

1. Call to Order

Kenneth Rusch called the meeting to order at 10:02 a.m., at the Caledonia Village Hall, 5043 Chester Lane, Racine, Wisconsin. Present were

Members: Kenneth Rusch, and John Barnes

Absent: Ted Schlitz

Village Staff: Clerk Karie Pope, Police Chief Christopher Botsch, Detective Melissa Stardy. Also present was Attorney Tyler Helsel.

2. Approval of Sex Offender Appeals Board Meeting Minutes of July 29, 2020

Motion by Rusch to approve minutes from the July 29, 2020 meeting. Motion Seconded by Barnes. Motion carried unanimously.

3. Hearing on request from Leslie Briesemeister requesting an exemption to the residency restrictions under Sec. 11-2-16(g) of the Village Code of Ordinances that would allow him to reside at (Willowgreen Home) 4719 Kingdom Court in the Village of Caledonia.

Brian D. Cain, Durable POA and Advocate for Leslie Briesemeister and Leslie Briesemeister were present. Briesemesiter explained why he was present for this hearing and the past residency appeal he had in Kenosha. He felt Willowgreen was a better care facility opposed to where he was at previously.

Helsel overviewed the appeal process and what to expect during and after the hearing.

In this case, Mr. Briesemeister is seeking two exemptions 11-2-16(c)4 which is the original domicile restriction which reads:

That a designated offender should comply with the following unless granted an exemption and only if that person is legally domiciled during that conviction under the designated offender. The second exemption he is seeking is to live within a protected location. The Board discussed the safety zone in proximity to the proposed residence and it included the Serendipity Pre School and Child Care Center, Prince of Peace Church, Gallo Sports, Gordon Tabor Woods, and Mulligans Golf Range & Mini Golf.

Helsel introduced Exhibits A-H into the record:

Exhibit A. Communication of letters and the agenda sent to Briesemeister.

Exhibit B. The application for the appeal.

Exhibit C. Police report provided by Detective Melissa Stardy.

Exhibit D. Kenosha police report.

Exhibit E. Background check provided by the Village.

Exhibit F. Child safety map that shows the address in proximity to child safety zones.

Exhibit G. Criminal complaint that was filed related to the charges.

Exhibit H. Mental and supplemental information provided by the applicant.

Exhibits were received by the Deputy Clerk. Leslie Briesemeister did receive a copy of the police report. Rusch explained what Leslie Briesemeister should expect during the hearing.

Briesemeister was interviewed by the Board members and Attorney Helsel. Briesemeister explained his offense. He explained why he was transferred to Willowgreen (Caledonia) from the Kenosha Facility. He felt he could have more conversations with the residents at Willowgreen. His leg is broken and has an issue with walking; the Willowgreen facility has been facilitating his physical and occupational therapy. He explained various therapies and counseling he has had related to his charges. Briesemeister's family includes two daughters, both live close but he has little contact with both. He has grandchildren but has not seen them for several years.

Briesemeister felt remorse for what he had done and understood the impact of his actions and how that relates to child safety. He was transferred to this facility and is unsure of any other options he has for a living arrangement. There was discussion regarding the use of his laptop and action taken to prevent him from offending again.

Detective Stardy explained that the owners and staff of Willowgreen were not aware of Briesemeister sex offender status. Cain disagreed and stated that individuals were notified. Briesemeister was not aware that he needed to apply for a residency appeal in Caledonia like he had in Kenosha.

Cain stated that he has served as POA but considered him a friend. He is an ordained pastor, and he has spent many hours working with Briesemeister over his spiritual implications and felt he has taken that seriously. He thought everyone was capable of bad decisions but felt that where Briesemeister is in life, he is not a danger to anyone and is on a different path.

4. A portion of this public hearing may convene into CLOSED SESSION pursuant to Wis. Stat. Sec.19.85(1)(f), to consider any medical history of alcohol, drug, and sex offender treatment, juvenile conviction records, and other health information. The Board will RECONVENE INTO OPEN SESSION to conclude the hearing as posted.

Moved to item 5 because there was no medical history of alcohol, drug, and sex offender treatment, juvenile conviction records, and other health information was submitted for consideration.

5. At the conclusion of the hearing, it is intended that the Board will convene in CLOSED SESSION pursuant to Section 19.85(1)(a) of the Wisconsin Statutes to deliberate concerning the quasi-judicial hearing regarding the appeal of Leslie Briesemeister for an exemption to the residency restrictions that would allow him to reside at (Willowgreen Home) 4719 Kingdom Court, and that the Board will RECONVENE IN OPEN SESSION to announce its decision and move to the remaining items on the agenda as posted.

Motion by Rusch to go into CLOSED SESSION pursuant to Section 19.85(1)(a) of the Wisconsin Statutes to deliberate concerning the quasi-judicial hearing regarding the appeal of Leslie Briesemeister for an exemption to the residency restrictions that would allow him to reside at (Willowgreen Home) 4719 Kingdom Court. Seconded by Barnes.

John Barnes – aye

Kenneth Rusch – aye

Motion carried unanimously.

Motion by Rusch to go back into OPEN SESSION to announce its decision and move to the remaining items on the agenda as posted. Seconded by Barnes.

Motion by Rusch to grant the exemption under 11-2-16(g) of the Village Ordinances for the following reasons:

1. The applicant has limited residential options, as he is undergoing rehabilitation and long-term health care at the Willowgreen facility owned by Frontida Assisted Living;
2. The long-term care facility has stated they have no issues with the applicant residing at the location;
3. The applicant's financial Power of Attorney has installed software on the applicant's computer to prevent searching sexually explicit material;
4. The applicant has committed no other sex related offenses since the first offense;
5. The applicant has had no physical sexual contact with children;
6. The applicant is no longer under state supervision;
7. The applicant has completed sexual offense and addiction treatment both prior to conviction and during incarceration;
8. The applicant is not related to the victims;

The applicant has committed no other criminal offenses since the offense.

Seconded by Barnes. **Motion carried unanimously.**

Briesmeister thanked the Board.

Rusch explained that if Briesmeister wanted to move elsewhere in the Village of Caledonia he would need to reapply. Rusch explained this decision would be reduced to writing and mailed to the appellant.

6. Adjournment

Motion by to adjourn. Seconded by. Motion carried unanimously. Meeting adjourned at 11:02 p.m.

Respectfully submitted,

Joslyn Hoeffert
Deputy Clerk