Appendix H.

Citizen Reports from the Cities of Mequon and Franklin

Opposition to County Line Location for Sexually Violent Predators

State Fair Park Public Forum

March 22, 2005

Topics

- Introduction and Overview
- 2003 Wisconsin Act 187
  - Community Safety
  - Proximity to Facilities for Children
  - Proximity to Sensitive Areas
  - Proximity to Residential Subdivisions
- Committee Siting Guidelines
- Other Considerations
- Conclusions

County Line

Introduction and Overview

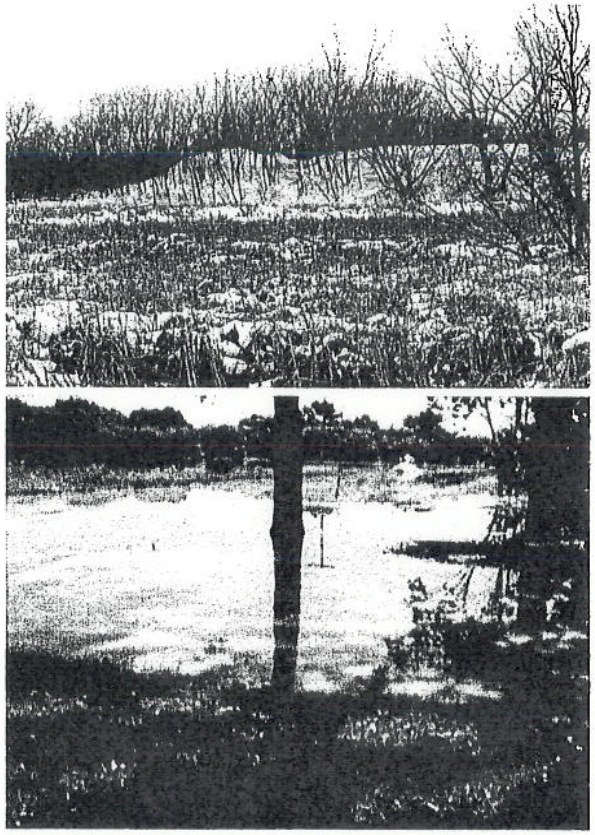
- The surrounding community was informed of the proposed site on County Line Road on March 7th
- On short notice, the community-at-large has mobilized its opposition to this proposed site
- The opposition is widespread and diverse
- The County Line Road site recommendation does not conform to the spirit and intent of:
  1. Wis. Act 187 and
  2. The siting committee's guidelines

The facts will demonstrate that the proposed site on County Line Road is not a suitable location

Introduction and Overview, cont.

- There are three primary points that make the County Line location inappropriate:

1. The site is within 1,000 feet of a residential subdivision;
2. The land is not for sale;
3. The site (shown at right) may not be buildable due to flooding



The facts will demonstrate that the proposed site on County Line Road is not a suitable location

County Line

Introduction and Overview, cont.

Letter of 3/9/2005 to Stan Stojkovic, Chair Sexually Violent Persons Transitional Facility Siting Advisory Committee, from Scott Walker, Milwaukee County Executive

In response to your letter of March 4, 2005, regarding the possible inclusion of two properties owned by Milwaukee County for recommendation to the State of Wisconsin as suitable locations for placement of a facility to house sexually violent persons, I am strongly opposed to the sale of either county-owned parcel for this purpose.

Neither property is currently for sale. Milwaukee County views both of these properties and the surrounding areas as important sites for future recreation, economic or community development. Construction of a residential facility for sexually violent persons at either location would adversely impact the potential for any future development of parks, recreational facilities or any other use that would benefit our county.

While your committee may view these two properties with favor for being in somewhat isolated locations currently, that view would be short sighted and would fail to consider the potential for future development in those areas. I would strongly urge the committee to consult with real estate experts to gain a better understanding of the vast potential for future recreational, economic or community development that this project would undoubtedly disrupt in both of these areas.

As was communicated to you on February 23, 2005, in a letter from Milwaukee County's Division of Economic and Community Development, by law, both of these properties would have to go through a process of being declared surplus. This process requires the approval of the County Executive and a majority vote of the County Board of Supervisors.

There are numerous other reasons to believe these properties will not meet the legislative intent of Wisconsin Act 187, but I am confident that the points I have made should be sufficient.

2003 Wisconsin Act 187: Key Criteria

1. Community Safety
2. Proximity to Sensitive Locations
3. Proximity to any "Facility for Children" of which the Committee is aware
4. Proximity to any Residential Subdivision

1. Community Safety

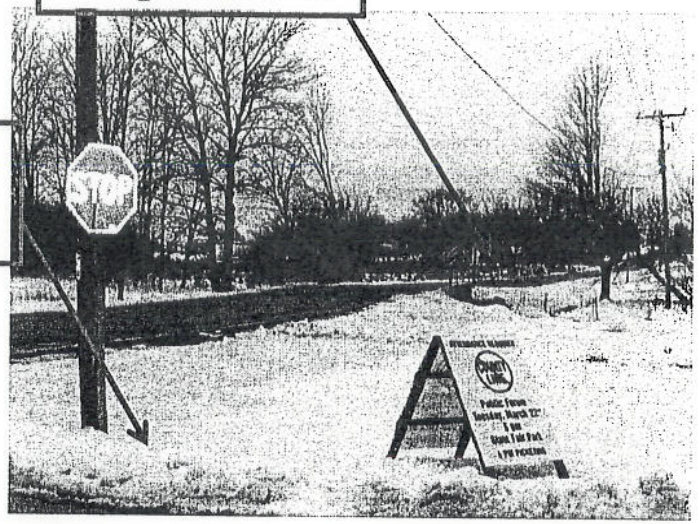
- No <u>street lights</u> along County Line or within Huntington Park Subdivision

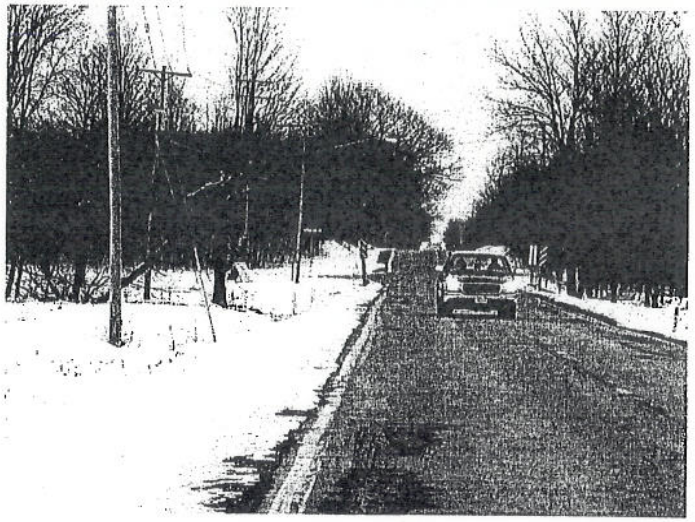
- No <u>sidewalks</u> along County Line or within Huntington Park Subdivision

- Closest police stations:
  - Milwaukee District 4 Station (6.58 miles)
  - Mequon Police Department (4.77 miles)

Proposed site

Entrance to Huntington Park





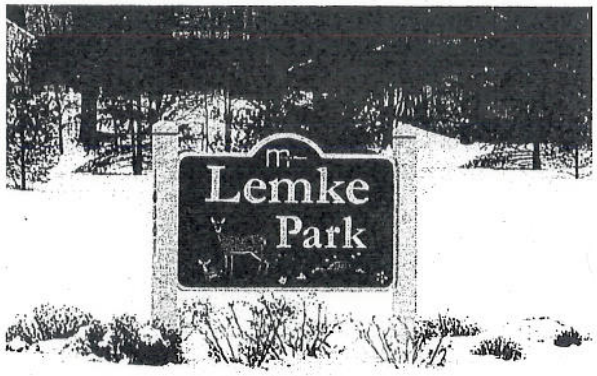
County Line

1. Community Safety, cont.

- Heavily wooded areas along County Line Road from proposed site to Swan Road
  - Secluded areas used by children and families

Wooded area in Huntington Park

- 1000+ acres of parkland in the surrounding area with bike trails and walking trails:



- Mequon Nature Preserve
- Huntington Park Woods and Nature Trail
- Joseph Lichter Park
- Swan Road Bike Path
- Lemke Park
- Kohl Park
- Donges Bay Road Bike Path
- Trinity Creek Pond and Recreation Area

County Line

1. Community Safety, cont.

From: "Sen.Darling" <Sen.Darling@legis.state.wi.us
To: <jpachmayer Cc: <edhain
Sent: Wednesday, March 16, 2005 2:40 PM
Subject: Transitional facility

Dear Ms. Pachmayer and Ms. Hain,

Thank you for your letter regarding the transitional facility recommendation for the West County Line Road property. I agree that this property is a poor choice for the facility, with the proximity to the Huntington Park neighborhood being the most obvious reason. My immediate reaction, which I communicated to the siting committee, was that it appeared that this group applied its criteria only to Milwaukee County, without regard for the community literally across the street. As you note, the lack of nearby vocational resources and other needs for these individuals is one more reason that this location is inappropriate. Taken together, I believe County Line Rd is the worst alternative for this facility, and I will continue to work for its removal from consideration. Please feel free to contact me with any additional concerns and comments, and know that you have my utmost support in representing your concerns on this issue.

Sincerely,
Alberta Darling
State Senator

County Line

1. Community Safety, cont.

Date: Mon, 21 Mar 2005 17:15:20 -0600
From: "Sen.Darling" <Sen.Darling@legis.state.wi.us>
To: jddk@
Subject: RE: Sexual Predator Siting Location

Dear Mr. Connors,

Thank you for contacting my office opposing the property at 10401 West County Line Road as a recommended site for a transitional facility for sex offenders.

I am strongly opposed to the County Line Road property as a potential location for this facility. This site fails to meet the criteria in so many ways that I find it absurd it is even being considered. The most obvious problems are brought by this location's proximity to residential homes, children and recreational amenities. Also, there is a lack of nearby resources to meet these offenders' vocational and treatment needs. As for the land itself, not only is there some question as to whether it can be built upon, but Milwaukee County Executive Walker has strongly stated his unwillingness to offer it for sale.

This location is simply not a sensible or viable alternative, and should be removed from consideration. I have communicated this to the committee, and suggested that they either disband without submitting any recommendations, or discard the current list of recommendations and start from scratch. Either of these options is better than the current situation.

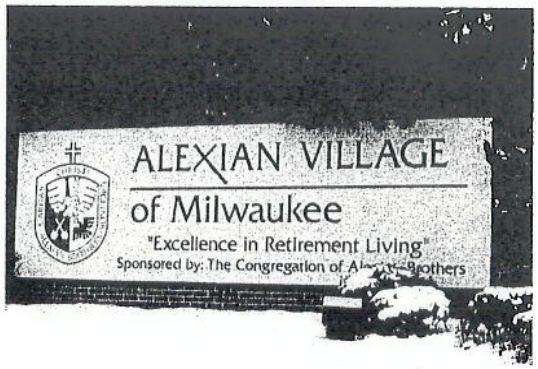
Again, thank you for your input. You have my utmost support in representing your concerns on this issue.

Sincerely,

Alberta Darling
State Senator

2. Proximity to Sensitive Locations

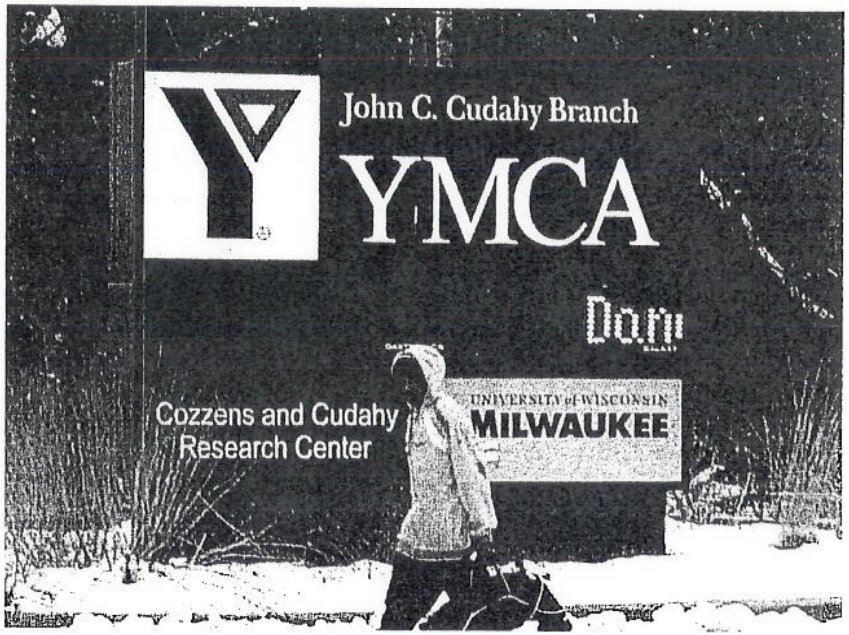
- Nearby sensitive locations (in addition to the many surrounding parks, bike trails and Facilities for Children):
  - Mt. Castle Donges Bay Group Home
  - Mt. Castle Hiawatha Group Home
  - Alexian Village
  - Spirit Life Church
  - Risen Savior Evangelical Lutheran Church
  - Michelle House Community Based Residential Facility (for Alzheimers patients)
  - Wisconsin Lutheran Living Center



County Line

2. Proximity to Sensitive Locations, cont.

- According to the Milwaukee Journal Sentinel (May 30, 2003) the John C. Cudahy YMCA has:
  - The YMCA "provides, first and foremost, a safe place for kids to come and play"
  - More than 3,000 kids living nearby
  - About a third of the families earn less the $24,000 annually
- This YMCA is a day care and educational facility, not an athletic facility
- This is the only YMCA in the country that is dedicated to teaching art



County Line

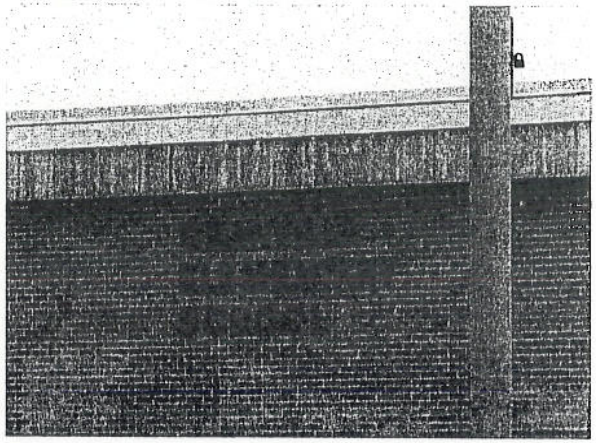
3. Proximity to Facilities for Children

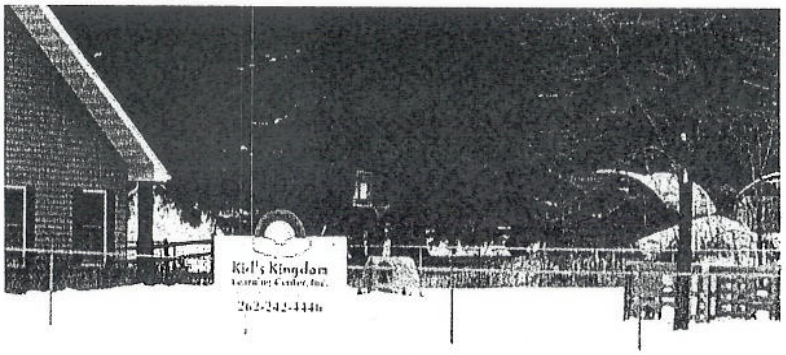
- "Facilities for Children" are specifically defined in Wis. Act 187 as:
  - Public or private schools;
  - Group homes;
  - Residential care centers for children and youth;
  - A shelter care facility;
  - Foster homes;
  - A licensed Day Care Center or Program;
  - A certified Day Care Provider; and
  - A youth center

The County Line site is within walking distance of a number of these facilities

3. Proximity to Facilities for Children, cont.

- Some of the "Facilities for Children" near the County Line Road proposed site:
  - John C. Cudahy YMCA Youth Center and Day Care
  - Kids Kingdom Day Care
  - Kindercare Learning Center
  - Mary Lindsmeier School
  - Day Care Services for Children
  - Granville Elementary School
  - Wilson Elementary School
  - Calvary Evangelical Lutheran School
  - Steffen Middle School
  - St. John's Elementary
  - St. Cecilia Elementary





County Line

4. Proximity to Any Residential Subdivision

- ***Huntington Park residential subdivision is within 1,000 feet and has 240 homes***
- ***There are 315 children within a square mile***

- **The following are some of the subdivisions within 3 miles of the proposed site:**
  - **Brighton Ridge**
  - **Deer Haven**
  - **Council Hills**
  - **The Woodlands**
  - **Solar Heights**
  - **Knights Bridge**
  - **Knights Bridge Crossing**
  - **Treetops**
  - **Westchester Lakes**
  - **Woodridge**
  - **Highland Ridge**

Committee Siting Criteria

- **Located at least 1,000 feet from any Facility for Children:**
  - Schools;
  - Playgrounds;
  - Day Cares;
  - Child Treatment Facility; and
  - Areas with heavy child traffic patterns
- **Located at least 1,000 feet from other sensitive areas:**
  - Nursing homes;
  - Community Based Residential Facilities;
  - Centers for the disabled; and
  - Community Centers, etc.

Why is 1,000 feet considered a safe distance between children and sex offenders who are "likely" to reoffend?

It takes less than 4 minutes to walk 1,000 feet

Committee Siting Criteria, cont.

- The property owner must be willing to sell or lease the site for the purposes that were intended by the legislature
  - March 9, 2005 letter from Milwaukee County Executive Scott Walker states this property is NOT FOR SALE
  - Scott Walker must approve the sale
  - Scott Walker's letter states concerns for adverse impact for "future development of parks, recreational facilities or any other use that would benefit" the county
  - Cites other reasons that sites do not meet criteria of Wis. Act 187

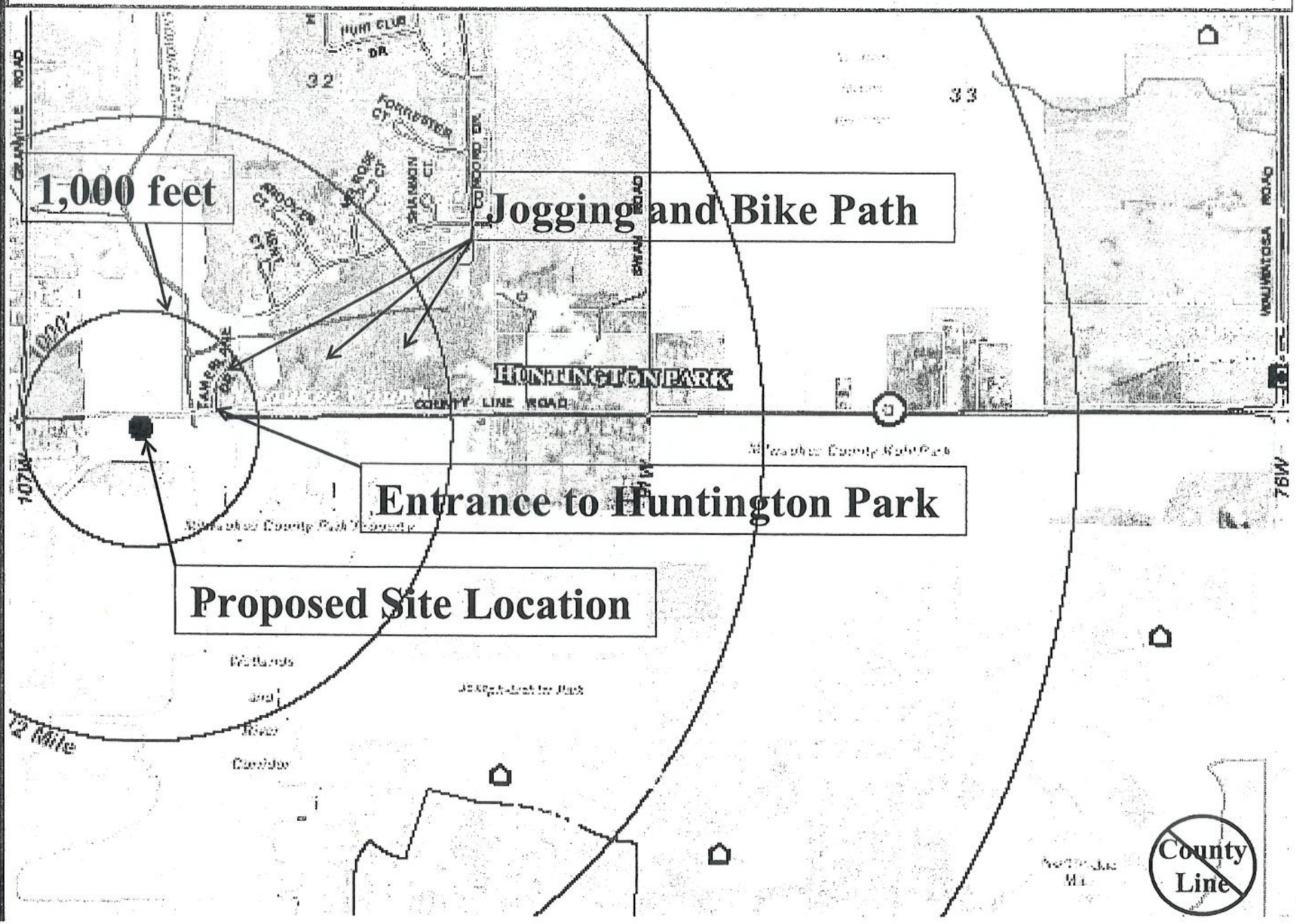
- The proposed site must be located in Milwaukee County
  - Note that the proposed site is immediately adjacent to Ozaukee County

The Ideal Location for Sexual Predators

- Statistics indicate a strong likelihood that sexual predators will reoffend
- Easy access to potential victims
- Ideal secluded areas for concealing criminal acts
- A community/fraternity of sex offenders
- Creates fear in our children and families
- Limits freedom and rights to use recreational areas of the community
- There are other more suitable locations – that aren't next to a residential subdivision with 300+ children

County Line

Site Proximity to Sensitive Locations



These People Cannot be Near Residential Areas

HOMOSASSA, Fla. (AP) — The news this small community feared finally came Saturday: Police had found the body of 9-year-old Jessica Marie Lunsford, more than three weeks after she was snatched from her bedroom.

John Evander Couey was arrested in Georgia on Thursday on a probation violation.

Getty Images

Citrus County Sheriff Jeff Dawsy said Jessica's body was found during an overnight search near a mobile home close to the house where she lived with her father and grandparents. A registered sex offender confessed Friday to the kidnapping and killing and told authorities where to look for the missing girl.

Jessica's father, Mark Lunsford, visited the search scene shortly after sunrise.

"Everyone heard me say, time after time, that she would be home," he said, his eyes hidden behind dark sunglasses. "She's home now."

AP

Jessica Lunsford

Jessica's safe return had become a preoccupation in this rural town of about 2,500 people, hundreds of whom had volunteered to scour the area in search of her. Word of the body's discovery spread as the sun rose, and at the end of her street well-wishers began building a makeshift memorial of candles, flowers and teddy bears.

"The last three weeks it's been hard to sleep, hard to eat," said Kim Bidlack, who taught the youth church class Jessica attended before vanishing Feb. 23. "It's so hard to explain how this makes you feel. We're so heartbroken over Jessie, but then you have so much bitterness to the person who would do this."

John Evander Couey, 46, confessed to kidnapping and killing Jessica after taking a lie-detector test Friday in Georgia, Dawsy said. Police said he was arrested Thursday in Augusta, Ga., on a probation violation for failing to notify officials that he was moving, a requirement for sex offenders.

At the time of the abduction, Couey was staying in a mobile home about 150 yards from Jessica's house with his half-sister and three others.

"We're en route to bring him back home," said Dawsy, who added that he wants Couey to face the death penalty. "This guy is not a quality person, by any means ... He's truly a piece of trash."

Source: USA Today Posted 3/18/2005 6:29 PM Updated 3/19/2005 5:45 PM
http://www.usatoday.com/news/nation/2005-03-18-missing-girl_x.htm

County Line

Conclusion

The proposed County Line Road site is not an appropriate site for a home for sexually violent predators

OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

SCOTT WALKER • COUNTY EXECUTIVE

March 9, 2005

Stan Stojkovic, Chair
Sexually Violent Persons Transitional Facility Siting Advisory Committee
2400 E. Hartford Ave.
Erdres Hall, rm 1094
Milwaukee, WI 53211

Dear Mr. Stojkovic:

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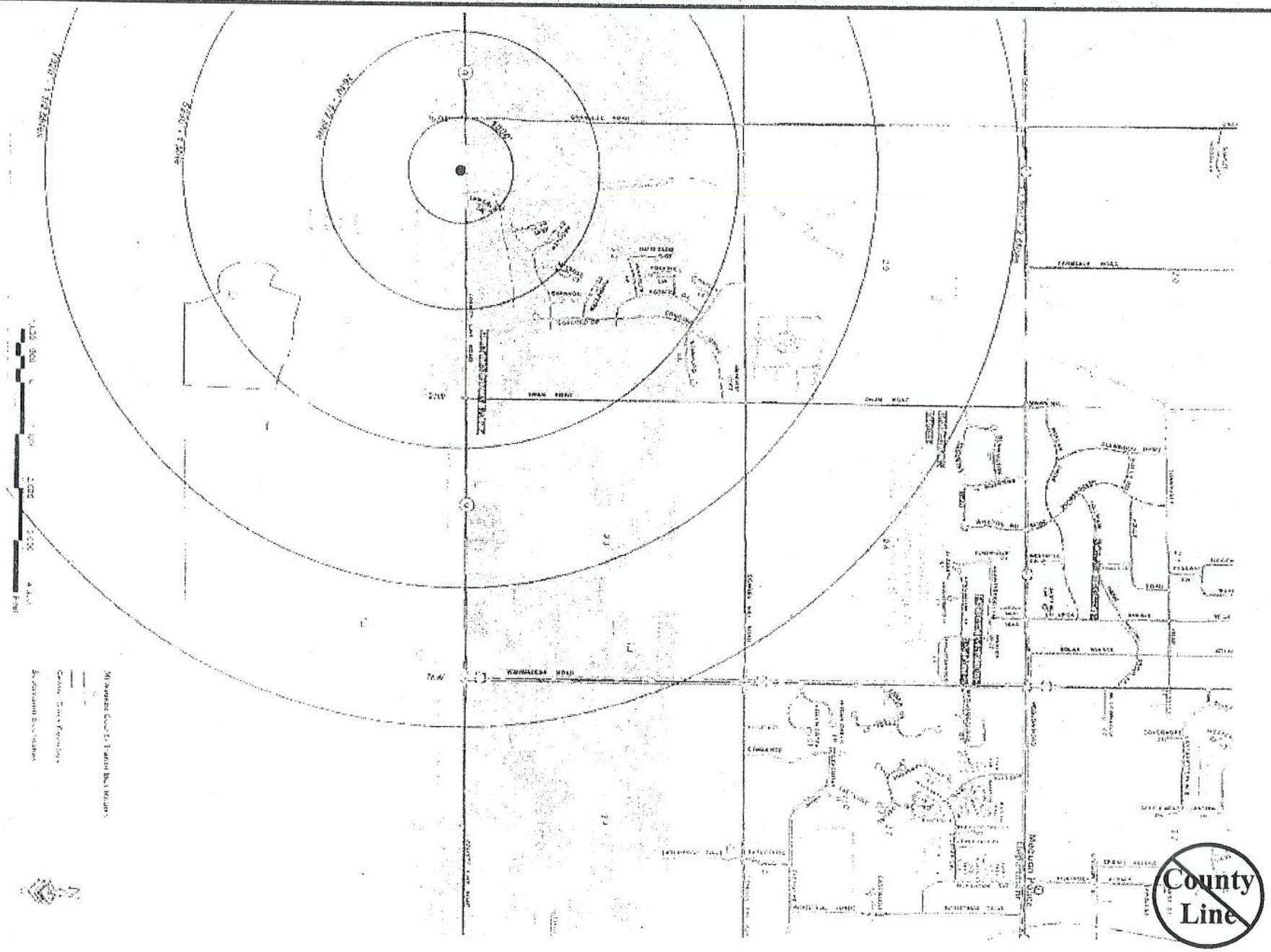
Sincerely,

Scott Walker
Milwaukee County Executive

Attachment.

C.C. Milwaukee County Board of Supervisors
Milwaukee Mayor Tom Barrett and Milwaukee Common Council members
Franklin Mayor Fred Klimetz and Franklin City Council members

County Line

Area Map