

Racine County Ch 980 Committee
Ives Grove Office Complex
14200 Washington Ave
Public Works and Development Services Auditorium
Sturtevant, WI 53177
October 23, 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 09:04 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 October 23, 2023, meeting and Minutes from September 25, 2023, meeting reviewed.

Motion: Kim Christman moved to approve both the agenda and amended minutes. Seconded by Attorney Erika Motsch.

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

4. Legal updates (Office of Corporation Counsel)

9:05 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

Committee continues to search for an appropriate residential option. As previously discussed, on August 7, 2023, Mr. Hinkle was found appropriate for return to the community following an alternative to revocation ("ATR") that resulted in his return to Sand Ridge Secure Treatment Center ("SRSTC"). 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.

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

James Levandowski

Racine County Circuit Court Case No: 2013CI01

As previously discussed, on August 10, 2023, the Court signed an order approving the supervised release plan and Mr. Levandowski was placed at the residence on August 29, 2023. Mr. Levandowski continues to reside at his placement.

Daniel R. Williams

Racine County Circuit Court Case No: 1995CF1197

As previously discussed, Mr. Williams has a review hearing scheduled for January 5, 2024, at 1:30 p.m. in front of Judge Gasiorkiewicz. The Office of Corporation Counsel will continue to monitor this case and notify the Committee of any updates. Ms. Christian gave an update that Mr. Williams was currently in custody at the Racine County Jail. She has no details but there is a meeting later today to discuss charges.

Michael Fink

Racine County Circuit Court Case No: 2006CI01

As previously discussed, Mr. Fink had two matters pending before the Court: (1) a petition for discharge, and (2) a revocation. On September 29, 2023 a status conference was held and the parties reach and agreement for a community ATR with the condition that Mr. Fink withdraw his petition for discharge. Per Ms. Christian, Mr. Fink was placed back at his residence in the community on or about October 6, 2023. 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 2023. 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 October 20, 2023:

- MLS Listings
 - 9/25/2023: 31 single family, 4 two-family, 1 multi-family, and 2 condos (total: 38)
 - 9/26/2023: 28 single family, 3 two-family, 0 multi-family, and 4 condos (total: 35)
 - 9/27/2023: 20 single family, 2 two-family, 1 multi-family, and 15 condos (total: 38)
 - 9/28/2023: 23 single family, 0 two-family, 0 multi-family, and 14 condos (total: 37)
 - 9/29/2023: No List Sent
 - 10/02/2023: 26 single family, 2 two-family, 0 multi-family, and 5 condos (total: 33)
 - 10/03/2023: 24 single family, 4 two-family, 0 multi-family, and 13 condos (total: 41)
 - 10/04/2023: 26 single family, 3 two-family, 0 multi-family, and 13 condos (total: 42)
 - 10/05/2023: 36 single family, 4 two-family, 0 multi-family, and 3 condos (total: 43)
 - 10/06/2023: 36 single family, 2 two-family, 0 multi-family, and 2 condos (total: 40)
 - 10/09/2023: 26 single family, 7 two-family, 1 multi-family, and 1 condo (total: 35)
 - 10/10/2023: 23 single family, 2 two-family, 2 multi-family, and 14 condos (total: 41)
 - 10/11/2023: 22 single family, 0 two-family, 1 multi-family, and 9 condos (total: 32)
 - 10/12/2023: 29 single family, 0 two-family, 1 multi-family, and 13 condos (total: 43)
 - 10/13/2023: 31 single family, 1 two-family, 2 multi-family, and 8 condos (total: 42)
 - 10/16/2023: 24 single family, 2 two-family, 0 multi-family, and 4 condos (total: 30)
 - 10/17/2023: 25 single family, 1 two-family, 0 multi-family, and 3 condos (total: 29)
 - 10/18/2023: No List Sent
 - 10/19/2023: 34 single family, 1 two-family, 1 multi-family, and 6 condos (total: 42)
 - 10/20/2023: 31 single family, 3 two-family, 1 multi-family, and 6 condos (total: 41)
- **Grand total: 682**
 - **495 single family**
 - **41 two-family**
 - **11 multi-family**
 - **135 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:

September: 534 properties were referred to HSD for evaluation, of which only 18 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 18 properties, 11 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. Nine of the 11 properties exceeded the amount of all the participating vendors' preferred list price/purchase amount for residential properties (maximum amount of \$350,000). Eleven properties were sent to the vendors. To date, no vendors have expressed any interest in the properties.

Ms. Christman inquired as to how many vendors HSD currently contacts, which Ms. Meinert confirmed was 12. Ms. Christman also inquired as to whether the Office of Corporation Counsel was

aware of any discussions regarding vendors or potential vendors during the Statewide monthly call that is held with other Corporation Counsels regarding Chapter 980 topics, which Attorney Serketich provided that the topic of specific vendors and/or potential vendors is not one that is regularly discussed.

In response to a question to Ms. Meinert by Attorney Serketich as to whether HSD had any recent efforts of note in regards to identifying new or additional vendors, Ms. Meinert provided that there were none to report at this time.

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

9:15 a.m.

Attorney Serketich reported that there were no updates regarding the monthly Statewide meeting of Corporation Counsels to discuss Chapter 980 issues as the meetings for October and November were canceled by the attorney responsible for coordinating those meetings due to that attorney being out of the office at those times.

Attorney Serketich reported that Dodge County had their first action to require the county to buy or build a residence for a committed person filed against them after their committee was unable to identify a residence within the 120 day statutory deadline. Additionally, The Office of Corporation Counsel continues to follow two Chapter 980 cases in Kenosha resulting from the Court of Appeals decision ordering Kenosha County to build a residence with DHS being responsible for covering the costs. In each of those cases, petitions for discharge were filed by the committed persons. In one case, the petition was granted, so the case is now closed. In the other case, however, the petition was denied and so the Office of Corporation Counsel will continue to follow and provide the Committee with updates.

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**

9:27 a.m.

Next meeting scheduled for: **Monday, November 27th at 9:00 a.m.**

Motion: Kim Christman moved to adjourn the meeting at 9:29 a.m. Seconded by Attorney Erika Motsch.

Motion passed. Meeting adjourned at 9:29 a.m.

Recorded October 23, 2023

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