

Racine County Ch 980 Committee
Ives Grove Office Complex
14200 Washington Ave
Public Works and Development Services Auditorium
Sturtevant, WI 53177
November 27, 2023 – 9:00 a.m.

Meeting attended by: Principal Assistant Corporation Counsel John P. Serketich, 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

No members of the public present, therefore no comments.

3. Approve Agenda & Minutes

Agenda for November 27, 2023, meeting and Minutes from October 23, 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

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 Committee has until December 5, 2023 to find a residential option for Mr. Hinkle per statutory requirements. The Office of Corporation Counsel will begin drafting a report to submit to DHS by Friday, December 1, 2023 that provides 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”))

9:17 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 November 22, 2023:

- **MLS Listings**
 - 10/23/2023: 37 single family, 3 two-family, 0 multi-family, and 2 condos (total: 42)
 - 10/24/2023: 32 single family, 5 two-family, 0 multi-family, and 3 condos (total: 40)
 - 10/25/2023: 28 single family, 4 two-family, 0 multi-family, and 7 condos (total: 39)
 - 10/26/2023: 27 single family, 1 two-family, 0 multi-family, and 9 condos (total: 37)
 - 10/27/2023: No List Sent
 - 10/30/2023: 25 single family, 3 two-family, 0 multi-family, and 4 condos (total: 32)
 - 10/31/2023: 28 single family, 2 two-family, 0 multi-family, and 3 condos (total: 33)
 - 11/01/2023: 30 single family, 1 two-family, 0 multi-family, and 6 condos (total: 37)
 - 11/02/2023: 32 single family, 1 two-family, 0 multi-family, and 5 condos (total: 38)
 - 11/03/2023: 37 single family, 0 two-family, 0 multi-family, and 4 condos (total: 41)
 - 11/06/2023: 24 single family, 2 two-family, 0 multi-family, and 3 condos (total: 29)
 - 11/07/2023: 23 single family, 3 two-family, 1 multi-family, and 4 condos (total: 31)
 - 11/08/2023: 24 single family, 3 two-family, 1 multi-family, and 5 condos (total: 33)
 - 11/09/2023: 31 single family, 2 two-family, 0 multi-family, and 7 condos (total: 40)
 - 11/10/2023: 32 single family, 2 two-family, 0 multi-family, and 9 condos (total: 43)
 - 11/13/2023: 26 single family, 0 two-family, 2 multi-family, and 3 condos (total: 31)
 - 11/14/2023: 27 single family, 0 two-family, 1 multi-family, and 2 condos (total: 30)
 - 11/15/2023: 28 single family, 0 two-family, 0 multi-family, and 13 condos (total: 41)
 - 11/16/2023: 33 single family, 1 two-family, 0 multi-family, and 12 condos (total: 46)
 - 11/17/2023: 33 single family, 2 two-family, 0 multi-family, and 9 condos (total: 44)
 - 11/20/2023: 30 single family, 1 two-family, 2 multi-family, and 3 condos (total: 36)
 - 11/21/2023: 32 single family, 1 two-family, 0 multi-family, and 3 condos (total: 36)
 - 11/22/2023: 26 single family, 1 two-family, 0 multi-family, and 5 condos (total: 32)

- **Grand total: 811**
 - **645 single family**
 - **38 two-family**
 - **7 multi-family**

- **121 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:

October: 556 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. Eleven of the 21 properties exceeded the amount of all the participating vendors' preferred list price/purchase amount for residential properties (maximum amount of \$350,000). Twenty-one properties were sent to the vendors. To date, no vendors have expressed any interest in the properties. Ms. Meinert also reported that HSD had added a new vendor to the list.

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 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. With the holidays approaching, Attorney Serketich was unsure whether a December meeting would be held.

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

- a. As Ms. Meinert mentioned in her report, a new vendor has been added to the vendor list. The Office of Corporation Counsel and/or HSD intend to have further discussions with the new vendor to describe the process and answer any questions.
- b. The Office of Corporation Counsel is coordinating with HSD and law enforcement to 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.. The Committee will provide further updates as that evaluation progresses.

Mr. Jensen inquired as to who/which entity was responsible for vetting the vendors. Attorney Serketich and Ms. Christian advised that since DHS is the party that enters into the lease for the residence to house the committed person(s), DHS would ultimately be the party that would determine whether the vendor and the property selected by the Committee were appropriate.

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**

9:26 a.m.

Next meeting scheduled for: **Monday, December 18th at 9:00 a.m.**

Motion: Brian Jensen moved to adjourn the meeting at 9:28 a.m. Seconded by Natalie Meinert.

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

Recorded November 27, 2023

Bethany Heitman (née Tangerstrom) - Office of Corporation Counsel