

GRANT F. LANGLEY
City Attorney

LINDA ULISS BURKE
VINCENT D. MOSCHELLA
DANIELLE M. BERGNER
MIRIAM R. HORWITZ
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

THOMAS O. GARTNER
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE RUTLEDGE
JAY A. UNORA
DONALD L. SCHRIEFER
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
ADAM B. STEPHENS
KEVIN P. SULLIVAN
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
PETER J. BLOCK
NICHOLAS P. DESIATO
JOANNA GIBELEV
JENNY YUAN
T.C. MAKAYA
KAIL J. DECKER
Assistant City Attorneys

April 7, 2015

Public Safety Committee
City Hall, Room 205

Re: Common Council File Number 141884
A substitute ordinance relating to residency restrictions for sex offenders

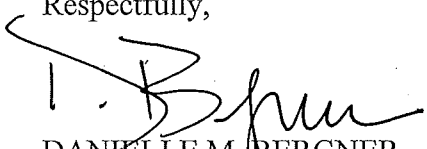
Dear Public Safety Committee Members:

In the six months since the City of Milwaukee enacted MCO § 106-51, Residency Restrictions for Sex Offenders, our office has been confronted with three separate legal challenges to the ordinance. Furthermore, there have been significant legal developments since October that require review and consideration, including a recent decision out of the California Supreme Court striking down a sex offender residency restriction ordinance similar to the City of Milwaukee's ordinance and others around the state.

Up to this point we have been successful defending the ordinance; however, two of the cases are still pending and we anticipate others will follow. Amending the ordinance at this time could adversely affect our position in those cases and put the validity of the entire ordinance in jeopardy.

In light of the foregoing concerns, we respectfully request that you hold this file to allow for a comprehensive review of the ordinance in light of recent legal developments and to allow for the resolution of pending legal challenges.

Respectfully,


DANIELLE M. BERGNER
Deputy City Attorney

c: Michael J. Murphy, Common Council President
Tony Zielinski, District 14 Alderman
José G. Pérez, District 12 Alderman

214248

