



Allouez Village Hall • 1900 Libal Street • Green Bay, WI 54301-2453 • (920) 448-2800 • Fax (920) 448-2850
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Date: 7-1-14

To: Allouez Village Board

From: Rick Lopnow-Allouez DEO

Regarding: Registered Sex Offenders

Sex Offenders that registered in Allouez since 2012:

As requested I checked my records of registered sex offenders in Allouez going back to January of 2012 to provide a list of new offenders moving into the area and what their offenses were. Please keep in mind that as new offenders did register at an Allouez address there were also others that left. I did not list the name/address of offenders who were convicted as juveniles since their information is not public record. Some of the offenders that are listed here have moved out of Allouez. The information provided is from my own lists I have kept. I found that there has been a lot of movement by offenders and that some offenders left Allouez and then came back.

Between January and August of 2012 there were two new adult offenders that registered at an Allouez address:

- Byron Stukenberg 1527 S. Webster Ave 1st Degree Sexual Assault of a Child
- Robert Stencil 134 Coolidge St 2nd Degree Sexual Assault of a Child

Between August of 2012 and April of 2013 there were five new adult offenders that registered at an Allouez address:

- Peter Kowalski 314 E. Allouez Ave Repeated Acts of Sexual Assault of Same Child
- Joey Janke 3401 S. Webster 2nd Degree Sexual Assault of a Child
- Troy Sandoval 741 Memory Ave 2nd Degree Sexual Assault of a Child
- Adam Brault 1436 Garland St 2nd Degree Sexual Assault
- Ronald Munyon 337 Beaupre St 2nd Degree Sexual Assault of a Child

Between April 2013 and November 2013 there were six new adult offenders that registered at an Allouez address:

-Donald Buzanowski	1320 Hastings St	1st Degree Sexual Assault
-Justin Chambers	3644 Fernwood Ave	2nd Degree Sexual Assault of a Child
-Jordan Lefevre	1527 S. Clay St.	Possession of Child Pornography
-Michael Malcore	3533 S. Webster Ave.	Possession of Child Pornography
-Duane Elm	2532 Libal St.	1st Degree Sexual Assault of a Child
-Eugene Fristad	1117 Garland St.	Exposing a Child to Harmful Materials

Between November 2013 and June 1, 2014 there were seven new adult offenders that registered at an Allouez address:

-Matthew Micksch	545 E. Allouez Ave.	Exposing a Child to Harmful Materials
-Gregory Gryer	2508 Libal St.	2nd Degree Sexual Assault of a Child
-Samuel Brandt	362 Taft St.	1st Degree Sexual Assault of a Child
-Bryan Bathke	2011 Jourdain Ln.	Child Enticement
-Michael Ashburn	213 Arrowhead Dr.	Child Solicitation (out of state)
-David Reichwald	3236 S. Webster Ave.	Cause Child to View or Listen to Sexual Activity & Use of Computer to Facilitate Child Sex Crime
-Scott Spletzer	144 Beaupre St.	Child Enticement

Making Resident Notifications Based On a Registered Sex Offenders Offense:

I have been in contact with Attorney Duffy's office regarding the creation of a notification procedure based on a registered sex offender's conviction. Please keep in mind that many court cases include plea agreements that may result in a conviction of a reduced charge, not what the offender was originally arrested & charged with.

Restricting/Rejecting an offender based on a rejection from another community:

I have been in contact with Attorney Duffy's office regarding implementing an ordinance and/or policy to not allow a registered sex offender to live in Allouez if they have been rejected by another community. I have also spoken to the Green Bay Police Dept. regarding their appeals board & process. I found that if an offender finds a residence they want to move into in Green Bay that is not within Green Bay's restricted zone they do not go in front of the Green Bay Sex Offender Board to get approval to live there. The offenders that apply to the board for approval are requesting to live at an address within the area Green Bay has restricted. I believe it was the understanding of many that every offender that moves into Green Bay goes before their Sex Offender Board to get approval and this is not the case.

I believe it would be appropriate at this time to get advice from Attorney Duffy on the possibility of establishing the above mentioned policies/ordinances.

As requested the Current Allouez Ordinances regarding sex offenders:

11.04(I)

RESIDENTIAL DENSITY RESTRICTIONS FOR DESIGNATED SEX OFFENDERS. Any structure or other place intended for human habitation, on a temporary or permanent basis,

including without limitation, a single family dwelling, boarding houses, lodging houses, apartment house, multi-family dwelling, a hotel or motel shall not include more than one individual who is a designated sex offender under the provisions of Wisconsin Statutes §301.45 and §301.46. This section shall not apply to a designated sex offender who is living with his/her immediate family. For purposes of this section, immediate family is defined as a person, the person's spouse, the person's parent, the person's grandparent, the person's brother or sister of the whole or half blood, the person's child, the person's step-child or the person's child by adoption and shall include children who have been placed in foster care, as defined by the Wisconsin Statutes.

A designated offender means any person who is required to register under Wis. Stat. §301.45 for any sexual offense against a child or any person who is required to register under Wis. Stat. §301.45 and who has been designated a Special Bulletin Notification (SBN) sex offender pursuant to Wis. Stat. §301.46(2) and (2m).

31.39

SEXUAL OFFENDER RESTRICTIONS - LOITERING.

A. FINDINGS AND INTENT

1. This ordinance is a regulatory measure aimed at protecting the health and safety of children in the Village of Allouez from the risk that sexual offenders convicted of an offense against a child may re-offend in locations close to where children congregate. Given the high rate of recidivism for sexual offenders, and that reducing opportunity and temptation is important to minimizing the risk of re-offense, there is a need to protect children where they congregate or play in public places. Therefore, the Village finds and declares that sexual offenders are a serious threat to the public safety of children if regulatory measures are not in place that prohibit their loitering in specified areas designated as places children commonly congregate. The Village of Allouez finds and declares that in addition to schools and daycare centers, children congregate or play at child-oriented facilities, such as parks and playgrounds.

2. It is not the intent of this ordinance to impose a criminal penalty, but rather to serve the Village's compelling interest to promote, protect, and improve the health, safety, and welfare of the children of the Village by prohibiting convicted sexual offenders from loitering in specified areas around locations where children regularly congregate in concentrated numbers. It is the further intent of this ordinance to recognize that convicted sexual offenders must reenter the community, and the Village of Allouez hereby accepts that it has a responsibility to convicted sexual offenders and the surrounding area municipalities to ensure that, in addition to promoting regulatory measures aimed at protecting children, its regulatory measures are not aimed at prohibiting convicted sexual offenders from being part of this society.

B. DEFINITIONS 11/1/11 31-29

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

1. Child means a person age 16 or younger for purposes of this ordinance.
2. Designated Offender means any person who is required to register under Wis. Stat. 301.45 and/or is under court ordered supervision by the Wisconsin Department of Corrections for any sexual offense against a child, unless the person is under the age eighteen at the time of the offense and the offender was not tried and convicted of the offense as an adult.
3. Loitering means, whether in a group, crowd, or as an individual, to stand idly about, loaf, prowl, congregate, wander, stand, linger aimlessly, proceed slowly or with many stops, to delay or dawdle, for the purpose of interacting or attempting to interact with children (excepting children or relatives of the designated offender), taking or attempting to take photographs of children (excepting children or relatives of the designated offender), or engaging in activities that

would be of interest to children (excepting children or relatives of the designated offender) or when otherwise serves no legitimate purpose.

4. Loiter Free Zones:

a. The following areas including a surrounding fifty (50) foot radius where children congregate are designated by the Village to be loiter free zones including but not limited to:

- (1) schools;
- (2) a public park, parkway, parkland, park facility;
- (3) a public playground;
- (4) a public recreational trail;
- (5) licensed day care centers;
- (6) or any other place designated by the Village as a place where children are known to congregate;

b. Loiter Free Zone Maps: an official map, maintained by the Village, showing Loiter Free Zones designated in Purple (the "Loiter Free Zone Map"). The Village shall update the Loiter Free Zone Map at least annually to reflect any changes in the location of Loiter Free Zones. Loiter Free Zone Maps will be available at the Village's office and on the Village's official web site.

C. PROHIBITED LOCATION AND/OR ACTS

1. It is unlawful for a Designated offender to loiter within a Loiter Free Zone.

2. Holiday Prohibition: It is unlawful for any Designated Offender to participate in a holiday event involving children under 16 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas or 11/1/11 31-30 wearing an Easter Bunny costume on or preceding Easter. Holiday events in which the Designated Offender is the parent or guardian of the children involved, and no non-familial children are present, are exempt from this paragraph.

D. PENALTIES

A person who violates this ordinance shall be punished by a forfeiture not exceeding \$2,000.00, together with the actual costs of prosecution, including attorney fees, if necessary.

E. SEVERABILITY

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.