 multi-family, and 1 condo (total: 25)
 - 6/06/2023: 17 single family, 2 two-family, 0 multi-family, and 1 condo (total: 20)
 - 6/07/2023: 25 single family, 3 two-family, 0 multi-family, and 3 condos (total: 31)
 - 6/08/2023: 23 single family, 6 two-family, 0 multi-family, and 7 condos (total: 36)
 - 6/09/2023: 30 single family, 3 two-family, 1 multi-family, and 2 condos (total: 36)
 - 6/12/2023: 24 single family, 5 two-family, 0 multi-family, and 4 condos (total: 33)
 - 6/13/2023: 28 single family, 3 two-family, 0 multi-family, and 0 condo (total: 31)
 - 6/14/2023: 26 single family, 6 two-family, 1 multi-family, and 1 condo (total: 34)
 - 6/15/2023: 24 single family, 8 two-family, 1 multi-family, and 2 condos (total: 35)
 - 6/16/2023: 30 single family, 3 two-family, 1 multi-family, and 2 condos (total: 36)
 - 6/19/2023: 19 single family, 3 two-family, 1 multi-family, and 4 condos (total: 27)
 - 6/20/2023: 20 single family, 2 two-family, 1 multi-family, and 3 condos (total: 26)
 - 6/21/2023: 30 single family, 3 two-family, 0 multi-family, and 4 condos (total: 37)
 - 6/22/2023: 37 single family, 2 two-family, 1 multi-family, and 5 condos (total: 45)
 - 6/23/2023: 34 single family, 0 two-family, 1 multi-family, and 6 condos (total: 41)

- **Grand total: 771**
 - **577 single family**

- **78 two-family**
- **19 multi-family**
- **97 condos**

Ms. Meinert was not available for the meeting, so no reports were provided from HSD regarding their evaluation of the potential properties. An update will either be provided at the next meeting or sent to the Committee before the next meeting via email.

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

9:19 a.m.

Attorney Serketich reported that he believed the state-wide zoom meeting of Corporation Counsels regarding Chapter 980 issues did not occur as he was unable to log in to the Zoom. DHS was asked whether they were aware of any updates to the list of vendors willing to contract with DHS for the residential placement of Chapter 980 offenders, and Ms. Christian reported that there are no new updates of which she was aware.

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. Stat. § 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. Stat. § 980.06 was made by Brian Jensen and second by Attorney Motsch. Roll call vote, all ayes.

Brian Jensen made a motion to return to open session, seconded by Attorney Motsch.

All ayes. Open session resumed at 09:27 a.m.

8. **Returned to open session**

9:27 a.m.

Motion: Brian Jensen moved to approve the placement of Mr. Levandowski at 7741 Douglas Avenue, Caledonia, WI. The motion was seconded by Attorney Motsch.

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

9. **Adjournment**

9:29 a.m.

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

Motion: Attorney Serketich moved to adjourn the meeting at 9:31 a.m. Seconded by Attorney Motsch

Motion passed. Meeting adjourned at 9:31 a.m.

Recorded June 26, 2023

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