

Racine County Ch 980 Committee
Ives Grove Office Complex
14200 Washington Ave
Public Works and Development Services Auditorium
Sturtevant, WI 53177
September 25, 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 09:07 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 September 25, 2023, meeting and Minutes from August 28, 2023, meeting reviewed.

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

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

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 and entered an order consistent with that decision on the same day. 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, 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 was placed at the residence on August 29, 2023.

Daniel R. Williams

Racine County Circuit Court Case No: 1995CF1197

As previously discussed, Mr. Williams returned to SRSTC temporarily following an ATR agreement. 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. Mr. Williams has returned to the residence which had been held for him during the term of his ATR agreement. 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.

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. 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 2 p.m. Ms. Christian reported that the parties are working on an agreement for a community ATR with the condition that Mr. Fink withdraw his petition for discharge. 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))

9:15 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 September 22, 2023:

- **MLS Listings**
 - 8/28/2023: 26 single family, 2 two-family, 0 multi-family, and 7 condos (total: 35)
 - 8/29/2023: 26 single family, 2 two-family, 0 multi-family, and 7 condos (total: 35)
 - 8/30/2023: 27 single family, 2 two-family, 0 multi-family, and 9 condos (total: 38)
 - 8/31/2023: 32 single family, 4 two-family, 0 multi-family, and 3 condos (total: 39)
 - 9/01/2023: no list sent
 - 9/04/2023: labor day
 - 9/05/2023: 23 single family, 0 two-family, 1 multi-family, and 0 condos (total: 24)
 - 9/06/2023: 17 single family, 0 two-family, 1 multi-family, and 3 condos (total: 21)
 - 9/07/2023: 29 single family, 2 two-family, 1 multi-family, and 6 condos (total: 38)
 - 9/08/2023: 32 single family, 4 two-family, 1 multi-family, and 5 condos (total: 42)
 - 9/11/2023: 27 single family, 4 two-family, 0 multi-family, and 5 condos (total: 36)
 - 9/12/2023: 15 single family, 3 two-family, 0 multi-family, and 17 condos (total: 35)
 - 9/13/2023: 17 single family, 4 two-family, 0 multi-family, and 17 condos (total: 38)
 - 9/14/2023: 26 single family, 2 two-family, 2 multi-family, and 7 condos (total: 37)
 - 9/15/2023: 35 single family, 3 two-family, 1 multi-family, and 3 condos (total: 42)
 - 9/18/2023: 16 single family, 4 two-family, 2 multi-family, and 6 condos (total: 28)
 - 9/19/2023: no list sent
 - 9/20/2023: 23 single family, 6 two-family, 1 multi-family, and 13 condos (total: 43)
 - 9/21/2023: 29 single family, 4 two-family, 1 multi-family, and 4 condos (total: 38)
 - 9/22/2023: 31 single family, 3 two-family, 3 multi-family, and 5 condos (total: 42)

- **Grand total: 611**
 - **431 single family**
 - **49 two-family**
 - **14 multi-family**
 - **117 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: 465 properties were referred to HSD for evaluation, of which only 28 had not been previously evaluated by HSD for conformity with statutory criteria. Of those 28 properties, 26 met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. Three of the 26

properties exceeded the amount of all the participating vendors' preferred list price/purchase amount for residential properties (maximum amount of \$350,000).

Ms. Meinert informed the committee that on September 15, 2023, one vendor requested that they wished for all potential properties be sent to them regardless of the property's list price. Following this request, while for the month of September HSD sent the 26 properties that were within the vendor's preferred list price/purchase amount, HSD will send all vendors all potential properties for consideration, so HSD will now be sending all potential properties to all vendors regardless of a property's list price moving forward.

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**

9:18 a.m.

Attorney Serketich reported that he was unavailable for the monthly state-wide meeting of corporation counsels to discuss Chapter 980 issues scheduled in September, so he was not able to confirm whether that meeting occurred and/or whether there were any specific plans for the resumption of those meetings following this summer hiatus.

Attorney Serketich also reported that while there has yet to be specific sponsor/s for this legislation, legislation is being drafted that proposes changes to those enacted under 2017 Wisconsin Act 184 applicable to counties and their committees, including 120 days following the court or county could not find a residential placement option within 120 days that they could petition DHS to build a placement.

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**

9:22 a.m.

Next meeting scheduled for: **Monday, October 23 at 9:00 a.m.**

Motion: Brian Jensen moved to adjourn the meeting at 9:23 a.m. Seconded by Kim Christman.

Motion passed. Meeting adjourned at 9:23 a.m.

Recorded September 25, 2023

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