

Racine County Ch 980 Committee
Ives Grove Office Complex
14200 Washington Ave
Public Works and Development Services Auditorium
Sturtevant, WI 53177
December 18, 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 09:09 a.m. by Principal Assistant Corporation Counsel John P. Serketich.

2. Public Comments

One member of the public present, however no comments were made.

3. Approve Agenda & Minutes

Agenda for December 18, 2023, meeting and Minutes from November 27, 2023, meeting reviewed.

Motion: Brian Jensen 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)

9:11 a.m.

Gilbert L. Williams

Racine County Circuit Court Case No: 2004CI02

The Committee continues to search for an appropriate residential option. As previously discussed by the Committee, County 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, 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 continues to search for an appropriate residential option. The Office of Corporation Counsel sent to DHS and filed with the Court, on Friday December 1, 2023, a letter providing the efforts that the Committee has made to locate Mr. Hinkle a residential option.

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. before the Honorable Judge Gene 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 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 reached an 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. Following his return to his residence, another Statement of Probable Cause was filed by DHS on October 31, 2023. A hearing was scheduled for that matter on December 21, 2023 at 2:00 p.m. before the Honorable Judge Robert Repischak. 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”))

9:14 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 December 15, 2023:

- **MLS Listings**
 - 11/27/2023: 17 single family, 5 two-family, 1 multi-family, and 4 condos (total: 27)
 - 11/28/2023: 22 single family, 2 two-family, 0 multi-family, and 4 condos (total: 28)
 - 11/29/2023: 25 single family, 1 two-family, 0 multi-family, and 9 condos (total: 35)
 - 11/30/2023: 24 single family, 1 two-family, 0 multi-family, and 9 condos (total: 34)
 - 12/01/2023: 30 single family, 4 two-family, 0 multi-family, and 3 condos (total: 37)
 - 12/04/2023: 28 single family, 3 two-family, 0 multi-family, and 5 condos (total: 36)
 - 12/05/2023: 25 single family, 2 two-family, 0 multi-family, and 5 condos (total: 32)
 - 12/06/2023: 25 single family, 2 two-family, 0 multi-family, and 5 condos (total: 32)
 - 12/07/2023: 27 single family, 2 two-family, 1 multi-family, and 3 condos (total: 33)
 - 12/08/2023: 25 single family, 2 two-family, 1 multi-family, and 4 condos (total: 32)
 - 12/11/2023: 23 single family, 1 two-family, 0 multi-family, and 10 condos (total: 34)
 - 12/12/2023: 21 single family, 1 two-family, 0 multi-family, and 9 condos (total: 31)
 - 12/13/2023: 21 single family, 1 two-family, 2 multi-family, and 7 condos (total: 31)
 - 12/14/2023: 26 single family, 1 two-family, 2 multi-family, and 7 condos (total: 36)
 - 12/15/2023: 28 single family, 1 two-family, 2 multi-family, and 5 condos (total: 36)
- **Grand total: 494**
 - **367 single family**
 - **29 two-family**
 - **9 multi-family**
 - **89 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:

As of December 15th, 2023: 302 properties were referred to HSD for evaluation, of which only 11 had not been previously evaluated by HSD for conformity with statutory criteria.

Of those 11 properties, nine met statutory criteria after HSD's preliminary evaluation using the digital mapping tool. Five of the nine properties exceeded the amount of all the participating vendors' preferred list price/purchase amount for residential properties (maximum amount of \$350,000). Nine properties were sent to the vendors.

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

9:23 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 the previous few months were canceled. Likely, the next meeting will not be until February.

Attorney Serketich also reported the following updates from the Office of Corporation Counsel:

- a. As discussed by the Committee at the last meeting, a new vendor has been added to the vendor list. HSD has had further discussions with the vendor and the vendor has some remaining questions for DHS. DHS will reach out to them.
- b. The Office of Corporation Counsel and HSD had law enforcement reevaluate the properties surrounding the residence in the Town of Burlington since the last time those properties were evaluated for Chapter 980 statutory criteria was when that property was first acquired for purposes of housing committed persons nearly three years ago. At that time, a child was living in one of the adjacent properties, so the property could only be used to house committed persons not considered serious child sex offenders pursuant Wis. Stat. § 980.01(4m) and therefore not subject to the restrictions provided under Wis. Stat. § 980.08(4)(dm)1.c.. That law enforcement evaluation and report was completed, and the circumstances remain the same as the previous evaluation.

Attorney Serketich inquired as to whether a serious child sex offender and a nonserious child sex offender can be placed at the same location? Ms. Christian advised that yes, they technically can be placed together; however, there could be other issues that affect their placement together.

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**

9:29 a.m.

Next meeting scheduled for: **Monday, January 22nd at 9:15 a.m.**

NOTE: The Committee decided to change the start time of the meeting from 9:00 a.m. to 9:15 a.m.

Motion: Brian Jensen moved to adjourn the meeting at 9:31 a.m. Seconded by Natalie Meinert.

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

Recorded December 18, 2023

Bethany Heitman (née Tangerstrom) - Office of Corporation Counsel