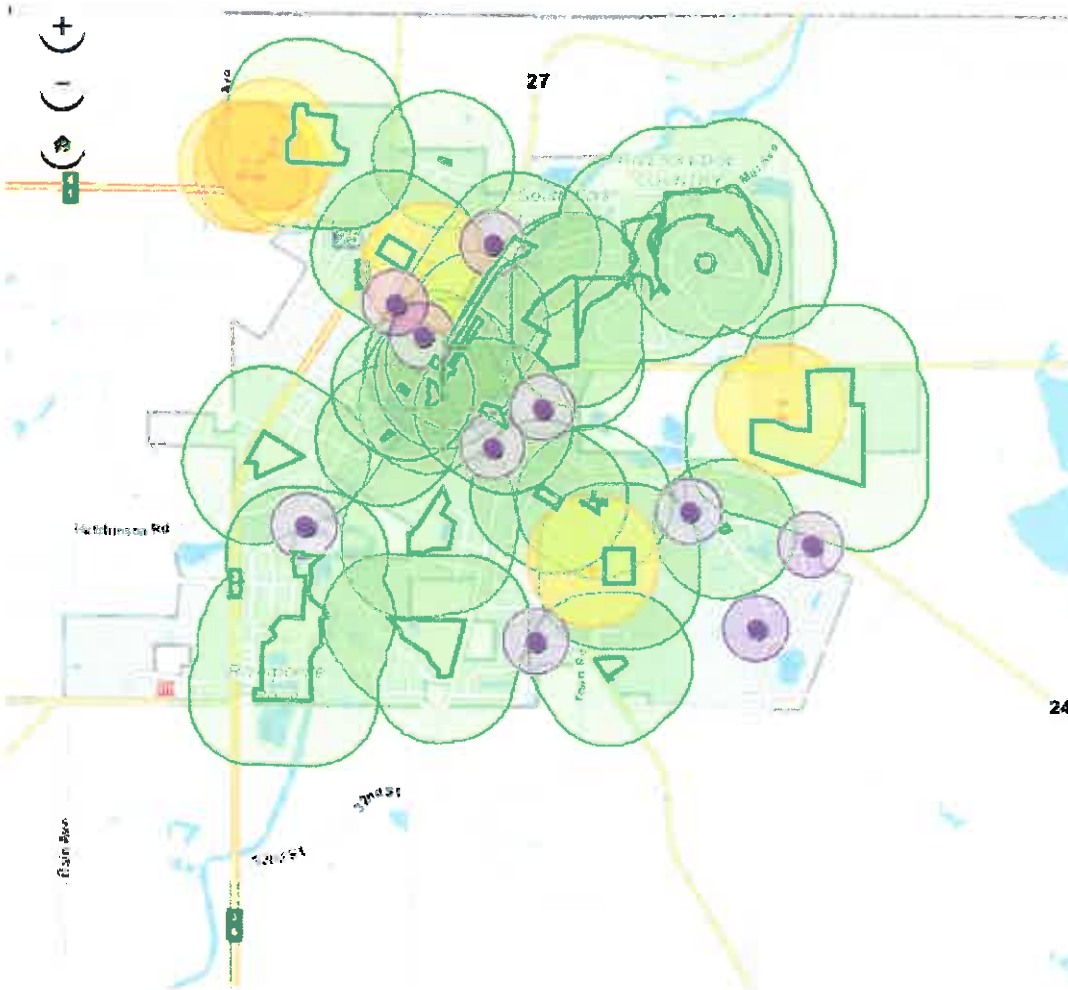


Community & People • Government • Public Safety

Watertown first in county to tighten restrictions on level 3 sex offenders

Published July 15, 2016 at 10:45 am

By mpriebe



A map from Watertown City Council documents shows the new boundaries that will be enforced for level 3 sex offenders seeking to move to Watertown. Schools are denoted in orange, parks in green and licensed daycare providers in purple.

By Melissa Priebe
watertown.editor@ecm-inc.com

After months of debate, the City of Watertown became the first city in Carver County to adopt strict residency restrictions for predatory sex offenders, extending the boundaries around areas where children are present.

“Watertown is setting the precedence for Carver County,” said Deborah Everson, city council member. “We will be only city in Carver County that will have this.”

The Watertown City Council voted to adopt Ordinance 397, amending Chapter 26 of the Watertown City Code to increase the distance for restricted areas from a boundary of 500 feet from schools and parks, as was stated in the existing law. The amendment prohibits level 3 sex offenders from living within 1,000 feet of a school or park and within 500 feet from a licensed daycare provider, creating very small pockets where level 3 sex offenders may live.

“We’re taking an initiative to protect our citizens and, specifically, the children from convicted predators,” said Michael Walters, city council member. “We’re talking about very dangerous felons that the Department of Corrections has identified as likely to reoffend.”

Walters said the measure serves as a “community values statement,” and over the course of the discussions, his opinion on the matter has only grown stronger.

According to city records, official discussions of the proposed amendment began in April, when the Watertown City Council first considered the amendment in a work session.

A proposed amendment was brought forward at the June 14 meeting, but members of the city council expressed that the prohibited areas were not large enough. The council considered several different options, including boundaries of 500 feet, 750 feet, 1,000 feet, and combinations giving schools and parks a different boundary than daycare providers. They tabled the vote, and turned to other city and county staff for insight on what kind of boundaries could be enforced.

Lieutenant Patrick Barry, representing the Carver County Sheriff’s Office, said the county would enforce whatever laws they put on the books. City Administrator Shane Fineran advised against implementing boundaries that would take all of Watertown off the map for released offenders. Then, City Attorney Jared Shepherd shared examples of what has been enacted in other Minnesota cities.

“There are a few communities, for example Wyoming, Minnesota, has a 2,000-foot buffer for schools, daycare, parks, 1,000 feet for bus stops and places of worship,” he said. “Taylors Falls: 2,000-foot for schools, daycares, parks and playgrounds, 1,000 feet for bus stops and places of worship,. Of course, it’s important to realize that each community is laid out differently, and those restrictions are a function of where the different buildings are.”

No level 3 sex offenders are registered in the city of Watertown, or the whole of Carver County, as reported to the Minnesota sex offender registry.

Even in neighboring counties, the numbers tend to be low. No level 3 sex offenders are registered in McLeod County or Sibley County. Only two are registered in Wright County, and three are registered in Scott County. In Wright County, the sex offenders are located in Maple Lake Township and Monticello, and in Scott County, they are located in Prior Lake, Belle Plain

and rural Jordan.

Numbers spike the Twin Cities metro area, with 139 level 3 sex offenders registered in Hennepin County alone, but the Carver County Sheriff's Office is notified any time a predatory sex offender is released into the area where they have jurisdiction. Authorities then provide notification to the community.

"We don't currently have any level 3 offenders living in Carver County," said Barry. "As far as violations go for offender registries, in the last five and half years, so as of today, we've had a total of 24 violations, 16 of those were charged."

Barry said the statistics, which go back to 2011, include some minor violations, such as an offender registering a day late or failing to notify the sheriff's office about a change in vehicle.

"We do go out and make contact with them up to twice a year," said Barry.

The Watertown City Council voted unanimously to amend the ordinance on Tuesday, July 28.

"Only 39 of the 805 cities in Minnesota have instituted this type of an ordinance," said Walters. "The cost of a predatory offender victimization to our society at large, it's not calculable because we don't know, but it's definitely steep. If you have somebody like this next to your parks or one of these guys next to your school, you're rolling the dice."

The new city ordinance is effective as of July 15, 2016.

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Man who raped teen girls is latest cleared for release as MSOP changes course

Convicted in 1980s, Dwight Walton would be the eighth offender to earn conditional release.

By [Chris Serres](#) Star Tribune

July 11, 2016 — 1:51pm

A man convicted of raping two teenage girls in the 1980s, and who admitted to more than a dozen other female victims, has been approved for conditional release from the Minnesota Sex Offender Program (MSOP), the latest in a string of violent offenders deemed capable by state judges of living in the community.

Dwight Walton, 52, will be released to a halfway house in Minneapolis.

Walton was convicted in 1986 of raping a 13-year-old girl, whom he grabbed from behind and threatened to shoot if she made any noise. The next day, Walton sexually assaulted a 19-year-old girl using a knife, threatening to stab her if she did not cooperate. After serving prison time for those offenses, he broke into a woman's apartment, then fled the scene after she awoke and screamed, according to court documents. Walton later admitted to sexually assaulting 15 adolescent and adult females, all of whom were unknown to him except one.

Because of his multiple violent offenses and stranger victims, Walton scored high on actuarial models that estimate the odds that a sex offender will reoffend, court records show. One recent test put him at a moderate-to-high risk for committing another sexual offense.

Even so, a panel of state judges last month approved Walton's petition for provisional discharge, ruling that he had shown significant progress in treatment and was capable of adjusting to society. The panel noted that Walton volunteers in the community, mentors other MSOP offenders, attends support groups and has visited family members in Minneapolis without incident. All four clinicians who reviewed Walton's case and offense history supported his petition for discharge.

Though Walton will be subject to a high degree of supervision, his discharge reflects a continued softening of attitudes among state officials toward detainees at MSOP, which faces federal court orders to demonstrate it runs a functional treatment program with a clear path toward release. The program confines about 725 rapists, child molesters and other offenders at secure treatment centers in Moose Lake and St. Paul.

A year ago, U.S. District Court Judge Donovan Frank in St. Paul declared the MSOP unconstitutional because it detains offenders indefinitely while depriving them of access to the courts and regular risk evaluations, among other legal safeguards. Though Frank's ruling is now under appeal, the state has been releasing offenders at an unprecedented clip. Since the start of 2014, courts have approved eight offenders for provisional discharge, compared with only two in the program's prior 20-year history. "Three years ago, [Walton] would never have gotten anywhere," said Warren Maas, president of the Minnesota Association for the Treatment of Sexual Abusers. "The federal [court case] certainly has brought pressure on the entire MSOP bureaucracy to be less obstructive."

Walton is expected to be released to a 58-bed halfway house, at 2825 E. Lake Street in Minneapolis, operated by the Volunteers of America, a nonprofit. The facility, which has round-the-clock staff, specializes in helping prisoners restore community ties and obtain employment in the community. Under conditions of his discharge, Walton will be required to attend outpatient sex offender treatment and to look for work in the community.

Albertville Among 8 MN Cities 'Banning' Level III Sex Offenders: Star Tribune

Local ordinances limiting where offenders can live are at cross-purposes with state law, according to the newspaper.

St. Michael, MN

By [Chris Steller \(Patch Staff\)](#) - May 7, 2013 5:15 pm ET



Eight cities in Minnesota, including Albertville, have "essentially banned" Level III sex offenders from taking up residence, [according to a Star Tribune report](#).

Those local ordinances work against a Minnesota law intended to spread out the state's population of Level III sex offenders. Instead, the offenders are concentrated in a few areas, such as north Minneapolis.

One corrections-department official told the newspaper "it's just pushing these offenders to other towns nearby"—because the eight cities have stymied agency's residential-placement efforts:

The Department of Corrections (DOC) has all but stopped trying to find homes for Level Three sex offenders in the Minnesota cities that have imposed far-reaching restrictions on where they can live. Most of those cities adopted similarly written ordinances that ban these people from living within 1,000 to 2,000 feet of schools, parks, bus stops or “places children are known to congregate.” ...

The Department of Corrections, citing a [study it conducted in 2007](#), says laws like those in [the Minnesota city of] Wyoming do nothing to prevent offenders from reoffending and may be making the problem worse by lulling residents into a false sense of security.

[Read the full article at startribune.com.](#)

Albertville's Ordinance

[According to a Star Tribune map](#) accompanying the article, Albertville is the only one of the eight cities that has a 1,000-foot limit on offenders living near places with children. The other seven cities, including Otsego, have ordinances that establish at least some 2,000-foot limits.

This is how the map summarizes [Albertville's ordinance](#) on Level III sex offenders: "Prohibited from living within 1,000 feet of any school, daycare, park, playground, church or 'other places children are known to congregate.'"

Duluth and Moose Lake have ordinances that do not have the effect of preventing offenders from taking up residence altogether, the newspaper noted. Ten offenders currently live in Duluth.

Where Offenders Are

One man living in Monticello is the only Level III sex offender currently residing in Wright County, according to the map. There were 289 in Minnesota as of last week, the newspaper reported.

The [Minnesota Department of Corrections maintains a public online database on Level III Sex Offenders](#) that allows searches by location.

LOCAL

Cities are rushing to restrict sex offenders

Efforts to limit housing spill over to State Capitol.

By Maya Rao (<http://www.startribune.com/maya-rao/137958973/>) Star Tribune

APRIL 4, 2016 — 10:49PM

After a convicted child molester moved to town, Minnesota Lake passed a law effectively banning sex offenders from most of the small community.

Mahtomedi approved restrictions on where convicted rapists could live after hundreds of residents signed a petition demanding action.

And in Birchwood, the City Council held an emergency meeting in order to place stricter limits on sex offenders after learning that a pedophile was moving there.

Minnesota has seen a dramatic rise in municipal laws restricting where sex offenders can live after they have served their terms, setting up a fight at the State Capitol. Some legislators want to give local communities more control to enact new restrictions, but state corrections officials say that such ordinances can be ineffective and that they invite legal challenges.

A group of legislators has proposed a measure allowing cities and counties to enact tougher laws to keep Level 3 sex offenders — considered the most likely to reoffend — away from schools, parks and other places frequented by children.

The chief sponsor, Rep. Jim Newberger, R-Becker, says he hopes the bill will give the towns stronger legal standing to defend their sex-offender ordinances in court.

Communities are bracing for the release of more sex offenders from forced civil commitment in response to a federal ruling that declared the state's program unconstitutional.

U.S. District Judge Donovan Frank has ruled that the program is essentially permanent confinement with no clear path to release.

The issue is politically perilous for leaders of both parties, who must weigh the constitutional questions vs. the political blowback from releasing potentially dangerous offenders into the community.

Gov. Mark Dayton has ordered the state to fight Frank's ruling, saying it posed a risk to public safety.

The growing concerns have prompted more cities to adopt ordinances spelling out where convicted offenders are restricted from living.

"What they're worried about is that eventually someone will challenge it," said Newberger. "There's no statute to back it up right now."

'A testy situation'

Corrections Commissioner Tom Roy told legislators his agency is "very concerned" that the number of laws restricting sex offenders has doubled to 39 over the last year. He said studies showed that bans on where sex offenders live do not reduce the likelihood of them committing more crimes. They only create barriers to officers supervising them, he said, noting that Minnesota has seen the number of homeless offenders rise dramatically in the last decade.

"It is really a testy situation that we all face, and, intuitively, we would like to believe that drawing circles around cities will decrease recidivism ... but in actuality, it does not," Roy said.

Rep. Tony Cornish, R-Vernon Center, said during a hearing that people worried about their property values and children walking to the playground do not pay attention to statistics of recidivism. "You folks aren't doing a bang-up job right now of placing these people," he told Roy. And he criticized the move of a black rapist last year to Minnesota Lake, "a totally white, Anglo town. ... All of a sudden you've got all eyes on this poor person down there."

The city about 100 miles south of the Twin Cities swiftly passed an ordinance stating that it was unlawful for sex offenders to live within 2,000 feet of a school, child care center, public park, church, library or bus stop — a move that walled off much of the city's 2 square miles.

Sharon Grunzke, the city clerk, said residents were petrified about the first registered sex offender moving in. But the man has caused no problems after all, she said: "We hardly ever see him."

In December, Columbia Heights passed a one-year moratorium on any more sex offenders moving in while it studies whether to enact a permanent ordinance.

Mayor Gary Peterson said the city had no concerns about the measure's legalities. "You can't have sex offenders all over the place, and there are other communities that have none. ... We just wanted to stop it before it got to the point where it was really uncontrollable," he said.

Suburb fights back

North Minneapolis has accumulated a high concentration of sex offenders, prompting pleas from its representatives to spread the burden around the metro area. Hennepin County stopped allowing offenders there a few years ago, a policy that Brooklyn Center has blamed for more convicted sexual predators spilling into its borders to the north.

Brooklyn Center officials testified in favor of the legislation the day after the city passed a law banning sex offenders from living within 2,000 feet of a school, playground or child care center.

"If the legislation passes, now we've got something we can point to and say, 'the state specifically says we can do that,'" said Brooklyn Center Mayor Tim Willson.

Rep. Joe Mullery, a DFLer who represents north Minneapolis, derided the legislation as "a very bad proposal. ... State law cannot override the U.S. Constitution." He said the protests by Brooklyn Center over having just six sex offenders is "ridiculous," and he called for more suburbs to take their fair share.

Last year, New York's appeals court determined that state laws overrode local prohibitions on where sex offenders could live.

Roy, the corrections commissioner, noted that courts in other states had been overturning residency restrictions on rapists and that Minnesota would have to address the matter soon.

"We can expect the courts to weigh in on this one, for sure," Roy told legislators.

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Northern suburbs allege that sex offenders being shunted from city to their neighborhoods

The north metro suburbs say they're taking the brunt of housing Level 3 offenders.

By [Shannon Prather](#) Star Tribune

February 27, 2016 — 9:05pm

Two years after Hennepin County probation officials quietly stopped allowing Level 3 predatory sex offenders to move into a handful of already oversaturated Minneapolis neighborhoods, inner-ring suburbs say the problem is being pushed out to their residential areas.

Last week, an ordinance was introduced before the Brooklyn Center City Council that would prohibit new Level 3 offenders — those considered most likely to reoffend — from moving there. Six now live in Brooklyn Center, more than in any other Hennepin County suburb, and most of them arrived within the last year.

In neighboring Brooklyn Park, home to three offenders, leaders are discussing their options with city attorneys, said Deputy Chief Mark Bruley. Nearby Columbia Heights and Hilltop in December passed emergency one-year moratoriums on new Level 3 offenders after learning they're home to five of Anoka County's 11 Level 3 offenders.

The debate over where the state's 368 Level 3 offenders should live upon release from prison is happening as the Minnesota Sex Offender Program prepares to fulfill a federal court order by releasing some of the 720 rapists and pedophiles held in state hospitals.

Brooklyn Center Police Chief Tim Gannon said his city took notice after the number of Level 3 offenders who planned to live there spiked last fall.

It's illegal to ban predatory offenders, but city leaders say that's not what Brooklyn Center is doing. The proposed ordinance would create 2,000-foot buffer zones around schools, public playgrounds and licensed child care facilities.

Those zones would effectively make nearly every corner of the city off-limits to predators. The council plans to take a final vote in March.

"Why do the northern suburbs seem to be the epicenter of predatory offenders?" said Gannon, pointing out that Bloomington, Hennepin County's largest suburb, has just one. But Hennepin County officials counter that Minneapolis already shoulders most of the burden, and that suburbs can't slam the door on all offenders. The County Board will discuss the decision to stop placing them in the five Minneapolis ZIP codes at a briefing April 21.

Constitutional concerns

According to the Minnesota Department of Corrections, 124 of the 146 Level 3 offenders in Hennepin County live in Minneapolis. Of those in Minneapolis, 75 live in five ZIP codes west of downtown and on the North Side: 55403, 55405, 55411, 55412 and 55430. The idea of using ZIP codes to locate offenders was intended to better disperse them.

"What we are dealing with now will be a sliver of what we will wind up dealing with," said Mark Thompson, Hennepin County assistant county administrator for public safety.

"It's tough. No one wants them to relocate to their community. The U.S. Constitution requires it. They have paid their debt and are no longer an immediate threat. Courts have ruled they can be back in the community."

Hennepin County does more than its share, Thompson said, because outstate offenders relocate there to be near treatment options. He said Brooklyn Center's actions were disheartening.

There's no plot to load up any city or neighborhood with offenders, Thompson said. But offenders, who have some say in where they live, tend to select cities with affordable housing and access to transportation, he said.

State corrections officials denounced Brooklyn Center's ordinance.

"While well-intended, city ordinances interfere with the effective supervision of sex offenders and do not improve public safety," said spokeswoman Sarah Latuseck. "Public safety is increased when offenders have stable housing and a support system in place when they re-enter the community." Gannon said the city won't evict the offenders already living there, but he said efforts should be made to spread the population to other suburbs.

Brooklyn Center Mayor Tim Willson said his city is tired of the "greater good speech" because the burden — whether it is sex offenders or affordable housing — always seems to fall on Brooklyn Center and Brooklyn Park, Minnesota's two most racially diverse cities.

"I am not a conspiracy theorist," Willson said, "but more and more it looks like the metro has determined the northwest corner is where all the stuff is going to go that nobody else wants. I haven't noticed any Level 3s in Edina."

Not about NIMBY

Columbia Heights Police Chief Scott Nadeau said this is not about NIMBY — the Not-in-My-Backyard syndrome — but about ensuring a more equitable distribution.

There's one predatory offender for every 0.7 square miles of Columbia Heights and Hilltop, compared to one offender for every 74 square miles in the rest of Anoka County, Nadeau said.

"We have an obligation, like other communities, to be a part of the solution. We want to make sure we are not the only solution," Nadeau said.

Gannon and Nadeau said that more candid discussions about offender placement are needed. "I do think it's time we get the partners at the table from the Minnesota Department of Corrections, community corrections and local elected officials to start to have a discussion," Nadeau said. Thompson agreed. "This has to be a statewide solution," he said.

Rapist heading to St. Paul, joins ranks of sex offenders being released

He's among six offenders freed in the past year, unprecedented for a program that has confined offenders indefinitely.

By Chris Serres (<http://www.startribune.com/chris-serres/10649926/>) Star Tribune

FEBRUARY 9, 2016 — 10:54PM

A twice-convicted rapist with a history of assaults against women is about to be released from the state's secure sex offender treatment program to a halfway house in St. Paul.

Oliver Lenell Dority, 50, who sexually assaulted a woman in 1994 after hiding in the back seat of her car at a gas station, is the latest in a growing number of violent offenders who have been approved by state judges for conditional release since the Minnesota Sex Offender Program (MSOP) came under intense federal court pressure for failing to adequately move people toward release.

In just over a year, six offenders have been conditionally discharged from MSOP — an unprecedented pace for a program with a history of confining rapists and other violent offenders indefinitely, sometimes for decades, with little opportunity for release.

The releases reflect a loosening of Minnesota's notoriously rigid and labyrinthine process for determining which MSOP clients are appropriate for release, with state officials and judges showing more willingness to discharge people with violent histories and some risk factors for reoffending.

The releases are also arousing far less political controversy than in years past — reflecting a possible easing of attitudes toward offenders, say experts.

All of the offenders approved for discharge over the past year are repeat rapists.

They include Robert Iecto, who sexually assaulted two women while he was a teenager; Benjamin Gissendaaner, who twice raped a St. Paul college student after breaking into her apartment; and Christopher R. Coker, who raped three teenage girls in separate incidents in the early 1990s.

The commissioner of Human Services plans to appeal Coker's discharge, saying experts do not believe he is ready for release into the community.

Little public outcry

But the others have been discharged with little or no public acrimony.

"Where is the drama? Where is the political hue and cry?" asked a sarcastic Warren Maas, president of the Minnesota chapter of the Association for the Treatment of Sexual Abusers. "The vicious rhetoric that we've seen in the past against sex offenders has really subsided."

To some legal experts, the recent releases are merely evidence that professionals at MSOP are taking seriously their duty to provide treatment and move people through the program.

Last June, U.S. District Judge Donovan Frank declared the program unconstitutional after concluding that MSOP was detaining untold numbers of offenders who no longer met the state's criteria for confinement.

Though Frank's ruling is under appeal, the state has been under increased legal pressure to demonstrate that it provides offenders actual treatment and a clear path toward release.

Currently, the MSOP holds about 720 rapists, child molesters and other offenders, who have already completed their prison terms, at secure treatment centers in Moose Lake and St. Peter.

'Notable' improvement

Like many at MSOP, Dority has a long list of criminal offenses. In 1995, he was convicted of raping two women within three weeks of each other.



(http://si.media.startribune.com/magcslows_14860752276)
Dority

He served consecutive prison terms of 81 months and 84 months for these offenses. He also has convictions for a number of nonsexual offenses, including assault, violation of an order for protection, robbery, fleeing the police and domestic assault, according to court papers.

Yet Dority has shown "notable treatment gains" since he was committed to MSOP in August 2009, according to a judicial panel reviewing his case.

He requested more time in group therapy and was an active participant. He was moved to the final phase of treatment, where he participated in support groups and volunteered in the community with a staff member present, court papers said.

In a recent assessment, Dority was determined to have a "moderate-low risk" for reoffending sexually.

The risk factors identified in the evaluation included "hostility toward women" and "general social rejection," among others.

"Capacity for relationship stability will remain a risk factor until [Dority] lives in the community with a healthy partner for at least two years," the assessment said.

Public meeting in St. Paul

Even so, a three-judge panel concluded that Dority's treatment needs "could be met through community-based sex offender treatment, support groups and supplemental individual therapy," according to a January ruling approving his provisional discharge.

Dority is expected to be released within days to a 38-bed halfway house in the 500 block of Ashland Avenue in St. Paul, where he will live under heavy surveillance. This includes GPS monitoring, face-to-face visits and surveillance by 24-hour staff. Any violations could result in his return to MSOP.

The St. Paul Police Department is holding a public meeting at 6 p.m. Wednesday at the Lutheran Church of the Redeemer, 285 N. Dale St., to notify neighbors.

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Rehab House Owner Tries to Quell Concerns

Posted On 05 Feb 2016

By Marilyn Young/ LB Indy

Scores of anxious residents voiced their fears about a detox and rehab facility near Top of the World Elementary School at a town hall meeting this past Tuesday, Feb. 2.



Scores of residents turn out this week at a town hall meeting to voice concerns over rehab facilities in their neighborhoods. Photo by Marilyn Young

Both the owner and director of Pillars Recovery, which opened at 28772 Top of the World Dr. last year in close proximity to the campus, addressed the crowd of about 150 people and defended the facility's practices.

Principal Michael Conlon organized the meeting with city and police officials to inform concerned parents and others about laws that restrict the city from regulating state licensed recovery houses. Police provided a list to participants of the handful of calls for police service received from two recovery facilities that are the focus of concern.

Pillars Recovery owner Lisa Willis said she understands curiosity about the facility, but that fears are overblown in part because people seem uninformed about the levels of care provided at the facility. She said the six residents are monitored around the clock and participate in groups from 7 a.m. to 10 p.m. at night. They have no cars, visitors and their place of residence is confidential. "The people in that house are at the height of awareness; they've done everything right," Willis said. "We want it run well. It makes everyone's life easier. We don't want to call 911," Willis said.

Since the facility opened, police have received three calls for service, two patrol checks and a medical aid, which involved neither a drug overdose nor violence, according to police Detective Cornelius Ashton.

Pillars Director Lisa Friedman, who diagnoses and evaluates potential patients, was asked if she would accept a sex offender. Friedman said she would not and would refer them to a facility better skilled to meet their needs.

Despite the apparent neighborhood backlash to Pillars Recovery, Willis said she is not considering moving.

Thirteen licensed non-medical alcoholism and drug abuse recovery or treatment facilities operate in Laguna Beach, according to a January status report by the state Department of Health Care Service. Two more are in process, according to Ann Larson, the city's assistant director of community development.

At the meeting, Larson described the variations among recovery facilities, which operate under different regulations and are licensed by different authorities. In general, residential care facilities are subject to state regulations and licensing, which preempts local regulations by cities.

Deputy City Attorney Ajit Thind laid out state and federal statutes, including the Americans with Disabilities Act, and their protections for group homes that provide treatment for the disabled. They also apply to group homes for recovering drug and alcohol addicts. "As to the unlicensed facilities, they are still afforded protection by ADA as well as fair housing laws. But if they are engaging in nuisance-like activities, the city can enforce and they can do so by administrative citation. At this point we haven't gotten to this point with any facility," Thind said.

Federal laws were enacted to promote the integration of individuals with disabilities into the community and to prohibit discrimination against them.

Ashton urged participants to play a role in documenting crime in their neighborhood. "You are our eyes and ears. Contact the police not just about the facilities, but anything that makes you uncomfortable," Ashton said, who noted that "Top of the World is actually one of the safest areas in our city."

The principal said TOW school has not experienced any incidents related to Pillars Recovery. "Of course I wouldn't want it to be as close to the school as it is," said Conlon, indicating that school district officials intend to push for a legislative remedy to restrict recovery houses near schools.

The two facilities that were the focus of concerns have been inspected by city code enforcement officers and are in compliance with their state licensing requirements, Larson said. The number of sober living group homes in Laguna is not known because there is no licensing requirement by either the city or the state.

Larson intends to ask elected officials to endorse a letter urging a change in state laws to allow cities more discretion in regulating rehab houses through zoning.

City officials are monitoring regulations adopted by other cities to see what locally enacted land-use regulations survive court challenge, she said.

Residents can report suspected criminal activity to police at (949) 497-0701, municipal violations to the code enforcement division at (949) 497-0301, or license violations to the Department of Health Care Services at (877) 685-8333.

Los Angeles Times

76° Feb 10, 2016

ADVERTISEMENT

Recovery center worries residents near school

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BY BRYCE ALDERTON

February 4, 2016, 4:21 p.m.

Residents of the Top of the World neighborhood told Laguna Beach officials Tuesday night that they are concerned about a substance-abuse recovery center in the area and the possibility of others moving into the city.

Pillars Recovery operates in the area, which is also home to Top of the World Elementary School.

The principal, Mike Conlon, called the community meeting in the school's multipurpose room to discuss an issue that is of concern in many Orange County communities. Attending the meeting were Laguna police, planners, the deputy city attorney and a representative from the office of State Sen. John Moorlach's (R-Costa Mesa). Moorlach's district includes Laguna Beach.

Residents urged the city to take an active role in promoting legislation that would give it some authority over recovery centers and sober-living facilities.

State-licensed recovery and care facilities differ from sober-living homes in that the former provide supervision, care and treatment and, per state law, must have no more than six residents. City staff must treat these kinds of facilities as single-family homes.

Sober-living homes don't require care and supervision, and there are no limits on residency.

Laguna has 13 state-licensed recovery centers, with two trying to obtain approval, Laguna's Assistant Community Development Director Ann Larson said. Larson said she did not know the specific number of sober-living homes, since the operators don't have to file paperwork with the city or state.

"The only time we find out [about a sober-living house] is when someone calls," Larson told those at the meeting. **Los Angeles Times**

In a circulated letter, parents claimed that recovery center patients have harassed and stalked young girls, littered streets with cigarette butts and created parking problems. One man said he found a package containing methadone on his doorstep.

The comments echoed concerns raised last year about short-term renters, those renting a house or portion of a home for less than 30 days at a time. Complaints were that certain renters were wreaking havoc.

Christine Fugate, a mother of two, said Laguna has become "the riviera rehab" and worried about recovery center operators moving into properties once they go on the market, like the house for rent next to her home.

"I don't want this to happen and happen," Fugate said, adding that "no one here is against treatment for alcohol or drug addiction."

Pillars Recovery operates the Top of the World property, a recovery center, and has another location in Corona del Mar. Staff conducts thorough psychiatric screenings of prospective patients, and once admitted, residents attend group therapy sessions, operators say.

"No clients go outside without supervision," Pillars clinician Linda Friedman told the gathering. "I'm a parent like you guys. I'm trying to help people. I don't want pedophiles in here."

Parents, and Conlon, said rehabilitation centers should not be located too close to schools.

"It's definitely a concern," said the principal, who said no crimes have been linked to the Pillars facility. "If I had my way, I would not want it as close as it is" to the school.

Monarch Shores operates a property on Skyline Drive. No representative of the company attended the meeting.

One resident asked Friedman if she would accept a registered sex offender into a treatment program if she knew of the person's background.

"No, that is not someone I would accept," Friedman said. "If I feel someone can't get the best care, I recommend treatment in another facility,"

No state law requires operators of licensed treatment facilities to deny services to registered sex offenders, Carol Sloan, California Department of Health Care Services spokeswoman, wrote in an email.

Laguna police logged calls beginning in October, when Pillars opened the Top of the World facility, and compared the number with the same period from October 2014 through January 2015. Police received 26 more calls from Oct. 1, 2015, through Jan. 29, 2016, than the earlier period. Abandoned cars, at 12, accounted for the largest year-over-year increase among categories that included trespassing, theft and burglary.

"I understand the frustration you have," Laguna Beach police Det. Cornelius Ashton said. "With that, these facilities are operating all over the county. The city is working hard to regulate places and find ways to make you feel safer."

Costa Mesa approved a pair of ordinances that requires group and sober-living homes to be at least 650 feet from one another and obtain special city permits. One of those laws has been legally challenged, putting enforcement on hold.

David Mansdoerfer, Moorlach's district director, urged residents to write or call explaining their concerns as senators craft bills for future legislative sessions.

Ajit Thind, Laguna's deputy city attorney, said the city is "investigating all possible actions" and indicated a willingness to push for greater local control of group homes.

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