

# BOARD OF SUPERVISORS

Brown County



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## SUPERVISED RELEASE COMMITTEE

**SUPERVISED RELEASE COMMITTEE**  
**Formed Pursuant to Wis. Stats. Sec. 980.08**

**Meeting Notes for Thursday, May 6<sup>th</sup>, 2021**

**3pm**

***The Public may Attend this Meeting IN-PERSON by going to Room 200 of the Brown County Northern Building, located at 305 E Walnut St, Green Bay, WI 54301. Social distancing will be practiced, and masks will be available.***

***Committee Members may Attend this Committee Meeting VIRTUALLY by utilizing Microsoft WebEx (this provides two-way Audio and Video Access). PLEASE LOG-IN 15 MINUTES EARLY! NOTE: Committee members may Virtually Attend this meeting in any location they desire that has sufficient internet access, and any Committee Member that wishes to may go to Room 200 of the Brown County Northern Building, located at 305 E Walnut St, Green Bay, WI 54301, where they may Virtually log-in to this Virtual Meeting. Internet access will be available, and social distancing will be practiced, in Room 200. NOTE: Technical Support will no longer be provided in Room 200. Committee Members needing Technical Support should call the Brown County Department of Technology Services Help Line at (920) 448-4030.***

### **NOTICE IS HEREBY GIVEN THAT THE COMMITTEE MAY TAKE ACTION ON ANY ITEM LISTED ON THE AGENDA**

- I. Call Meeting to Order. Sam Wagner called the meeting to order just after 3pm.
  - II. Roll Call and Establishment of Quorum: Sam Wagner, Devin Yoder, Mick Chase, Alyssa Liebergen and Ian Agar formed the quorum.
  - III. Approve/Modify Agenda. Motion to approve agenda made by Ian Agar and 2<sup>nd</sup> by Devin Yoder. Approved.
  - IV. Approve/Modify Minutes of Last Meeting (Attached). Motion to modify minutes from last meeting made by Devin Yoder and 2<sup>nd</sup> by Ian Agar, with a correction to Devin's name on 2<sup>nd</sup> page and a correction on page 1 also needed.
  - V. Public Comment: Two members of the public were present, Mrs. Trabert who read aloud a written statement she had prepared for entry into the minutes and Mr. Trabert who also had a prepared statement he asked to be entered into the record also. Additionally, Mr. Trabert referenced Jean Reynold's (not present), with respect to a reference to "not selling his nearby property."
1. a) Closed Session: A motion to go into closed session was made Ian Agar and 2<sup>nd</sup> by Alyssa Liebergen the motion being approved.  
b) The committee convened into closed session.  
c) A motion to reconvene into open session was made by Ian Agar and 2<sup>nd</sup> by Alyssa Liebergen. Approved.

Reconvened in open session.

2. Identification of Properties Meeting Statutory Placement Criteria. 4755 Champion Road was referenced as having no disqualifying factors for the property to meet criteria for use for placement purposes.
3. Discussion of Items for Next Agenda. Nothing noted at this time.
4. Adjourn. Motion to adjourn made by Devin Yoder, 2<sup>nd</sup> by Alyssa Liebergen. Approved and session adjourned. 3:36 pm.  
Next meeting scheduled for May 27<sup>th</sup> at noon.

Notice is hereby given that action by the Committee may be taken on any of the items which are described or listed in this agenda. Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

This details what appears to be the modus operandi of the Brown County Supervised Release Committee (SRC).

The SRC engages a select member of the public as a vendor to identify potential residences that might meet statutory criteria according to Wis. Stat. § 980.08(4)(dm). An out-of-state vendor appears to be the most productive. The going rate for properties leased to the Wisconsin Department of Health Services (DHS) appears to be \$2995 per month.

Agendas are typically the same for every meeting of the SRC:

- I. Call Meeting to Order.
- II. Roll Call and Establishment of Quorum
- III. Approve/Modify Agenda.
- IV. Approve/Modify Minutes of Last Meeting (Attached).
- V. Public Comment
  1. Closed Session
  2. Identification of Properties Meeting Statutory Placement Criteria
  3. Discussion of Items for Next Agenda.
  4. Adjourn

The next meeting is usually scheduled at the end of a meeting. Meetings may be several days apart or several months apart, depending on whether there is any business to conduct.

Despite having a standard agenda, public posting of a meeting's proposed agenda is usually done only slightly more than 24 hours prior to the scheduled meeting. While this complies with the Wisconsin Open Meetings law public notice requirement, it effectively limits public awareness of its meetings. Thus, there has often been no public presence at the SRC meetings.

When a potential property for placement of a violent sex offender is identified, the SRC schedules a meeting, usually for late in the week. The SRC requests a report from local law enforcement looking for any children residing on adjoining properties. This request is usually made on a Monday, and given a very short deadline. Law enforcement's contacting of members of the public in adjoining properties might alert some neighbors as to what the SRC is trying to do. The Law enforcement report needs to be in the SRC's hands in time for a meeting notice to be posted 24 hours prior to the SRC meeting later that week. The property owner and even the neighbors contacted by law enforcement are not likely to learn of the SRC's meeting in time to attend.

The SRC conducts nearly all of its substantive business in Closed Sessions, except for the standing agenda item 2. Identification of Properties Meeting Statutory Placement Criteria. Only after a property is approved will the property be identified. The minutes of that meeting might not be made public until they are approved at the next meeting.

The vendor quickly and secretly buys the property. Neighbors and even the property owner are kept unaware of the vendor's intent to lease the property to Wisconsin DHS for housing violent sex offenders.

Clearly, the SRC believes that the only way to fulfill their statutory objective of identifying properties to house violent sex offenders is to conduct their business with as little public awareness, knowledge, or input as possible. Unfortunately, these methods of the SRC have and will continue to result in their decisions being made with incomplete or erroneous information. This results in a failure to meet the safety needs of the community.

The 980 Statute is clearly intended to safeguard children in the community by not allowing such placements in proximity to places where there are children.

Submitted in writing for complete and accurate inclusion this meeting's minutes,  
Barb and John Trabert  
4759 Champion Road  
New Franken, WI 54229

We have appeared in person at this Committee's last four meetings. At the last two meetings, we explicitly requested in writing information from this Committee regarding any properties under its consideration. Both of these requests received no reply.

This Committee has again been considering a property adjacent to our property for a potential placement of a violent sex offender. The property at 4755 Champion Road is adjacent to a property where youth activities of the Boy Scouts of America take place on a regular basis. These activities include boys and girls and their families. Nevertheless, we are confident that this Committee will again approve 4755 Champion Road for placement of a violent sex offender.

Wisconsin's open government laws promote democracy by ensuring that all state, regional and local governments conduct their business with transparency. Wisconsin citizens have a right to know how their government is spending their tax dollars and exercising the powers granted by the people.

We remind this Committee of some fundamental requirements of Wisconsin Open Meetings law, as stated in the Wisconsin Open Meetings Law Compliance Guide issued by the Wisconsin Department of Justice and Attorney General Josh Kaul:

No secret ballot may be used to determine any election or decision of a governmental body.

The open meetings law requires a governmental body to create and preserve a record of all motions and roll-call votes at its meetings. Wis. Stat. § 19.88(3).

This Committee first approved 4755 Champion Road at their October 9, 2020 meeting. A report was obtained from the Brown County Sheriff's Office regarding their investigation of adjacent properties. Despite the claims in that report, we were never contacted by the Sheriff's Officer. Thus, this Committee had no knowledge of the youth activities taking place on our property adjoining 4755 Champion Road. According to the minutes of that meeting, there were no members of the public present. Following a Closed Session, "A recommendation was made" to approve the property, but no motion was made, and no vote was taken in Open Session. The minutes further state that "Purchase is in process." This means that a member of the public was advised of a decision made by this Committee without a public meeting, at some time prior to its public meeting of October 9, 2020.

The minutes of the October 9, 2020 meeting were not made public until their approval on January 22, 2021, over 3 months later. Thus, the public was kept unaware of this Committee's approval of 4755 Champion Road.

On January 12, 2021, the Chair of this Committee was first made aware of youth activities taking place on our property.

On January 13, 2021, without any public meeting, the Chair of this Committee rendered a decision on behalf of this Committee that 4759 Champion Road is not a youth center because "There is no information provided that there is any licensed activity center on the property and there are no licensed businesses to that address that would qualify as a youth center." Again, a decision was made by this Committee without a public meeting.

At this Committee's January 22, 2021 public meeting, in Closed Session only, "Information presented to the committee relating to use of the property at 4755 Champion Road for placement of a SVO and the Trabert's property being a "Youth Center" was not accepted by the committee as meeting the definition of a Youth Center." This is another decision made by this Committee with no motion and no vote in Open Session.

This Committee is today deliberating on the approval of a property for placement of a violent sex offender adjacent to a property where children gather on a regular basis. We call on this Committee to comply with Wisconsin Open Meetings law in making and recording its decision in this meeting. So far, it appears that only Attorney Wagner, the Chair of this Committee, has made any decision regarding 4755 Champion Road. The decision of this Committee must be made without a secret ballot. The Wisconsin Open Meetings Law Compliance Guide further states that "a governmental body's records should provide the public with a reasonably intelligible description of the essential substantive elements of every motion made, who initiated and seconded the motion, the outcome of any vote on the motion, and, if a roll-call vote, how each member voted."

The public deserves to know which members of this Committee believe that the safety needs of the community are met by the placement of a violent sex offender on a property adjacent to where children regularly gather.

Submitted in writing for complete and accurate inclusion this meeting's minutes,

John and Barb Trabert

4759 Champion Road

New Franken, WI 54229