

MINUTES
SEX OFFENDER RESIDENCE BOARD
Wednesday, January 13, 2016
City Hall, Room 310
2:30 p.m.

MEMBERS PRESENT: Dean Gerondale, Ben Heiman, Kathy De Cremer, Heidi Michel, Renee Keehan

The meeting was called to order by Dean Gerondale.

1. APPROVAL OF MINUTES

Approval of the December 9, 2015 Minutes of the Sex Offender Residency Board meeting

Motion made by B. Heiman to approved the December 9, 2015 Minutes, seconded by K. De Cremer. All in favor. Motion carried.

2. APPEALS

(a) Appeal of Daniel J. Janus requesting to move to 899 Liberty Street

Daniel appeared by telephone from the John Burke Correctional Center. D. Gerondale advised Daniel of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

In 1988, Daniel was convicted of second degree sexual assault of a 14 year old. He was 17 years old at the time. He and the victim had been dating 2-3 years. They had sexual intercourse. He spent some time in jail and received four years' probation. He then went to a halfway house.

Daniel stated he was born and raised in Green Bay. He is currently incarcerated for drunk driving and will be released January 26 after serving 18 months. He would like to move in with his sister, brother-in-law and nephew. He is on social security disability (back problems; learning disorder).

A motion is made by B. Heiman and seconded by R. Keehan to move into closed session to discuss Daniel's treatment, pursuant to Section 146.82(1), Wis. Stats. All in favor. Motion carried. A motion is made by K. De Cremer and seconded by R. Keehan to return to open session. All in favor. Motion carried.

D. Gerondale asked if a condition of Daniel's probation includes random drug and alcohol screenings. Daniel stated he does not know; however, he was ordered to get another assessment. He plans on going to AA and aftercare.

R. Keehan asked if Daniel's sister owns the house and how many bedrooms it has. Daniel stated his sister does own the house and it has three bedrooms upstairs, one on the main floor and one in the basement.

K. De Cremer asked Daniel if he will be exposed to alcohol if he lives here. Daniel stated his sister and brother-in-law do not drink, except once in a great while. No alcohol will be allowed in the house and Daniel cannot live with them if he drinks.

A motion to APPROVE the appeal of Daniel J. Janus, address specific, was made by H. Michel, seconded by R. Keehan.

Discussion: D. Gerondale feels the offense was a Romeo and Juliet situation. It happened a long time ago and Dean does not believe Daniel is a risk to reoffend. However, Dean is concerned about Daniel's drinking problem.

Three in favor, two opposed (Heiman and Gerondale). Motion carried.

(b) Appeal of Paul Amenson requesting to move to 1230 St. Clair Street

Paul appeared in person. D. Gerondale advised Paul of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

Paul appeared before the board in September and was approved at this location for a period of 120 days. He is here today to talk about how things are going.

Paul provided a letter from his landlord which says he is an excellent tenant, is never late with rent payments and takes good care of the property. There have been no complaints from the neighbors. Because this letter was sent by email and is not signed, D. Gerondale placed a call to the landlord who confirmed sending the letter.

Paul stated things are going great. He gets along with the neighbors. There are kids in the neighborhood but Paul said they don't bother him too much. He closes his curtains if he sees them playing outside. He keeps himself busy by playing video games, doing puzzles and watching TV. He is a member of Faith Lutheran Church. Paul completed aftercare treatment but continues to go once a week on Friday.

R. Keehan asked Paul to explain his comment about the neighborhood kids "not bothering him too much." Paul explained there was a child who used to play football across the street and he wished he could go outside and throw it with him. But he realized he couldn't, so instead went back to doing something else, such as reading a book. The child has since moved.

Paul has been working full time the past two years at Saputo Cheese, second shift (two until midnight).

A motion to APPROVE the appeal of Paul Amenson, address specific, was made by D. Gerondale, seconded by B. Heiman. Four in favor, one opposed (De Cremer). Motion carried.

- (c) Appeal of Kirk Kyllonen requesting to move to 710 S. Ashland Avenue (upper)

Kirk appeared in person. D. Gerondale advised Kirk of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

Kirk appeared before the board in December and was approved at this location for a period of 30 days. He was asked to provide the telephone number of the tenants living below him, as they have children.

D. Gerondale placed the call and spoke to “Brenda.” Brenda stated things seem fine to her. She has no concerns except he plays his music too loud (laughs). She confirmed she lives at 710 S. Ashland.

A motion to APPROVE the appeal of Kirk Kyllonen, address specific, was made by K. De Cremer, seconded by R. Keehan. All in favor. Motion carried.

- (d) Appeal of Robert LeBotte, Jr. requesting to move to 851 Ricky Drive

Robert appeared in person. D. Gerondale advised Robert of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

Robert appeared before the board in December and was approved at this location for a period of 30 days. He is here today to provide treatment documentation.

A motion is made by R. Keehan and seconded by K. De Cremer to move into closed session to discuss Robert’s treatment, pursuant to Section 146.82(1), Wis. Stats. All in favor. Motion carried. A motion is made by K. De Cremer and seconded by R. Keehan to return to open session. All in favor. Motion carried.

H. Michel asked Robert if he’s been arrested since his ATR (e.g., put back in jail for a probation hold). Robert stated he absconded at the end of July or early August. He failed to go see his parole officer. He did not get revoked. Robert stated he has memory issues.

A motion to APPROVE the appeal of Robert LeBotte, address specific, for a period of 90 days, was made by D. Gerondale. Dean would like him to come back to talk about how things are going, if he found employment and if he’s continuing with treatment programs.

Motion seconded by K. DeCremer. All in favor. Motion carried.

(e) Appeal of Tony Metoxen requesting to move to 226 Twelfth Avenue

Tony appeared in person. D. Gerondale advised Tony of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

Tony appeared before the board in August and was approved at this location for a period of 120 days. However, in November he had to serve a short term jail sanction in Door County. He is here today to report how aftercare is going and to provide treatment documentation.

Tony stated the short term jail time in Door County was because he went places with his girlfriend. He did not know his girlfriend had to be approved as a chaperone. Tony also had pictures of himself and the family on his phone, which he did not know was a violation.

H. Michel explained that because some jails are too full, the Department of Corrections contracts with other counties to help with sanction holds. That is why Tony was held in Door County.

A motion is made by K. De Cremer and seconded by R. Keehan to move into closed session to discuss Tony's treatment, pursuant to Section 146.82(1), Wis. Stats. All in favor. Motion carried. A motion is made by R. Keehan and seconded by K. De Cremer to return to open session. All in favor. Motion carried.

A motion to APPROVE the appeal of Tony Metoxen, address specific, for a period of 60 days, was made by D. Gerondale. Dean wants to see a more detailed summary of his treatment progress. Motion seconded by H. Michel. All in favor. Motion carried.

(f) Appeal of Timothy Tipler requesting to move to 1146 E. Walnut Street, Apt. B

Timothy appeared in person. D. Gerondale advised Timothy of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

Timothy is currently residing at the TLP on Shawano Avenue.

In 1994, Timothy was convicted of sexual assault of an 11 year old. He was 32 years old at the time and dating the victim's mother. He was also convicted of third degree sexual assault in 2012. It involved touching the victim.

When asked why he did it, Timothy said he was abusing drugs and alcohol at the time, and he and the victim's mother were ending their relationship. He was also due to have surgery and was on heavy pain medications.

Timothy wasn't charged with the crime until 17 or 18 years later. He took an Alford Plea and served 3-1/2 years of a 5 year sentence.

Timothy stated he will be living by himself at this location. He was working at Bay Valley Foods but recently got laid off. It was a seasonal position. He hopes to be called back the end of March, but in the meantime is looking for other job options. He had an interview this past Monday and hopes hear back from the company.

Timothy has enough money saved for rent and paid three months in advance. He plans to stay in Brown County until he is off probation and then may move to Georgia where he has relatives.

Timothy began SO2 classes at the ATTIC in November. He is required to complete 60 sessions. He provided a letter from the Options Treatment Program. A Social Service Chronological History Recording, which evaluates his risk, was also provided. Timothy scored between a 4 and a 5, which is excellent.

When asked if he felt it was "just" that he served time, Timothy replied, "Yes, sir." He will be on probation until April 2017.

R. Keehan asked what he does to keep from being bored. Timothy stated he goes to the Job Center to look for job opportunities and he also takes a computer learning class there. He spends time with his sister and his step-mother and their families. Because he is staying at the ATTIC, he has a curfew.

Timothy feels remorse for what he did and hopes the victim has found closure and has moved on. He also wants to move on. She was his only victim and it was a one time occurrence. Timothy doesn't remember much about the offense because he was on so much pain medication.

Laura Groff, 958 Langland Avenue: Laura is Timothy's sister. She was not aware of what went on back then, only that he had his surgery. His offense was a big surprise to the entire family. Timothy took an Alford Please because he didn't remember much of what happened. Laura is here to show support and will help him as much as she can. She sees him almost every day.

A motion to APPROVE the appeal of Timothy Tipler, address specific, was made by R. Keehan, seconded by B. Heiman. Four in favor, one opposed (De Cremer). Motion carried.

(g) Appeal of George Bieber requesting to move to 218 S. Roosevelt Street

George appeared in person. D. Gerondale advised George of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

George was charged with first degree sexual assault of a 12 year old in 2001. He appeared before the board in 2010 and was approved to live on 13th Avenue. He currently lives in Porterfield, Wisconsin. He went there because he needed knee surgery. He is now back in Green Bay working at Services Plus.

George is on paper for a failure to comply. He hadn't received his mail. He was given three years' probation with no jail time. This pending case is in Marinette County but it will be transferred to Brown County because his job is here.

A motion to APPROVE the appeal of George Bieber, address specific, was made by H. Michel, seconded by K. De Cremer. Four in favor, one opposed (Gerondale). Motion carried.

(h) Appeal of Jason Ludke requesting to move to 129 S. Oakland Avenue

Jason failed to appear. A motion to DENY the appeal of Jason Ludke was made by R. Keehan, seconded by K. De Cremer. All in favor. Motion carried.

(i) Appeal of Pedro Laboy-Galaza requesting to move to 1100 N. Van Buren, Apt. 1

Pedro appeared in person. D. Gerondale advised Pedro of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

Pedro was charged with first degree sexual assault of a seven year old in 2002 and second degree sexual assault of a ten year old 1986. He is currently homeless and works for Manna for Life.

Regarding the 1986 offense, Pedro stated he was drunk. He needed to use the restroom. The victim wouldn't come out so he went inside and urinated in front of her. Pedro knew the victim. He gave her a dollar and asked that she not tell her mother what he did.

Regarding the 2002 offense, Pedro stated the victim jumped on him and started kissing him. He had been drinking at the time. There was no sexual intercourse, just touching and kissing. Pedro was living with the victim's mother at the time. She and Pedro have a son together.

Pedro's sister-in-law called the police. Pedro did not run away because he thought that would make things look worse. He wanted the victim to be checked at the hospital to confirm he didn't do anything to her.

Pedro served one year in jail for the 1986 offense. Because he didn't have a good relationship with his probation officer, he absconded to Chicago for 5 to 7 years. He was eventually caught and ended up serving five years for the 2002 offense.

Pedro has been working for Manna for Life approximately 5 months.

Pedro was seeing James Drake before he absconded and began seeing him again on December 10. Pedro knows he made a mistake and what he did was wrong.

Once Pedro finishes his sex offender program, he would like to have his probation moved to Chicago so he can reunite with his girlfriend.

Jim Hoganson from Manna for Life Ministries is present on behalf of Pedro. Jim doesn't know much about Pedro's past, but is here today to talk about his work ethic. He volunteered for about one month and then was accepted into an employment program which is 20 hours a week for two years.

A motion to approve the appeal of Pedro Laboy-Galaza, address specific, for a period of six months, was made by K. De Cremer. No second. Motion failed.

A motion to APPROVE the appeal of Pedro Laboy-Galaza, address specific, for a period of 90 days, was made by H. Michel, seconded by B. Heiman.

Discussion: Dean feels there are a lot of holes in Pedro's story. Pedro blames what happened on drugs and alcohol but feels he really didn't do anything. Dean isn't convinced Pedro is telling the truth. K. De Cremer does not believe Pedro "at all."

Pedro said he's telling the truth – he did touch the victim over her clothes and kissed the victim.

Three in favor, two opposed (De Cremer and Gerondale). Motion carried.

When he returns, Pedro is to provide a letter confirming he's still in the class and a letter from Jim Drake saying how he's doing.

(j) Appeal of Nicholas Meyer requesting to move to 2601 Appian Way

Nicholas appeared in person. D. Gerondale advised Nicholas of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

Nicholas was charged with possession of child pornography in 2013. He served 23 months in prison. He was released November 18. He is currently staying at federal halfway house on University Avenue.

The FBI and DA raided his house and Nicholas was in possession of a laptop that day which had child and adult pornography on it. Nicholas stated he did not solicit a child.

D. Gerondale asked Nicholas what attracts him to child pornography. Nicholas stated it was pornography in general, not necessarily child pornography. He was addicted to

pornography at the time and it transitioned from there. Nicholas was molested by his step-father and because of this, he could relate to and accept it.

Nicholas works full time at Wisconsin Plastics, Inc.

While in prison, Nicholas took Anger Management and Drug Abuse classes. He also participated in sex offender treatment, but didn't complete it because his sentence was so short. He is currently taking AODA, transitions family relations and anger management classes. He can leave the halfway house in March, and once he moves back home, he will sign up for sex offender classes. It is part of his probation requirements.

R. Keehan asked if he is still addicted to porn. Nicholas stated he is, but has learned to control himself and it's a road he does not wish to go down again because it controlled his life and caused him to not be who he is and whom he wants to be. Taking sex offender classes in prison helped identify his triggers and he now realizes his family is more important to him than pornography.

Debra Schuster, 2601 Appian Way: Debra is Nicholas' mother. She has learned a lot through this process, including what her ex-husband did to her son. She feels the child pornography actually saved his life because he was on the road to killing himself from his abuse. Debra wants him to move home so she can help him with his treatment. Nicholas has been home twice and did well. He is a different person. He's grown up a lot. He cleans his room and does his laundry, which he didn't do before.

Nicholas feels the prison sentence helped him mature and not take things for granted.

Nicholas will be on probation until 2034. He can have no electronic devices until his probation officer allows it.

Amy Kosmoski, Nicholas' probation officer, is present at the meeting. Conditions include that he submit his person, property, house, residence, vehicles, office papers, computers, all electronic communications or data storage devices and media to a search conducted by their office. Failure to submit to the search could be grounds for revocation. He has a duty to warn everybody he lives with of the search condition. They will need a reasonable suspicion to conduct a search.

Nicholas' grandmother is also present at the meeting. She lives in the duplex next door, which her daughter owns. She is retired and will be home all the time. There are other family members in the area and everyone is supportive.

Ald. Tom De Wane is present at the meeting. He is the alderman in this district. Ald. De Wane stated he has concerns. Nicholas stated he is still not fully recovered and is still somewhat addicted. Also, Edison School is around the corner. Ald. De Wane stated he does have concerns, but listening to the details and the fact Nicholas' family is here supporting him, he would like Nicholas to move forward and do well.

Nicholas' probation officer stated Nicholas will be referred for a treatment evaluation and if that evaluation finds he needs treatment, that will happen once he's released in March.

A motion to APPROVE the appeal of Nicholas Meyer, address specific, until the June 8, 2016 meeting, was made by D. Gerondale, seconded by K. De Cremer. Four in favor, one opposed (R. Keehan). Motion carried.

At the June meeting, Nicholas is to provide treatment documentation.

(k) Appeal of Joshua J. Henke requesting to move to 1680 Boland Road

Joshua appeared in person. D. Gerondale advised Joshua of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

Joshua was charged with first degree sexual assault of a seven year old in 2007 (touching over her clothes). He served six years. He has appeared before the board previously and is currently homeless. Joshua is requesting to live with his fiancé's father.

Joshua is enrolled at NWTC and works part time. He depends on his fiancé to take him where he needs to go. Her family is very supportive. Joshua has a 10 and 11 year old. He sees his 10 year old every weekend. Joshua is working on getting his GED.

D. Gerondale read a letter from Ald. Mark Steuer into the record. Ald. Steuer is against approving Mr. Henke to this location. It is 1300 feet away from Perkins Park, 1400 feet from Murphy Park, 1300 feet from Helen Keller School playground, 1500 from Helen Keller School and 1900 feet from Bay City Baptist School.

Joshua's fiancé has done a lot of research and provided the board members with print outs showing where other offenders live in this vicinity. Google Maps states this location is one mile (5,280 feet) from restricted areas (parks) and .4 miles (2,112 feet) from Helen Keller School. Research shows that when offenders are homeless, there is a better chance of them reoffending.

D. Gerondale asked Joshua how many days a week he has been staying in the basement at this residence. Joshua stated "two days a week," usually on the weekend.

D. Gerondale asked why Ald. Steuer wasn't present today. Ald. De Wane stated they just received notice yesterday. H. Michel pointed out that Mr. Henke was on the agenda back in August and no one came to object. D. Gerondale wishes the public would get more involved in order to hear the details of each case instead of making an uninformed decision.

A motion to APPROVE the appeal of Joshua Henke, address specific, was made by R. Keehan, seconded by K. De Cremer. D. Gerondale feels this is a good location. All in favor. Motion carried.

D. Gerondale suggested Joshua contact Ald. Steuer.

(I) Appeal of William Froehlich requesting to move to 1125 Chestnut Avenue

William appeared in person. D. Gerondale advised William of his right to discuss treatment issues in closed session and informed him not to use the names of the victims.

In 2010, William was convicted of providing harmful material to a minor via text message. The victim was age 15. He received one year probation.

William wants to live at this location with his wife.

It was the victim's 16th birthday and William sent an inappropriate text message showing a topless woman that said "Happy Birthday." This occurred in Wood County.

William was off paper but was recently put back on. In 2012, he was party to a crime (manufacture and delivery of Psilocin).

William was homeless for a couple months last year and now has a sex offender registry violation.

William is employed at Pioneer Metal Finishes. He currently lives with his aunt in Seymour. He and his wife just got married in October.

Teresa Froehlich, William's wife, is present at this meeting. The people who live below are okay with William moving in above them. She and William have known each other since childhood.

William stated he took an AODA assessment and passed. He still gets random UA's.

A motion to APPROVE the appeal of William Froehlich, address specific, was made by K. De Cremer, seconded by H. Michel. All in favor. Motion carried.

3. NEXT MEETING DATE

The next meeting date of February 10, 2016 was confirmed.

H. Michel stated she cannot be at this meeting.

A motion to adjourn was made by B. Heiman, seconded by H. Michel. All in favor. Motion carried.