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ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

TO: Randy Scholz
Chippewa County Administrator

FROM: Jill Pedigo Hall
von Briesen & Roper, s.c.

RE: Investigation of Communications and Activities of Sheriff

DATE: September 7, 2023

Chippewa County, Wisconsin (the “County”) has retained the firm of von Briesen & Roper, s.c. to render legal advice. The County specifically retained this reporter to investigate a harassment and discrimination complaint filed against Sheriff Travis Hakes (the “Sheriff”) by one of his subordinates and also to investigate possible additional impropriety based upon communications by the Sheriff during the County’s initial review of these allegations. The County Board authorized the investigation by vote and directed the County Administrator to oversee the investigation.

The initial defined scope of the investigation included determination of: (1) whether substantial evidence existed to suggest that the Sheriff’s communications and conduct toward a female subordinate may have violated County and Sheriff’s Department policies against harassment; (2) whether substantial evidence existed to suggest that the Sheriff engaged in inappropriate communications with Department members via personal text or otherwise; and (3) whether substantial evidence existed to suggest that the Sheriff has engaged in dishonesty in his communications with County Leadership and Department members. As the investigation progressed, additional issues were identified by the County, including consideration of ethical violations, violations of County and Department policies regarding use of personal communication devices, attendance, and conflicts of interest.

This reporter initiated the investigation on June 22, 2023, through preliminary communications with Human Resources Director Toni Hohlfelder and County Administrator Randy Scholz, and compilation and beginning study of some pertinent documentation. Interviews commenced on June 28, 2023, and concluded on July 31, 2023.

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INVESTIGATION PROCESS

Twenty-five (25) individuals, including the Complainant, were interviewed and provided follow-up information in the course of this investigation. County government officials interviewed on limited issues regarding their interactions with Sheriff Hakes included the County Administrator Randy Scholz, Human Resources Director Toni Hohlfelder, Corporation Counsel Todd Pauls, Deputy Corporation Counsel James Sherman, District Attorney Wade Newell, and County Board Chair Dean Gullickson. Department members interviewed included fourteen (14) seasoned officers and members, including all of Department management, with those individuals having a range of experience from 7.5 to 41 years in law enforcement. Five (5) newer members were interviewed that had experience with the Department ranging from one to eleven months.

This reporter offered Sheriff Hakes at least three opportunities to provide his input into this investigation through the interview process and submit evidence, and he declined each opportunity. The circumstances of his denial will be discussed further in this report. However, it should be noted that because he declined that opportunity on multiple occasions, no evidence obtained here was refuted by the Sheriff.

Additionally, this reporter reviewed and considered a substantial number of relevant documents and policies, including but not limited to, the following:

1. Green post-it note provided by the Complainant containing Sheriff Hakes' personal phone number and the name "Travis."
2. Text messages Sheriff Hakes sent on his County-issued cell phone to [REDACTED] on April 20, 2023 **(Exhibit A)**.
3. Text messages Sheriff Hakes sent from his personal cell phone to [REDACTED] between Friday, April 21, 2023 and Tuesday, May 16, 2023 **(Exhibit B)**.
4. Text messages Sheriff Hakes sent from his personal cell phone to [REDACTED] starting at 9:22 a.m. on May 19, 2023 **(Exhibit C)**.
5. Text messages Sheriff Hakes sent from his personal cell phone to Chief Deputy Dutton starting at 7:25 p.m. on May 19, 2023 **(Exhibit D)**.
6. Written report from [REDACTED] regarding his June 5, 2023 conversation with the Sheriff. **(Exhibit E)**
7. Text messages between Sheriff Hakes and [REDACTED] between May 10, 2023 and May 28, 2023.
8. Text message Sheriff Hakes sent from his personal phone to Chief Deputy Dutton on Monday, May 1, 2023, at 10:50 p.m. **(Exhibit F)**.
9. Written reports from [REDACTED] and [REDACTED] regarding [REDACTED] complaint.
10. Email and written directives to Sheriff Hakes from County leadership dated May 22, 2023, May 24, 2023, and June 15, 2023, regarding need for confidentiality, contact with the Complainant, avoidance of Communication Center, and prohibiting and discouraging retaliation.
11. June 23, 2023 Notice of Investigation given to the Sheriff.

12. Policy Acknowledgement Reports of Sheriff re: Sheriff's Office and Custody Manual Policies.
13. Text messages Sheriff Hakes sent from his personal cell phone to Chief Deputy Dutton on Thursday, July 13, 2023, at 6:21 p.m. regarding Fest transportation proposal. **(Exhibit G)**.
14. Emails Sheriff Hakes sent to various officials regarding Fest transportation proposal.
15. Timeline documents provided by Human Resources Director Toni Hohlfelder and County Administrator Randy Scholz.
16. Notes participants took during Complainant's interviews.
17. Notes participants took during multiple meetings with Sheriff Hakes reference [REDACTED] complaint.
18. Facebook posts by Sheriff from his private-access only "Thomas R. Callahan III" Facebook account and also his "Travis C. Hakes for Sheriff" public access account **(Exhibit H)**.
19. Sheriff's Department Fest briefing notes.
20. Chippewa County Human Resources Policy Manual.
21. Chippewa County Sheriff's Office Policy Manual.
22. Trigger Control Sales Division LLC Facebook and website.
23. Record of Sheriff's call on and off – June 27, 2023 through August 1, 2023.

The unequivocal documentation considered by this reporter forms the basis for much of the substantial evidence identified in this report.

EXECUTIVE SUMMARY

At the outset, this reporter acknowledges that as an elected official, the Sheriff has significant individual autonomy. That autonomy may impact if and how the findings included herein are addressed. Although exercise of leadership normally requires explicit acceptance of accountability, the Sheriff may choose to ignore and act in a way that demonstrates no sense of accountability. Thus, there is a question as to whether County and Department policies can be applied to all of the Sheriff's actions and communications. As a result, the analysis that follows details factual findings and only suggests how those findings might demonstrate violations of County and Department policy and the law.

This investigation was triggered by the filing of a complaint on May 19, 2023, by a new Dispatcher in the Sheriff's Department, [REDACTED]. In making her complaint, [REDACTED] presented a series of text communications initiated by the Sheriff from his personal cell phone. The Sheriff began sending the text messages to [REDACTED] two days after she began work with the Department. Those text messages, to which [REDACTED] sometimes responded, are attached here as Exhibit B. As demonstrated by the plain language and photos within the texts, some are unequivocally sexual in nature, some represent the Sheriff's repeated invitations to [REDACTED] to events defined by him as official, and some suggest indirectly, or state directly, a personal one-on-one invitation. All texts were sent to [REDACTED] during hours when she was not at work and all texts to [REDACTED], except Exhibit A, were sent from the Sheriff's personal cell phone number. The text messages from the Sheriff to [REDACTED] included but, were not limited to, an ethnically-charged meme, a suggestion that inappropriate text messages should be sent to him on

his personal cellular phone rather than his work phone, and a remark that suggested that other members of the Department (“coworkers”) were also sending him inappropriate texts.

Substantial evidence that will be discussed below, even beyond the plain language of the text messages, suggests a conclusion that the Sheriff was attempting to entice ██████████ into a personal relationship. It was reported by County and Department leaders that the Sheriff consistently ascribed his communications toward ██████████, when they informed him of her complaint, as simply trying to make her feel welcome. However, the substantial evidence shows that this explanation was not credible because he **did not communicate** toward any other new or seasoned Department employee as he did toward ██████████. Substantial evidence shows that no relatively new Department member interviewed had received personal text messages, or personal invitations, or opportunities for close contact from the Sheriff. Only one new employee interviewed could provide a text exchange with the Sheriff. The content of the text exchange concerned only events in the new member’s hiring process status. All other employees who joined the Department since July 2021 indicated that they had little to no contact with the Sheriff and no personally oriented communications whatsoever. Substantial evidence suggests that the Sheriff’s communications toward ██████████ might be considered to violate provisions in multiple Department and County policies including: Sheriff’s Department Policy No. 339 – Standards of Conduct, Sheriff’s Department Policy No. 327 – Discriminatory Harassment, County Policy No. 69 – Discrimination, Harassment and Retaliation Free Workplace, and County Policy No. 57 – Employee Conduct and Working Environment.

With regard to the consideration of whether other Department members exchanged inappropriate texts with the Sheriff, substantial evidence does not support a conclusion that such exchanges were widespread. Despite request, this reporter was provided no text messages containing inappropriate content except those sent to ██████████. The evidence suggests that such exchanges may have been limited to one or two Department members who were personal friends of the Sheriff. One member described exchanging memes and jokes, termed “inappropriate locker room stuff” and “stuff about the Second Amendment.” However, the Department member was equivocal regarding “the possibility” that he and the Sheriff exchanged racially or ethnically charged memes. If such exchanges were established, such activity could be considered to also violate Sheriff’s Department Policy No. 339 – Standards of Conduct, Sheriff’s Department Policy No. 327 – Discriminatory Harassment, County Policy No. 69 – Discrimination, Harassment and Retaliation Free Workplace, County Policy No. 57 – Employee Conduct and Working Environment, and Sheriff’s Department Policy No. 702 – Personal Communication Devices.

This reporter also reviewed circumstances where the Sheriff’s honesty was called into question by County leadership members. Documents and information provided through interviews provided substantial evidence suggesting that the Sheriff has been repeatedly dishonest or misleading with Department members and County leadership members. Sheriff’s Department and County leadership unanimously voiced a lack of trust in the Sheriff’s integrity and honesty. Documented incidents of the Sheriff’s dishonesty could be considered to violate provisions of the Sheriff’s Office Code of Ethics, Sheriff’s Office Policy No. 104 – Oath of Office, Sheriff’s Department Policy No. 339 – Standards of Conduct, and County Policy No. 76 – Ethics.

In the course of conducting the investigation, substantial evidence suggested other violations of County and Department policies and Wisconsin state statutes in the area of conflict of interest. Specifically, the evidence supported a conclusion that the Sheriff has conducted sales activities, advertised using his name and conducted transactions during work hours in which he has sold guns, knives, mugs and real estate to Department employees and others. Such conduct could be alleged to violate provisions of County Policy No. 8 – Ethics and Wisconsin Statute § 19.59 – Codes of Ethics for Local Government Officials, Employees and Candidates.

Substantial evidence also supports a conclusion that during the course of this investigation the Sheriff inappropriately disclosed medically privileged private health information of another citizen. This conduct suggests violations of provisions of Sheriff's Department Policy No. 339 – Standards of Conduct, Sheriff's Department Policy No. 464 – Crisis Intervention Incidents, Sheriff's Department Policy No. 803 – Records Bureau, and possibly Wisconsin law.

Finally, substantial evidence supports a conclusion that the majority of experienced Department members and leadership interviewed during this investigation regard the Sheriff as lacking in training, leadership, integrity and competence, and are concerned about the impact his failure to exercise appropriate leadership and competence continues to have on Department morale, continuity and safety.

FACTUAL FINDINGS

I. [REDACTED] COMPLAINT.

A. Circumstances Leading to [REDACTED] Complaint.

[REDACTED] interviewed on March 20, 2023, for a [REDACTED] position before a four-person panel consisting of Emergency Communications Center Director Tamee Foldy, Chief Deputy Curt Dutton, Captain Daniel Modl and Sheriff Hakes. The record shows that [REDACTED] had not previously worked in government or law enforcement. [REDACTED] reported that during the interview, the Sheriff invited her to go on a ride along with him to his son's school to pass out stickers.

Substantial evidence demonstrates that immediately following her interview, the Sheriff volunteered to take [REDACTED] on a tour of the jail. Members interviewed indicated that at the time he gave the tour, the Sheriff was unfamiliar with the jail as he had not spent much time there. The Sheriff's tour of the jail took one hour, lasting until Director Foldy called to have [REDACTED] come back to tour the Communications Center. During the tour, [REDACTED] said that the Sheriff talked to staff. She reported to County and Department leadership and this reporter that during the tour the Sheriff gave [REDACTED] his personal cell phone number on a green post-it note written as "Travis 715-559-1967" as part of his invitation to find her places to hunt. [REDACTED] provided this reporter with the post-it in the course of this investigation and it appears to be authentic. Records provided to this reporter show that of the eight [REDACTED] interviews conducted before May 23, 2023, [REDACTED] was the only applicant to whom the Sheriff gave a tour. Additionally, substantial evidence supports a conclusion that no other Department employees who

started with the Department after January 1, 2023, have been given a tour of the jail, or the Department, by the Sheriff.

Evidence supports a conclusion that the next contact the Sheriff made with [REDACTED] was when he called [REDACTED] to offer her the position as [REDACTED]. [REDACTED] reported that during the call, the Sheriff invited her to attend the April 15, 2023, funeral of Barron County officers who had recently been killed in action. However, [REDACTED] was not scheduled to start work with the Department until April 17, 2023. [REDACTED] declined because she was going out of town. Substantial evidence supports a conclusion that the Sheriff did not invite any other applicants or personally invite other newer Department employees to either of the two funerals for those officers killed in the line of duty that spring.

[REDACTED] started work in the Department on Monday, April 17, 2023. The record evidence shows that on Thursday, April 20, 2023, at 6:43 p.m. the Sheriff sent a text to [REDACTED] from his work phone from a Special Olympics basketball game he was attending. [REDACTED] was off work and at home that evening when she received the text. A screenshot of the text is attached as **Exhibit A**. As shown by the text, the Sheriff did not initially identify himself in the text and [REDACTED] did not realize it was the Sheriff texting her until he responded to her repeated question of who was texting her. [REDACTED] reported that she initially ascribed the invitation as the Sheriff being friendly. She told this reporter that she did not believe he texted anyone else. [REDACTED] has also consistently reported that the April 20 text was the only time he texted her from his County-issued cell phone. Because the Sheriff declined to participate in an interview with this reporter, this conclusion is unrefuted.

The evidence shows that [REDACTED] was off work starting the next day, Friday, April 21, through Sunday, April 23, 2023. Beginning the evening of Friday, April 21, 2023, the Sheriff began to send texts to [REDACTED], ending the weekend by texting for an almost twelve-hour period, from 10:07 a.m. until 9:39 p.m. on Sunday, April 23, 2023. The plain language and images of the text messages the Sheriff sent [REDACTED] that weekend from his personal cell phone contain sexual content and invite [REDACTED] to participate in inappropriate communications. Moreover, individually and taken as a whole, the Sheriff's communications demonstrate repeated efforts to date or attend events with [REDACTED] under the guise of work-related events. As shown in **Exhibit B**, the very first text he sent from his personal telephone, on the evening of Friday, April 21, was a meme that said, "What in the f*ck is Almond milk? ... show me the tit on an almond." The evidence supports a conclusion that he recognized it was an inappropriate communication when he followed the meme two texts later to say, "Just don't send inappropriate memes ... to my work phone, do that here." He followed that statement with a laughing meme.

Two days later, Sunday morning, April 23, 2023, the Sheriff initiated another conversation with [REDACTED]. As previously stated, the Sheriff texted [REDACTED] over the course of the entire day. It is noted that there is no record that [REDACTED] ever initiated a text exchange with the Sheriff. He always initiated first. His first text that Sunday morning was a photo of a turkey in his driveway. In the course of a back-and-forth exchange about birds, the Sheriff responded to [REDACTED] statement, "I'll be the assistant director of bird crimes if you're taking volunteers," with the statement, "I think you'd be the breast person for the job!" It was reported that when asked about this comment by the County Administrator and Human Resources Director, the Sheriff

indicated that his use of the word “breast” was intentional and that he used the term as a joke. He followed that sexual comment a few texts later with an ethnically-charged meme that read, “When the chow mein was on point but you kind of miss your cat” with a photo of a crying young Asian man below the statement. The Sheriff’s texts that followed that meme again demonstrated his understanding that he had sent an ethnically inappropriate meme by saying, “I’m not stereotyping, but that was in my hopper and fitting for the conversation” (followed by another laughing emoji). He then said, “I get a little cautious sending stuff like that to new people, especially when we work together (laughing emoji) you should see some of the shit your co-workers send me, lol.” The statement again evidences his awareness that he was carrying on inappropriate communications with his subordinate.

The Sheriff followed the opening texts with a variety of invitations to ██████████ to attend events that the Sheriff suggested he might also attend. He invited her to attend a “law enforcement gala thing up in Hayward next month.” He stated, “Before you came I told people if they wanted to go I’d rent a short bus to haul people. So holler.” It is of note that when this reporter inquired about the gala event and the Sheriff’s offer of a short bus, no Department member interviewed knew of such an event or the alleged offer. The Sheriff, who had been in his position for just over four months, went on to tell the Deputy that “you’ll always be invited. We try to do a few things a year ... I like to cut loose but I also don’t want people to feel awkward if they want to have a good time.” When ██████████ said that it would affect her fitness goals, the Sheriff immediately asked her if she did body building and then said, “Ah beach body stuff then?” The Sheriff followed with a statement that impliedly invited ██████████ to go boating. He then volunteered in multiple texts the rest of that Sunday to help her find land upon which to build a house, and to help her with building. ██████████ has reported that she originally thought the texting that went on all day was an offer of friendship.

The Sheriff next texted ██████████ on Saturday night, May 6, 2023, at 9:55 p.m. He texted that a St. Croix County Deputy had been killed that night and ██████████ (██████████ coworker) dog had to be put down. The Sheriff then said he would be bringing snacks the next day and offered that he was contacting ██████████ because “I know you stay away from social media and the news so I wanted you to know what was up.” When ██████████ expressed concern and asked questions, the Sheriff asked her to call him. ██████████ credibly reported that she called him and he told her about the Deputy who had been killed and ██████████ dog. She reported that she asked what she could do and she reported that he told her to “Keep being your positive happy self.”

██████████ reported that the Sheriff told her that it “might be a hard time for everyone” and “made it such a big deal.” She reported that when she came into work the next day, it was just like every other day and she wondered why the Sheriff had made it sound like such a big deal. Other Department staff interviewed reported that it was not normal procedure for a Sheriff to text staff the night before they report to work about incidents that have occurred. Director Foldy reported that the Sheriff had not notified her regarding the Deputy’s death until 5:00 p.m. on Sunday, May 7, 2023, and asked her to tell the staff.

On Sunday, May 7, 2023, at 8:16 p.m., after ██████████ had gotten home from work, the Sheriff sent another text containing a photo of his hand holding a beer can, saying, “Remember when I said I know spots to relax? This is my yard.” ██████████ reported that she felt he didn’t deserve a

response and that it “felt like things were getting too personal.” [REDACTED], who lived with her mother at the time, reported that she showed the Sheriff’s texts to her mother as she received them. She reported that when her mother viewed the text of the beer can and suggestion of a place to relax, her mother said, “I don’t think this is a good idea.” She advised her daughter to stop “talking” to him over text.

The following Wednesday, May 10, at 6:15 p.m., the Sheriff again texted [REDACTED] to tell her that the Lake Hallie Chief wanted the Sheriff to tell her that she was doing such a professional job that he assumed she had previous experience. [REDACTED] reported that because she felt she hadn’t done the “greatest job that day,” it was a welcome comment. The Sheriff then said, “let’s get you hunting so you don’t have to go to prom with neck beard.” When [REDACTED] said she would be going alone, the Sheriff seemed to volunteer saying, “Well that’s no fun! When is it.” He then proposed that she go to a student send-off to military service in Stanley as a representative of the Department. He suggests, “I’d offer to go with ya, but I have a full beard.” The next evening, at 7:59 p.m., the Sheriff texted a photo of himself standing with another man behind two jeeps. [REDACTED] did not reply.

On Tuesday, May 16, 2023, at 8:51 p.m., the Sheriff returned to the Stanley discussion saying, “You want to take someone to that thing in Stanley Thursday and rep our department?” [REDACTED] reported that she was puzzled, so asked who she would take and what she would do. The Sheriff replied, “You could take whoever ... They invited me, but I can send you I’m sure ;)” They then exchanged texts regarding the time and location, and the Sheriff suggested how [REDACTED] would explain her presence. When she said, “I’m just a [REDACTED] ... they’re not going to listen to me,” the Sheriff suggested, “I could probably pop in there later, but I have the boy. Also you and I going together without anyone else from work would definitely start rumors, haha.” [REDACTED] continued to express concerns and verified that it would be awkward. She said she would feel awkward and that it was close to her bedtime because she would work the next day. The Sheriff repeated, “Like I said, I’d meet you there late, but I know how people talk. It’s kind of ridiculous.” [REDACTED] verified “that would make me uncomfortable for sure lol.” In response to [REDACTED] saying “That stuff just doesn’t even hit my radar so I appreciate the heads up. I suppose I just don’t think that way, lol,” the Sheriff then suggested them going fishing, saying, “Don’t take this the wrong way, but the perception of you and I going fishing together as opposed to a 6’ 250lbs dude with a full beard...would probably be different unfortunately.” When [REDACTED] questioned, “I thought we were talking about the Stanley thing lol idk where fishing came from,” the Sheriff seemed to backtrack and said, “Haha we were, I just meant in general.” He then immediately told her to “Skip Thursday, I don’t have enough details.” [REDACTED] reported that she then put her phone on “Do Not Disturb.”

It is of note that the Sheriff sent texts to [REDACTED] only when she was off duty even on days when he had come to the Comm Center earlier in the day when she was on duty. This suggests that the Sheriff may have monitored her work schedule, which was available to all Department members. Some witnesses in the Comm Center indicated that when the Sheriff visited the Center – which was estimated to be at an increased frequency of 3-5 times per day after [REDACTED] arrived – he would focus on her. One trainer reported that the Sheriff had told [REDACTED] that she could ride over to an active shooter training at Stanley schools with him, and that [REDACTED] had remarked to her trainer that it was kind of odd that as a new employee she would ride with the

Sheriff. The same individual reported that the next day, the Sheriff came in and started talking to ██████████ about pheasant hunting. He further reported that once the Sheriff started talking to her about pheasant hunting, she became quite standoffish and that she was “showing some stress.” Multiple co-workers noted that ██████████ would seem to try to focus in on her work and seemed uncomfortable with the Sheriff’s attention. Evidence supports a conclusion that in that time period when the Sheriff was frequenting the Comm Center during the day and then sending texts to ██████████ at night, she was struggling with her work performance.

One male Department Deputy admitted to talking with the Sheriff about female co-workers. When questioned about whether they had discussed ██████████, the Deputy displayed significant nervousness and shifted his recollection and response within a few minutes. He said, “I don’t know. I don’t know if I did or not. I don’t think he’s talked to me about her. I’m sure if we were talking about her we would have talked about her appearance – she’s attractive.” He then equivocated, “I wouldn’t rule it out. It’s possible. I don’t know. I honestly don’t know. Recently no. I can’t rule it out that we talked about anyone else.” The same member admitted to exchanging personal texts with the Sheriff.

B. ██████████ Complaint, Initial Department Administration Response, and the Sheriff’s Initial Response.

The Sheriff’s texts were last received by ██████████ on Tuesday night, May 16, 2023. She was not scheduled to work again until Friday, May 19, 2023. The record is clear that when she arrived at work that morning on Friday, May 19, she told her trainer, ██████████, Emergency Communications Center Manager, about the texts. She told him that she was uncomfortable with them and was concerned that it was going to stagnate or not allow her to move on in her career. ██████████ told ██████████ that she needed to report the issue to Director Foldy and walked her to the Director’s office at approximately 8:30 a.m.

██████████ left ██████████ with Director Foldy and returned to his station. He did not review the texts. ██████████ explained that she had concerns about ongoing text messages and photos being sent by Sheriff Hakes. Director Foldy reported that ██████████ told her that initially she thought that the Sheriff was “just being nice” and that maybe he had that type of communication with all new employees. She told Director Foldy that the messages had “started to make her feel uncomfortable.” She then told Director Foldy about her mother’s advising her that she needed to talk to someone in leadership about the messages.

Director Foldy told ██████████ that she needed to speak with Chief Deputy Dutton and would let her know when she had further direction from him. ██████████ returned to the Comm Center. Director Foldy went to the Chief Deputy’s office at approximately 8:45 a.m. and informed him that ██████████ had just confided to ██████████ that the Sheriff was sending her inappropriate text messages.

After talking with the Chief Deputy, Director Foldy returned to the Comm Center and accompanied ██████████ to the Chief Deputy’s office. ██████████ told the Chief Deputy that she had been receiving text messages from the Sheriff for about four weeks and the messages made her feel extremely uncomfortable. She again said that she was concerned it would affect her career at

Chippewa County. ██████████ said that she thought maybe she had “been hired for the wrong reasons” and that she had been hired for her looks. Both Chief Deputy Dutton and Director Foldy reassured her that she was hired because she had been one of the best applicants who had interviewed in a long time. ██████████ then provided the Chief Deputy with her phone and he reviewed the texts on her phone. The Chief Deputy reported that he felt uncomfortable reading them. He then informed ██████████ that he was required to make Human Resources immediately aware of the matter and directed her to forward the text messages to his phone and she did so. The meeting then concluded, and ██████████ returned to her station.

The Chief Deputy reported that he then called Sheriff Hakes, told him about the complaint and that under policy, the Chief Deputy was required to report the complaint to Human Resources. He reported that the Sheriff stated he understood. The Chief Deputy reported that he told the Sheriff that he was to have no contact with ██████████ “in any way shape or form” or go into the Comm Center. He reported that he told the Sheriff not to text her, email her, or call her and that he was not to contact her to apologize or explain himself. The Chief Deputy further reported that he said, “No contact means no contact” and the Sheriff said he would not contact ██████████.

It was reported that the Chief Deputy then contacted Human Resources Director Toni Hohlfelder and advised her of the complaint. Upon her request, all text messages that had been forwarded from ██████████ cell phone to the Chief Deputy’s phone were then forwarded to HR Director Hohlfelder. The Chief Deputy set a time for ██████████ to meet with HR Director Hohlfelder and County Administrator Randy Scholz that next Monday, May 22, 2023, at noon.

Documentary evidence shows that at 9:22 a.m. on May 19, soon after the Sheriff was notified by the Chief Deputy of the Complaint, the Sheriff sent a text to Director Foldy from his personal cell phone, saying, “Just so you know, Curt called, we’re all good, there was no misintent there.” (Exhibit C). The Sheriff texted Director Foldy later that morning at 11:28 a.m. saying, “If you’re in the office, let them know I’m planning to call Tilden fire and burn some brush on 100th Ave near 70th Street” and “Permit # DG19.” *Id.*

It was reported that when HR Director Hohlfelder completed her review of the text messages that morning on May 19 around 11:00 a.m., she also called the Sheriff, discussed the nature of the complaint with him, including that it pertained to his texts to ██████████, and restated the directive that the Sheriff was not to go into the Communications Center or communicate with ██████████. She reported that during the call, the Sheriff told her that this was not a big deal and that he did not intend anything by the texts. She reports that she told him that if the Sheriff had an urgent need to contact the Comm Center, he should contact her or Administrator Scholz to brainstorm another alternative to stopping at, or contacting, the Comm Center. It was reported that the Sheriff verbally agreed to her requests.

That same Friday night on May 19, at 7:25 p.m., the Sheriff sent a series of texts to the Chief Deputy (Exhibit D). The text trail began, “Just great.” He then followed with a meme, “Chicken lips went to HR and complained ... And now we can’t use nicknames at work anymore.” He then sent another meme based upon the comedy television series *The Office*, that included the statement, “When you tell a joke so funny, HR wants to hear it.” During the lengthy text exchange that followed, the Sheriff indicated that ██████████ misunderstood his intention, saying, “...it’s unfortunate the

intention was misunderstood, but we'll move on with no problems." In response to the Chief Deputy's statement that "every training I've been to preaches it's not your intent that matters, it's the perception," the Sheriff responded, "Right, and I should go to more training regarding leadership." In response to the Chief Deputy's statement, "You're in a whole new ballgame being Sheriff," the Sheriff responded, "More employees than 4, and I hired those 4... I knew what I was getting into then." He went on to say, "I'm starting to realize why I couldn't talk anyone into running 😊" The Chief Deputy also reported that at some point soon after the complaint was brought forward, the Sheriff came to him and said that he had talked with his cousin who is a lawyer, who looked at the texts and said, "I don't know what the big deal is." The Sheriff stated, "He told me, 'you did nothing wrong.'"

On Monday, May 22, 2023, at approximately 9:00 a.m., despite direction from Human Resources and the Chief Deputy not to enter the Comm Center, the Sheriff went to Director Foldy's office in the Comm Center. She reported that he started with general conversation and then proceeded to start talking about the situation with the text messages. During his conversation regarding the text messages, he told Director Foldy that he was sorry about the awkward position he had put her in. He made a comment about the Director "knowing him and how sometimes he is overly nice." He also made a comment that he does not need a woman.

Sheriff Hakes then went into the Comm Center to talk with a couple of the employees about hunting knives the Sheriff was selling them in his position as a sales representative for a knife company. He then returned and asked the Director for her opinion on Sheriff's Office employees being compensated for mileage. After another employee came into the office for a meeting, the Sheriff went back into the Comm Center to talk about mileage reimbursement with a dispatcher who had asked him about it the week prior. ██████████ described the Sheriff as "acting like a teenage boy." ██████████ was not on duty that day.

Substantial evidence supports a conclusion that the Sheriff consistently maintained with County and Department leadership, from the first complaint notice, that he did nothing wrong and that ██████████ was in error for misinterpreting and "overblowing" the matter. There is no evidence that the Sheriff has, at any time, voiced or demonstrated a sense of accountability for the texts or his actions. He consistently minimized the matter of the complaint, and on multiple occasions told subordinates that it would be quickly resolved. Because he refused to meet with this reporter it is presumed that the Sheriff would not have expressed any different sentiment in response to this reporter's questions.

C. County Administration Processing of the Complaint and the Sheriff's Email Response.

On Monday, May 22, 2023, at 9:09 a.m., without knowledge that the Sheriff had gone to the Comm Center first thing that morning, HR Director Hohlfelder sent an email to the Sheriff reiterating their discussion of the previous Friday, including the direction that he should have no contact with the Comm Center until the Sheriff met with her and Administrator Scholz. The Sheriff responded at 9:53 a.m., "I didn't come to the building at all this weekend ... Per our conversation, I did what you requested." At some point after she sent the email, but before 11:42 a.m., HR Director Hohlfelder and Administrator Scholz learned that the Sheriff had indeed gone into the Comm Center that

morning. At 10:23 a.m. on May 22, 2023, the Sheriff sent another email to HR Director Hohlfelder and Administrator Scholz saying that avoiding the Comm Center completely “makes it very difficult to do [his] job effectively” and indicating that he “would like this resolved sooner rather than later.” Administrator Scholz responded, asking the Sheriff why he needed to contact the Comm Center.

The Sheriff responded at 11:18 a.m. with a list of questions and scenarios for which he said he would “appreciate some clarity.” He also said, “I presumed that when it is that person’s [REDACTED] days off, me contacting the center wasn’t as big of a concern. I was told this last weekend.” It is noted that there is no evidence in the record that the directives given to the Sheriff on Friday, May 19, 2023, by the Chief Deputy and the HR Director to remain out of the Comm Center made an exception for when [REDACTED] was not present. The record shows that the directives were unequivocal. The Sheriff also volunteered “a side note” at the end of the 11:18 a.m. email that he realized that some training videos that he “initially thought were sent by a marketing company and were spam, were actually employee related.” He said, “A couple of them addressed this topic [workplace harassment], I wish I would have seen them earlier and I would like to work toward ensuring that future employees do not miss them.” Documentary evidence shows that the Sheriff had first completed the County’s 15-minute Workplace Respect & Harassment Prevention Training video at 11:00 a.m. that same day, May 22, 2023, just prior to sending his email remarking on the training to the Administration.

The Administrator responded to the Sheriff via email telling him that in an emergency the Sheriff would need to use dispatch. He also stated that he had learned that the Sheriff had gone into the Comm Center that day. He then asked the Sheriff to take a few days off until he and the HR Director could set up a time to meet with the Sheriff. To the Administrator’s noting that he had gone into the Comm Center, the Sheriff responded, “OK, apparently I misunderstood.” The Administrator asked if that meant that the Sheriff would take time off until they could set up a meeting with him regarding the complaint. The Sheriff responded, in part, “Like I said from the start, this was a misunderstanding...” The Sheriff then said he could make arrangements to accommodate the Administrator’s “wishes.”

D. [REDACTED] Interviews by County Administration.

Administrator Scholz, HR Director Hohlfelder, and Director Foldy met with [REDACTED] at noon on Monday, May 22, 2023, to review the texts and her concerns. The records of her interview show that her communications with County leadership were consistent with her communications with this reporter more than one month later, on June 28, 2023. [REDACTED] consistently and credibly reported that she was not certain how she should respond because she did not want her response to the Sheriff to put her on his “bad side,” indicating that she “didn’t want to piss him off.” [REDACTED] reported that she had never had a superior show interest and was unsure how she should respond since the statements were coming from her superior. She said that she had never interacted with a Sheriff before so she had nothing to compare. [REDACTED] told this reporter that when the texts first started, she had a “3 or 4 level of discomfort” and “when it changed for [her] was the beer in the yard picture.” At that point her level of discomfort went to “an 8.” She said she resolved then that unless the text was about work, she was not going to respond. [REDACTED] said she felt as though the Sheriff would go home, have a couple of beers, and he would start texting her. She

reported to this reporter and County Administration that she began to feel she was “setting herself up to be manipulated.” She described herself as liking “to believe people are nice and friendly without ulterior motives,” but the Sheriff “proved me wrong.” She also reported that her mother had noticed a change of behavior in [REDACTED] and “almost came” to the Administration to report the communications.

The record shows that at no time before she brought forward her complaint did [REDACTED] discuss the texts with the Sheriff or ask him to stop texting. She credibly claimed that she was new to the law enforcement world and was not sure if her instincts were correct. [REDACTED] indicated to County Administration that she was “embarrassed that [she] let this happen.”

E. Administration Meetings with the Sheriff and His Related Communications.

On Wednesday, May 24, 2023, at 9:45 a.m., the Administrator, HR Director, and County Corporation Counsel Todd Pauls met with the Sheriff to: (1) provide him with a letter, (2) to notify him of the complaint process they were required to follow under County Board adopted policy, and (3) to reiterate the request for the Sheriff to take time off while the County determined next steps and to refrain from any contact with the Emergency Communication Center and [REDACTED]. It was reported that the Sheriff was fifteen minutes late to the meeting which was originally scheduled for 9:30 a.m. He was also in plain clothes.

County Administration next met with the Sheriff on Tuesday, May 30, 2023, at 1:00 p.m. Deputy Corporation Counsel Jim Sherman, Corporation Counsel Todd Pauls, HR Director Hohlfelder, and Administrator Scholz (via phone) met with the Sheriff. The purpose of the meeting was to notify the Sheriff of the complaint process. Contemporaneous notes of participants to the meeting reflect that the Sheriff complained that he felt he had been left in the dark on the process. Counsel Sherman explained the complaint process. The Sheriff volunteered that he had no idea why [REDACTED] had overreacted, that she had “overblown” the matter. He said that being new to the role she had misconstrued the text messages. He was trying to be helpful and friendly because she was unfamiliar with the area and didn’t know anyone. He said he does it with all new employees. He wanted to help her make connections. He said that [REDACTED] must have misinterpreted something he said. He explained that he always had close relationships with other people he’s worked with. He repeated that the text messages were perceived “wrong.” The Sheriff said he did not intend to make [REDACTED] uncomfortable. When questioned as to why he had gone into the Comm Center after being directed not to, the Sheriff explained he stopped in “for morale purposes” because his predecessor treated Jail and Dispatch differently. The need to keep the matter confidential was reiterated to the Sheriff in the meeting.

The following day, May 31, 2023, Chief Deputy Dutton stopped into the Sheriff’s office to discuss some ongoing projects. The Chief Deputy reported that the Sheriff stated to him, “Just so you know, I had a meeting with Toni and Randy yesterday and they both informed me not to worry about it and that the issue will be all wrapped up next week some time.”

On June 5, 2023, at approximately 4:45 p.m., Administrator Scholz, HR Director Hohlfelder, Deputy Corporation Counsel Sherman, and County Board Chair Dean Gullickson met with the Sheriff. Administrator Scholz told the Sheriff that the goal of the meeting was to allow the Chair

to hear from the Sheriff directly his side of the story. He explained this was in order to help the Chair decide whether to bring the matter to the County Board for decision on hiring an outside investigator. The notes of all attendees at the meeting, except the Sheriff, reflect that the Sheriff maintained his position that ██████████ “misunderstood and misperceived” and misconstrued what he was trying to do. The Sheriff stated that he believed everyone in the Department was “all part of a family.” He said that he hadn’t been on a date since 2019 and that was not the intent. He characterized the situation as a lot of “miscommunication.” He repeated what he had asserted previously, which was that he was trying to make ██████████ feel “at home.” He said it was not his intent to make ██████████ uncomfortable and that he only reached out to her when she asked. He said that he feels his niceness can be misunderstood as flirting. He felt he was being overly nice because ██████████ had no friends in the Department.

The Sheriff also stated that he did not see a clear violation of a County policy. He also explained that he didn’t just do this [try to make the new employee comfortable] for ██████████, but that he did it also for Deputy Garduno who had started recently. He expounded on his efforts to make the Department more inclusive and explained the communications to ██████████ as part of his trying to increase morale for everyone coming into the Department. At the close of the meeting, HR Director Hohlfelder asked the Sheriff if he had told anyone about the complaint or discussed it with anyone. He told her that he had not.

It is of note that when this reporter interviewed Deputy Garduno, his accounting of communications with the Sheriff demonstrated that they were entirely unlike the extensive, personal and suggestive communications the Sheriff sent to ██████████. Deputy Garduno stated that he had never received a text message from the Sheriff and that the Sheriff had only communicated with him briefly on three occasions when the Sheriff was in the jail for other purposes. On all three occasions, the Sheriff was walking through and stopped and simply asked Deputy Garduno how he was doing and if he liked working there. The Sheriff did not give Deputy Garduno his personal cell phone number. He stated he had no one-on-one communications with the Sheriff outside of those very short encounters. ██████████ was present for one of the short conversations, and his record of the conversation comports with the account of Deputy Garduno, in that he welcomed Deputy Garduno and told him that if he needed any ideas about things to do in the area, “we” could help him with that.

Additionally, in the June 5, 2023 meeting, the Administrator told the Sheriff that he doesn’t follow directives or advice referencing his going to the Comm Center after he was told twice not to. The Sheriff again asserted that he had misunderstood the directives from May 19, 2023. The Sheriff also repeated multiple times that “none of this will happen again” and that he had “learned his lesson” on trying to be too close or friends with staff. The Sheriff said he was “ok with the County questioning anyone in the County regarding the issue.” He also said that the Administration would find no other incidents of this kind and that he “will never do it again.” He also offered to do leadership training.

At the close of the meeting, HR Director Hohlfelder and Administrator Scholz reiterated to him the need for confidentiality. Despite the record showing that he had already communicated with at least Chief Deputy Dutton, Director Foldy, and his cousin who is an attorney about the matter, the Sheriff stated that he had not talked with anyone about it and would not.

Additionally, substantial evidence shows that the Sheriff's statement to Administrator Scholz, HR Director Hohlfelder, Deputy Corporation Counsel Sherman, and County Board Chair Dean Gullickson that he had not talked with anyone about the Complaint was simply not accurate, as he, in fact, had done so just a few hours previous. It was reported by ██████████ that in the early afternoon of June 5, 2023, at 2:18 p.m., he was in the booking area of the jail talking with the Sheriff and jail deputies. ██████████ further reported that he and the Sheriff then went to the jail parking lot to retrieve items from a transport van. While there, the Sheriff reportedly told ██████████ that he had been "accused of hitting on ██████████." ██████████ report of the conversation continued as follows:

I asked who was ██████████ and he replied, ██████████. Sheriff Hakes went on to say that he was trying to be nice because she was from ██████████ and was trying to tell her about stuff in the area. Sheriff Hakes stated he had texted her about some activities going on in the area and she accused him of hitting on her. At one point in the conversation, Sheriff Hakes stated ██████████ may have had some issues with her previous employer and felt this may be her way of getting in front of any issues.

Sheriff Hakes stated he was called in to HR and had discussions with them about the text messages. He also stated he had talked to Corp Counsel about it...

Sheriff Hakes went on to say that he was just trying to be nice like he does with all employees. He stated the reason he was telling me this was to find a way to disseminate information to new employees so they feel welcome but realized he needs to step back and put some separation between him and employees.... Sheriff Hakes stated he did not tell Captain Modl about this as Captain Modl was leaving and he felt he did not need to know and asked that I do not talk to other employees about it.

██████████ felt that he should report the conversation to his superior and did so on June 5, 2023. In turn, his superior then reported the same to Chief Deputy Dutton. Chief Deputy Dutton then reported the occurrence of the conversation to HR Director Hohlfelder on June 6, 2023. This reporter was provided ██████████ contemporaneous written report of the conversation that had been provided to Human Resources upon request. **(Exhibit E)**

On June 15, 2023, in reaction to ██████████ report, the Administrator, the Board Chair, and both Corporation Counsel met with the Sheriff. The Administrator provided the Sheriff with a two-page memo and asked him to read it. The memo reiterated all directives the Sheriff had been given orally and in writing, starting May 19. It further stated expectations that he not make denigrating or derogatory comments, or retaliate against the Complainant or others participating in the matter. Such expectations were issued because of the Sheriff's disclosure of ██████████ identity to ██████████ and his comment suggesting "issues with her previous employer," which the Administration construed as the Sheriff beginning a process of retaliation.

After the Sheriff reviewed the letter, the Administrator asked him to confirm that he had not talked to anyone about ██████████ or her complaint. Records of the meeting show that the Sheriff gave a qualified response that he had not talked with anyone "under [his] command" except that he had

talked with Director Foldy in general about wanting it resolved and moving forward. All participants verified that the Sheriff has never admitted to the Administration his conversations with [REDACTED]. Additionally, documentary evidence shows that the Sheriff communicated with Chief Deputy Dutton on multiple occasions before and after the Sheriff's meetings with County Administration on May 30, June 5, and June 15, 2023. The Sheriff has also never disclosed those conversations, or his communications with his cousin, to County Administration.

The Administrator then communicated with the Sheriff as to the process of taking the matter to the County Board. The Sheriff then challenged the application of the policy. He stated that he did not believe that he had intent to violate any of the policy. He said that he was in the dark on "exactly what sections of the policy [he] violated." Because the Sheriff refused to participate in this investigation, despite being invited to provide input on at least three occasions, the evidence regarding the events related to the inappropriate texting and the Sheriff's lack of candor toward the County and Sheriff's Administration is unrefuted.

F. Sheriff's Training and Policy Review Record.

It is notable that after he was notified of the complaint, the Sheriff raised the issue of his training and thus it became relevant to this investigation. The documentary record shows that on Monday, May 22, 2023, at 11:18 a.m., after he had been at the Comm Center and exchanged other emails with County Administration, the Sheriff sent another email to the County Administration in which, at the end, he volunteered an excuse that he thought an email assigning harassment training was spam. Following that, at 11:54 a.m., he sent an email to Human Resources Generalist Joanna Hart who is in charge of administering employee training. He again repeated his assertion that he thought the training notification was spam email, stating as follows:

When these first came, I disregarded it because I thought it was a spam email due to the fact that I get around 100 emails a day....Do you have a 'checklist' of on-boarding things I was/am expected to do? I was fairly overwhelmed the first two months, and feel like I missed important training like this. I want to ensure that I did not miss anything further, and that future employees do not miss it either.

It is noted that the evidence provided to this reporter shows that new County employees are told multiple times, in person and via email, in the first days of employment, what a training "LocalGovU" email will look like and that it is not spam. The record shows that the Sheriff attended the January 3, 2023 orientation meeting where this was discussed and explained. Additionally, documentary evidence shows that on April 4, 2023, HR Generalist Hart sent an email with the subject line of "New Employee Trainings Assigned – LocalGovU" to the Sheriff and new employees. The email began as follows:

Good afternoon everyone,

By now you may have already received, or you will soon be receiving, some emails from support@localgovu.com. These emails contain links and new assignment information for trainings assigned within our learning management system, LocalGovU.

The email will look something like this when you receive it:



Or, if you click to “download pictures” it will look something like this:



These emails are safe to open, please do not report these as spam or junk as it will create problems in receiving these emails in the future.

Ms. Hart went on in her email to notify the new hire recipients of the specific assigned trainings which included “Workplace Respect & Harassment Prevention Training.” She further stated that the individuals would have about four weeks to complete the trainings. When the Sheriff contacted her on May 22, 2023, Ms. Hart responded to the Sheriff with an email that included a screenshot of the LocalGovU introduction located in the training materials that he would have received at the beginning of January 2023. She further responded that she tried to space trainings out so that it would not be overwhelming. The record substantiates that the Sheriff would have received four additional training reminders after Ms. Hart sent her April 4, 2023 training assignment email. The record shows that the training was not assigned for more than a month after the period of time where the Sheriff had described himself to Ms. Hart as “overwhelmed.”

This reporter was provided the Sheriff’s policy review records showing which policies the Sheriff has reviewed since assuming office. The record shows that as of July 28, 2023, the Sheriff had reviewed and acknowledged just 8% of the Department’s policies. Minimum training for new Sheriff’s Department members is outlined in Department Policy No. 208. The Policy details specific training areas that must be covered, frequency and protocol. The record shows the Sheriff had not reviewed Policy No. 208 or done the required trainings detailed there, as of July 28, 2023.

The record further shows that as of July 28, 2023, the Sheriff had reviewed 18 of the 118 operational Sheriff's Department policies. Additionally, he had reviewed only 2 of the 118 Sheriff's Department Custody policies pertaining to the jail for which he bears ultimate authority. The Sheriff first reviewed a Department policy on February 7, 2023, Policy Number 702, Personal Communication Devices. He reviewed and acknowledged 10 more Department operational policies on February 27, 2023 (No. 300, Use of Force; No. 306, Handcuffing and Restraints; No. 308, Control Devices and Techniques; No. 319, Domestic Abuse; No. 351, Outside Agency Assistance; No. 361, Identity Theft; No. 602, Sexual Assault Investigations; No. 801, Property and Evidence; No. 1026, Personal Appearance Standards; No. 1042, Peer Support and Critical Incident Stress Debrief) and one (1) of the Jail policies (No. 617, Body Scanner). He then did not review any other Department operational or Jail policies until May 22, 2023.

On Monday, May 22, 2023, after he was notified of [REDACTED] complaint, he selected the following nine operational policies for review and acknowledgement, with two being a second-time review (No. 106, Policy Manual; No. 214, Administrative Communications; No. 300, Use of Force; No. 327, Discriminatory Harassment; No. 339, Standards of Conduct; No. 341, Office Technology Use; No. 385, Off-Duty Law Enforcement Actions; No. 389, Community Relations; No. 602, Sexual Assault Investigations). He also reviewed the Jail policy No. 105, Standards of Conduct. It is noted that the Sheriff has had access to all Sheriff's Department Policies at all times since he assumed office.

Finally, it was reported that the Sheriff has not participated in the critical onboarding training offered to all new employee leaders. Specifically, in January 2023, leadership training was scheduled for six new County leaders – the new Clerk of Courts, four promoted leaders within the Sheriff's Office, and the Sheriff. The training included February sessions, additional to the January 30, 2023 leadership training, that covered County procedures for hiring and recruitment, leave management and safety. While all other leaders attended all three sessions, the Sheriff cancelled all three trainings. Another leadership training was then scheduled for July 31, 2023. Seven new leaders were scheduled for the training – three new Public Health leaders and four new Sheriff's Office leaders, including the Sheriff. The Sheriff did attend the leadership training held on July 31, 2023. However, while the other Sheriff's Office members participated in the training, the Sheriff sat in the same room with his back to the PowerPoint training screen and spent the time working on unrelated materials on his computer. The Sheriff then failed for the second time, to attend the related August 15, 2023 training on recruitment, on-boarding and off-boarding of employees.

G. Sheriff Declines to Participate in this Investigation.

This reporter first contacted the Sheriff via email on Sunday, July 9, 2023, to request an interview and suggested it occur on the following Wednesday, July 12, 2023, at 9:30 a.m. This invitation was issued because the Sheriff had indicated to County Administration that he was willing to participate in an interview. When the Sheriff had not responded to this reporter by Monday afternoon, July 10, 2023, this reporter reached out to Chief Deputy Dutton to inquire if the Sheriff was in and available via email. Chief Deputy Dutton reported that the Sheriff was in and was doing a courthouse security evaluation, but could pull himself away. This reporter informed the Chief Deputy that she was

attempting to schedule the Sheriff's interview, and asked the Chief Deputy at 3:04 p.m. to mention to the Sheriff that she had reached out to him via email.

In interviews, Department members who also attended the security evaluation on July 10, 2023, reported that the Sheriff was largely either talking on or looking at his cell phone throughout the course of the security evaluation. Reportedly he was taking phone calls and emailing or texting. One member indicated that the Sheriff was looking at Snap Chat and searching Facebook on his cell phone during the tour. Because the Sheriff was actively viewing his cell phone, it suggests that the Sheriff could have seen the multiple emails sent by this reporter.

Following the Chief Deputy's statement to the Sheriff to check his email, the Sheriff subsequently responded to this reporter on Monday, July 10, 2023, at 3:41 p.m. saying, "I received your email. I am not sure that will work I will be in contact with you soon." This reporter immediately responded to the Sheriff at 3:42 p.m. indicating that she was attempting to coordinate the Sheriff's in-person interview with that of others to avoid unnecessary travel and related costs. The Sheriff responded at 9:12 p.m. that evening saying, among other things, "I have minimal information about the substance of the complaint other than that it is directed against me in my role and capacity as the elected sheriff of Chippewa County.... I am not prepared to meet with you until such time as satisfactory arrangements have been made for my representation. Once that has happened either my counsel or I will be in contact with you."

This reporter next received an email communication on Wednesday, July 12, 2023, from Attorney Richard Hodsdon, counsel for the Sheriff. He indicated that he needed to review the matter and would get back to me. He repeated that the Sheriff "had received minimal substantive information as to the specifics of the allegations involving him or your investigation."

When Attorney Hodsdon had made no further contact for the next six days, this reporter reached out to him on July 18, 2023, via email, inquiring as to whether the Sheriff would be taking the opportunity to provide his input. Following the email, this reporter had a telephone conference with Attorney Hodsdon on Monday, July 24, 2023. Attorney Hodsdon sought information regarding the scope of the investigation. Attorney Hodsdon again asserted that the Sheriff did not know what the "actual complaint" was. He indicated that the Sheriff had been in Canada for some time and was on his way back. This reporter and the Sheriff's counsel negotiated a tentative date of August 1, 2023 for the Sheriff's interview.

The following afternoon, July 25, 2023, Attorney Hodsdon sent a letter stating, in summary, that since [REDACTED] had left employment, there was no need to continue with the investigation. He mischaracterized [REDACTED] resignation as abrupt, when it was, in fact, her choice following several weeks of effort by [REDACTED] management to help her get her performance back on track. Attorney Hodsdon expressed that the Sheriff saw "little point in continuing pursuit of this investigation" following [REDACTED] resignation.

Following receipt of the letter and determination by County leadership that the investigation would continue, this reporter sent another letter to Attorney Hodsdon on July 26, 2023, providing the basis for the County continuing the investigation and offering the Sheriff yet another opportunity to provide his input in an interview on August 1, 2023. When there had been no response from

Attorney Hodsdon, this reporter reached out via email on July 28, 2023, requesting a response to the invitation. Attorney Hodsdon responded that same day indicating the he had the ability to have “limited communications” with the Sheriff and that the Sheriff advised that he was not inclined to submit to an interview. He also said that, in any event, August 1 would not work for the Sheriff as he had “several long-standing commitments as sheriff on that day.” He further said, “That is also National Night Out that means he has to spend any open hours that day preparing for it.” Attorney Hodsdon said he would follow up with the “final interview decision.”

In attempting to determine what obligations the Sheriff would have for the alleged National Night Out preparation, this reporter was advised that no preparation was needed. The two Department members, Director Foldy and Deputy Rachel Gont, who usually organize it had already planned the participation and made necessary purchases of table decorations and giveaways. Department participation in the two to three-hour event was limited to having one member in costume and a giveaway of wristbands from a table. Documentary evidence shows that set-up for the event would not be able to occur until 3:00 p.m., thus leaving time for an interview.

On July 28, 2023, this reporter sent another email to Attorney Hodsdon requesting clarity on whether or not the Sheriff would be interviewing and indicating that she could not continue to delay the investigation while the Sheriff decided whether or not to be interviewed. Attorney Hodsdon responded by email on Sunday, July 30, 2023. In his email, he mischaracterized the scope of the investigation. In addition, he stated that because [REDACTED] had “performance issues and abruptly left her position and since there was never actually any type of formal complaint that matter is effectively moot and the sheriff sees little reason to participate in a discussion with you about it.” He also cited to the “separation of powers” of the Administration and Board of Supervisors to say “it would not be appropriate for Sheriff Hake to participate in an investigation of him and his office...” On that basis the Sheriff declined “to be involved” in the investigation.

II. MISLEADING OR DISHONEST BEHAVIOR.

Substantial evidence provided through documentation or witness information during the course of the investigation suggested a pattern of dishonesty by the Sheriff toward the public, Department members, and County leadership. The lack of candor ranged from the Sheriff “recasting” circumstances to paint himself in a favorable light for the public, to simply dishonest and manipulative statements. One member of Department leadership characterized the Sheriff as having “an appearance of shopping for whatever answer he wants.” The same individual also reported that the Sheriff had come to him and asked for information regarding a specific case. He indicated that he told the Sheriff that all the information was in the report filed on the incident by the Department member. The Sheriff responded, “I know there’s always more information that’s not in the reports.” The Department member said, “That threw me for a loop.” Many members interviewed stated that they did not trust the Sheriff. One experienced member said, “I question his honesty and integrity. He is my boss – give respect to get respect.” Substantial evidence provides a striking pattern of dishonest or misleading communications by the Sheriff in a short three-month period and, in turn, casts doubt on the Sheriff’s candor in his communications with Administration concerning [REDACTED] and in other areas.

The following discussion identifies only those incidents occurring between May and August 2023.

A. Use of Social Media.

In the course of interviews, numerous Department members commented on the Sheriff's disingenuous use of social media for self-promotion. One example of a post on the Sheriff's public access campaign Facebook account from June 18, 2023, was cited numerous times in Department interviews. Members expressed that in the post the Sheriff had held himself up as working the night shift because he was needed, saying, "Night shift views! Felt good getting out and helping where we needed it Saturday night/Sunday morning." The Sheriff accompanied the post with selfies of himself in his car and photographs of locations in Chippewa Falls. Record evidence shows that the Department was fully staffed that evening and records show that there were no major incidents that evening. The nightshift was not short staffed that night. Department members interviewed consistently commented on the nature and extent of the Sheriff's Facebook posting activity. One senior Department member said that the Sheriff's posts were "eye opening."

In another example, the Sheriff "advertised" his payment for a dunk tank for five hours at the community outdoor pool. He posted about it on Facebook on July 25, 2023, saying, "Just to confirm, this is something I personally am doing. Yes, I am the Sheriff, but I'm doing this on my own time, at my own expense..." It is noted that this post and others related to the dunk tank were placed on the Sheriff's public access campaign Facebook account despite his statement that he was doing this personally. Moreover, unlike hourly employees, an elected official cannot simply turn his status as an elected official on and off as desired. Because this can be seen as the Sheriff engaging in self-promotion, in a campaign style communication, the suggestion that he financed the dunk tank as a private citizen is insincere and lacks credibility.

In a July 16, 2023, post on his public access campaign Facebook account, the Sheriff characterized a photo where he was posed with a RockFest performer as being taken while he was "working near the stage." The photo, however, is not taken near the outside stage, but is clearly taken inside a room. Based upon the numerous other photos the Sheriff posted from the concert that night, the content suggests that the Sheriff was not, in fact, working in the photo, but had gone to the backstage area from which the public is restricted to visit with performers and to snap "selfies." The photo is only one of a series of at least twenty (20) photos that the Sheriff took over the course of the concert and posted to Facebook. (**Exhibit H**). All photos, except the photo on his public access campaign Facebook account, were posted on his private restricted access Facebook account that he maintains under an alias, "Thomas R. Callahan III." It was determined that despite the Sheriff wearing his uniform and commenting on his role as Sheriff on the personal Facebook account, thus making some posts into public records, the Sheriff has actively limited access to only certain "friends." The alias suggests a lack of transparency and that the Sheriff is attempting to limit access and the information he discloses in posting. This is supported by the fact that this reporter, who had full access to his "Thomas R. Callahan III" Facebook account in June 2023, has now been blocked from many of his posts, except posts such as those pertaining to his son, school children and his car. This reporter has verified that other individuals can still access his posts containing the photos he took of himself and performers at Rockfest, but she no longer has access. As stated, many of those photos were taken from back stage where public access is restricted. The photos show that the Sheriff took the photos, consisting of many "selfies," from dusk into late night. Other posts on his

personal Facebook from which this reporter's access was apparently removed include three posts reflecting real estate sales or real estate marketing occurring since January 1, 2023. The most recent post regarding his real estate sales activity – from which this reporter is blocked – was made on Thursday, August 17, 2023, at approximately 9:00 a.m. – during working hours. The post states, "I sold the cabin in the background of this cover photo, thought about buying this for myself; instead let me help you buy it. Travis Hakes of Woods and Water."

This removal of this reporter's access to specific posts by the Sheriff suggests an understanding by the Sheriff that the activity reflected by those posts might be considered inappropriate conduct, including a failure to carry out his duties at Rockfest, use of his office to gain personal advantage at the concert, and to hide activity that constitutes conflict of interest.

B. Short Barrel Rifle Purchase.

Substantial evidence also suggests that the Sheriff was dishonest with the Council Chair, the County Administrator, Corporation Counsel, Deputy Corporation Counsel, and the Human Resources Director in a matter involving a purchase of short barrel rifles ("SBR") for the Department. Multiple witnesses recounted the same series of events to this reporter. The critical conversations started in late May 2023. It was reported that the Sheriff first informed members in a Department management meeting (Chief Deputy, Lt. James Maki, Lt. Darren Williams, and Lt. Mark Bauman) that he would be purchasing some short barrel rifles using his federal firearms license (FFL). He intended to run them through his gun business, Trigger Control, and would then sell them to the Department.

It was further reported that the Sheriff called County Chair Gullickson in the same time frame and told him that he would be making a purchase of the SBR and would be using his FFL to purchase them. Reportedly the Sheriff had started the process before notifying the Chair or the County Administrator. The Chair reported that he told the Sheriff that he should contact Corporation Counsel Pauls before proceeding. The Chair asked the Sheriff if he had talked with Corporation Counsel and the Sheriff reportedly responded that he had.

The County Chair and the Chief Deputy both then informed the County Administrator of the Sheriff's intention to make the SBR purchase. The County Administrator called the Sheriff and asked him about the SBR purchase, including the fact that he [the Sheriff] had told the County Chair and Chief Deputy that he would be buying them with his FFL. The Sheriff denied that he had said he would be purchasing the SBR through his FFL, saying "I never told Dean [the Chair] that. What I told the Chair was I have money in the bank." The Administrator then told the Sheriff to make sure he was following the County Purchasing Policy. The Administrator followed up with the Chair and Chief Deputy and told them that the Sheriff had denied that he was going to purchase with his FFL. The Administrator again verified with both the County Chair and Chief Deputy that the Sheriff had said he was going to purchase with his FFL.

The Administrator raised the issue to the Sheriff of the gun purchase and the Sheriff's apparent dishonesty around that process in the previously outlined June 5, 2023 meeting. After the Sheriff presented his "side" to the County Chair concerning the harassment complaint, the Administrator raised the issue of the Sheriff's purchase of the SBRs with his FFL and his representations regarding

the same. The Administrator accused the Sheriff of lying to him about his telling the Management team and the Chair about using his FFL. The Sheriff did not admit to being dishonest. Deputy Corporation Counsel Sherman again asked the Sheriff if he had talked with the Corporation Counsel about the purchase. The Sheriff again said that he had talked with Corporation Counsel. The following day, Corporation Counsel Pauls told the Deputy Corporation Counsel, the Human Resources Director and the County Administrator that contrary to the Sheriff's representations, the Sheriff had never discussed such a purchase with him. Corporation Counsel verified to this reporter that he had only heard about the gun purchase "secondhand."

In the June 15, 2023 meeting regarding the harassment complaint with the Administrator, Corporation Counsel Pauls, Chair Gullickson, and Deputy Corporation Counsel Sherman, the Sheriff continued to deny that he told the Chair and the Department management team that he would be passing the gun purchase through his business using his FFL. The Chair and the attendees of the Department management team meeting verified to this reporter that the Sheriff had initially indicated he would be purchasing the guns with his FFL.

Substantial evidence suggests a conclusion that the Sheriff was repeatedly dishonest with the County Chair and Administrator and at least once with HR Director Hohlfelder, Corporation Counsel Pauls, and Deputy Corporation Counsel Sherman with regard to the matter of the gun purchase.

C. Dishonesty Regarding the [REDACTED] Matter.

In other instances, as detailed above, substantial evidence supports a conclusion that the Sheriff was repeatedly dishonest in multiple meetings with the County Administration regarding the harassment Complaint, by stating that he had not entered the Communications Center or talked with other individuals about the complaint and would not do so. Substantial evidence shows that he entered the Comm Center first thing on Monday morning, May 22, 2023, and then later claimed that he did not understand that he was not to go there at all. Text evidence shows that the Sheriff communicated with at least Director Foldy and Chief Deputy Dutton about the complaint. Additional evidence of his communication with his cousin, previously discussed, supports a conclusion that he communicated to third parties other than his legal counsel regarding the complaint. He also had a conversation with [REDACTED] on June 5, 2023, the same day he told County leadership afterward that he had not communicated with anyone about it. The proximity of his assurance and then his disclosure suggest that the Sheriff was intentionally disingenuous with County leadership.

Moreover, the nature and content of the Sheriff's conversation with [REDACTED] suggest an intent to deceive, manipulate, or retaliate. He suggested that [REDACTED] had "issues with her previous employer" which is not evidenced by her background check. He "asked" [REDACTED] not to talk with other employees and his direct superior about their conversation, which suggests the Sheriff was being surreptitious and asking [REDACTED] to violate his duty of honesty and integrity to his superiors.

The findings above also identify circumstances when the Sheriff misrepresented the Administration's view and handling of the matter of the [REDACTED] complaint. For example, when he texted Director Foldy on the day the complaint was made that, "Curt called, we're all good, there was no misintent there," he seems to suggest to Director Foldy that that the Chief Deputy had

recognized that the Sheriff had no inappropriate intentions. This comment presents as an attempt to mislead Director Foldy. Additionally, substantial evidence supports a conclusion that the Sheriff's statement to the Chief Deputy that he "met with Randy and Tony and they both informed me not to worry about it and that the issue will be all wrapped up next week some time" was untrue.

The nature and extent of the evidenced dishonesty by the Sheriff calls into doubt his statements of motive made to the Administration and his intent toward [REDACTED].

D. Misrepresentation of Administration Communications.

This reporter was informed of other instances of the Sheriff's dishonesty with the Chair and his command staff in the course of this investigation. Substantial evidence shows that the Sheriff unilaterally entered into an oral contract with a taxi service during Rockfest, for the purpose of transporting intoxicated individuals away from the concert grounds into Eau Claire. The evidence supports a conclusion that the Sheriff unilaterally created and implemented the arrangement, at County expense, without the agreement or assent by the Corporation Counsel, Deputy Corporation Counsel, County Administrator or County Chair, and in contravention of the County Purchasing policy and established Department and County practice. It also evidences his being dishonest and misleading with his command staff regarding his obtaining the assent of Corporation Counsel, the Administrator, and the District Attorney to the arrangement.

Documentation provided shows that the Sheriff sent a text message to Chief Deputy Dutton at 6:21 p.m. on Thursday, July 13, 2023, that read, "Just FYI we have an account with Ready Ride Taxi, \$55 from Fest to anywhere in EC." (**Exhibit G**). Records show that the Sheriff was already present at Rockfest when he sent the text. Chief Deputy Dutton responded with many operational and liability questions because reportedly this changed the protocol the Department had worked out over the course of many years for addressing intoxicated individuals. He was concerned and responded,

Questions...this was ran past Corp Counsel? They gave us permission to enter into an agreement with a taxi service without a contract? Is only Eau Claire an option to go to? Lots of what ifs here to discuss. They demand to get out halfway to Chippewa in the middle of the country road. They're extremely impaired...we good with that? Who is liable when they get run over walking wherever? They can't enter into an agreement to waive liability because they're drunk. Tons of question on this.

Id.

The Sheriff responded,

Oh I agree, it my understanding from Wade Newell, Todd Pauls, Randy, and the cab service....if they are willing to take a cab but do not have the money, and we pay for it; it is the same as them calling the cab and paying themselves. We are simply assisting them in a voluntary decision they make themselves. Once they enter the cab voluntarily, it becomes on them...Is my understanding

Before we use it, I'll double check, but it's a tool we have

Id.

When the Chief Deputy called the Sheriff about an hour after this text exchange (when records show that the Sheriff was already at Rockfest), he told the Chief Deputy that they (the Administrator, Corporation Counsel and the District Attorney) “had it all worked out.”

Department management onsite reported that the Sheriff told them that the Administrator, District Attorney and Corporation Counsel were “good with the program.” They further reported they employed the taxi transport, with billing to be sent to the County, beginning the same Thursday night that the Sheriff told the Chief Deputy that he would “double check” before using the taxi program.

The matter was brought to this reporter's attention by Department management as an instance in which the Sheriff had again been dishonest and misled his management staff and County leadership. In separate interviews with County leadership, each told this reporter that they had not approved such a program, that they had not said there was no liability. Each indicated that they had not given a “general license” to the Sheriff for his program as he suggested to his management group.

It is noted that when identifying the official that had allegedly “approved” the program to Department management, the Sheriff omitted mention of County Chair Gullickson. The County Chair recounted that the Sheriff had called him in the afternoon of Thursday, July 13, 2023, to tell the Chair that he had created an arrangement with a taxi service to transport intoxicated individuals from Rockfest. The County Chair told the Sheriff that he could *not* make such an arrangement, telling him, “We do not pay for taxis to take people home.” The Chair specifically told the Sheriff that it was not something the County would pay for. The Chair reportedly also told him that the Tavern League had such a program and that it was the obligation of the Festival organizer to put such a program into place. The Sheriff was reported to have replied to the Chair that he would contact the person at Rockfest about the program. There is no evidence that the Sheriff did so.

The evidence instead suggests that when the County Chair disapproved the Sheriff's taxi program, the Sheriff lodged a campaign to obtain approval for the arrangement to which he had already committed the County. Individuals interviewed about the circumstances characterized the Sheriff's actions as “shopping for the answer he wanted.” However, the substantial evidence suggests that when he did not receive it, he construed the responses he was given to support his arrangement. After talking with the County Chair, it was reported that the Sheriff then called the Administrator at 3:50 p.m., Thursday, July 13, 2023, and left a message. The Administrator estimated that he called the Sheriff back approximately an hour later. The Administrator reported that in their conversation about the taxi arrangement, the Sheriff omitted that he had negotiated an arrangement with a taxi company. Instead, the Administrator understood the Sheriff to be presenting a hypothetical and was “talking about this idea of putting people in cabs if they're drunk.” The Administrator said that the Sheriff “kept asking [him] to weigh in on liability.” The Administrator told the Sheriff that he was not going to weigh in on such a matter over the phone and could not talk about liability. He told the Sheriff that he should talk with Corporation Counsel.

It is not clear whether the Sheriff first contacted Corporation Counsel while he was waiting for a return call from the Administrator or had already talked with him. Nevertheless, the Sheriff then went to Corporation Counsel's office. Corporation Counsel estimated that the Sheriff arrived at 4:30 p.m. Corporation Counsel reported that he was in the midst of a meeting when the Sheriff arrived in the lobby of his office and that he asked the Sheriff what he needed since he was meeting with someone else. Corporation Counsel recounted that the Sheriff then just started talking. Reportedly, the Sheriff seemed to be describing a situation where they had someone at Fest that was a teenager or underage and they were "in the drunk tent." Corporation Counsel described the Sheriff as not providing details, but asking such questions as, "What do we do if someone is in the drunk tent and we aren't going to take them down to jail? What do we do if we tell them to call a cab and they refuse? What if they refuse to give us the parent's name and phone number? If we just let this person go – what is the extent of our liability for this person?" Corporation Counsel attempted to respond, but said he didn't have all the facts. He characterized the communication as being portrayed "as an emergency situation specific to one person." Corporation Counsel said that it was a very short conversation – two and a half minutes at the most. The Corporation Counsel said that if it's an emergency situation, you have to figure it out right now. He told this reporter that "I wasn't telling him that there was no liability...If you want to make sure this person gets home and for this one instance, you could call them a cab." The Sheriff reportedly told Corporation Counsel that he had had a conversation with District Attorney Wade Newell (the "DA") and that the DA had told him that to bring the person into jail they would need to have probable cause. Corporation Counsel stated, "I never told him [the Sheriff] that liability would be on them."

It was reported that in late afternoon of July 13, 2023, the Sheriff also went to the office of DA Newell to pose his questions regarding liability on his taxi scheme. He again presented a hypothetical and asked about liability. DA Newell recalled that he told the Sheriff that he would need to talk with Corporation Counsel about possible liability. As described by DA Newell, the Sheriff posited his question in such a way that DA Newell said, "I am the DA, you need to talk to Corp Counsel." The DA informed this reporter that he did not sanction the Sheriff's proposed taxi scheme since liability exposure needed to be determined by Corporation Counsel. He said that he did tell the Sheriff that it would be appropriate for law enforcement to be involved in the solution and that might involve putting an individual in a taxi, but he said that he did not see this as endorsing a practice.

Based upon the reporting on the Sheriff's conversations on this matter, it seems that the Sheriff also sent an email at 5:38 p.m. that afternoon, after his conversations and after business hours, to both Corporation Counsel Pauls and Deputy Corporation Counsel Sherman. The Sheriff said,

Can one of you please call me as soon as possible? I would like to run our liability by you regarding intoxicated individuals that are removed from Fest. I would like to put us calling them a cab at our Department expense in the tool belt of our on scene command staff. I believe liability would be similar to if they paid for the cab themselves, but I want your professional advice prior to authorizing the option.

Notably, Deputy Corporation Counsel Sherman did respond the next morning at 8:21 a.m. to the Sheriff's email that was sent after business hours. In response he said, "If that were the case, then

likely they should be the ones hiring the cab/Uber. I would default to the process has been in the past. I will assume that Curt [Chief Deputy] would be well versed in those cases.”

The Chief Deputy did not see the email from Deputy Corporation Counsel Sherman until Friday morning and learned that there had not been consensus on the matter. Meanwhile, the Sheriff directed Department management staff onsite at Rockfest that they could go ahead and send people home with Ready Ride taxi service. As one Department member described it, “Because of the people he mentioned, I presumed he had done his homework....[Q]uestions were answered that should have been answered. The way he rolled it out suggested that he had addressed the questions.”

E. Historical Context.

Throughout the course of the interviews of Department members, many interviewees cited to the Sheriff’s employment history as representative of the Sheriff’s lack of integrity. Investigation of the Sheriff’s previous law enforcement employment did not fall within the scope of this review. However, based upon the significant and serious facts reported repeatedly during Department members’ interviews, evidence suggests further investigation of the circumstances of his conduct as the Police Chief of Elk Mound and Patrol Officer in the Chetek Police Department might be appropriate.

One Department member recounted circumstances when the member had stopped one of the Sheriff’s friends who was intoxicated and crossing over the center line. The member also stopped the Sheriff another time for speeding. The member commented that the member “couldn’t trust him if he was out breaking the law.”

III. CONFLICT OF INTEREST.

Substantial evidence supports a conclusion that the Sheriff has carried on his real estate business and his private guns and weapons sales business during County business hours since he took office on January 1, 2023. Department members advised this reporter that they had used the Sheriff as their agent when they viewed homes for purchase. Multiple members reported that the Sheriff offered during their work shifts to help them find houses as their buying agent. Department members reported hearing the Sheriff carrying on real estate sales calls during the day. As previously outlined, on Thursday morning, August 17, 2023, the Sheriff posted a real estate sales pitch to his Thomas R. Callahan III Facebook page.

Department members have also purchased knives and guns directly from the Sheriff during working hours, and he has acted as a purchasing agent for members as regards their gun purchases. Evidence shows that he has, as a Benchmade knife sales representative, sold and marketed knives to Department members during their working shifts on Department premises. Members remarked on instances when he left the Department to go home to wait for gun deliveries. One member recounted that the Sheriff “reached out to someone from Vortex” and secured three free binoculars for the Department. It is unknown whether the Sheriff is also a sales representative for Vortex.

As described to this reporter, the Sheriff tells the subordinate Department member that he can secure a discount for the member if they buy the product through him. He then sells the product to the

subordinate at a discount. It was suggested to this reporter by Corporation Counsel that this could be construed as the Sheriff using his authority to encourage the purchasing employee to violate County and Wisconsin ethics rules. As stated, “the employee is getting a discount solely because of the Sheriff’s ability to obtain the discount.” If the sales to Department members or County employees result in profit for the Sheriff, that might also be deemed to also create a conflict of interest and violation of County Policy regarding the same.

Finally, it was reported that in May 2023, the Sheriff sent out a Department-wide email, saying that Department employees could purchase mugs from him. Employees paid him for the mugs directly.

Evidence of the direct sales supports a conclusion that the Sheriff uses his position to promote his business enterprises. However, beyond the Sheriff potentially personally profiting from his Office, such conduct creates questions around the Sheriff’s use of his position to influence subordinates to purchase from him, either placing them in a compromised position where they feel that they must purchase from him to avoid retaliation or unfavorable treatment, or they purchase from him in order to curry favor.

IV. COMPETENCE, PERFORMANCE, AND CREATION OF LEGAL EXPOSURE AND SAFETY RISK.

A. Absenteeism and Non-participation in Management.

In the course of interviews, the Sheriff was cited as being largely absent from the workplace and Department, and was widely described as failing to participate in management of his Office. Department leadership unanimously indicated that the Sheriff was rarely in attendance, and other Department members largely remarked on rarely seeing the Sheriff. No Department or County employee interviewed was able to say when the Sheriff was working or what he did during the day. As stated, “I have no idea what he does every day. He’s not here in the mornings.” County and Department leadership have reported even through the drafting of this report that he regularly skips meetings or, if attending, arrives late. Absenteeism has continued to be cited even as this report has been prepared. Record of the Sheriff’s reporting on duty between June 23, 2023 and August 1, 2023 shows him as being on duty nine (9) times, with four of those calls being the nights of Rockfest.

The Sheriff’s absenteeism has created a circumstance where management of the Department has largely fallen to the Chief Deputy. One Department member described it as, “Someone else is running the agency...the Chief Deputy...the Lieutenants.” Department members reported that the Chief Deputy runs Department meetings and is described as “having the most command presence of anyone in the room.” The Chief Deputy is said “to have the most knowledge and most awareness of what’s going on at the agency.” Other comments have included, “Chief Dutton has a solid understanding of what’s going on. Decision-making is much more developed from Chief Dutton.” Another Department leader commented, in referring to the Sheriff, “We are chaotic right now. We are unstable right now. Chief Deputy – thank god – allows us to move forward with what we need to do.” In contrast the Sheriff was roundly characterized as not having intimate knowledge of what’s going on in the agency. One member said, “I don’t think he knows what people are doing every day. We have no contact. There was contact at the beginning but that was so superfluous it

didn't matter. It probably regarded the job but it wasn't an issue that needed to be addressed at the time."

During interviews it was reported that since January 1, 2023, the Sheriff had attended only approximately five (5) investigator meetings. It is this reporter's understanding the Sheriff has also attended no investigator meeting since interviews concluded in July. Investigators characterized the Sheriff as "disinterested" in investigations. The Chief Deputy reported that he informed the Sheriff of the importance of attending the investigator meetings. Investigator meetings are held twice per week on Monday and Wednesday mornings and are to be attended by all investigators, the Chief Deputy, the Patrol and Field Services Lieutenants, and the Sheriff. Department members highlighted investigator meetings as being "extremely critical" because it provides Department management with an awareness of case handling, resources, and who has been arrested. Department management indicated that as the Department leader, the Sheriff should be able to give a professional account of a case. As stated, "he still has to know what's going on." In the meetings investigators and leadership identify what resources investigation needs and what should be required. It was observed, "right now we are extremely overworked. I don't know if he is aware of how overworked we are. I don't know if he knows the specialties of the investigator. If you don't go to investigator meetings, you don't know the most serious cases we are dealing with."

Department management meetings – held every Thursday morning – were also deemed critical. It is reported that the Sheriff will attend those – although in the last few months he has increasing absences. If he attends, he reportedly arrives late, disrupting the meeting. The Chief Deputy moderates the meeting, but members indicate that the Sheriff has caused the meetings to be "chaotic." The Sheriff is described as spending his time during the meetings on his smart watch or cell phone. He was described as "very distracted by messages coming in on his phone or watch."

Evidence suggests that the Sheriff also has a pattern of either leaving meetings or simply not reporting, for purely personal reasons. For example, in the second week of August, the Sheriff reportedly attended the patrol meeting for an hour and then left to go to his son's ball game. He also was reported to have left the office one day to take his son to mini-golf and also stayed home one day to do his laundry.

Multiple members remarked that although the Sheriff is absent from the office, he has a pattern of contacting them on their weekends off, via text, for nonemergency matters that could be addressed or discussed on the following Monday. Members described this tendency of the Sheriff to be disrespectful, but also to reflect his lack of understanding of the Department member's day-to-day work.

B. Lack of Judgment, Incompetence and Creation of Risk.

Throughout the course of this investigation, this reporter was consistently provided evidence regarding actions taken by the Sheriff previous to the investigation, or in real time, that were deemed by some Department members to represent a lack of judgment or simple incompetence. It was reported that the Sheriff "keeps on bypassing policies and procedures, wearing on the other managers' patience." He was termed "a loose cannon" by one senior Department member. Interviewees expressed concern over the Sheriff's failure to follow Department procedures or the

law resulting in risk. One experienced member said, “We are risk managers. You have to think about how will this affect the agency, the County, how could this come back to bite you? He [the Sheriff] has no concept how the actions we take today will have ripple effects down the road.” Some instances that were characterized to this reporter as demonstrated incompetence or lack of judgment might be a product of the Sheriff’s neglect of his own training or the Sheriff’s absenteeism. Several members complained that issues have arisen because the Sheriff does not listen to existing Department management. Some suggested a disregard for the legal impact or safety risk of his own actions. As previously discussed, documentation supports a conclusion that the Sheriff has not reviewed more than 90% of Department operational policies.

One experienced member of the Department characterized the Sheriff’s actions in this way,

Part of it is that he’s way over his head and doesn’t understand his role. He is completely over his head at the level of his position. I don’t think he has any clue of the responsibilities that come with the position. If you don’t listen to the counsel of your management team you will not be successful. We want him to be successful.

Another said,

I would hate to have a big issue happen in our community and have him be the Sheriff. I don’t know how he would do it. It’s not in our best favor. It would not look good. Does he have my confidence? No, and I question his competence.

Examples of poor judgment or incompetence provided included the Sheriff frequently attempting to circumvent processes required by policy or the law. Some of those instances are set forth above, such as the Sheriff circumventing County purchasing policy by unilaterally entering into an oral contract with a taxi company to carry away intoxicated RockFest goers. In another breach of County purchasing policy, the Sheriff was arranging to purchase guns directly via his FFL and resell them to the Department. Other examples relate to his seeking to hire individuals directly without following the standard County procedure for hiring. He proposed wanting to bring individuals back as reserves who were deemed unqualified or a risk, such as individuals deemed a “huge liability” because of historical injury. As described, “the Sheriff was more than willing to overlook the risk.”

Multiple individuals reported another incident that they suggested reflected lack of competence or disregard for the law. In the matter, in June 2023, the Sheriff called one of the members of Department management and asked if the Department could simply send a car to the border with Minnesota to transfer a juvenile prisoner for whom the County had a capias warrant from custody in Minnesota to Chippewa County custody. Members stated that the Sheriff was unaware that legal process would be required to transfer an individual across State lines. His failure to understand the process was deemed “first grade stuff” by one member describing the circumstance.

In another situation, the Sheriff reportedly failed to adequately respond to a significant safety threat to the Courthouse and a judge. The incident was triggered on Monday, May 1, 2023, at approximately 4:45 p.m., when Corporation Counsel was notified that an individual in Duluth had expressed intent over Facebook to drive to the Courthouse the next morning and “shoot up” the Courthouse. Corporation Counsel notified the Administrator, who, in turn, notified the Sheriff soon thereafter. Department management was then made aware of the situation. The Administrator had

conversations with the Sheriff regarding the matter throughout that Monday evening. The Sheriff told the Administrator that he was trying to have the individual apprehended in Superior, Wisconsin; however, that did not occur. Other members in direct contact with the Sheriff indicated that he was making telephone calls, but that no plan for apprehension or Courthouse safety was formulated by the Sheriff that afternoon or evening. At approximately 10:30 pm, when the Sheriff told the Administrator that he had not been successful in the efforts he had indicated he was making, the Administrator told the Sheriff he wanted to have everyone there [at the Courthouse] the next day at 7:00 a.m. The Sheriff sent a text to the Chief Deputy just before 11:00 p.m. that night stating only, "Randy would like us there by 7a, someone at Door #3, meeting at 730 in Room #302." (**Exhibit F**). He did not initiate a discussion with the County Administrator or the Chief Deputy regarding what staffing would be needed. Meanwhile other members of Sheriff's Office management were ensuring that all key Department personnel were aware of the situation and they were engaging in discussions around apprehending the subject north of Bloomer, Wisconsin the next morning.

When the Department management team arrived at the 7:30 a.m. meeting, the Administrator questioned why they did not have a team assembled. The Chief Deputy told this reporter that he had relied upon the Sheriff's text that someone was only needed at Door #3 so he was unaware that the Administrator had expected a whole team to assemble. When the Administrator asked the Sheriff what his plan was to address the risk, the Sheriff was unable to respond because he had not taken any steps to formulate a plan.

Ultimately, the Chief Deputy and his Lieutenants created a tactical plan, setting up security in the Courthouse with what staff they could immediately call in, and then successfully taking the individual into custody when he was en route, north of Bloomer, as they had previously discussed. The Sheriff took no part in the tactical planning or direction on Tuesday, May 2, 2023, instead just stopping into the tactical planning room to get updates. Following the apprehension, the Sheriff indicated to his Chief Deputy that he would be talking to the press. The Chief Deputy counseled the Sheriff, who had not been involved in such an incident previously, that he should not talk to the press since the matter was still an active investigation. The Sheriff then informed the Chief Deputy via text a short time later that "[t]he camera bandits will be here at 130, I'm basically reading the press release." The Chief Deputy counseled the Sheriff, "Just tell them it's an active investigation and you're not prepared to release that now." A review of news coverage from the incident shows that Sheriff, in apparent disregard for the Chief Deputy's counsel, did speak with the press on May 2, 2023, making statements outside of those reflected in the press release.

As another example of the Sheriff's disregard of Department process and policy and poor judgment, multiple Department members cited to the Sheriff's involving himself in a high-speed pursuit in March or April 2023. In the incident, without notification to officers in the pursuit, the Sheriff unilaterally entered into the pursuit reportedly driving past a Deputy who was not in pursuit at speeds exceeding 100 mph. The Sheriff's conduct was identified as being in direct violation of the Department Vehicle Pursuits policy in several aspects. As previously noted, record evidence shows that the Sheriff has not yet reviewed that policy. Sheriff's Office Policy No. 208 – Training identifies "Vehicle Pursuits Policy Review" as required training for all sworn Department members at hire. The policy defines a strict protocol for the pursuit. Substantial evidence supports a conclusion that the Sheriff disrupted that protocol with what is suggested was an impulsive act.

Some Department members commented that if a Deputy had acted as the Sheriff did, the Deputy would have been suspended without pay. It was reported that Deputies involved commented, “he’s got a lot to learn for being Sheriff. Management will hopefully step in.” It is noted that the stated primary purpose of the Vehicle Pursuit policy is to “provide deputies with guidance in balancing the safety of the public and themselves against law enforcement’s duty to apprehend violators of the law.” Another stated purpose of the policy is to “minimize the potential for pursuit-related crashes.” The policy states, “An individual’s unreasonable desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.” Evidence suggests that by impulsively inserting himself into a pursuit at speeds well exceeding 100 mph, without communicating with the personnel already engaged in the pursuit, the Sheriff engaged in high risk behavior that could have resulted in significant harm.

A final example provided to this reporter of the Sheriff failing to exercise appropriate judgment and to follow the law occurred during this investigation in July 2023. HR Director Hohlfelder informed this reporter that on the afternoon of Friday, July 13, 2023, the Sheriff called her. He told her that he was calling because “someone needed to know” that a specifically named person involved with County government had voluntarily committed themselves to hospital care following [REDACTED]. The Sheriff informed her of the detailed circumstances of the [REDACTED], told her the person’s name, and told her that the County had been notified and requested by a local Police Department to provide backup. He offered that the information was in the Department’s Spilman records and that Crimestoppers had made reports regarding the person [REDACTED]. With these statements, the HR Director understood the Sheriff to be implying that those circumstances supported his disclosure. The Sheriff said he was calling because he was worried and asked if the HR Director could offer the individual help through the County EAP. Notably, he told her not to tell the person how she had learned of the commitment.

This reporter was advised by multiple legal sources that in making the disclosure to the HR Director, the Sheriff had illegally disclosed the protected personal health information of the individual. Under State and federal law, because the person voluntarily committed to hospitalization, the matter was medical in nature and the Department’s authority and involvement ended with that choice. This reporter was advised that the presence of the sensitive information in Spilman does not justify its disclosure and that the Sheriff’s Office would not consider the HR Director to be in the chain of individuals who would be provided such information. The Sheriff’s disclosure was identified to this reporter as a probable breach of the medical privacy under the ADA, Wisconsin privacy law, and County and Department policies.

V. LEADERSHIP AND PROFESSIONALISM.

Throughout the investigation interviews, Department management, experienced officers, and County leadership consistently expounded on a lack of leadership and professionalism by the Sheriff. The Sheriff has been reported to repeatedly take steps that demonstrate his attempts to circumvent County policy or that display his ignorance or disregard for policy, procedure and legal compliance. Failure of leadership was identified as the Sheriff’s absenteeism from critical operational meetings and his job generally, and his consistently making himself an exception from policies and rules the rest of the Department is expected to follow, including following the chain of command. That conduct was also identified as demonstrating lack of respect for members, their

efforts, and the Office generally. Newer members of the Department did not opine on leadership or professionalism, generally describing the Sheriff as a “nice guy,” but they also consistently indicated that they had only seen him a few times even after being employed for several months.

It was reported that since January 1, 2023, the Sheriff has repeatedly attempted to circumvent standard and legally compliant County recruitment processes in an effort to hire his personal friends and acquaintances and others for whom he had personal preference, often in circumstances where such hires might be detrimental to Department welfare. Reportedly, based upon his encouragement to do so, many applicants have used the Sheriff’s name as a reference on their applications. In one example of the Sheriff’s desire to disregard hiring requirements, he lobbied for a friend who had applied for the position of Emergency Management Director. The individual had no experience in emergency management and did not meet the minimum qualifications for the job. Despite that, the Sheriff encouraged Human Resources to reduce the job qualifications so that his friend would meet the qualifications. In another example, the Sheriff lobbied to knowingly rehire a former officer who had been subsequently discharged from his position as security guard at a medical facility for making derogatory comments about others including women. Additionally, the individual did not want to work Fests so the Sheriff sought to have a special position created for the officer. The HR Director, with support from the Chief Deputy, did not approve rehire of the individual based upon the reasons for his discharge from the medical facility and his not being available to work the required Reserve Officer Fest duties. In a final example, the Sheriff overrode his entire management staff and hired an individual with a documented and admitted history of having problems in following and respecting supervision. Just over a month after his hire, the employee started to demonstrate similar behavior towards his FTO (field training officer) and corrective action was provided, following which the employee chose to resign. The Sheriff reportedly stated that he should “eat crow” because of his decision to go against recommendations from leadership and the Human Resources Division not to hire the candidate.

Experienced members and County Administration roundly described the Sheriff as unprofessional. Complaints by Department members included the Sheriff appearing in the office in shorts and sandals and that “he just doesn’t present that professional image.” In one incident recounted by multiple members, the Sheriff came into a hallway where an investigator was in a room interviewing a sensitive crimes subject. He was reported to be standing in the hallway outside the room “loudly throwing f bombs” and was heard clearly in the interview room.

Multiple members indicated that they feel the Department has become more unprofessional under the Sheriff. Interviewees commented on the lack of professionalism the Sheriff displays in his “official” Facebook activity. In one incident that occurred during the course of this investigation, on July 10, 2023, the Sheriff’s Office was called to Lower Long Lake where a fisherman – who was also a friend of the Sheriff’s – had snagged a large object while fishing from his boat. When he tried to bring it to the surface, swimming trunks came off of it and the object sank. The fisherman’s daughter who was in the boat became quite upset with the thought that they had snagged a body. The Sheriff’s Department, Wisconsin DNR, and Chippewa Fire District Dive Team searched the Lake and did not recover a body. It was noted to this reporter that because no body was found, that did not conclusively establish that there was no body there. Despite that, the next morning, July 11, 2023, the Sheriff posted about the circumstances on his public access campaign Facebook account. The post included a photo of someone holding the swim trunks and

the face of the individual was replaced by a large yellow emoji that was smiling and wearing sun glasses. He posted in part, "After a thorough search it was determined that the owner of the shorts was not in that area." He ended the post with a joke, "On a side note, anyone know how much a taxidermy bill would be for mounting a pair of shorts?" The Sheriff also sent an email to a third party media communications group, attaching the same photo and stating, "I was happy to learn that there was no victim found associated with the swimming trunks after a thorough search." Experienced Department members interviewed the day of the posting expressed anger and disbelief over the post and the Sheriff sending the photo to the press. One member said, "Seriously, that's what you are going to send to the media? Can you be professional for one minute? It's embarrassing for this agency." Other Department members commented on the insensitivity and lack of judgment in the posting given how upset the daughter had been.

Other incidents cited to this reporter as showing lack of professionalism and leadership included the Sheriff's conduct at Rockfest as shown by his Facebook posts. Members indicated that the Sheriff's posts demonstrated that, for at least one night, the Sheriff conducted himself as a fan and used his position to get access to non-public areas so that he could take photos and talk to the performers. It was reported that the Department requires all members to follow a set of guidelines when working at Fests that have been built over the years. The purpose of the guidelines is to ensure member and public safety and also that the Department has the ability to respond to critical incidents. The guidelines are briefed to all Department members every night of a Fest at 6:00 p.m. Reportedly the Sheriff did not attend any briefing, but he called on as working each night of Rockfest. The Sheriff's Facebook posts from Rockfest and records of his self-assignment to the VIP section suggest that he may have used his office to gain close access to the stage and performance and to go to the far backstage area from which the public and other Department members are restricted. The Sheriff's photos demonstrate that he conducted himself contrary to the guidelines that every other member is required to follow. For example, a repeated direction, based upon safety considerations and the nature of their work, required members to "stay with assigned partners and in assigned areas." Another rule was "When assigned to Concert grounds, do not linger in groups or near the stage to watch the show....Do not linger back stage, but this area can be used for walking through." Yet another rule was to "make sure you are telling dispatch where you are (concert grounds, campgrounds, tent)." As described to this reporter, officers are told, "Leave the people alone. You're not there to watch the people. You are not there to entertain yourself."

The Sheriff's posts on his personal Facebook account demonstrate that he failed to follow any of these stated rules. Instead they show him alone at all times, snapping selfies of himself at the show and taking photographs of the shows.¹ The following comments in his posts support a conclusion that he failed to follow Department rules:

What an end to Rock Fest 2023! After Falling in Reverse bailed early on their show yesterday, and trashed the fans...it was impressive to see the crowd interact with real performers.

¹ As previously mentioned, this reporter's access to these specific posts has been blocked. The posts were provided by other members still having access.

Highly Suspect, Papa Roach and Godsmack put on some impressive shows (GWAR was definitely unique as well.) Jacoby went and sang in VIP, and gave me a hug on his way back. Great performers, and a great crowd!

Shout out to the Emcees as well, Lou, T-Ri, and Scorch are always nice to bump into!?

The comments accompanied photos of the performances and photos of the Sheriff taken in dressing rooms and far back stage with performers. Another post where the Sheriff said, “Somedays my job is pretty fun 😊” contained many photos of shows, and selfies taken with and without performers. Members commenting on the Sheriff’s Fest activity cited it as demonstrating a lack of leadership and disrespect.

In another example of lack of leadership, a member cited to the Sheriff’s lack of operational understanding. The member recounted that following Rockfest, the Sheriff told the Department management meeting that he had volunteered the Department to be at Country Jam in Eau Claire the week following RockFest. The Sheriff admitted that the Department had not been asked to be involved. The member noted that, “During Country Jam weekend, all of our staff have just rolled off of two fests with most of the staff running pretty much 30 hours overtime.” When the Sheriff was told of the overtime, the Sheriff proposed that they should “put it out there to see who wants to work it.” The member said of the Sheriff,

Not only do you not understand the operation but you also don’t understand the staff. ... We have had to adapt to our situation so we don’t go to his level. What is the “situation?” (1) He seems disinterested in mundane operations (2) He’s interested in his social media: appearances, look at me and making promises there’s no way we can keep. He doesn’t want to hear “no” and doesn’t want reality. He wants to have the money to do things.

Members who participated in the previously discussed Courthouse security evaluation on July 10, 2023, also cited the Sheriff’s conduct during the evaluation as demonstrating his lack of professionalism and leadership. As previously reported, the Sheriff attended the evaluation by the Wisconsin Supreme Court Marshall and others and was observed by those attending to be looking at his cell phone, checking Facebook, participating in Snap Chat, or taking and making personal calls throughout the day. When he contributed, his comments reportedly went off track resulting in the Facilities Director telling him that he had to “stay on point” because the group “had a lot to get through.” The Supreme Court Marshall reportedly began to display her frustration because the Sheriff kept commenting and interrupting progress. At one point late in the day the Sheriff asked, “Do you want my opinion?” The Marshall was reported to be so frustrated that she responded that he could offer it, but it would “probably be ridiculous.” Department members attending the evaluation voiced embarrassment and irritation over the Sheriff’s conduct.

Finally, members noted the Sheriff’s habitual failure to circumvent the chain of command as a sign of lack of respect and leadership, and as a risk to functional continuity and safety. It was described that “people will reach out to him and instead of redirecting the employee back to their direct supervisor, he inserts his opinion and drags the supervisor into it,” putting the supervisor in a compromised position. It was reported that the Chief Deputy has repeatedly counseled the Sheriff

on the need to maintain the chain of command since he assumed office, but that the Sheriff continues to circumvent it. Examples of his doing so include a Deputy bypassing her superior, Director Foldy, because she wanted to wear sweatpants on duty so she went directly to the Sheriff for permission. In another instance, a Deputy who had been turned down on a vacation request during Rockfest – which was noted as an “all hands on deck” time – went directly to the Sheriff for permission. It was noted that an email that the Sheriff sent to management staff reflected that the Sheriff granted the request before checking with management to learn the reason the Deputy had been turned down by his supervisor. One senior management member expressed frustration saying, “If you want to change a longstanding practice you need to understand the implications if you make a change. Chain of command has been upended and then we end up fighting that battle.” In another circumstance, on Saturday, May 13, 2023, at 9:39 p.m., when the investigator’s supervisor and a female investigator were both enjoying a night off, the Sheriff texted the investigator and assigned her to conduct an interview on a sensitive crime matter. The Sheriff had set up an interview for her to conduct and had not contacted her supervisor prior to doing so. The supervisor complained to this reporter that the Sheriff “bugged someone on their weekend off over something that doesn’t need to be dealt with.” He went on to note, “One of my jobs is identifying workloads. I would have had someone else handle it who has dealt with sensitive crimes. It’s like sticking your nose in where you don’t know what’s going on. He sabotaged the chain of command.”

Members regularly reported that despite the Sheriff claiming to value family time, he contacted them on their days and nights off, often at late hours. One example given was the Sheriff calling the member about a farmer on a Saturday night. The member asked him why he was calling on a Saturday. The Sheriff said that he was on the way to Pheasants Forever and “it just popped into [his] head.” Members brought forward such contacts as a sign of disrespect and also a lack of operational understanding as to what law enforcement officers do every day.

One final example of the Sheriff’s undermining the authority of a Department supervisor involved his attempt to subvert a carefully established safety policy of Director Foldy. As described by multiple members of leadership, when a local Police Chief complained to the Sheriff about an email reminder Director Foldy had sent to one of his police officers about keeping radio frequency clear for serious emergency, the Sheriff took the complaint to the Chief Deputy. The Sheriff attempted to change the procedure based upon the municipal Chief’s complaint. The Chief Deputy reportedly told the Sheriff, “It’s our dispatch center and our rules. He doesn’t call the shots on Tamee’s reasons.” He told the Sheriff the policy existed to keep officers safe.

One member summarized the observations of the Department leadership and seasoned members on the Sheriff’s reported lack of leadership, respect and professionalism, saying:

There is a lack of leadership – no communication combined with no accountability. Now we don’t have the leadership we had. Instead we have some guy off the street who has no idea what he’s doing as far as leadership. He is not respected by a majority of the Department. No one has anything good to say about him. I’m sick of him bragging about himself.

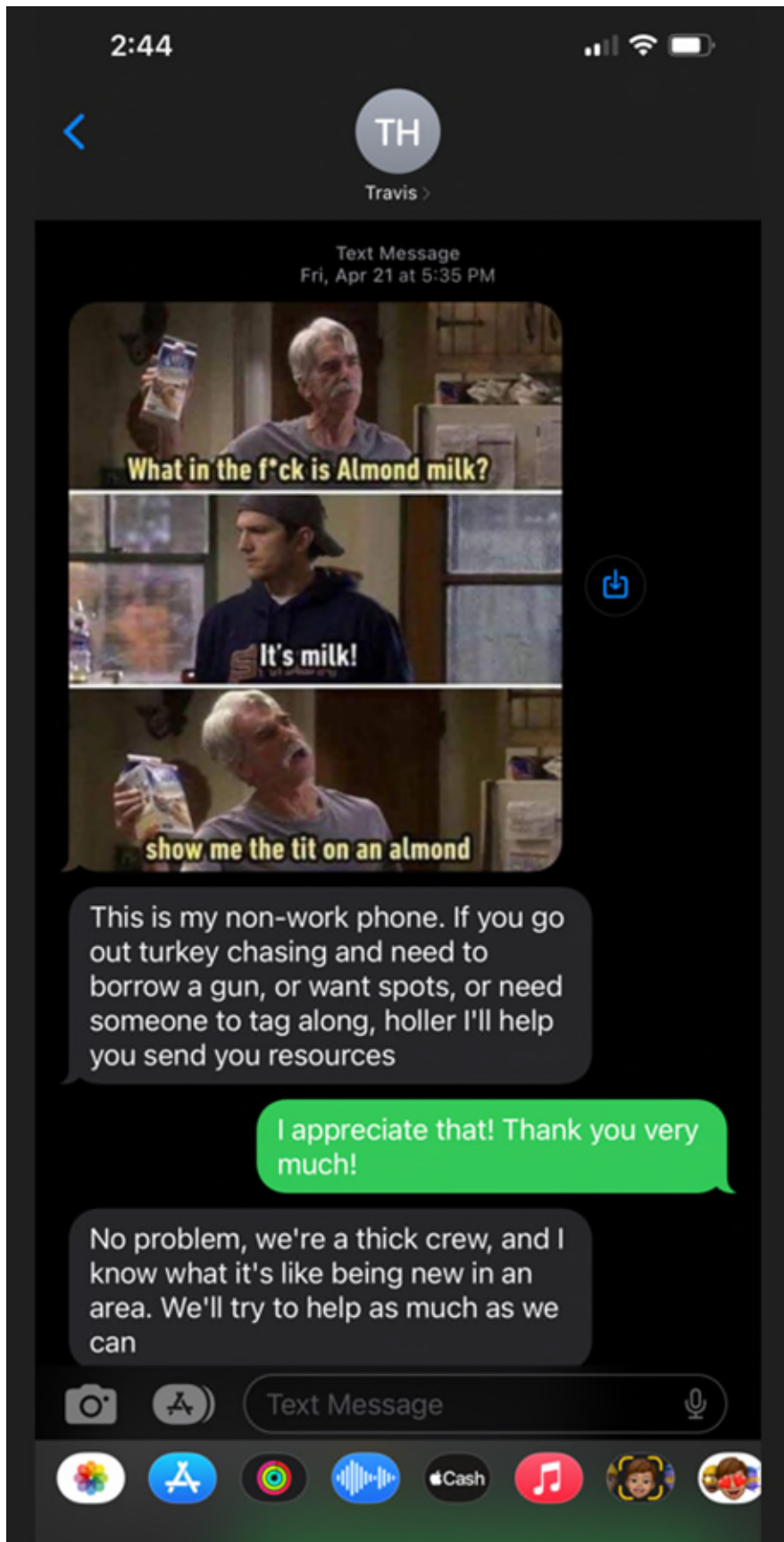
A County official described the County as “dealing with someone who should not be Sheriff.”

CONCLUSION

The findings of this investigation provide substantial unequivocal evidence of problematic conduct and lack of leadership of the Chippewa County Sheriff that creates liability and safety risk for the County and public. Substantial evidence supports a conclusion that the Sheriff's pattern of communications toward [REDACTED] constituted violations of County and Department policy. Experienced members were unflinching in expressing their views on the Sheriff's lack of integrity, honesty, competence and leadership.

Text from Sheriff Business phone at Special Olympics BB game 4.20.23





2:44



Travis >

Just don't send inappropriate memes or requests to kill shit to my work phone, do that here 😂

Lmaoooo, I will definitely keep that here

Here*

Sun, Apr 23 at 10:07 AM



What the heck is that lol

This is in my driveway.... told you they're all over

Sorry, shitty picture, it's a great big tom

Ohhh I see back behind the trees. I thought it was the thing in the grass 😂

Haha my phone's kind of old, camera



Text Message



2:44



Travis >

He does NOT look happy but I'm glad you helped him!

Yeah he was not having a good day, he was getting attacked by another eagle and was pretty pissed when I grabbed him

Uffda. Bird on bird crime is never cool man.

Haha, your right, but these streets ain't easy, they ain't for the soft feathered

We should probably have a community awareness meeting asap about these types of crimes! They can't go unpunished.

Haha Neighborhood Bird Watching program

I'll be be assistant director of bird crimes if you're taking volunteers.

I think you'd be the breast person for the job!

I will also be the bird coroner if needed, hate to see em go



Text Message



2:45



Travis >

I will also be the bird coroner if needed, hate to see em go but...that's neature.



You should come see my freezer full of stuff 🤔

No eagle steaks, I hope.

No, they're not as good as wolf



Plus not sure the goat of the sky would taste good

Fueled by roadkill

Maybe that's the ticket... I should eat more roadkill, and feral cats

High protein, that's for sure.

When the chow mein was on point but you kinda miss your cat 🐱



Text Message



2:45



Travis >

When the chow mein was on point
but you kinda miss your cat 🙄



I'm not stereotyping, but that was in
my hopper and fitting for the
conversation 😂



It's perfect

I get a little cautious sending stuff like
that to new people, especially when
we work together 😂 you should see
some of the shit your co-workers
send me, lol

Pshhh, you're safe here! I can
understand that tho! Oh I'm sure the
dark humor is expected all around.

I like my humor like my coffee, dark



Text Message



2:45



Travis >

I like my humor like my coffee, dark and it'll burn ya if you're not careful

I like my coffee with cream so I don't have a punny way to describe mine but I like funny stuff. 😂

Well, we'll get along just fine, but I'm not going to be a source for coffee creamer.... unless I'm making White Russians

The dude abides

This isn't Vietnam Donny, we have rules

Hey not to blow up your phone, but there's a law enforcement gala thing up in Hayward next month. Before you came I told people if they wanted to go I'd rent a short bus to haul people. So holler

Okay! As long as I'm not working I'd love to be involved with that stuff!

Well you'll always be invited. We try to do a few things a year. I don't stick around all the time. I like to cut loose, but I also don't want people to feel awkward if they want to have a good



Text Message



2:46



Travis >

Well you'll always be invited. We try to do a few things a year. I don't stick around all the time. I like to cut loose, but I also don't want people to feel awkward if they want to have a good time

I can understand that! I am too new to have a good time and it affects my fitness goals at the moment!

You're in a pretty judgment free zone. Yeah, that's awesome, you do body building?

Not yet but it's almost summer 😂

Ah beach body stuff then?

I'd like to do a power lift meet at some point but I don't plan to compete in a body building show.

Yes just trying to get in shape for beach season 😂

Ah! I need to get back into lifting, I was never "big" but I definitely need to lift more

My beach body casts shade, and I feel like others can appreciate that.



Text Message



2:48



TH

Travis >

Not yet but it's almost summer 😂

Ah beach body stuff then?

I'd like to do a power lift meet at some point but I don't plan to compete in a body building show.

Yes just trying to get in shape for beach season 😂

Ah! I need to get back into lifting, I was never "big" but I definitely need to lift more

My beach body casts shade, and I feel like others can appreciate that. Plus, I'm more of a boat guy than a beach guy

I love lifting so much. I finally hit my 165 deadlift WITH good form tonight. Feeling pretty badass about that. 😎

I'm too poor to be a boat person
Imaooo gotta build my house first!

That is impressive! Good for you!

Well luckily for you, I have a boat, and so do alot of others around here. First the land, then the house, then the boat



Text Message



2:49



Travis >

Well luckily for you, I have a boat, and so do alot of others around here. First the land, then the house, then the boat

Exactly! 24 months and I should be ready to buy and break ground if I play my cards right. 🙌

Well I can help you look, I'm a licensed realtor. I'm not looking to make money off you, but I can help look

That would be amazing! I'll definitely have you keep your eyes out for some good stuff once I've got my down payment saved up.

What are you ideally looking for?

I'd love 10-60 acres with timber but kind of depends on the market. Looking to get land and house built for under 300k

If I had to I'd build on 3-5 acres and buy ground to hunt later on

Around here you can get 10 acres usually under 100k or close



Text Message



2:49



Travis >

Depending on your house needs, 200 goes a ways.

I live in old remodeled farm house on 12. I never shoot my yard critters, that's survival food

I just want an A frame. Big enough for pup and I, nothing big!

Yeah that's awesome! It's also a great plan. Our neighbors in Canada have an A frame, it works slick

Yes! With a lofted master and big open concept main floor. Easy peasy!

I was going to build a garage with living quarters above it once. Then I got a good deal on a house, and a better deal on this shack so I never did

I'm building a garage and some stuff this summer out here. You get to a building spot, I know my way around a hammer

Yeah you can buy kits and stuff for pole barns and a frames and everything! It's crazy what you can diy these days!



Text Message



2:49



Travis >

Just because you can do it by yourself doesn't mean you should 😂

That's very very true. 😂

And it applies to a few aspects of life, haha

I'm all for independence and self reliance. I do a lot of stuff, from making wine, to building houses, but there's shit outside my wheel house.. and I always hire it out

Plumbing, electric, hvac..those are no bueno diy projects 😂

Messy and dangerous.

I can build a birdhouse. 🏠

Plumbing = shit runs downhill.
Electrical : if it sparks it's hot, if it doesn't it's not. HVAC, yeah I hear ya there... haha

Well those would be important in safe spots to rehome victims in your new role

Omg. Convo came full circle right there! 😂



Text Message



2:49



TH

Travis >

Haha sure did, and your victims will appreciate it

Well, I'm off to bed, see ya around on Friday!

Good night lady! Thanks for the warning!

Sat, May 6 at 9:55 PM

Just so you're not blind sided when you go in tomorrow AM, a St Croix County Deputy was killed tonight, and [REDACTED] dog had to be put down

I'll likely bring snacks again tomorrow, I know you stay away from social media and the news; so I wanted you to know what was up. If you have questions, holler

Omg thank you for letting me know. Have they released details yet? Like a traffic stop situation or domestic situation? Are you doin okay? Did you know the deputy? That's so unsettling. I knew [REDACTED] dog was struck by a vehicle but I thought they may have gotten it up vet in time. Sad day. Anything I can do to help or spread cheer? 🙏



Text Message



2:50



Travis >

Call me quick, if you can

Sun, May 7 at 8:16 PM

Remember when I said I know spots to relax? This is my yard



Wed, May 10 at 6:15 PM

The Lake Hallie Chief wanted me to tell you that you're doing such a professional job, he assumed you had previous experience. I'll tell [redacted] and [redacted] as well

Thank you again for choosing us

I appreciate hearing that more than you know! I feel like I'm so sloppy still so that definitely makes my day! Thank you guys for choosing me!

That's why you're in training, if they had concerns I'd hear I'm sure. Keep up the good work, and let's get you



Text Message



2:50



Travis >

That's why you're in training, if they had concerns I'd hear I'm sure. Keep up the good work, and let's get you hunting so you don't have to go to prom with neck beard

Lmaooooo I'm gonna go to prom alone instead 😂

Well that's no fun! When is it

July 22!

That's a while out! You might have time to find someone you're not related to over there! You should go to that student send off, I have no takers, yet

I have no family in the area so I am golden 😂 when is that again?

Lol touche! Well no neck beards then! I'm not sure, it's in the office. I'd offer to go with ya, but I have a full beard 😂

😂😂 make it a neck beard and powder blue suit

What about mutton chops and ..



Text Message



2:50



Travis >

What about mutton chops and orange suit

Boy that could be a close second

Like dumb and dumber

Thursday 7:59 PM



Haha, see, lots of thought into it 😊 I just need all kinds of stuff around here

Yesterday 8:51 PM

You want to take someone to that thing in Stanley Thursday and rep our department?

Take someone from work? I can absolutely go I just don't know what to do 🤔



Text Message



2:50



Travis >

You could take whoever. I just know you lived there, and I just realized it was Thursday. They invited me, but I can send you I'm sure ;)

What time is it at, where, and what was it again. Is it the send off thing for the high school kiddos?

I'll look in the email, and yes that

Okay. Yeah and do I just go or do I need to do something specific?

I'll find out, I have to plug in my laptop, will you be up for a bit if I text you in like 30 mins?

Yessir. Just watching true crime with some popcorn 🍿

Haha that a girl, I'm watching the Brewers replay

Sports ball. 🤔

It's honestly just back ground noise while I look up this thing for Thursday and try to find a maid, haha

414 W 4th Ave, Stanley



Text Message



2:50



TH

Travis >

5:15pm to 8pm

I would just go, say I'm there to support their choice to join the service and to remember where we are when they want a job around home 😂

Lmaooo I'm just a [redacted] 😂
they're not going to listen to me 😂

Having people listen to you, is literally your job



I could probably pop in there later, but I have the boy. Also you and I going together without anyone else from work would definitely start rumors, haha

That's true. But I don't have a cool uniform lmaooo I don't have to like get up and say anything do I? Just tell the kids when they walk by or what?



Yeah, that would be awkward for sure



Text Message



2:50



Travis >

That's true. But I don't have a cool uniform lmaooo I don't have to like get up and say anything do I? Just tell the kids when they walk by or what?



Yeah, that would be awkward for sure



Will a Stanley officer be there too at least someone I can buddy up with or just me from chso?

If you're interested in going, I'll do some more digging

I don't know what they expect, if anything

I would consider but I work on Friday so 8 is usually close to my bedtime. I would feel kind of awkward being there alone and my friend [redacted] can't come with.

Ok, I'll see, I'd like us to have some presence. Like I said, I'd meet you there late, but I also know how people talk

It's kind of ridiculous

Yeah that would make me



Text Message



2:51



Travis >

Yeah that would make me uncomfortable for sure lol

Haha yeah we don't want that! I'll support you, I'll support everyone there. I want everyone to be comfortable and happy there

For sure. That stuff just doesn't even hit my radar so I appreciate the heads up. I suppose I just don't think that way lol

Law enforcement in general tend to gossip some more than others

Don't take this the wrong way, but the perception of you and I going fishing together as opposed to a 6' 250lbs dude with a full beard... would probably be different unfortunately

That checks out for sure.

I thought we were talking about the Stanley thing lol idk where fishing came from 😂

You'll find out that we work with a bunch of genuine honest people. If you sit back and watch you'll see



Text Message



2:51



Travis >

would probably be different
unfortunately

That checks out for sure.

I thought we were talking about the
Stanley thing lol idk where fishing
came from 😂

You'll find out that we work with a
bunch of genuine honest people. If
you sit back and watch, you'll see
who leaks details, who likes to
gossip, etc

Haha we were, I just meant in
general.

I'm sure I'll figure it out pretty quick.
😂

You seem pretty sharp

Ok, sorry for blowing up your phone.
Skip Thursday, I don't have enough
details, and don't want to send you
into a weird situation. I appreciate
your enthusiasm to represent us
though

No worries! Sorry I couldn't be of
more help this time! I'm off to bed!



Text Message



10:45

LTE



Travis >

would probably be different
unfortunately

That checks out for sure.

I thought we were talking about the
Stanley thing lol idk where fishing
came from 🤔

You'll find out that we work with a
bunch of genuine honest people. If
you sit back and watch, you'll see
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though

No worries! Sorry I couldn't be of
more help this time! I'm off to bed!



Text Message





Travis >



Friday 9:22 AM



Just so you know, Curt called, we're all good, there was no misintend there.

Friday 11:28 AM

If you're in the office, let them know I'm planning to call Tilden fire and burn some brush on 100th Ave near 70th St

Okie dokie



Permit # DG19



Text Message



10:06

LTE 100



Sheriff Hakes >

Friday 19:25

Just great.

Chicken lips went to HR and complained...

And now we can't use nicknames at work anymore



😬 WD Avis

1 comment



Like



Comment



Send



Don Mathieu

When you tell a joke so funny, HR wants to hear it.



A month ago, I would have tried to say something witty here, but after your advice, progress, and given Toni calling me today.... I'm steering clear.



Text Message



10:12

LTE 98

< 13

S

Sheriff Hakes >

Yeah...best you don't push anything

Oh I wouldn't, trust me, I just meant even before today I'm learning to refrain

That meeting I have with Toni and Randy, I'm just going to keep my mouth shut, ask them what they want, do it, and move it

Honestly...That's the best thing to do at this point.

Well I'm going to, it's unfortunate the intention was misunderstood, but we'll move on with no problems

We'll get through it. Like I told you on the phone...every training I've



Text Message



10:13

LTE 98

< 13

S

Sheriff Hakes >

We'll get through it. Like I told you on the phone...every training I've been to preaches it's not your intent what matters, it's the perception

Right, and I should go to more training regarding leadership

You're in a whole new ballgame being Sheriff.

More employees than 4, and I hired those 4.... before. I knew what I was getting into then



I'm starting to realize why I couldn't talk anyone into



Text Message



10:14

LTE 97

< 13

S

Sheriff Hakes >

I'm starting to realize why I couldn't talk anyone into running 😂

Sorry to pester you, enjoy your night

You're not pestering me. I just want you to understand the seriousness of the position

I have really started to, there's a lot I didn't realize, there's a lot I'm sure I still need to learn; but I feel like I've learned a few things

One thing you'll realize fairly quick is that I don't like to cause issues, when something I did causes an issue, and I learn about it..... it never happens again



Text Message



10:14

LTE 97

< 13

S

Sheriff Hakes >

That's good. I'm trying my hardest to steer you in your new role and I know I've been harsh at times but I felt you needed to hear it.

You being harsh on me, is exactly what I need. It'll be best for everyone. It'll make me a better person, and I will always thank you for that

I've been in a lot of different leadership roles between the Sheriff's Office and the military. I've always felt you should learn equally from other leaders what to do and what not to do.

Absolutely, I told someone the other day, "learning what not to do, is just as



Text Message



10:15 ↗

📶 LTE 97

< 13

S

Sheriff Hakes >

Absolutely, I told someone the other day, "learning what not to do, is just as important as learning what to do."

Exactly

I also tell people in Law Enforcement, If you think you know everything and don't need to train.... it's time for a different job

It's a tough job. There's a lot of moving parts and you have to be versed on all aspects as a leader. I've always said...if it was easy, everybody would do it

Yeah it's definitely a challenge, but I've always liked to challenge myself



Text Message



10:16 ↗

📶 LTE 97

< 13

S

Sheriff Hakes >

Yeah it's definitely a challenge, but I've always liked to challenge myself

Keep challenging yourself and don't become complacent

I always will, I just feel bad creating work for you; you have plenty of work the way it is

That's part of the gig and I'll roll with it but we have to have you on board. I'm not going to beat you up on this. Screw the head on straight and we'll start fresh on Monday

I plan on it, I usually have it on straight. I just really need to start thinking about



Text Message



10:17

LTE 96

< 13

S

Sheriff Hakes >

I plan on it, I usually have it on straight. I just really need to start thinking about what I say vs how it's received. I have learned that with Toni, and Randy over the last 2 weeks. I flat out told Toni some of her emails I understand her intentions better now, than I did before

That's good. HR is a whole new world and there's a lot to learn.

What's really tough is in negotiations were taught to avoid written communication because its harder to convey your intended message; but dealing with people who could convey your



Text Message



10:18 ↗

📶 LTE 96

< 13

S

Sheriff Hakes >

What's really tough is in negotiations were taught to avoid written communication because its harder to convey your intended message; but dealing with people who could convey your message wrong, should have written documentation to fall back on

It almost cuts both ways

Again it comes down to perception

Exactly

Yesterday 17:17

Toni and Randy haven't given me a time to chat



Text Message



10:18 ↗

📶 LTE 96

< 13



Sheriff Hakes >

perception

Exactly

Yesterday 17:17

Toni and Randy haven't given me a time to chat with them. I don't want to bug either of them, so I'll make a plan tomorrow AM with them. In the meantime if I'm down I'll just lay low in my office and get some stuff done

Not sure what time. I'm sure they'll reach out

Can I call you quick, not about that, but something on the wage study

Yep



Text Message



EXHIBIT E

On 6/5/2023, I [REDACTED] was working 7am to 3pm in the Chippewa County Jail. At 2:18pm, I was in the booking area of the jail talking with Sheriff Hakes and jail deputies. During our conversations I heard Sheriff Hakes talking to our new hire, Deputy Robert Garduno and welcoming him to the area. Sheriff Hakes stated he knew Garduno was not new to the area but stated if he needed any ideas about things to do in the area, we could help him with that.

After our conversation with Garduno, Sheriff Hakes and I went to the jail parking lot to retrieve items from a transport van. While Sheriff Hakes and I were outside, Sheriff Hakes stated, now that I am 3rd in command of the Sheriff's office, he felt it was important to talk to me about a situation. Sheriff Hakes told me he was accused of "hitting on [REDACTED]." I asked who was [REDACTED] and he replied, the [REDACTED]. Sheriff Hakes went on to say that he was trying to be nice because she was from [REDACTED] and was trying to tell her about stuff in the area. Sheriff Hakes stated he had texted her about some activities going on in the area and she accused him of hitting on her. At one point in the conversation, Sheriff Hakes stated [REDACTED] may have had some issues with her previous employer and felt this may be here way of getting in front of any issues.

Sheriff Hakes stated he was called in to HR and had discussions with them about the text messages. He also stated he had talked to Corp Counsel about it. He said he believed [REDACTED] had talked to Tammy about it and then Tammy talked to Curt about it.

Sheriff Hakes went on to say that he was just trying to be nice like he does with all employees. He stated the reason he was telling me this was to find a way to disseminate information to new employees so they feel welcome but realized he needs to step back and put some separation between him and employees. Sheriff Hakes stated he had met with Peer Support to find a way to provide local attraction information to new employees. Sheriff Hakes stated he did not tell Captain Modl about this as Captain Modl was leaving and he felt he did not need to know and asked that I do not talk to other employees about it.

After my conversation with Sheriff Hakes, I thought about a document that I signed with the Chief Deputy and management as a team. I did not feel right knowing this information and not passing it to Captain Modl. I spoke with Captain Modl about my conversation and ended my shift.

On 6/6/2023 at approximately 7:15am, I was called to Chief Deputy Dutton's office. I spoke with him briefly about the conversation before he stopped me and asked me not to continue. Chief Deputy Dutton then ordered Captain Modl and I to not discuss this with anyone.

Nothing further

[REDACTED]

11:48

 2:36 

 100% 



Sheriff Hakes >



Mon, May 1 at 22:50

Randy would like us there by 7a, someone at Door #3, meeting at 730 in Room #302

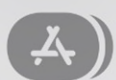
Tue, May 2 at 12:38

The camera bandits will be here at 130, I'm basically reading the press release



Just tell them it's an active investigation and you're not prepare to release that now

Right, I'm not talking about charges or trade secrets



Text Message 

Thursday 18:21

Just FYI we have an account with Ready Ride Taxi, \$55 from Fest to anywhere in EC

Questions...this was ran past Corp Counsel? They gave us permission to enter into an agreement with a taxi service without a contract? Is only Eau Claire an option to go to? Lot of what ifs here to discuss. They demand to get out halfway to Chippewa in the middle of the country road. They're extremely impaired...we good with that? Who is liable when they get run over walking wherever? They can't enter into an agreement to waive liability because they're drunk. Tons of questions on this.

Oh I agree, it is my understanding from Wade Newell, Todd Pauls, Randy, and the cab service..... if they are willing to take a cab but do not have the money, and we pay for it; it is the same as them calling the cab and paying themselves. We are simply assisting them in a voluntary decision they make themselves. Once they enter the cab voluntarily, it becomes on them

Is my understanding

Before we use it, I'll double check, but it's a tool we have

**Thomas R Callahan III**

22h ·

What an end to Rock Fest 2023! After Falling in Reverse bailed early on their show yesterday, and trashed the fans..... it was impressive to see the crowd interact with real performers.

Highly Suspect, Papa Roach, and Godsmack put on some impressive shows (GWAR was definitely unique as well). Jacoby went and sang in VIP, and gave me a hug on his way back. Great performers, and a great crowd!

Shout out to the Emcees as well, Lou, T-Ri, and Scorch are always nice to pump into!





Thomas R Callahan III

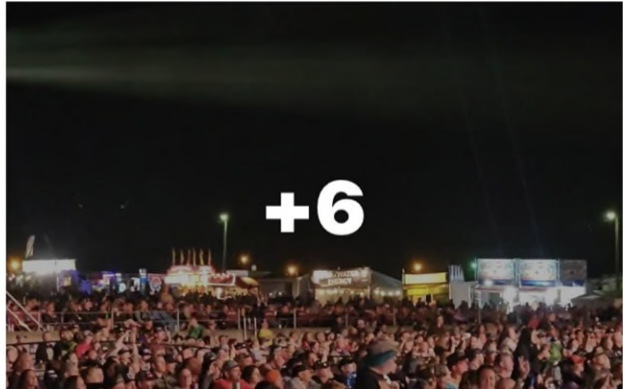


Thomas R Callahan III



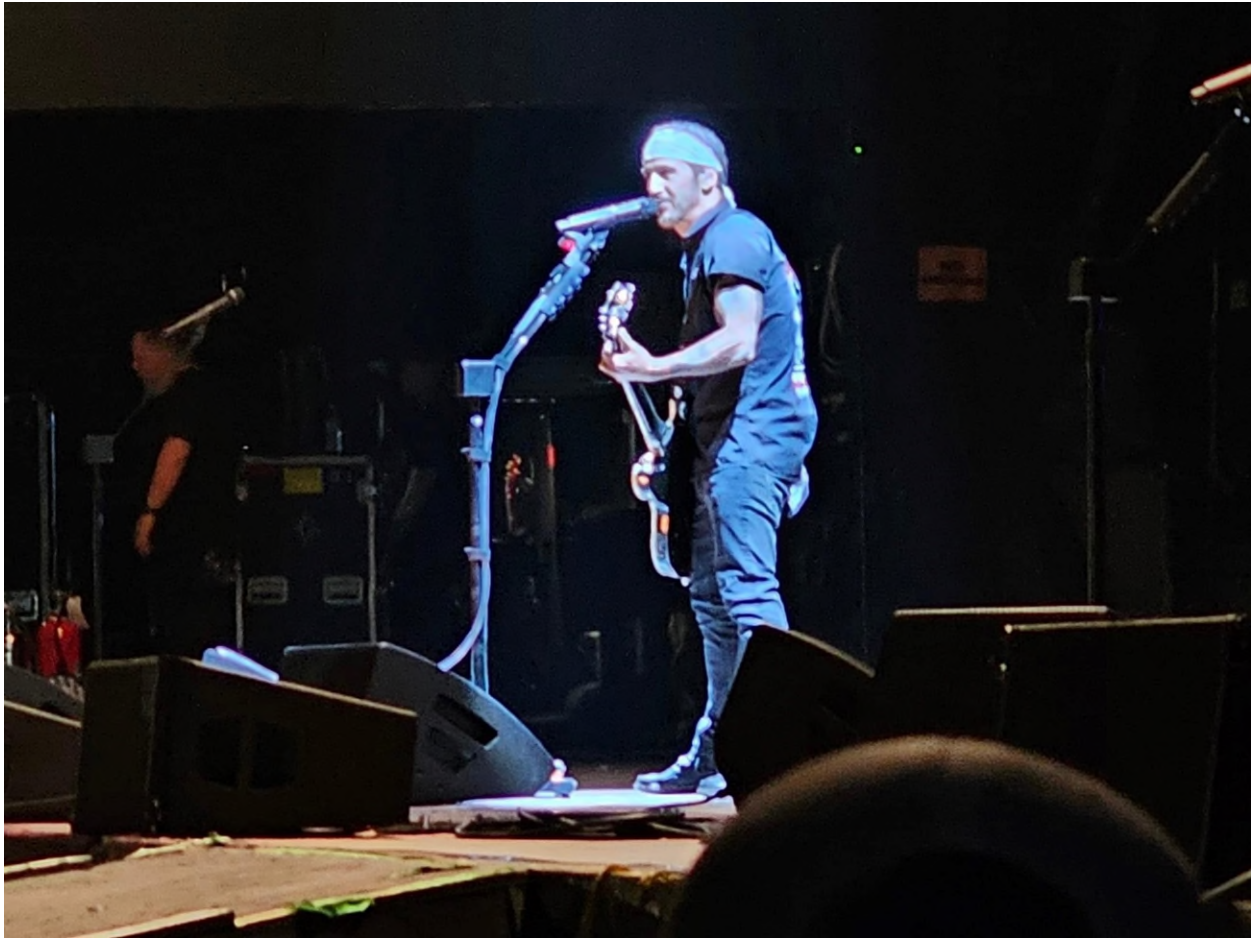
1d · 👤

Somedays my job is pretty fun 😊





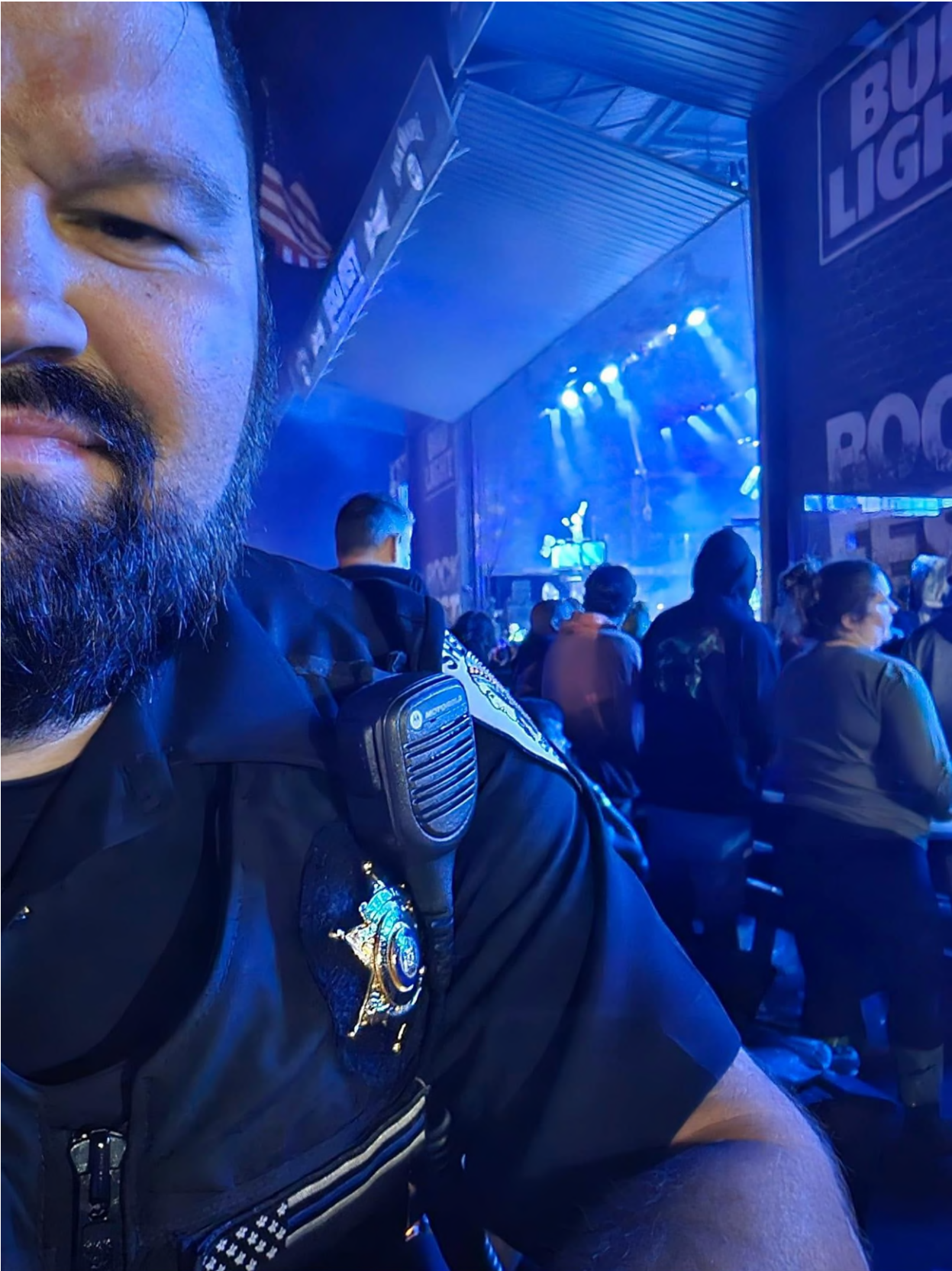
















Travis C Hakes is at Rock Fest.

July 17 · Cadott, WI · 🌐



After High School I worked backstage security for the Fest Grounds. During those years I spent some days with [Godsmack](#) in their earlier years. Fest staff set us up with a Meet and Greet so I could thank them for how they've always treated staff and the fans.

They always went above and beyond for fans, because they truly cared. The Scars Foundation is proof of that mentality. Sully looks like he has a cheesy smile, but is mid-conversation 🤔

[#RockFest2023](#)



445

18 comments 3 shares

Like

Comment

Share



Travis C Hakes

July 15 · 🌐



Nice to see so many folks at Rock Fest tonight!



👍❤️ 582

29 comments 1 share



Travis C Hakes is at Rock Fest.

July 16 · Cadott, WI · 🌐



Today while working near the stage, Jacoby Shaddix of Papa Roach was coming back to the stage after performing from VIP. He stopped and gave me a hug, he gave a shout out to the Law Enforcement working the event.

Jacoby's support for our crew was sincere, and as a thank you; I presented him with one of these mugs for his morning coffee.

Entertainers who care about Fest fans and local Law Enforcement are always appreciated. They were a welcomed change, from the same time slo... [See more](#)

