

**PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE**

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Public Safety Committee** was held on May 4, 2021 at the Brown County EOC, 3030 Curry Lane, Green Bay, Wisconsin.

Present: Chair Deneys, Supervisor Coenen, Supervisor Lund, Supervisor Kaster, Supervisor Schultz
Also Present: Supervisor Dantine, Supervisor Borchardt, Public Safety Communications Director Cullen Peltier, Emergency Management Director Lauri Maki, Director of Administration Chad Weininger, Clerk of Courts John Vander Leest, Financial Operations Manager Josh Demars, Lead Assistant Corporation Counsel Samantha Wagner, other interested parties.

I. Call meeting to order.

The meeting was called to order by Chair Deneys at 6:35 pm.

II. Approve/Modify Agenda.

Chair Deneys would like to amend the agenda to take Item 17 following *Comments from the Public* and to take Items 12 – 15 after Item 17.

Motion made by Supervisor Lund, seconded by Supervisor Kaster to approve as amended. Vote taken. MOTION CARRIED UNANIMOUSLY

III. Approve/Modify Minutes of April 12, 2021.

Motion made by Supervisor Kaster, seconded by Supervisor Coenen to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Comments from the Public

-John and Barbara Trabert, 4759 Champion Road, New Franken, WI

Mr. Trabert read a statement to the Committee, a copy of which is attached.

Although shown in the proper format here, Item 17 was taken at this time, followed by Items 12 – 15.

1. Review Minutes of:

- a) **Crime Prevention Funding Board of January 12, 2021.**

Motion made by Supervisor Coenen, seconded by Supervisor Kaster to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Circuit Courts, Commissioners, Probate

2. Budget Status Financial Report for December 2020 and January and February 2021 – Unaudited.

Motion made by Supervisor Coenen, seconded by Supervisor Schultz to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

3. Director's Report.

- a) **COVID-19 Update – *Standing Item*.**

Chair Deneys referred to a handout from Judge Hock and District Attorney Lasee, a copy of which is attached, that summarizes the actions that have been taken regarding the Public Defender issue.

**Motion made by Supervisor Lund, seconded by Supervisor Kaster to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

District Attorney

- 4. District Attorney Report.**
a) **COVID-19 Update – *Standing Item.***

No report; no action taken.

Clerk of Courts

- 5. Introduction of new Financial Operations Manager – Joshua Demars.**

Clerk of Courts John Vander Leest introduced Joshua Demars to the Committee. Demars is the new Financial Operations Manager for the Clerk of Courts and has been on the job for about six weeks. Demars shared his educational background and past work experience with the Committee.

No action taken.

- 6. Clerk of Courts Report.**
a) **COVID-19 Update – *Standing Item.***

Vander Leest provided a handout, a copy of which is attached, outlining the budget for 2020. He informed the Clerk of Courts met their budget which was unexpected because SDC stopped collecting during the peak of the pandemic and he anticipated ending the year \$50,000 - \$100,00 over budget. There were several months where numbers were really down, but they picked back up towards the end of the year. Expenses were also down because there was less activity in terms of court appointed attorneys and GALs. The Clerk of Courts ended up a little over \$4,000 to the good. Revenues for 2021 are up and at this time Vander Leest feels the Clerk of Courts will meet their budget for 2021.

Vander Leest continued that they are currently looking to fill a Clerk II position and he is hopeful to have someone in place by mid-May. This position will provide help with e-filings, phone calls and scanning. The courts are very busy right now doing catch up since they were closed for much of last year. Previously it was typical for four to six judges to be holding court on any given day, but currently there are six to eight branches holding court every day. Covering this has been a little challenging and the Zoom hearings have also kept staff very busy. Things have been stressful, but they continue to work through and Vander Leest noted that before COVID they would get 50 – 60 calls a day from the public and now they are getting 100 – 120 a day, many of which are Zoom related for passwords and meeting IDs. There are some efficiencies with Zoom and Vander Leest feels that it will stay in some form into the future. He added that there are three jury trials going on this week which is unheard of and they have called five jury panels in. Vander Leest estimates things will remain very busy for another year or so while the courts catch up from the pandemic.

Vander Leest concluded by informing there still is an LTE that helps with cleaning in the courthouse, but they no longer have an employee at the entrance checking temperatures or handing out masks.

**Motion made by Supervisor Schultz, seconded by Supervisor Kaster to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Public Safety Communications

- 7. Budget Status Financial Report for December 2020 and January, February and March 2021 – Unaudited.**

Director of Public Safety Communications Cullen Peltier informed the financial reports show his department ended 2020 about \$800,000 to the positive, but that is a little skewed because there is about \$650,000 that was part of a project that has to be moved over that is not reflected yet, but they did finish the year about \$100,000 – \$150,000 to the good. He added that they do all their maintenance contracts at the beginning of the year and those amount to about \$2 million dollars, so the budget will not look real good until about September.

**Motion made by Supervisor Lund, seconded by Supervisor Kaster to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

8. Director's Report.

a) COVID-19 Update – *Standing Item.*

Peltier talked about the incident that happened over the weekend at the Radisson/Oneida Casino and said he stayed updated by listening to the scanner app and watching the CAD through the new app with the new system. Peltier continued that they had seven staff members come in to help during the incident, the first of whom arrived without 11 minutes and the rest arrived within 26 minutes. They had every position in the room filled and had Communication Specialist Joe Massey come in which was a huge help with all the different outside agencies involved and he did an awesome job. Senior Dispatch Supervisor Dave Panure also came in and kept everyone calm under the pressure and did a wonderful job. There were 2,358 radio transmissions from 7:30 pm to about 11:00 pm. The biggest user was the Brown County Sheriff's Office with over 1,000. They moved everyone over to the BinOP which has done amazing things when things like this happen and Peltier thanked the Committee for approving that several years ago. Peltier said overall the event was handled very well by everyone involved and he listened back to all the transmissions earlier today and said it was amazing how calm and professional everyone was from every agency involved.

Supervisor Schultz commented that he heard more positive comments about the telecommunicators in connection with this incident than he did about any other group who responded. Feedback he heard was very favorable and he asked Peltier to pass that on to his staff.

Peltier continued that they are currently down two individuals but offers have gone out to a few people and he hopes to get them into the training program soon. Regarding the CAD system, Peltier said they will be upgrading to the new version later in the week and this will hopefully resolve some of the remaining issues.

Peltier concluded by talking about COVID and said they are starting to open the center up a little more and allowing more people in. They recently had their first in-person interview in a very long time and it was really great to sit across from someone and talk face to face. Staff is also starting to go to some training outside the center as long as it is being done with appropriate social distancing.

**Motion made by Supervisor Coenen, seconded by Supervisor Lund to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Emergency Management

9. Budget Status Financial Report for December 2020 and January, February and March 2021 – Unaudited.

Emergency Management Director Lauri Maki informed his department ended the year with a positive figure of \$639. There had been some concerns throughout the year regarding expenses related to sirens as well as Code Red messaging, but the budget ended up okay at the end of the year. Regarding the 2021 budget, Maki informed they put a lot of money out for contracts at the beginning of the year, but the budget looks fine at this time. He will do what he can to not go over budget on sirens.

Maki continued that they discuss getting rid of the sirens every year. He feels that if they keep the sirens, they need to work appropriately. A substantial number of sirens are 20 – 30 years old and they are having to replace poles and do other maintenance work. Brown County has 60 sirens that need to be maintained. Discussions have been had with administration to get the three year maintenance plan to be sure the sirens are running as they should with the realization that they are old and maintaining them does not mean they are going to last another 20 years. Maki feels most citizens have the technology and capability to be notified of weather issues with things like weather apps and weather radios instead of the sirens, but he also understands that there are many people who do rely on the sirens. Supervisor Coenen informed she likes the sirens, especially in rural areas where the internet

service is not great. Maki said they also stress to citizens that the sirens are meant to alert people who are outside, not inside.

Motion made by Supervisor Kaster, seconded by Supervisor Coenen to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

10. Director's Report.

a) COVID-19 Update – *Standing Item.*

Maki reported they have been working with Emergency Communication Systems on siren repairs and they are great to work with, but there are a lot of repairs that need to be done. Emergency Management is also working on selling a HAZMAT trailer that was purchased a number of years ago through a grant and has been housed at Station 4. If they are able to sell the trailer, the plan is to use the proceeds to supplement the siren repair expenses, but Maki feels they may have some difficulty selling the trailer. He also talked about Weather Awareness Week which went off without a hitch and Maki said he did not receive a single call about sirens not working during the tests which was encouraging.

Maki continued that he helped Peltier with the Telecomm Week ceremony which went very well and they were able to test some of the video capabilities and other technology in the process. He also talked about several other things they are working on including work with Opportunity Community Cares and he informed they slowly brought them into the loop of the regional manager group. OCC has been at two meetings now and they are working as a region to build OCC into a VOAD which Maki has mentioned before. This is progressing but it has been slow due to the number of parties involved but it is definitely off to a good start. Maki said they also continue to work on Safety Town presentations which will start in June and be presented to children ages 4 – 9.

One of Maki's departmental goals was to create the local Emergency Manager All Hazards Mitigation Group and there is a meeting scheduled for later this month. The concept of this is to bring all the local municipal EMs together in combination with other participants in the All Hazards Mitigation Plan to bring updates for the mitigation projects. He is working with Planning on this so when the municipal EMs come and share any major mitigation projects they are working on, the All Hazards Plan can be updated. The All Hazards Mitigation Plan is done every five years and keeping it updated along the way makes the process much easier. In conjunction with that, Maki wants to get everyone together at least a couple times a year to go over things that people do not do all the time such as how to apply for the Wisconsin disaster fund and how to declare an emergency on the local level and things like that.

Maki's assistant is continuing to assist agencies throughout the county in getting their Y-cam cards up to date to make sure that all the statistics for their employees are current. They have also been continuing to update the EOC binder that we created last year, and they will be bringing people in to test it out.

Maki also talked about the events at the Radisson/Oneida Casino and said he reached out to Oneida's EM department to offer assistance and he was able to help them out with locating and coordinating some of the post incident crisis counseling things.

Regarding COVID, Maki said Emergency Management is still assisting Public Health, but their involvement is decreasing. They are starting to receive some checks from FEMA for non-profits, municipalities and school districts which is exciting and shows that the system is there and the reimbursement is there.

Motion made by Supervisor Lund, seconded by Supervisor Schultz to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Medical Examiner

11. Medical Examiner's Report.

a) COVID-19 Update – *Standing Item.*

No report; no action taken.

Sheriff

12. Update re: Jail Addition – *Standing Item*.

Sheriff Delain thanked Committee members for touring the new jail pod prior to this meeting. There is still some detail work to be done and then every door, lock, faucet, etc. will be tested before the keys are turned over at the end of June or early July and inmates can be housed in the new pod.

Supervisor Schultz commended the Jail Administrator and Security Lieutenant on their patience and attention to detail throughout the project. Delain said they have done a great job staying on top of the project and making sure inmates can be housed safely and securely in the new facility.

Standing item; no action taken.

13. Budget Status Financial Report for December 2020 and March 2021 – Unaudited.

Delain was happy to report the Sheriff's Office ended 2020 with a surplus slightly over \$750,000. He attributes most of this to changes made in the jail that reduced overtime as well as a few other things that fell into line. Overall, 2020 was a very good year from a budget standpoint.

Regarding 2021, Delain informed that budgeted expenses through May are at 23% and revenue is at 24%. He noted that most of the expenses for outlay and large purchases, such as squad cars, are made at the beginning of the year. At this time the budget is doing fine, but Delain reminded that a lot of things could happen throughout the rest of the year, but as of this time they are doing well.

Motion made by Supervisor Lund, seconded by Supervisor Kaster to receive and place on file. Vote taken.

MOTION CARRIED UNANIMOUSLY

14. Key Factor Report for March 2021.

Delain reported that overall daily jail population for 2021 remains lower than 2020, but numbers are starting to increase as the courts continue to open up following COVID. He feels as we continue to move forward the jail population will continue to creep up and he would not be surprised if jail population in July or August of 2021 is greater than what it was in 2020. Hopefully by the time the numbers really start to increase the new pod will be open which should prevent issues.

Motion made by Supervisor Kaster, seconded by Supervisor Coenen to receive and place on file. Vote taken.

MOTION CARRIED UNANIMOUSLY

15. Sheriff's Report.

a) COVID-19 Update – *Standing Item*.

Delain informed there have not been any significant issues with COVID recently and they continue to take appropriate steps to protect both inmates and employees. Inmates interested in receiving the vaccine will start to be vaccinated next week. This was supposed to start happening several weeks ago, but with the recent issues with the Johnson & Johnson vaccine it was delayed. The Johnson & Johnson issues have been resolved and jail staff continues to work with the Health Department and DHS to get those in the county jail who wish to receive the vaccine vaccinated.

Delain continued that this week is Correctional Officer Recognition Week. He explained the extremely important role Correctional Officers play in the safety and security of the community. The Sheriff's Office would not be operational and functional and able to perform the required duties without great Correctional Officers who come in and do an outstanding job for the county every day. He is very proud of his staff and the job they do and added that it is a tough job and they do not get the recognition they deserve.

Regarding staffing, Delain reported the Civilian Evidence Technician who has done an outstanding job for the Sheriff's Department while she was here has taken a job elsewhere to be closer to family. He recalled that when this person was hired, the Public Safety Committee allowed her rate of pay to be increased to be above the mid-point. He is bringing this up because they have two very qualified candidates to fill the vacancy, but Delain feels it

may be necessary to increase the pay to get these individuals brought in. It is critical to the Sheriff's Department to have very high-quality Civilian Evidence Technicians to process crime scenes. With the education and skill set these individuals have, generally speaking, they may need to be paid more than the mid-point. As Delain moves forward in this process, he will be working with administration, but noted that this may have to come back to the Committee in the future to address so they can get the best candidate in the position.

Delain also talked about body cameras and informed that an RFP has been drafted. He spoke with Director of Administration Chad Weininger regarding this and options other than the RFP were discussed because when they evaluate everything that is needed related to body cameras, there are very few companies that will be able to provide both the body camera and squad cameras that work in concert with each other and also provides redaction. All the other law enforcement agencies in the county have already made decisions regarding body cameras and going too far away from something that is compatible with what the other agencies have chosen would put the Sheriff's Department in a difficult position and would hamper the ability of the partners of the Sheriff's Department to streamline what they do. The District Attorney's office is greatly impacted by things like this and if even one agency has a different system than the rest it increases the workload a great deal. Delain's goal is to present an option for body cameras for the County Board to consider during the budget process. He feels body cameras are no longer optional and there are recommendations from the state legislators that say every agency should have body cameras. It also seems to be the expectation of the public that officers have body cameras.

Delain continued that the men and woman at the Sheriff's Department welcome body camera. They understand that they are constantly being videotaped every time they exit their vehicle and they want body cameras so exactly what they are hearing and saying and seeing is recorded. Delain supports body cameras and hopes the County Board will also support them because we are at a point where they are not really optional anymore and he will do whatever he can to work within the budget to try to make this happen and will keep the Committee updated.

Delain continued by talking about the active shooter situation that happened at the Radisson/Oneida Casino over the weekend. Any active shooter situation is very stressful and trying on law enforcement and Delain said the Brown County Sheriff's Department sends their heartfelt condolences to the individuals and families who lost loved ones or were impacted by the events. The Sheriff's Department is still actively working this double homicide and attempted homicide and noted they did not clear the scene until late Sunday afternoon. Statements are still being taken and evidence is still being processed and there will be a lot more work done to get a good picture of what transpired so they are able to put some closure to this. Delain continued that about 75 law enforcement officers from throughout the county responded to the scene immediately based on their training and he is proud of all of them. They do countywide tactical alert response training throughout the county for situations like this and will continue to do so. They will look at the events of last Saturday and at what was done well and what areas they can improve on and Delain is confident in saying the men and women in law enforcement in Brown County as well as partners in fire and rescue will continue to be there for the public and will perform well. Delain also wished to thank Public Safety Communications who took a crazy amount of calls during the situation and did a marvelous job.

Delain concluded by talking about the downtown shooting range which is currently not usable due to problems with the air quality. The shooting range has been on the Sheriff's Department CIP for the last several years. The Sheriff's Department was referred to an HVAC company in Illinois who would be able to work on the range but Delain also reached out to Facilities who did their due diligence to find a more local HVAC company, but there are no companies nearby that do the type of repairs that are needed. The cost for the Illinois company to come in and give an estimate will be somewhere in the area of \$3,000 and Delain will keep the Committee advised of options, but he feels the range is getting close to the end of its life as it is approaching 30 – 40 years.

Deneys asked Delain to pass on the Committee's appreciation to the Correctional Officers. He also asked Delain to pass on the Committee's appreciation for everything that was done in connection with the events at the Radisson/Oneida Casino over the weekend and said that from everything he has seen, the county should be very proud of how they handled things. Deneys concluded by encouraging Delain to stay on top of the body camera project as he believes it is very important and something that needs to be done.

**Motion made by Supervisor Lund, seconded by Supervisor Schultz to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Resolutions

16. 2020 Balanced Budget Adjustment Resolution.

Director of Administration Chad Weinger informed at the end of every year they must balance the budget and this resolution is the final reporting that needs to be done to do that. This outlines where the county finished good and where we finished poorly. For this Committee, all departments finished well except for the District Attorney who was \$44,647 over budget.

The big picture is that the county is finishing 2020 to the good with roughly \$3.6 million dollars which will be going to the unassigned unrestricted general fund. At the beginning of the year there was a lot of concern and uncertainty regarding COVID so they started to make some cuts. At the same time, the federal government started to build funds in and without the funds received by the airport, the county would have been in dire straits at the airport. The cuts that were made throughout the rest of the county would have probably been enough in order to balance things out. Weinger outlined the rest of the numbers in the resolution and the adjustments that will be made to balance the budget.

Motion made by Supervisor Lund, seconded by Supervisor Kaster to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Communications

17. **Communication from Supervisor Dantine: Look into how sex offenders are placed and look into better ways to do this. Check how other counties handle this. Referred from March County Board; action at April Public Safety Meeting: To hold for one month.**

Supervisor Dantine informed he brought this up because of the travesty that happened in the Town of Scott. A similar situation happened in Humboldt a number of years ago, but at that time there was communication with the municipality regarding things like where the bus stops and schools were. In the current Town of Scott situation, it does not seem there was any checking in to what happens in the neighborhood. The Traberts have been working with Boy Scouts for 20 years and there are activities there with young boys and girls constantly and they still put a sex offender right next door which makes no sense. Dantine said there was no format to check into what happens in the neighborhood. He understands there is no school nearby, but Boy Scouts are teaching young kids to be leaders in the community and helping them become very good adults which is good for the community, and then the State said it was fine to place the offender there which a travesty and does not make any sense. Dantine understands that these people have to go somewhere, but Brown County has to find a better way to determine placement and investigate the neighborhood before people are placed so this does not happen again.

Lead Assistant Corporation Counsel Samantha Wagner, Chair of the Supervised Release Committee (SRC), explained the law changed in May 2018 and the legislature was trying to arrange it where individuals who are released under 980 went back to their county of residence at the time the crime was committed. Prior to that, anybody who was released from Sand Ridge could essentially be put in any county in the state. Brown County was often the recipient of these placements and would get individuals from other counties. The legislature then said counties would get their own residents, and to do that, an SRC must be created. The SRC consists of five members and is ordered by statute. The committee membership includes representatives of the county's Corporation Counsel office, Health Services Department and Land and Planning as well as a representative of Probation and Parole and the representative for our region from DHS. The sole responsibility of the SRC is to find residences within the county that meet certain statutory criteria. The SRC does not place individuals anywhere or look at safety plans or create plans of release for individuals from Sand Ridge. They simply look at if there is a property that is not within 1500 feet of a school, youth center, park, church or adult care facility and if it is viable and someone is willing to buy it and then rent it to DHS and then pass the address on to DHS. Land and Planning lets the SRC know if the proposed residence is within the 1500 foot exclusion zone and SRC then talks to landlords who do this for a living and if the property is able to be bought, the landlord buys the property and SRC then lets DHS know and then the SRC portion of the process is done. SRC typically does not get involved with the DHS release plan or the court system. Wagner understands there are thoughts about doing something similar to what Door County is talking about doing, however we need to be cognizant of the fact that Brown County has between 10 – 20 of these individuals released to the community, compared to Door County's possible one that is not even up for release yet.

Regarding scouts meeting at the Trabert property, Wagner advised that the information provided to the SRC by the Traberts was shared with two circuit court judges, neither of whom stopped the placement from happening. Wagner knows for certain that Judge Zuidmulder who was the criminal judge and placed the individual had all the information provided by the Traberts.

Dantinne asked if the SRC had knowledge of the scouting activities prior to suggesting that the individual be placed. He understands this goes through the court system but questioned if the SRC investigated this prior to letting the state know of the property being available. Wagner responded that the SRC is required to request a report from law enforcement which was received from the Sheriff's Department and indicated that there were no children living in the adjacent property and this was compiled with the information from Land and Planning and the SRC found the property met the criteria and gave the information to DHS who then moved forward with it. She does not know the timeframe as the SRC is not involved in how the neighborhood found out or in public notification; they just obtain the addresses. The SRC reconvened and heard from a number of individuals from the community as well as a number of individuals from the Boy Scouts and it was determined the property was not considered a youth center. This then went back to DHS and then to Judge Zuidmulder who specifically ruled the property was not a youth center during the criminal hearing ordering placement. Dantinne understands the property is not near a school or church but questioned how the SRC knew there was not a daycare center in the area. Wagner responded that they run all addresses through licensing databases so if there was a licensed daycare center or a licensed in-home facility in the area it would have shown up.

Supervisor Borchardt asked what the compliance standards are for things like churches and daycare centers. Wagner responded that it would be licensed facilities. Someone who is watching children in their home without being licensed would not meet the criteria for example.

Supervisor Coenen understands that this must be done statutorily, but in her mind, all children need to be protected, whether they are being taken care of in a licensed home daycare facility or they are being taken care of in a non-licensed home because the number of children being taken care of does not meet the threshold to require licensing. She does not feel that one group should be protected while the others are not protected, and she feels there needs to be a way to meet in the middle.

Supervisor Kaster asked if there is a process to appeal the placement. Wagner responded that the placement is done by the criminal court and there would need to be standing in the criminal court to appeal. The SRC does not make any decisions that would be able to be appealed. There are circumstances and cases around the state where committees have found an address and DHS did not agree and sent it back. Other times DHS gets an address and provides a plan to a judge and the judge says it will not work. There are multiple steps in the process.

It is Supervisor Schultz's understanding that right now unless we are able to convince Judge Zuidmulder to change his mind on whether this is a youth center or not, there is nothing statutorily that can be done in this situation. It would take legislative action to redefine or add exclusions to the statute to have this Boy Scout place considered a youth center. Wagner responded that it is correct to say that Judge Zuidmulder is the one who made the decision and that to change the parameters around what qualifies as a residence where someone under the statutes could be placed would have to be taken up by the legislature.

Supervisor Lund asked if the Town of Scott was notified of the placement. Wagner responded that the SRC is not involved in the notification piece of this, but there are different tiers as to what the notification requirements are.

Chair Deneys understands that Judge Zuidmulder did not consider the Trabert property a youth center and asked if the SRC shared that feeling. Wagner responded that the SRC also did not feel the property was a youth center. Deneys asked what was used as a measurable parameter by the SRC to decide that this was not a youth center. Wagner responded that one of the main parameters was that it is not a licensed facility such as a Boys and Girls Club or a gymnastics center or something similar. There were questions in the documentation provided as to what was actually going on at the property on a consistent basis (outside of COVID times) as a lot of the information provided was that they were receiving a lot of mail and were in charge of a lot of trips and in charge of a lot of

storage on their property, but they were not actually historically doing a lot of activities. Deneys asked if acceptability of the current placement would change in the event they were to become a licensed facility. Wagner responded that generally any time someone is placed in an approved home by a judge and something like a park or licensed facility comes into the area, it would prevent anyone new from being placed in the home in the future, but anyone already in the home would not have to leave.

Motion made by Supervisor Lund, seconded by Supervisor Schultz to suspend the rules to allow interested parties to speak. Vote taken. MOTION CARRIED UNANIMOUSLY

John Trabert wished to clarify some of the comments made to this point. An initial investigation of their property is required by statute and involves contacting the Brown County Sheriff, but the Brown County Sheriff's representative did not contact them as directed as an adjoining property owner and thus, the report was in error and omitted critical information. The SRC is who interpreted the statutory definition of a youth center as requiring a license or a licensed business. Youth businesses do not require any kind of license in the State of Wisconsin unless they have a swimming pool or something like that. The Traberts require no licenses other than all the training and licensing they do through the Boy Scouts. The terms *licensed center* or *licensed business* are not in the statutory definition of a youth center; that is the SRC's interpretation of that definition. Further, the judge was not asked to determine whether that determination was correct. The Traberts did not have standing in the individual's case and were not allowed to request that. The judge merely allowed the SRC's recommendation to stand. Trabert continued that they also provided a list which is included in the minutes of the SRC online of over 750 activities that took place on their property by the scouts since 2008.

Barb Trabert clarified that the Door County project mentioned earlier has been started according to the *Door County Pulse*. Concrete pads have been put in on the judicial campus and the intention is to put trailer homes on the campus so the people that are placed there would be close to the services they need and the county would not have to pay \$3,000 a month to lease places like they do for 4755 Champion Road; money going out of state. The big win overall is public safety by putting these people in a place where they can be managed in a way that keeps the public safe. The Traberts believe that inserting them into neighborhoods is very destructive and when it comes to kids it is inexcusable and irresponsible.

Motion made by Supervisor Coenen, seconded by Supervisor Lund to close the floor and return to regular order of business. Vote taken. MOTION CARRIED UNANIMOUSLY

Schultz asked what can be done other than approaching Judge Zuidmulder or the legislature to have something added or changed in the statutes. Wagner responded that the entire method behind the SRC program with DHS is to reintegrate these individuals into the community in a safe manner. Looking solely at that aspect, these are individuals who have committed a crime, been convicted and served their time and have petitioned the court and gone through a battery of tests in order to be found to be eligible for release. Wagner is not an employee of DHS and is not involved in the SRC program on the whole, but the purpose is to have the community integration because at some point these individuals will be discharged from the supervised release program and out in the community unmonitored. Wagner continued that the individual from DHS who supervises our area, Michael Chase, has offered to come and do a training for anyone in the community who has questions regarding the supervised release program and she can arrange for him to come and talk to this Committee if desired. Borchardt informed she has heard Chase speak in the past when a sex offender was to be placed in her district and he provided a lot of good information and answered a lot of questions.

Schultz asked about the recidivism rate for these people and Wagner responded that she does not know the exact numbers, but it is very low. The program has been proven to be very effective and it should be remembered that these individuals are different than sex offenders who are being monitored solely by the DOC. The individuals we are talking about here are being monitored by DHS and are being monitored 24/7 by active GPS. They are not even allowed to leave their house without a chaperone for the first year of their placement.

Lund feels there needs to be some sort of notification to the neighbors as to what is going on, even if there is not a lot that can be done. He would at least like neighbors to know what the situation is and what the individual looks like and where he will be located. Wagner responded that if the county does not find a property to provide to DHS within 120 days of the court signing an order, the county gets fined. The state pays for the rent of these residences, not the county and there is a lot that goes into play when a county decides how they handle the placements.

Regarding licensed facilities, Coenen asked if that is a qualification of the SRC or if it is statutory. Wagner responded that that was one of the factors they looked at. There is a definition of *youth center* in 980 and the SRC found they did not meet the statutory definition which she does not believe contains the word *licensed*. Coenen asked what other factors were considered by the SRC when the decision was made. Wagner responded that they looked into how the property was used outside of COVID 19 times, if there were children on the property regularly doing activities. They found that the Traberts do have a lot of land and they store a lot of equipment. They have some bigger Boy Scout activities that they do that were not as frequent, but they are doing a little more on the property with COVID. When looking at the history of the activities, the property did not meet the definition of a youth center and that is what the SRC decided but ultimately it was up to the judge who made the ruling and commented on the actual finding of a youth center in his decision.

Deneys mentioned that he talked to Corporation Counsel Dave Hemery about doing something similar here as they are doing in Door County and was advised that there would be problems doing that here. Wagner said the area near the jail would likely be excluded due to the county nursing home being located nearby. It should also be remembered that DHS cannot put more than two individuals in any residence because then it would become a licensed CBRF. If the county were to do something like this somewhere on county property, the county would have to be the landlord and there would have to be at least 10 separate residences because of the number we have in Green Bay and density issues would also become a factor.

Kaster asked if Wagner has ever heard of anyone being moved once they are placed. Wagner said she has seen that happen and it can be for a number of reasons including residents not getting along with each other or residents aging and having to be in a home without stairs. Those decisions are made by DHS.

The committee agreed they would like to hear from Michael Chase from DHS and Wagner will work to set that up for a future meeting.

Lund would like to review the policy regarding notification and see if there is anything that can be done so neighbors know what is going on and what the rules are surrounding the individuals. Deneys said the notification process is set by the state. Wagner said that is true and county law enforcement may assist in the notification process, but it is not a county decision and definitely not an SRC decision. Schultz said notifying the neighbors is the decent respectful thing to do and noted that neighbors are only notified when pretty significant offenders are involved. Lund feels we should ask the legislature to change the notification process so there is always a meeting in these cases and people understand what is going to happen. He understands the placements will still take place, but he feels it is important to get notification out to the community.

Dantinne said this is a good conversation and the suggestions are good, but they are after the fact. Before the fact there should be some rule changes regarding the criteria that even if a place is not licensed it could still be frequented by youth and should be looked at. Just because the Sheriff's Office does not find something doesn't mean nothing is going on. Dantinne feels the ball was dropped on this in the beginning and the state should be made aware of that.

Coenen asked if the SRC or someone else looks at the codes of the municipalities these individuals are placed in. Wagner responded that that is not a requirement. Coenen then asked if when the SRC is looking at addresses if there could be some sort of requirement that there be a discussion with municipal leaders where the residences are located. Wagner said that is not something that is statutorily required so it is not something the County Board can require the SRC to do. Above and beyond that, the SRC is a hybrid committee, not technically a committee that falls under the purview of the County Board because of the individuals on it, especially the state employees.

Coenen does not want the SRC and the communities to always be at odds; she would like the parties to work together in the future to find some equal ground so a similar situation does not happen again and there is more transparency and better communication. Wagner expressed willingness to sit down with anyone who has ideas on how to address this issue and she noted the process is still somewhat new and counties across the state are still trying to figure it out. Coenen said she would like to work further with Wagner on this.

Motion made by Supervisor Schultz, seconded by Supervisor Lund to work with Corporation Counsel on a resolution for legislative changes for better definitions, placement policies and notification policies. Vote taken. MOTION CARRIED UNANIMOUSLY

Other

18. Audit of bills.

Motion made by Supervisor Coenen, seconded by Supervisor Schultz to acknowledge receipt of the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

19. Such other matters as authorized by law. None.

20. Adjourn.

Motion made by Supervisor Lund, seconded by Supervisor Coenen to adjourn at 8:40 pm. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Legislative Specialist

For Public Comment to Brown County Public Safety Committee meeting 5/4/21 6:00 pm

We provided Public Comment at this Committee's last meeting on April 12th regarding the activities of the Brown County Supervised Release Committee (SRC). We understand the legal constraints that County officials were under at that time regarding our situation. Please be advised that our legal action regarding that situation was voluntarily dismissed on April 26th. As such, members of this Committee may now feel free to discuss or question anything to do with that situation. Likewise, we are now able to answer fully any questions regarding the placement of a violent sex offender.

We have learned today that the SRC is planning to approve 4755 Champion Road for placement of another violent sex offender. They are doing this with full knowledge of the recreational, vocational, and academic activities being conducted on a regular basis for youth and their families under the auspices of the Boy Scouts of America on the adjacent property.

The SRC's October 9, 2020 approval for placement of a violent sex offender at 4755 Champion Road was made without knowledge of youth activities next door. After being made aware of the youth activities next door, the SRC refused to correct the situation. Apparently, the Brown County Supervised Release Committee and Wisconsin Department of Health Services feel they can now put violent sex offenders in residences adjacent to properties where children gather simply by putting screening on the residence's windows so the offenders cannot see the children. Further, the Brown County Supervised Release Committee and the Wisconsin Department of Health Services require Scouts to notify the Department of Corrections with 4 weeks' advanced notice of their Scouting activities in order for the Department of Corrections to comply with not having the violent sex offenders outside the residence during Scouts' activities.

It is unconscionable that Scouts (which include boys and girls) must coordinate their activities with the Department of Corrections for their own safety!

The Wisconsin Chapter 980 statute is clearly intended to protect children and the public safety. Brown County has created a situation that puts public safety and especially the safety of children at risk.

We respectfully request that you please find a way for Brown County to comply with the 980 statute in a way that prevents this. We encourage you to take a look at what Door County is doing.

We will be happy to answer any questions at this time or during agenda item  - Communication from Supervisor Dantine.

John & Barb Trabert
4759 Champion Road
New Franken, WI 54229

*Comments from
the public.*

MEMO

TO: Brown County Public Safety Committee
FROM: Judge Hock and District Attorney Lasee
RE: Delays in State Public Defender Appointments
DATE: May 3, 2021

We are writing today to provide an update regarding the issues or concerns about the State Public Defender's Office's ability to timely appoint attorneys for indigent defendants. We presented information on this issue to the Public Safety Committee on March 2, 2021. Since that time, Brown County officials have taken several steps to attempt to address this issue, including the following:

On March 9, 2021, there was a video meeting between a number of Brown County representatives, including County Board members, County administration, Judge Hock, DA Lasee and several representatives of the State Public Defender, including Kelli Thompson, the head of the SPD, her Chief Deputy John Padgham, the local Regional Managing Attorney Jeff Cano and others. The purpose of the meeting was to explain our concerns, to seek solutions and to better understand the problem.

On March 17, 2021 the Brown County Board passed a resolution requesting that the State of Wisconsin take action to address the Public Defender crisis.

On April 14, 2021, representatives of the Brown County Board, Brown County administration and Judge Hock met via video with a group of state legislators from the area to discuss the delays in the State Public Defender's office appointing attorneys for indigent defendants and possible legislative solutions.

On April 21, Jeff Flynt, Brown County Deputy Executive, and DA Lasee assisted a local legislator by providing information relevant to a request to the Governor's Office to provide funding to address the issue of SPD delays in appointment of counsel.

On April 23, 2021, Kelli Thompson of the SPD sent an email to Judge Hock providing an update on what the SPD is doing to try to add a position to the Green Bay office and to hire new assistant public defender as soon as possible, as well as they work they are doing to make appointments on cases that present conflicts.

2

CLERK OF CIRCUIT COURT

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JOHN A. VANDER LEEST
CLERK OF CIRCUIT COURT

JULIE HORNBURG
CLERK DEPUTY

JOSHUA DEMARS
FINANCIAL OPERATIONS MGR

- 2020 Clerk of Courts Budget Update (UNAUDITED):

	01/01/2020 - 12/31/2020			
	Amended Budget:	Actual Activity:	\$ Change	
REVENUE TOTAL	\$ 3,031,269.00	\$ 2,853,410.42	\$ (177,858.58)	
EXPENSE TOTAL	\$ 3,031,269.00	\$ 2,849,151.24	\$ (182,117.76)	
OVERAGE/(SHORTAGE)	\$ -	\$ 4,259.18	\$ 4,259.18	

- 2021 Clerk of Courts Budget Status Update: through April ²⁰²¹2020 we are projecting to meet budget again.
- Filling a vacant Clerk II for additional help for e-filing, phone calls and scanning. Position to be filled in mid May.