

**TOWN OF TAYCHEEDA  
SEX OFFENDER RESIDENCY BOARD**

**Minutes of Residency Exemption Hearing**

March 4, 2024  
6:00 p.m.

**Call to Order:** The meeting was called to order at 6:00 p.m. Roll was called, and all Residency Board members were present. Also present were Town Clerk Kris Marcoe, Town Attorneys Matt Parmentier and Sam Jack, Petitioner Thomas Schwartz and his family, and various members of the public. Meeting notice was confirmed.

**Meeting Overview:** Town Attorney Parmentier provided an overview of the proceedings for the evening. He explained the Town's Sex Offender Residency Ordinance, the Petition for Exemption process, the standards to be applied by the Board, and the procedures to be followed during the meeting.

**Presentation of Petition:** Petitioner Thomas Schwartz presented his petition for an exemption. His full testimony, and that of his parents in support of his application, can be found in the audio recording of the meeting. Mr. Schwartz explained, among other things, that he was convicted of Second-Degree Sexual Assault of a Child in 2014 and of Possession of Child Pornography in 2021. He served a three-year sentence and was released on February 27, 2024. He is on probation for the next three years, and the terms of his probation are found in the Judgment of Conviction on file with the Town.

Mr. Schwartz explained that he was an opiate addict at the time he committed his crimes but that he is now sober. He was assessed SOT-4, but it was not offered to him while he was incarcerated. He will begin sex offender treatment next week. He was also assessed AODA drug treatment, which he was not offered while incarcerated, but which he will begin taking.

He explained that he is GPS monitored but was unsure the specific details regarding exclusion zones or the duration of monitoring. He will have regular home visits. He can have very limited internet access and, if his Petition is approved, there will

be no internet in the home. If his Petition is denied, he will have to find alternate housing.

**Public Comment:**

Several people spoke regarding the Petition. The full testimony provided during public comment can be found in the audio recording of the meeting. In general, comments concerned the Town's ordinance, the presence of children in the neighborhood, concerns about public safety, measures that should be taken if the Petition is approved, the significance of having treatments assessed to an offender vs. having them completed, and concerns that having Mr. Schwartz reside with his parents will result in an enabling situation.

**Closed Session:**

At this time, the closed session notice was read in full, and the Board passed a motion to convene into closed session pursuant to Wis. Stat. § 19.85(1)(g) and Wis. Stat. § 19.85(1)(f) with all members voting aye on a roll call vote.

**Reconvene into Open Session:**

Following the closed session. The Board made and unanimously passed a motion to reconvene into open session.

**Discussion and Action:**

At this time, Town Attorney Parmentier reviewed the process and standards for the Board to consider and act on the Petition. The Board reviewed each factor set forth in the Town's Ordinance governing the decision whether to approve or deny the Petition. The Board's findings regarding each element can be found in the audio recording of the meeting. The Board found, among other things, that it was premature to determine the rehabilitation status of Mr. Schwartz given that he was only released six days ago; that there were open questions about his level of remorse for his crimes (and questions about that of his parents); that being released to his parents' home poses a risk of creating enabling circumstances; and that it was too early to judge his compliance with the terms of his parole. The Board generally found that it was premature for it to evaluate several factors since Mr. Schwartz was only released six days ago and because much of his treatment has yet to begin.

Following further discussion, a motion was made and seconded with unanimous approval to deny the Petition.

Town Attorney Parmentier then reviewed for the attendees the definition of "residence" in the Town's ordinance, which does

allow Mr. Schwartz to be present at his parents' home to a certain degree.

**Adjournment:**

There being no further business coming before the Board, a motion was made and seconded with unanimous approval to adjourn.

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By: Randall L. Puder  
Chairperson