

TOWN OF LOWELL
RESOLUTION NO. 2016-9

**RESOLUTION IN OPPOSITION TO SUPERVISED RELEASE
OF PERSONS COMMITTED UNDER SECTION 890.06 OF THE
WISCONSIN STATUTES AT N1701 NEUBERGER ROAD**

WHEREAS, on March 10, 2016, Judge Joseph G. Sciascia of Dodge County Circuit Court conditionally approved a supervised release plan for Robert E. Larson, Jr., who was previously convicted of first degree sexual assault of a child, that includes placement at N1701 Neuberger Road in the Town of Lowell;

WHEREAS, on March 22, 2016, Dodge County Circuit Court will review a supervised release plan for Jonathan A. Miller, who was previously convicted of first degree sexual assault of a child, that includes placement at N1701 Neuberger Road;

WHEREAS, at least 35 children will regularly be within 2,000 feet of N1701 Neuberger Road, with 14 children currently living there, 8 additional children visiting homes regularly, 13 additional children visiting a home there for schooling, and a home providing summer daycare services for children;

WHEREAS, the Board of the Town of Lowell has not been consulted by Department of Health Services officials as to prospective residential options for community placement of Robert E. Larson Jr. or Jonathan A. Miller during its preparation of any supervised release plan;

WHEREAS, section 980.08(4)(g) of the Wisconsin Statutes provides that if the details of a supervised release plan do not adequately meet the treatment needs of the individual or the safety needs of the community, then the court shall determine that supervised release is not appropriate or direct the preparation of another supervised release plan to be considered by the court; and

WHEREAS, section 980.08(7)(b) of the Wisconsin Statutes provides that if the Department of Health Services believes that a person on supervised release, or awaiting placement on supervised release, is a threat to the safety of others, the department shall detain the person and petition for revocation of the order granting supervised release.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Town of Lowell as follows:

1. The Board of the Town of Lowell does not believe that placement of Robert E. Larson, Jr. or Jonathan A. Miller under a supervised release plan at N1701 Neuberger Road adequately meets the safety needs of the residents of the Town of Lowell.
2. The Board of the Town of Lowell believes that placement of Robert E. Larson, Jr. or Jonathan A. Miller under a supervised release plan at N1701 Neuberger Road creates an unreasonable and substantial risk of imminent harm to the residents of the Town of Lowell.
3. The Board of the Town of Lowell requests that Judge Joseph G. Sciascia reconsider the order conditionally approving the supervised release plan for Robert E. Larson, Jr.
4. The Board of the Town of Lowell requests that the Department of Health Services detain Robert E. Larson, Jr. as a threat to the safety of others and petition for revocation of the order granting supervised release.

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5. The Board of the Town of Lowell requests that Dodge County Circuit Court refuse to approve any supervised release plan for Jonathan A. Miller which includes placement at N1701 Neuberger Road.

6. The Board of the Town of Lowell request that the Department of Health Services consult with the Board of the Town of Lowell as to prospective residential options for community placement during its preparation of any supervised release plan for any persons committed section 890.06 of the Wisconsin Statutes.

7. The Board of the Town of Lowell authorizes the Chairman and any Supervisor to act on behalf of the Board of the Town of Lowell in any proceeding related to this matter.

Adopted this 21 day of April, 2016.

John H. Schmitt
Chairman

Gregory Cain
Supervisor

Dan W. Hueber
Supervisor

Attest:

Deanna Gosewiel
~~Notary~~
Hy Notarman