

**REQUEST FOR COUNCIL ACTION**

**DATE:** November 14, 2016  
**ITEM NO:** 6

---

<b>Department Approval:</b>	<b>Administrator Reviewed:</b>	<b>Agenda Section:</b>
<b>Name</b> Jeremy Barnhart	<i>JML</i>	Planning
<b>Title</b> Community Development Director		

---

**Item Description:** Consideration of location restrictions, Level III Sex Offenders

---

**Application Summary**

Information presented to facilitate the public hearing, and for Council direction.

**Issue**

Level III Sex Offenders are individuals that have committed sex related crimes, been adjudicated, imprisoned, and have been designated as ‘likely to reoffend’ upon their release. When a Level III individual is released, the State holds a neighborhood informational meeting. Currently, there is no city ordinance that provides guidance as to where Level III offenders may reside.

Minnesota communities are starting to respond to these concerns by drafting ordinances that prohibit residence of Level III offenders within certain distances of parks, schools, day care centers. Previous direction of the Council was to explore possible ordinances, after receiving comment from the public.

It should be noted that no ordinance is proposed that regulates where Level I and Level II offenders may reside, as the designation of a Level I or II individual is not public information, and therefore, not known to the city or the public, and this knowledge is necessary to administer an ordinance.

The Police Chief has provided a memo that provides additional background and resources, originally offered September 26, 2016.

The Council should receive input from citizens as to what concerns should be addressed in a potential ordinance.

**Action Requested:**

Provide Staff direction.

**List of Exhibits:**

- Exhibit A.* Police Chief Memo dated September 21, 2016
- Exhibit B* Assorted news articles

# Memo

**To:** Jeremy Barnhart  
**From:** Police Chief Correy Farniok  
**Date** **September 21, 2016**  
**Re:** Sex Offender Registry

---

Currently there are 8 individuals that in the City of Orono that are required to register with the Orono Police Department as part of the Minnesota Predatory Offender Registration (POR) program through the MN Bureau of Criminal Apprehension (BCA).

These 8 POR's all have a risk level of 1 or not assigned. Risk levels are assigned by the Minnesota Department of Corrections (DOC) not the Bureau of Criminal Apprehension (BCA). Risk Levels are assigned to registrants who are released from prison on or after January 1, 1997.

Risk level one indicates the least likelihood to re-offend. Risk level two indicates a moderate likelihood to re-offend. Risk level three indicates high likelihood to re-offend.

Information about Level 3 offenders is available on the DOC web site. [www.doc.state.mn.us](http://www.doc.state.mn.us)

According to a recent search on the DOC website, the closest Level 3 Offenders are in Crystal (2), New Hope (1) and Hopkins (2).

There are no provisions in M.S. § 243.166, Minnesota's registration law, which prohibit registered offenders from living in the vicinity of a school or daycare. Restricting a registrant's residency can be a condition of the registrant's probation or parole; however, if the person is no longer on probation or parole, those restrictions are no longer effective. While there is not a State law regarding residency restrictions for registered offenders, cities can pass local ordinances with restrictions.

The challenge that we face as a police department and as a community is that the most of the information regarding a POR is classified as private and we cannot release information to the public on POR's.

I have also attached pertinent sections of MN Statue 244.052. Which provides information and explains the process for review for Level 3 POR's, the notification required, and information that can be given out a community notification.

**“Subdivision 4. Law enforcement agency; disclosure of information to the public.**

The law enforcement agency shall employ the following guidelines in determining the scope of disclosure made under this subdivision:

(1) if the offender is assigned to risk level I, the agency may maintain information regarding the offender within the agency and may disclose it to other law enforcement agencies. Additionally, the agency may disclose the information to any victims of or witnesses to the offense committed by the offender. The agency shall disclose the information to victims of the offense committed by the offender who have requested disclosure and to adult members of the offender's immediate household;

(2) if the offender is assigned to risk level II, the agency also may disclose the information to agencies and groups that the offender is likely to encounter for the purpose of securing those institutions and protecting individuals in their care while they are on or near the premises of the institution. These agencies and groups include the staff members of public and private educational institutions, day care establishments, and establishments and organizations that primarily serve individuals likely to be victimized by the offender. The agency also may disclose the information to individuals the agency believes are likely to be victimized by the offender. The agency's belief shall be based on the offender's pattern of offending or victim preference as documented in the information provided by the department of corrections or human services;

(3) if the offender is assigned to risk level III, the agency shall disclose the information to the persons and entities described in clauses (1) and (2) and to other members of the community whom the offender is likely to encounter, unless the law enforcement agency determines that public safety would be compromised by the disclosure or that a more limited disclosure is necessary to protect the identity of the victim.”

**Subdivision 4a.** Indicates that during the review process for a Level 3 offender the agency responsible for the offender's supervision shall take into consideration the proximity of the offender's residence to that of other Level 3 offenders and proximity to schools.

STATE + LOCAL

# Group home in Dayton, Minn., drops plan to house convicted sex offenders

State is dealt another setback in releasing offenders from MSOP.

By Chris Serres (<http://www.startribune.com/chris-serres/10645926/>) Star Tribune |

NOVEMBER 2, 2016 — 8:10PM

VIEW YOUR BALLOT

House # only	Zipcode	GO
--------------	---------	----

The operator of a group home in Dayton, Minn., has backed out of plans to house three convicted rapists set for release from Minnesota’s sex offender treatment program, dealing another setback to state efforts to move more offenders into the community.

City Council members in Dayton, a rural community of about 5,000 residents northwest of the Twin Cities, received notice Tuesday from REM Minnesota Inc. that it will not provide housing for the three men, who already have been cleared for conditional release from the Minnesota Sex Offender Program (MSOP).

The decision comes after Dayton residents raised alarms about their safety last week and the city adopted a far-reaching ordinance (<http://bit.ly/2ff0vEf>) that bars sex offenders from living near a host of places where children congregate and effectively renders more than half the city off-limits to sex offenders.

A spokeswoman for REM Minnesota issued a statement saying it would comply with the ordinance and already had informed state officials that it would not accept the three offenders, who had been approved for transition to the group home.

Communities across Minnesota have been rushing to pass such ordinances since a federal judge last year ruled that the MSOP is unconstitutional and ordered the state to develop more housing options and release offenders who no longer require confinement.

The Dayton City Council passed the sweeping ordinance, which even prevents offenders from living near seasonal pumpkin patches and apple orchards, despite concerns that it may draw a legal challenge.

“There is pride in how the community pulled together and how fast we were able to respond to the situation,” said Dayton Mayor Tim McNeil. “Now, the big question is: Did we go too far in the eyes of those who have the ability to sue us?”

The state of Minnesota is under mounting court pressure to demonstrate that it operates a functional treatment program that provides offenders with a clear path toward release. At the same time, communities are pushing back against a possible influx of offenders: Roughly 50 jurisdictions statewide have enacted ordinances that restrict where sex offenders can live.

The ordinances place the Minnesota Department of Human Services, which oversees the MSOP, in a difficult spot. If the agency seeks community input before attempting to move offenders, local governments can rush to pass restrictions before such a move can occur. Yet without local outreach, the state faces criticism for being secretive.

In late September, for instance, DHS informed officials in Le Sueur County that it was considering plans to move six MSOP offenders to a residence in Kasota Township, near St. Peter. Neighbors barraged the owner of the fourplex with telephone calls and e-mails, prompting him to pull out of the deal. Now the county is considering a sweeping ordinance that would bar offenders from living near a long list of public spaces.

Inmates in the Minnesota Sex Offender Program

6 Offenders cleared for release but still in confinement

84 Nearing approval for conditional release

723 Total number of offenders now confined.

"I'm all about second chances," said Steven Rohlfing, a Le Sueur County commissioner. "But these sexual predators took away the dignity from a lot of individuals, and it's not clear that they will ever recover."

The local ordinances were quite narrow at first but have grown much broader. The proposed ordinance in Le Sueur County, for example, would bar offenders from living near bus stops, public trails, gyms, libraries, public beaches, hockey rinks and churches, among other areas. Le Sueur's ordinance would even prohibit offenders from living near a privately owned property that is equipped for children's play.

Critics argue that the laws force offenders into homelessness, which makes it more difficult for law enforcement to track them. Courts in other states have struck down residency restrictions when they too closely resemble "blanket bans" against offenders. Even so, the laws remain largely unchallenged in Minnesota; which means a growing number of detainees at MSOP's secure treatment center in St. Peter who have been cleared for release remain stuck at the facility.

Asked if it is considering a challenge to the local ordinances, DHS said in a statement: "We face the challenge of running a constitutional program that provides safety, security and treatment. In this effort, we cannot rule out any option prematurely."

Twitter: @chrisserrres

---

chris.serres@startribune.com

612-673-4308

chrisserrres

STATE + LOCAL

# Freed sex offenders in a Catch-22 amid community backlash

As they're released from MSOP, communities take action to keep them out.

By Chris Serres Star Tribune    OCTOBER 29, 2016 — 8:30PM

VIEW YOUR BALLOT

House # only

Zipcode

GO

Growing numbers of sex offenders are still being confined in Minnesota's controversial treatment program even after courts approved their release, amid an intensifying local backlash against state efforts to return them to the community.

Across the state, anxious communities are rushing to pass extraordinary rules aimed at banning sex offenders from moving in, with far-reaching ordinances that would effectively bar them from any residential neighborhood. More than 40 localities have adopted such bans, and emotions have reached such a pitch that Human Services Commissioner Emily Johnson Piper, whose agency oversees the sex offender program, recently received a threat of violence against her children.

Last week the city of Dayton, about 25 miles northwest of the Twin Cities, became the latest flash point. On Friday, the city passed one of the most restrictive measures yet, barring offenders from living near churches, pumpkin patches and apple orchards. In an emotional three-hour hearing, residents lashed out at the state for attempting to move three convicted rapists to a private group home in Dayton, as City Council members called for a statewide movement against such placements.

Looming over these hearings is the haunting memory of 11-year-old Jacob Wetterling, whose remains were found last month, 27 years after his abduction along a country road in Stearns County.

"Jacob was abducted in a sprawling, wide-open place just like this," said Malina Hruby, a mother of two children in Dayton, gesturing toward nearby farm fields. "He is on all of our minds."

The backlash is confounding state officials, who are running out of places to house sex offenders even as they face mounting court pressure to release more of them. Including Dayton, roughly four dozen jurisdictions across Minnesota have now passed measures barring convicted sex offenders from living near schools, day care centers and other places with children. Some measures are so sweeping that the towns have become effectively off-limits to offenders, state officials said. The city of Dayton's ordinance even bars offenders from handing out candy on Halloween, or leaving an exterior porch light on to invite trick-or-treaters.

The rush to craft such ordinances intensified late last year, after U.S. District Judge Donovan Frank issued a ruling, now under appeal, that the state can no longer confine offenders indefinitely without a clear path toward release, and ordered the state to develop options for housing offenders in the community.

While similar local laws have been struck down by courts in several states, including California, Massachusetts and New York, they have gone largely unchallenged here.

"It's spreading like wildfire," said Richard Weinberger, a clinical director for a Twin Cities residential program for adult male sex offenders. "At some point, the state will have to step in and strike these down. These people have to live somewhere, and we can't keep saying, 'No.'"

The backlash is complicating efforts to move individuals currently in the Minnesota Sex Offender Program (MSOP) who are legally entitled to live in the community under close supervision. There are now six offenders at MSOP who have been provisionally



([http://stmedia.startribune.com/images/ows\\_1477773326673/](http://stmedia.startribune.com/images/ows_1477773326673/))  
BRIAN PETERSON

Malina Hruby of Dayton, Minn., with her two children. Memories of Jacob Wetterling are top of mind, she said.

discharged by state judicial panels but remain under confinement. Another 84, a record number, are moving toward release, in a less-restrictive program in St. Peter that prepares them for reintegration into society.

In an interview, state Commissioner Piper said the situation is unprecedented. She warned of a possible legal challenge to the local ordinances. The ordinances, she said, are unfair to poorer municipalities that may lack the resources to fight placements.

"It's never going to be the 'north Minneapolis' of the world that get the first ordinance developed with a cadre of lawyers advising them," said Piper, who grew up on Minneapolis' North Side. "What that does is increase the over-concentration of sex offenders in less-affluent areas of the state."

Yet state lawmakers have been loath to address the issue. A Senate bill introduced this year would have required counties to provide appropriate sex offender housing based on the number of offenders committed to the MSOP from their jurisdictions. In addition, Gov. Mark Dayton's bonding bill would have funded two, 20-bed community facilities at a cost of \$12.4 million. Both proposals failed to pass the 2016 Legislature.

### **'Monsters'**

The state's dilemma was on display last week at Dayton City Hall, where about 80 residents gathered on Wednesday night to discuss plans by the state to move three convicted rapists to a private group home.

One by one, residents approached the front of the room, their voices often shaking with emotion. A mother pointed out that her two young children ride a school bus that travels within two blocks of the proposed house. "A busload of kids is a sitting target," said Erin Prest, the mother.

The Wetterling case cast a long shadow over the hearing. "When my children were little, the Jacob Wetterling story came out, and you couldn't let your kids walk to the park alone for fear that someone in a van would leap out and grab them," said Anne Ziebell, a city council member who has lived in Dayton since 1988. "Now here we are, 27 years later, and these monsters are moving into our town."

As the night wore on, the discussion shifted toward more and more restrictions. A draft ordinance barring offenders from living within 2,000 feet of a school, day-care center or park — similar to ordinances passed in other cities — was deemed insufficient. As residents weighed in, multiple "prohibited areas" were added to the measure, including any amusement park, recreation center, youth athletic field, public library, golf course, swimming pool and bowling alleys. The ordinance even prohibits offenders from living within 2,000 feet of "any seasonal pumpkin patch or apple orchard."

"If a Chuck E. Cheese opens up in the middle of Dayton, that should be covered," added Tim McNeil, mayor of Dayton.

Council members seemed undeterred when Dayton's city attorney, looking uncomfortable at times, suggested that such a far-reaching ordinance could draw a legal challenge.

The mood in Dayton is tense in part because residents feel they are in a race against time. A state judicial panel had already approved a plan for moving the offenders to the group home in Dayton. Their criminal histories are familiar to many in this city of about 5,000 residents. One of the men had raped his 6-year-old niece and admitted to "digitally penetrating" a 3-year-old girl. Another forced himself into a woman's home and forced her to have oral sex, within weeks after being released from a treatment program. All three of the offenders are over 50 and have cognitive disabilities or diagnosed mental illnesses.

"Why not put them in the middle of 10,000 acres in northern Minnesota?" asked Dayton City Council member Scott Salonek. "I don't want 'em, period, under any circumstances."

### **How dangerous?**

State officials note that Minnesota already has 15,775 registered sex offenders living in local communities, and that the 723 inmates at the MSOP are just a tiny fraction of that total. Many of these are Level 3 offenders who have assaulted minors, yet live under far

less surveillance than the handful of offenders released from the MSOP. The three offenders being transferred to Dayton, for example, would be subject to 24-hour surveillance, random searches and would be unable to leave the home without staff, among other restrictions.

Studies on sex offender re-offense rates vary widely depending on the time covered and the offenses measured. A 2013 study by the Minnesota Department of Corrections tracked 220 sex offenders who were released from Minnesota prisons in the early 1990s. Within four years, 12.3 percent were reconvicted of a new sex offense; by 2010, 18.6 percent had been reconvicted.

Yet because of MSOP's reputation for holding the "worst of the worst" offenders, the public reaction to releases from the program can be highly charged and even threatening.

Piper, the Human Services commissioner, said someone posted a comment on Facebook suggesting the rape of her children after her agency decided in September not to appeal the release of a young man held in the MSOP. A state Supreme Court appeals panel ruled that the man, Eric Terhaar, 26, was no longer a threat to the public and that his confinement was unconstitutional.

"The [Facebook] comment said, essentially, 'Why don't they go rape Emily Piper's children,'" she said. "It becomes very aggressive and very ugly and very scary for people who, like me, are trying to defend the constitutionality of the program."

Gene Lewis of Le Center, Minn., also found himself on the receiving end of threats. Four years ago, he wanted to rent a room in a fourplex near St. Peter to a Level 3 sex offender from MSOP. When local residents learned of the plan, Lewis said, he received more than 100 telephone calls and threats of violence. In one case, an anonymous caller threatened to go after his grandchildren. Another threatened to destroy his business.

Lewis, who owns a title company and rental properties in central Minnesota, said he canceled the plan after several hundred people showed up at a public hearing and residents pointed out how close the property was to homes with young children.

"They'll come at you with pitchforks and daggers," Lewis said. "There's really no way to explain it, except there was fire in their eyes when they talked about what they were going to do."

Twitter: @chrisserrres



[http://www.swnewsmedia.com/lakeshore\\_weekly/news/public\\_safety/mound-man-charged-with-criminal-sexual-conduct/article\\_2ebea0a6-7095-5db7-b20b-491c6ed09018.html](http://www.swnewsmedia.com/lakeshore_weekly/news/public_safety/mound-man-charged-with-criminal-sexual-conduct/article_2ebea0a6-7095-5db7-b20b-491c6ed09018.html)

TOP STORY

## Mound man charged with criminal sexual conduct

A Schwarz Oct 31, 2016



A Mound man is facing criminal sexual conduct charges, and if convicted, he could face life in prison, Hennepin County Attorney Mike Freeman announced Oct. 28.

Matthew Joel Reinitz, 37, was indicted Thursday, Oct. 27 on two counts of first-degree criminal sexual conduct and two counts of second-degree criminal sexual conduct for attacking a woman Dec. 4. As of the morning of Oct. 31, he was still in custody in Hennepin County Jail being held on \$2 million bail, according to the adult corrections facility roster.

"Mr. Reinitz has been convicted of a previous sexual assault," Freeman said. "Once we had sufficient evidence to link him to last year's torture of a woman in his home, we decided he is a threat to public safety and needs to be taken off the streets for the rest of his life if we can prove his guilt."

According to the criminal complaint filed against Reinitz last month, police were sent to a church in Minneapolis on the afternoon of Dec. 4 where they found a woman who was crying and bleeding from the neck. She was taken to the hospital and later told investigators that a cab had been sent to pick her up and bring her to an apartment in Northeast Minneapolis.

The victim told police she was a prostitute and Reinitz had seen her ad in Backpage. Not long after she entered the home, she said Reinitz tied up her hands and legs and, for awhile, put duct tape over her mouth. He cut off her clothes with a knife and repeatedly raped her, the complaint states.

He eventually took her into the bathroom and stabbed her twice, at least once in the neck. She pleaded with him to let her go and promised not to go to the police. He gave her a towel and her clothes and she fled out the door.

11/2/2016

Mound man charged with criminal sexual conduct | Public Safety | swnewsmedia.com

When police went to the home, Reinitz was gone, according to the complaint. Reinitz ultimately was identified through a DNA match and was charged.

A Schwarz

# 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.

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.

---

maya.rao@startribune.com 651-925-5043

# 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.

# 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.

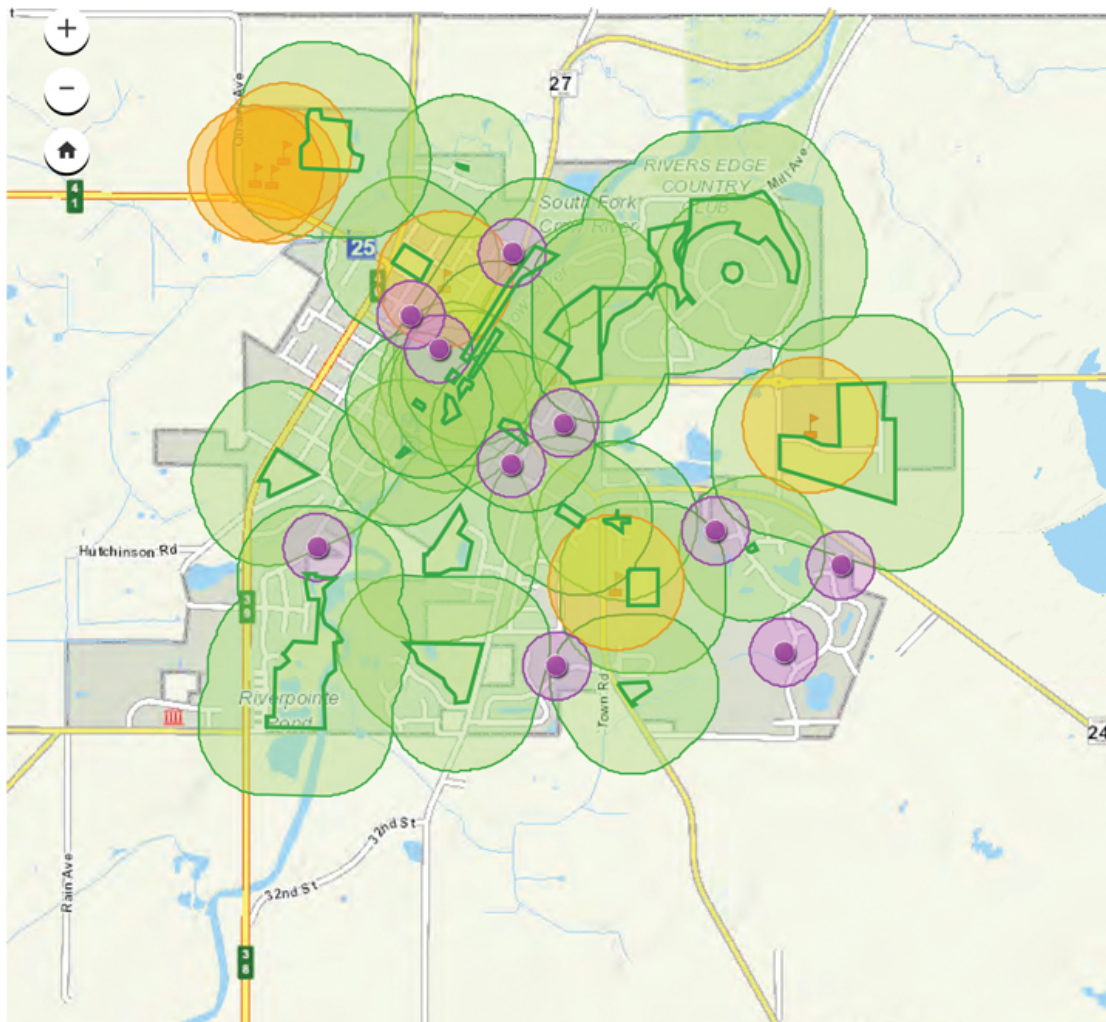
Residents can report suspected criminal activity to police at (949) 497-0701, municipal violations to the code enforcement division at (949) 497-0301, or license violations to the Department of Health Care Services at (877) 685-8333.

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.

Follow The Carver County News on Facebook to stay connected.

Filed Under: [Carver County News](#), [CCN](#), [Mayer](#), [NYA](#), [NYA Times](#), [Sun Patriot](#), [Waconia](#), [Waconia Patriot](#), [Watertown](#)



[Advertising Information](#) | [Contact Us](#) | [Subscribe](#) | [Jobs & Classifieds](#)

Copyright ©2016 [ECM Publishers, Inc.](#) • All Rights Reserved



# 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.

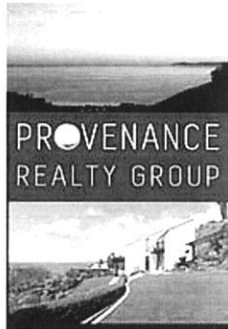


**R**  
**RENAISSANCE<sup>®</sup>**  
*Club Sport<sup>™</sup>*  
 LIVE HEALTHY



**MAKE FITNESS YOUR NEW HABIT**  
**5 DAY PASS FOR YOU AND A FRIEND!**

**CLICK TO REDEEM OFFER >**



SOLD \$2.25M

Laguna Beach  
 big views  
 on a big lot  
 5 beds | 3 baths  
 2850 sf  
 Chris Guziak  
 949.899.8300



# Rehab House Owner Tries to Quell Concerns

Posted On 05 Feb 2016 By : LB Indy Staff Comment: 1

0

Like 2 0 0 Share 0 1

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.

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.



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

Principal Michael Conlon organized



**OKURA**  
BORATA GRILL & SUSHI BAR

By Popular Demand  
**ALL YOU CAN EAT MENU**  
featuring...  
• 23 different kinds of rolls  
• 23 a la carte menu items  
• 11 different sushi  
**\$ 32.95**

**DINNER HOURS**  
Sun-Thu 4:30-9:30pm  
Fri-Sat 4:30-10:00pm

949-793-4320  
www.okurabarbq.com  
888 SOUTH COAST HWY  
LAGUNA BEACH, CA 92651

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.



9	3			9	5			
8		6		5	3			8
	9		4		5			
		7	3	1	8	2		
		3		9			8	
7	5			2	4			9
			1	3		8		2
	8	2					1	

0

Like 2 0 0 Share 0 1

LETTERS TO THE EDITOR >>



**Council Seems to Ignore Detox House Proliferation**

Posted On 05 Feb 2016



**Others Play a Role in Welcoming Rehab Houses**

Posted On 05 Feb 2016

**Writer Objects to Sober Living Houses in Residential Areas**

Posted On 05 Feb 2016

**Ingenuity Might Address Housing for the Homeless**

Posted On 05 Feb 2016

**City Manager Describes City Hall Schedule Changes**

Posted On 05 Feb 2016

**Re-energizing City Committees**

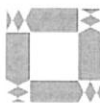
Posted On 05 Feb 2016



About the Author

[Previous Story](#)     [Next Story](#)  
 << **Senate Candidate Harris Speaks in Laguna**     **Council Reconsiders Allowing Pot Deliveries** >>

One Comment



Madmen February 8, 2016 at 8:42 pm

Rehab profiteers will say and do anything to keep the gravy train going, including not reporting the true criminal activities they find going on in their "recovery homes". This part of the story should be an eye opener for everyone who attended: "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."

My, My, My... so quick to tell you all what you CAN'T do but no help in telling residents what they CAN do and that includes DOCUMENT, DOCUMENT, DOCUMENT. You are well within your rights to take pictures of the constant traffic, the loud and abusive language, the cigarette butts dumped into the gutter, the uptick in property crime... DOCUMENT. People with disabilities need to be protected from those who take advantage of them... consider the residents as doing the clients a favor, In Patient hospital recovery works,,,this residential stuff does not, just ASK the clients.



ADVERTISEMENT

## Recovery center worries residents near school

Email Facebook 4 Twitter G+1 0

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.

## Related Content

Third Street hill in Laguna Beach to close to traffic starting Jan. 27

Protection group questions coyote trapping policy

Satellite tags trace sea lions re-entering the wild as rescuers brace for more strandings

Laguna's charm? That's a trademark

Laguna Playhouse leader ready to step down

## 4 Worst fish to eat :

biotrust.com

Never eat these 4 toxic fish that slow fat loss and erode your health

## 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/10645926/>) 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 Jenó, who sexually assaulted two women while he was a teenager; Benjamin Gissendanner, 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://stmedia.startribune.com/images/ows\\_1455075227](http://stmedia.startribune.com/images/ows_1455075227))  
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.

Twitter: @chrisserrres

chris.serres@startribune.com 612-673-4308 chrisserrres