

Racine County Ch 980 Committee
Ives Grove Office Complex
14200 Washington Ave
Public Works and Development Services Auditorium
Sturtevant, WI 53177
August 28, 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 (née Tangerstrom), Aging and Disability Quality Assurance Supervisor Natalie Meinert, Public Works and Development Services Superintendent Brian Jensen, Racine County Real Property Lister-GIS Manager Kim Christman, Nancy Ahler from the Wisconsin Department of Corrections, 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 09:02 a.m. by Assistant Corporation Counsel Erika Frank Motsch

2. Public Comments

No members of the public present, therefore no comments.

3. Approve Agenda & Minutes

Agenda for August 28, 2023, meeting and Minutes from July 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)

9:04 a.m.

Gilbert L. Williams

Racine County Circuit Court Case No: 2004CI02

Committee continues to search for an appropriate residential option. As previously discussed by the Committee, County provided a copy of and filed a letter with the Court regarding the continued efforts that the Committee has made in its attempts to locate Mr. Williams a residential option on July 28, 2023.

James Hinkle

Racine County Circuit Court Case No: 2012CI01

As previously discussed, Mr. Hinkle was residing at Sand Ridge Secure Treatment Center (“SRSTC”) pursuant to an agreement entered as an alternative to revocation (“ATR”). On August 7, 2023, the Court considered Mr. Hinkle’s appropriateness for return to the community, and ultimately decided that his return was appropriate. On August 10, 2023, the Court entered an order consistent with that decision. Attorney Motsch explained that neither the Court’s order nor Chapter 980 expressly address the amount of time the Committee has to identify a residential option for a committed person in these circumstances. Due to this issue being unsettled at this time, the Committee would likely be reasonable to consider the statutory deadline of 120 days under Wis. Stat. § 980.08(4)(dm)4. to be a guideline but should also be aware that this may change in the future.

James Levandowski

Racine County Circuit Court Case No: 2013CI01

As previously discussed, the Committee’s report identifying a residential option was sent to DHS and filed with the Courts on June 27th, 2023. On July 26, 2023, the supervised release plan was filed. On August 7, 2023, a review hearing was held regarding that plan, and on that same date was approved by the Court. On August 10, 2023, the Court signed an order to that effect. Ms. Christian confirmed that Mr. Levandowski will be placed at the residence on August 29, 2023.

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

Daniel R. Williams

Racine County Circuit Court Case No: 1995CF1197

As previously discussed, following an ATR agreement under which Mr. Williams returned to SRSTC temporarily, on July 7, 2023, the Court considered Mr. Williams’ appropriateness for return to the community. Ultimately, the Court decided such was appropriate and ordered that Mr. Williams return to the residence previously identified by the Committee, which had been held for him during the term of his ATR agreement. Ms. Christian confirmed that Mr. Williams has returned to that residence. The Office of Corporation Counsel will continue to monitor this case and notify the Committee of any updates.

Michael Fink

Racine County Circuit Court Case No: 2006CI01

As previously discussed, Mr. Fink has two matters pending before the Court: (1) a petition for discharge, and (2) a revocation, for which DHS has proposed an ATR that would require Mr. Fink to return to SRSTC for a period of time. The Court has scheduled proceedings for the petition for discharge, which are a pretrial conference on November 13, 2023, and the court trial to be December 11, 2023. For the revocation, the Court has scheduled a revocation hearing for September 29, 2023 at 2PM. Ms. Christian reported that Mr. Fink has not confirmed that he will accept the ATR, and that given he has filed a petition for discharge, DHS does not necessarily anticipate for him to do so. The Office of Corporation Counsel will continue to monitor this case and notify the Committee of any updates.

Dennis Yarber

Racine County Circuit Court Case No: 2014CI02

Mr. Yarber continues to reside at the Adult Family Home (AFH) where he was placed in June. The Office of Corporation Counsel will continue to monitor this case and notify the Committee of any updates.

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

9:11 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 August 25, 2023:

- MLS Listings
 - 7/24/2023: 27 single family, 2 two-family, 1 multi-family, and 0 condos (total: 30)
 - 7/25/2023: 27 single family, 5 two-family, 1 multi-family, and 0 condos (total: 33)
 - 7/26/2023: 25 single family, 6 two-family, 1 multi-family, and 1 condo (total: 33)
 - 7/27/2023: 26 single family, 5 two-family, 2 multi-family, and 4 condos (total: 37)
 - 7/28/2023: no list sent
 - 7/31/2023: 25 single family, 1 two-family, 0 multi-family, and 3 condos (total: 29)
 - 8/01/2023: 17 single family, 1 two-family, 1 multi-family, and 18 condos (total: 37)
 - 8/02/2023: 13 single family, 1 two-family, 0 multi-family, and 19 condos (total: 33)
 - 8/03/2023: 18 single family, 2 two-family, 0 multi-family, and 11 condos (total: 31)
 - 8/04/2023: no list sent
 - 8/07/2023: 29 single family, 3 two-family, 0 multi-family, and 2 condos (total: 34)
 - 8/08/2023: 25 single family, 6 two-family, 0 multi-family, and 3 condos (total: 34)
 - 8/09/2023: 26 single family, 3 two-family, 0 multi-family, and 4 condos (total: 33)
 - 8/10/2023: 32 single family, 0 two-family, 0 multi-family, and 4 condos (total: 36)
 - 8/11/2023: 35 single family, 2 two-family, 0 multi-family, and 3 condos (total: 40)
 - 8/14/2023: 26 single family, 2 two-family, 1 multi-family, and 3 condos (total: 32)
 - 8/15/2023: 24 single family, 2 two-family, 0 multi-family, and 4 condos (total: 30)
 - 8/16/2023: 22 single family, 3 two-family, 2 multi-family, and 6 condos (total: 33)
 - 8/17/2023: 24 single family, 3 two-family, 2 multi-family, and 7 condos (total: 36)
 - 8/18/2023: 28 single family, 7 two-family, 1 multi-family, and 7 condos (total: 43)
 - 8/21/2023: 24 single family, 3 two-family, 0 multi-family, and 7 condos (total: 34)
 - 8/22/2023: 32 single family, 1 two-family, 0 multi-family, and 3 condos (total: 36)
 - 8/23/2023: 35 single family, 1 two-family, 0 multi-family, and 1 condo (total: 37)
 - 8/24/2023: 31 single family, 1 two-family, 2 multi-family, and 4 condos (total: 38)
 - 8/25/2023: 30 single family, 1 two-family, 2 multi-family, and 5 condos (total: 38)
- **Grand total: 797**
 - **601 single family**
 - **61 two-family**
 - **16 multi-family**
 - **119 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:

August: 604 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, 21 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. Fifteen of the 21 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.

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

9:13 a.m.

Attorney Serketich reported that the state-wide meeting of corporation counsels regarding Chapter 980 issues was not held again in August. Also, he reported that the only matter discussed recently on the Corporation Counsel listserv was regarding a need to place a committed person in a nursing home, which is not relevant to the Committee at this time.

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.**

No items for closed session.

8. **Adjournment**

9:17 a.m.

Next meeting scheduled for: **Monday, September 25th at 9:00 a.m.**

Motion: Kim Christman moved to adjourn the meeting at 9:17 a.m. Seconded by Natalie Meinert.

Motion passed. Meeting adjourned at 9:17 a.m.

Recorded August 28, 2023

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