

## **COMMUNITY PROTECTION & SERVICES COMMITTEE**

**February 18, 2016**

A meeting of the Community Protection & Services Committee was called to order at 4:34 p.m. by Chairperson Wiesner in Council Chambers, City Hall. **Roll Call:** Members Mr. Wiesner, Mr. Ireland and Mr. Gregory were present. Also present from the City was Mr. VanLieshout, Chief Porter, Captain Brinkman, Lieutenant Henry, City Attorney Randy Nesbit, and Alderman Fett.

*Moved by Mr. Ireland, seconded by Mr. Gregory to adopt the following agenda:*

1. Roll call
2. Adoption of agenda
4. Consideration of: Sex Offender Residency Restrictions
5. Adjourn

*but with the corrected yearly date of February 18, 2016.*

*Carried.*

### **Consideration of: Sex Offender Residency Restrictions**

Chief Arleigh Porter distributed copies of the ordinance.

Chief Porter began with background on what a Chapter 980 of the Wisconsin Statutes describes as the most violent of sex offenders. In recent months, the City of Milwaukee created an ordinance not allowing Chapter 980 offenders residency; thus relocating offenders outside the county. The City of Sturgeon Bay does not have an ordinance limiting residency to Chapter 980 offenders, and could be sought as a place to locate offenders into our community.

Lieutenant Henry further informed the committee; if offenders commit the crime in the County, they are allowed to relocate back after they serve their sentence. If offenders are from the County, but commit an offense in another County, they would need to be released elsewhere.

Chief Porter stated historically, the City has never prevented sex offenders from coming back if they have previously resided here. However, there are currently 3-4 Chapter 980 offenders being released soon who did not offend in the County, but at one time lived here.

The ordinance has an appeals process built in; where City Council would have the final decision on whether or not a sex offender can be restricted. (Page 4, #5)

Over 40 Wisconsin cities have already passed and implemented similar ordinances; Two Rivers and Manitowoc are the two closest in the area.

Attorney Nesbit reported he had discussions with the Manitowoc City Attorney; they had passed their ordinance without any issue. However, Attorney Nesbit stated we cannot close the door completely; he hopes creating such an ordinance does not get challenged as this is uncharted territory. Attorney Nesbit also reported that State Legislature is currently looking into creating an Assembly Bill that would prevent

local ordinances from being created (State Bill 290) to restrict Chapter 980 offender residency. They are trying to counter-act what the Milwaukee ordinance has started.

At this time, Attorney Nesbit feels it would be in our best interest to go ahead and create an ordinance regarding Chapter 980 sex offender residency restrictions; as the State does not have anything in place as of yet.

Mr. Gregory commented on whether there would be someone to actually sue the City.

*Moved by Mr. Gregory, seconded by Mr. Ireland that the City of Sturgeon Bay Community Protection & Services Committee recommends to Council to accept Section 10.34 of the Municipal Code regarding sex offender residency restrictions. All ayes. Carried.*

*Moved by Mr. Ireland, seconded by Mr. Gregory to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 4:52 p.m.*

Respectfully submitted,

Sarah Spude-Olson  
Police Department  
Administrative Office Manager