

# Chippewa County Sheriff's Office

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Travis Hakes, Sheriff

Curt Dutton, Chief Deputy

September 29, 2023

Toni Hohlfelder  
Chippewa County Human Resources Director  
711 North Bridge Street  
Suite 100  
Chippewa Falls, WI 54729

RE: Augmentation of Chippewa County Sheriff Travis Hakes to Report of Investigator Hall

Director Hohlfelder:

## INTRODUCTION

As allowed by Wisconsin Statutes I am submitting this document concerning a report provided to Chippewa County by an investigator (herein referenced as "Hall" and is an attorney from Madison, WI; not a certified Law Enforcement Officer) hired by Chippewa County at taxpayer expense. I understand that investigation was initially authorized to look into the single issue of my interactions with a former staff member of the Chippewa County Sheriff's Office but either on Hall's own initiative or at the direction of someone in county administration it transformed into a far broader effort apparently to seek out negative and derogatory information about my management style and operations of the sheriff's office since I have been sworn in and took office as the duly elected Sheriff of Chippewa County. This investigation also interviewed less than 20% of the staff of our office, yet implies the negative feelings are those of the majority of our department.

The report was presented in closed session to the Chippewa County Board of commissioners on September 20, 2023. I was never given a copy of the report prior to that meeting nor was I ever invited or allowed to attend the closed meeting so I had no opportunity to address directly or even indirectly the written report given to the board. As a result of that unilateral presentation I have been advised in writing that the board unanimously voted to authorize certain directives be issued to me by the board chair and county administration. I have received that letter and while it is not the subject of this augmentation, like much of Hall's report it based on the legally and constitutionally incorrect premise that as the elected sheriff that I report to and I am supervised by either the county board or county administrator. The errors of that letter will be addressed by me in other forums and I include this history here so you have context for this document.

Subsequent to the closed board meeting I understand a request was made for the Hall report under the Wisconsin Public Records Act, and in fact I also made a request to you in an attempt to be provided a copy to review. You sent me a letter that stated I have the opportunity to augment the Hall report and that augmentation would be released along with a redacted copy of the Hall report as required by law. To better understand the content and nature of the Hall report on Monday, September 25, 2023, I was given the chance to begin to review an already partially redacted copy of the Hall report in your office. On Tuesday, September 26, 2023, I was given the opportunity to complete that review as was my retained counsel. For that opportunity I thank

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you. However, both you and corporation counsel expressly stated that we could not have a copy of the report, even though you both also stated I am the primary subject of the report. The denial of a copy of the report has certainly impaired my ability to in turn be as complete and thorough in the preparation of this document as I would otherwise been able to be. The Hall report is 37 single spaced typed pages and has several attached exhibits. I will attempt to reference my comments as to the report by page numbers to the extent possible, but please understand I am working off hand written notes taken by my attorney and me and if I cite to a wrong page or do not have the language of the report verbatim it is not an intentional mis-statement on my part but is rather a reflection of the conditions under which I am forced to respond to the report.

## **PREFACE TO SPECIFIC SECTIONS AND PAGES**

Before I begin a page by page and subject matter response a few general observations on the report are in order.

First, the report correctly notes I was given the chance to speak to Hall and declined to do so. The content and tenor of the report clearly shows that the decision upset and offended Hall and because of Hall's pique in several areas Hall's report should be concerning. For example, on page 11 Hall writes in discussing a matter that Hall "presumes" the sheriff would not have expressed a different view of the topic under discussion. If a deputy of this office ever wrote a statement like that in a police report a criminal defense attorney would eat that deputy alive on the witness stand and in cross-examination and rightfully so. Likewise, Hall writes on page 16 that because I elected to not speak with her accusations made against me as "unrefuted." I have factual information that many of her "unrefuted" accusations, were in fact refuted to her, yet she negligently did not include them. It is equally possible that I simply do not recognize the authority of Hall as an agent of the county board and administration to require me to participate in an interview and elected to not violate the separation of powers by speaking with her.

Second, one must reasonably question if Hall truly a distinct and unbiased investigator is as it appears Hall's firm is soon to reap substantial financial rewards as the result of Hall's report. I have no dispute with Hall being compensated for the time conducting the investigation, although I believe it far exceeded what Hall was retained to do as understood by the county board, but Hall's firm now appears to be going to make additional financial gain as a result of the report. Since the report, I as well as all other office staff have been advised of mandatory sexual harassment type training that is going to be presented by members of Hall's firm. It is reasonable to ask that if Hall had not found there to be an issue, would Hall's firm now land a contract to present the training and would all staff members of the county be pulled from their duties and ordered to attend? At the very least this situation presents an appearance of impropriety.

Third, one can reasonably question the competence and knowledge of Hall in some of the areas of the report. For example, Hall addresses on page 32 of the report an incident where I contacted you as the Director of Human Resources to report that a county employee had experienced a serious health issue. Hall writes that my doing so violated the ADA and Wisconsin and federal privacy laws by which I expect Hall meant federal requirements like HIPAA. In conversation on September 26, 2023, you agreed (\*\*Clarification requested, Director Holhfelder provided the

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following statement: “I agreed with your attorney that the situation was not an HIPAA breach. I didn’t agree that it’s not an ADA violation. I am still uncertain if it is, as I didn’t research the ADA situation. I only have knowledge that it’s not a HIPAA violation as the HIPAA Privacy officer for the County and that is the statement I made.”) with my attorney that such reporting could not be a HIPAA violation nor an ADA violation. Had Hall not been desperately searching for negative and derogatory information about me and actually understood the laws that Hall issued opinions about, Hall and any other knowledgeable attorney would know that such reporting was fully authorized and expected by law and county policy. The matter I reported certainly qualified as a serious health condition under the FMLA and therefore I had a legal obligation to disclose this information through proper channels to county human resources. If I had not done so I wonder if Hall would have faulted me for failure to meet my duties under federal law like the FMLA. This means that in this area Hall either was ignorant of the law or made an intentional misrepresentation of what it is. If the situation is the latter case, since Hall also faults me for a perceived lack of candor and concludes I cannot be trusted, if one applies the same standard to Hall and Hall’s report, then nothing that Hall has written can be relied upon and Hall should not be trusted. Perhaps as the victim of this impropriety the county should even report Hall to the Office of Lawyer Regulation, but I leave that decision to others.

Third, while the Hall report on page 3 acknowledges that as an elected official that I have significant autonomy and there is a serious question of whether county policies apply to the elected sheriff, Hall then goes on in the rest of the report to act as though the sheriff reports to and is subordinate to the county administration and county board. For example, commencing at page 17 of the report Hall goes on at length to discuss how many sheriff office policies I had “signed off on.” This statement acts as though I must do that to show I understand and will comply with the policies and in doing so it misses a fundamental truth that all the internal policies of the sheriff’s office are my policies for which I have sole and exclusive control and responsibility subject only to the requirements of state and federal statutes and the constitutions of the state and nation. Hall implicitly admits that in the same passage when Hall writes as to jail policies that they are one “for which he bears ultimate authority.”

Fourth, Hall’s report, as does some of the comments that Hall reported on as coming from county and sheriff staff, fundamentally forgets that as the elected sheriff I am sheriff and on duty 24/7/365 and during leap years 366. Discussions about being on a shift, being at events whether community events or concerts, driving around the county, meeting people and so on, simply reflect that as sheriff I am responsible to the people and voters. Not only will I not apologize for or explain away being out in the community at any and all hours of the day and night and at many different places and proudly reflecting that on social media, but I in fact also embrace that behavior because it shows I am being the people’s sheriff and responsive and accountable to them rather than some county power structure.

Fifth, to the extent the Hall report reflects disgruntled employees of the command staff complaining about my management style and involvement with the office, the staff and the public, the record should reflect that as a new sheriff that I have inherited this command staff and I am fully aware that for some I was not their first choice to be the new boss. I also recognize that I am seeking to bring a newer and community-oriented approach to county law enforcement

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and that this can be unsettling to old school types who fail or refuse to grasp the concept of 21st Century policing. Very few people enjoy change and some say law enforcement is one of the more traditions bound professions. However, since May of 2020, national experts report that 48 states have either enacted or tried to enact major elements of what is commonly called “police reform.” Many of the topics complained of by some staff, if the Hall report is to be believed, reflect that resistance to change. However, newer and progressive people who better understand the new reality of law enforcement seem to be embracing the gradual change in culture of the Sheriff's Office that I am seeking to foster. For example, compared to many other law enforcement agencies in this area, the state and even around the country, as challenging as recruitment can be, under my administration we are having far fewer issues than are many agencies. I believe that fact is due in part to the new ethos and culture I am trying to move this office toward. I can only hope that command staff finally understand and accept that this is a new era and we all must respond to this new reality. Had they already done so a vast amount of the ink spilled in the Hall report would have been saved.

Sixth, the Hall report extensively discusses in regard to the initial matter that was used as an excuse to launch a wide-ranging investigation against me a “complaint” made by a now former employee. The record should be clear that there never is or was to the best of my knowledge a formal complaint of any sort or type filed against me. I have repeatedly asked since first contacted by county administration about that matter for a copy of the complaint and been repeatedly advised that one does not exist. As a peace officer it has long been drilled into me that a fundamental feature of constitutional due process whether in a criminal, civil or administrative proceeding is the right to be formally advised of the complaint or accusation made against you. It would appear that the power structure of Chippewa County administration is not particularly concerned with fundamental fairness and due process and that fact has made responding to some of these allegations especially challenging.

## SPECIFIC PAGE COMMENTS

I will attempt in this section to address specific comments with reference to what my notes indicate to be the page on which they appear. Of necessity this means they will be sometime piecemeal and disjointed. Had I been allowed to have a copy of the written report I could have inserted the comments in the proper place, but since that was not an option, the readers will have to try to do that insertion themselves. Pages references are to pages in the Hall report. The failure to comment on the statement of a specific page should not be taken as my agreement to content that I do not comment on. Rather, the failure to comment is sometimes caused by the deficiency of my note taking or the fact that given I have such a limited time to respond that I simply do not have time to delve deeper into some of these areas.

**Page 6** – References my taking a prospective employee on a tour of the facility. Contrary to the implications of the report this was not the first employee prospect I provided a tour to, nor has it been the last, nor will it be the last. When this prospective employee was being interviewed both Jail Captain Modl and Director Foldy were attempting to convince the person to work in their divisions and the person also disclosed having been offered a job with the Department of Corrections. The person also expressed interest in patrol and mentioned wanting to do a ride-

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along. During training, dispatch rides with officers and this was why I offered to take the person on a ride along. During the tour the candidate spoke with several other staff from different divisions about how they did or did not like their job and I tried to not interfere with that discussion so somewhat removed myself from some interactions. I was informed by my staff that we wanted to encourage candidate to come work for us in any division we could get the person to accept. The green post-it note was provided as I explained recreational opportunities in the area that involved the outdoors inquired about. Specifically, spring turkey hunting, I stated that I could research it, and network the perspective employee with females from a non-profit organization that would like assist \*\*\*\*\* in pursuing outdoor recreational opportunities.

I never invited \*\*\*\*\* to attend any event, activity or function that I did not invite other members of the office to and often I invited many members of the office. In fact, I have arranged for buses to provide transportation to deputy funerals and I offered to pay the costs out of my own pocket.

With regard to the Special Olympics basketball game it was something \*\*\*\*\* discussed wanting to attend while \*\*\*\*\* was physically in the building that day. \*\*\*\*\* stated that \*\*\*\*\* might attend the event if people from the office planned to attend. I texted \*\*\*\*\* to let \*\*\*\*\* know that other employees from the Office were there, but \*\*\*\*\* chose not to come.

**Page 8** – The implication of the report that I monitored the schedule of \*\*\*\*\* is far-fetched and not true. The majority of the conversations between myself and \*\*\*\*\* were the result of something \*\*\*\*\* said to me or asked me about and as I do with everyone I interact with I simply circled back to provide clarification or responses.

The last conversation I recall that I initiated with \*\*\*\*\* was due to interest expressed by \*\*\*\*\* in attending an event the following day. I invited by email every member of our Office to attend this event. Both due to in person behavior and conversation about \*\*\*\*\* seeking someone to attend with and hang out with I told \*\*\*\*\* not to worry about attending. I had confirmed that another member of our office planned to attend the event. I got the impression after \*\*\*\*\* inquired about the matter that \*\*\*\*\* had no one to attend the activity with and that \*\*\*\*\* did not feel comfortable attending alone. I responded I would do everything I could to make everyone feel as comfortable as possible in our workplace. I also informed \*\*\*\*\* that I would not be attending this specific function.

**Page 9** – I only recall having one conversation with one employee about how they informed me \*\*\*\*\* would “likely get lots of single young guys in trouble as they fight over \*\*\*\*\*.” I recall this being the only time I made an acknowledgement about her appearance. I do not view such terms or comments as being inherently sexual in nature since in my family such words commonly have no such connotation. For example, my grandmother sometimes calls me handsome (many might question her vision), so in the context of the conversation and comments did not have the meaning or intent implied in the report.

**Page 10** – The report gives the impression that I solely and unilaterally made the hiring decision as to \*\*\*\*\* . While as sheriff that decision ultimately rests with me, I did not make the decision to

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offer a position to \*\*\*\* and members of the management team literally argued over \*\*\*\*, because they wanted to place\*\*\*\* in their divisions.

The "Text" exchange referenced in the report seeks to imply that I was a primary actor in the messaging that the report refers to between "Just great, Chicken Lips went to HR and complained... and now we can't use nicknames at work anymore." That is not correct. The text was a post from one of our employees on Facebook to another. Employee who in turn shared it. The other employee shared the Office meme and a third employee "laughed" at it. I did not participate in that exchange and instead took a screen shot of it and sent it to Chief Deputy who as my second in command I expected to keep it for documentation. Rather than preserving for documentation for its intended management purposes the report seeks to use it to make critical comments against me. If the report had wanted to be accurate it should have instead used this incident as an example of my chief deputy and I conducting our supervisory duties.

**Page 11** – Concerning my presence in the communications center I was under the impression they did not want me in the Center when \*\*\*\* was working and I was requested to not be there at those times. I do not believe that request was ever clearly communicated. The entire discussion about the county directing me to not enter the communication center is yet another example of county administration exceeding its legal authority as it has no lawful ability to exclude me from the communications center which is in my zone of responsibility. As I recall this particular event I spoke with employees who had voluntarily requested to purchase knives from me at wholesale cost.

This subject is also referenced in the report on pages 27 and 28 so I will address them here. I had a conversation with the staff to let them know the knives were ordered. The record should reflect that when the knives arrived I was transparent with the buyers and informed the employees I would make no income from the sales. When they paid for them, I presented a copy of the invoice and they paid I was charged and since that did not include shipping I lost money on the transactions. A third knife was presented to a retired employee as a retirement gift from the management of the Sheriff's Office. The money for that gift as of the date of this document remains in my desk drawer and I likely also experienced a loss on that transaction.

During these conversations one of the employees that ordered a knife also inquired about being paid mileage for attending a recent training. In checking on the matter, I learned that apparently there was a county policy for payment, which I also suspect may be legally required, but one that the former Sheriff knowingly violated by not approving it for any employees. Due to the fact that Emergency Management now fell under the Office of Sheriff and those employees had been getting mileage but other divisions had not this seemed unfair to the employees and to me. The report seems to somehow involve this situation in a way that is unclear from the writing and I understand that during conversations it was reported that a county representative said to the effect, "well if the new Sheriff wants to let his people do whatever they want, I guess we might have problems then." This statement is troubling in light of this report because it appears to support a double standard where the sheriff is expected to comply with county policies to the

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financial harm of the staff but ignore them when not financially beneficial to the county. I do not believe that to be fair to our staff and discussed that subject with the employee while in the Communications Center.

**Page 12** – I never signed any agreement to not be at work and as sheriff I am always at work since the sheriff is a 24/7/365 position. The report is critical because it reports that I was asked to stay away from the building and then also criticizes me for not staying away from the building and also from not being at the building and the office enough. This double speak is simply further demonstration of the pre-set agenda of the report. This push and pull feeds other inconsistent parts of the report where I am criticized for absentee management, also inaccurate because it confuses physical presence with being disengaged, particularly an absurd concept given the technology of the modern world, as society's COVID adaptations has shown. and feeds other critical aspects of the report I will later discuss.

As to the reference in the report and an attachment, I did not go home, and "drink" then text said individual. I had one beer, and sent that text based on an in-person conversation I had with \*\*\*\* so that incident has been distorted in the report.

**Page 13** – The reference to my appearance in showing up for a meeting fails to consider the context of the event. I has asked to come to the office with virtually no notice so I am immediately left my home and went straight to the office only to discover that the subject was not as critical as was represented to me.

**Page 14** – Regarding my interactions with this new hire in the jail that is someone sought to be used to contrast my interactions with \*\*\*\* the report misses significant differences in the situations This person was from the area and I did have conversations with the person about the person's knowledge of the area. I did not provide a tour because another employee did. When I referred to the "we", since I realized we were recruiting non-locals I was attempting to delegate individuals from each division to ensure that they extended knowledge of recreational opportunities to help employees have a good work/life balance. Current literature clearly states officer wellness is a major issue in law enforcement with more officers each year dying by suicide than being killed in the line of duty so anything we can do to promote officer wellness is important and I fully intend to continue to do that as best as I can. In fact, we have started a program to promote wellness and the command staff has complimented it. The things \*\*\*\* were invited to were also sent to other employee of our Office that had an active County email address at the time.

**Page 15** – This subject carries over from and I did have a conversation with the Jail Lt because I was asked about the topic. This conversation occurred because of my request for support in the new employee onboarding process to delegate someone from each division to speak with new hires about local recreational opportunities in an attempt to increase a positive work / life balance in hopes to retain more employees. There was also discussion about how the County handled it

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when direct supervisors started actually dating their subordinates since he had been a subject of that situation.

**Page 16** - Aspects of the report as written here should be placed in context. Candidly, the County Administrator has sometimes given me the impression of hostility because I believe he refuses or fails to understand the independence and authority I have as sheriff. This hostility is evidenced in his statement reflected in the report and has made it extremely challenging to navigate this complaint and it acts to undermine me in the job I was elected to do. To the best of my knowledge not a single person involved with my "on boarding" process (outside the walls of the Sheriff's Office) has been involved with a new Sheriff being elected. I do not believe a single office head or HR have been in their positions with a new Sheriff. In fact, the last time there was a new Sheriff elected, there was not a County Administrator with Chippewa County. I believe that county administration in some ways is simply having a problem with the fact that "there is a new sheriff in town" who has a very different approach and set of priorities than they are used to and who remembers that he bears responsibility to the voters and not county administration.

**Page 17** – The policy review subject has already been discussed and I will not repeat it here.

**Page 18** – Concerning reference in the report that I sat with my "back to the power point" that is true because that was the one open seat. I did and do multi-task on matters that are part of my job and I also did follow along in the handout provided and have since completed this entire series of training. If multi-tasking and looking at a phone, email or text messages makes one unfit for public office, I expect to see mass resignations from probably the entire county board and administration unless I am being held to a different standard than all of them.

**Page 19** – The report concerning the security analysis is deeply flawed and inaccurate. Courthouse Security Analysis – On July 10th a Marshall from the US Supreme Court came to the Chippewa County Courthouse to perform a security analysis. Prior to her arrival I had telephone and email contact with her. During her time here, I was periodically on my mobile phone and working on a possible death investigation. The incident was significant enough that members of the sheriff's office command staff left the security review to go assist in the investigation of the matter. During the course of the activities with the security analyst I used various apps on my phone for such activities as collecting information about security risks and issues and information pertaining to the active investigation that I was attempting to command while also being present for the security review. I believe both the investigation and court security to be important matters and did not want to abandon either of them so I used technology, as many do in this age, to multi-task. I was very transparent with all concerned about the work I was multi-tasking and as I recall I was the only person from our office that remained for the security work while also assisting on the investigation by staying I remote contact.

**Death Investigation Complainant** – The complaint regarding the swimming trunks and the subsequent media release were something I worked with the command staff, as well as the complainant who called it in on. The report fails to address the fact that the complainant and their

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child are personal friends of mine, which is an important detail for context. The command staff was sent the press release and no one said anything critical about its content prior to it being released. The reference to me not being sensitive and making a joke on social media was something the complainant and their child encouraged me to do. The photograph used was done as it was at the complainant's request. This report suggests that I circumvent rules for "friends" (people I barely know) yet at the same time have utter disregard for the feelings and wellbeing of my actual close friends. This was also the incident that I was working while doing the court security analysis.

Because of what I perceived to be highly inaccurate and biased information as presented in the investigative report, I contacted the Marshall on September 27, 2023, to inform her in the report it was written that she had an unfavorable impression of me. She indicated that those statements were inaccurate. When I asked her if she remembered saying something was "ridiculous" she stated she did and that the comment about something she asked me to take a picture of to show her. What she indicated was "ridiculous" was not me but it was the lack of security pertaining to the matter under discussion, which for reasons of security I shall not elaborate about in what might become a public document. The Marshall and I agreed on several security risks that would be very easy to fix with minimal or no cost to taxpayers and she appreciated the fact that I identified issues as well as cared.

The report of this incident represents either the investigator receiving false information, or doing a poor investigation, or result-oriented investigation, or both. A competent and complete investigation would have gone to the source of the alleged statements and interviewed the security analyst. That never happened, according to the security analyst, whose contact information was readily available to the investigator. At best such a failure in basic investigative techniques is sloppy, negligent work and at worst part of a result-oriented investigation to smear my reputation with falsehoods. Perhaps the only thing as sad as this deficiency is the fact that the County Administration is preventing me from implementing some of her public safety recommendations that could be implemented at no cost to the taxpayers of Chippewa County. This situation is another example of County Administration failing to acknowledge that a Constitutional power of an elected Sheriff is security of the courts.

**Page 21** – The report speaking to issues of working and patrol seems to support the absurd notion that an elected sheriff works a set shift like an hourly employee. As to the post regarding me working a night shift in fact is that I did work in full uniform and responded to the City of Bloomer where I and 2 Deputies assisted Child Protective Services in removing children from a home because a parent had overdosed on narcotics. I walked those children to Dairy Queen where we had dinner, ice cream, and colored pictures while we waited for a responsible care giver to take custody of them. Then due to the Bloomer Police not having an Officer on duty and one our own Deputies having to leave for a family emergency, we were short staffed. I stayed and covered calls near the Bloomer area until around 3 a.m. I also went to the Jim Falls area on my way home for the evening. I was not being deceitful or misleading and if anything, I downplayed the matter out of respect for the shortage of coverage and sensitivity of the removal of the children.

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Regarding the report portion concerning the dunk tank I have been involved in the dunk tank as part of community relations efforts and in this case, I paid 100% for this on my own, I picked it up on my own, I delivered it on my own. I arranged for this with event with Chippewa Falls Parks and Facilities on my own. At the time I made the original post it was to clarify their post that indicated the "Sheriff's Office" had sponsored the event. After I made a post clarifying it, they changed it, so it took some of what I said out of context on my post. I left my post up in the interest of transparency. I did this activity 100% on my own, at my own expense, and received absolutely nothing in return. The majority of the time the tank was at the pool, I supervised and assisted some juveniles who wanted to sit in the tank. That afternoon is not a day those children will soon forget, and I regret nothing about it. I am attempting to encourage our employees to participate in volunteer activities. This situation is what community engagement is all about and it is what I was elected to do. I would do it again in a heartbeat.

**Rock Fest** – The report has pages of criticism as to my activities at a major community event that pumps many dollars into our local economy. As is so often true with the report it misses the mark. After speaking with Fest administration, they informed me that the former Sheriff would harass the entertainers for autographs, they thanked me for not doing that; but encouraged me to be engaging. They also stated they wanted me to be engaging with the crowd to "humanize the brand" and in fact their staff encouraged me to be present and stand where I did. The photograph with Jacoby Shaddix from Papa Roach was taken after he came up to me and hugged me in front of a crowd of 20,000+ people and thanked me for working near the front of the stage. As a token of appreciation of his respect for Law Enforcement I provided him with a mug I personally paid for. He appreciated it so much he asked if he could buy one for his wife. I provided him with 3 that I paid for (somewhere in this report it mentions the mugs, I paid them from my personal checking account, and the ones "sold" to members of this office were sold at a loss; unless they insisted otherwise.). The picture I posted is similar to a picture he had taken on his personal phone. It should also be noted that I did assist in calls for service and our Office does not charge the event for my time as I worked there on my salary as sheriff. I am the only staff member that does work there for no additional pay and worked there after doing my administrative tasks. If members of our Office would like to complain about me positively interacting with the community while not being financially compensated for it, it further proves my point about the culture I inherited that needs to change. If my employees want to donate 12 hours of their time, I will gladly let them ensure crowd safety in the VIP area or near the front of the stage at the Chippewa Valley Music Festivals.

**Private Facebook Account** – The report section on my Facebook account misses context. Prior to seeking the Office of Sheriff, I had a name for my page that was not my legal name. I chose to do this after information I was given regarding a large-scale narcotics distribution case I was working on. I then changed it to my legal name during the election due to requirements from Facebook as I was an administrator on a business and political page. After the election our Office was involved in a case that attracted media attention. I again changed my name on Facebook and locked down what was publicly viewable, but not because I have something to hide as this report implies. I did this because being the Sheriff I promised the public I would be, means that our agency is going to hold dangerous criminals accountable for their actions. My close friends and family should see pictures of the fish my family catches, not people who wish ill will against me.

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I am raising a child as a single parent and while my child makes many sacrifices for his dad being sheriff, I refuse to add to that burden by doing anything that might ever compromise his privacy and safety. Clearly, I was not hiding anything from my staff as evidence by how easily the material was found.

**Page 22 – SBRs** – The report falsely states or implies some financial wrong-doing or conflict with acquiring needed equipment for my office. The report got this exactly backwards. When I took office one of the projects the command staff repeatedly wanted me to approve was compact rifles for certain situations needed by our agency. Prior to being elected Sheriff I legally obtained a Federal Firearms License (FFL) to sell firearms. I fully support the Second Amendments of the Constitution. I frequently donate firearms to non-profit events in our County and have done so since I obtained an FFL. Prior to having an FFL, I donated firearms safety training. As we started to work on this project I openly communicated with several individuals about the project. Apparently after reading this “report” this turned into what I can best describe as the “game of phone” from when you were a child. I involved the Command Staff and their opinions of what they specifically wanted, I do not believe they all agreed, but I finally got the specifics of what we needed.

I then requested that the manufacturer assemble the rifles based on the specifics we needed. Due to the specifics they needed uncommon parts, which were added to the timeline. The timeline and possibilities are what may have caused confusion. I was asked if we ordered rifles and the fact that they were being built did not mean we were committed to purchase them. I suspect any “deception” perceived can be best described as semantics. Once they were built I was going to go over everything with the manufacturer prior to them being finally purchased and shipped.

I did say to others that we could buy them with my FFL. Due to the need to have 4 of them at \$1,200 each, I was unsure where we would find the money in our already overstretched budget. I said that I would order them with my FFL because I was willing to personally donate them if need be the sheriff's office. I have written communication to prove that statement. I was informed that I should not and could not do that. I did make a comment that if absolutely necessary I would sell the rifles back to the Office or just donate them and said this because I was unsure how we would complete the paperwork prior to being received to make sure we complied with federal firearms laws. After receiving them appropriately transferred to our Office through the ATF some of the command staff apparently doubted I did it appropriately. I did do it appropriately and one member of the office commented on how they questioned it since they were here so fast when other agencies waited over 6 months. The event they were requested to be here for was scheduled and the rifles arrived 3 days before that date. The rifles sat in our office while the invoice went unpaid for a few weeks. I explained to the manufacturer that if finance did not send them the funds from an area identified as a source of the funds that I would personally pay for them.

Ultimately as the duly elected Sheriff of Chippewa County I was told of a public safety need, I did legally what we needed to do (and would have transferred them legally) and was willing to personally donate \$4,800.00 to cover the costs of that need. This “report” would suggest I was

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dishonest regarding it and that I had a financial incentive to use my FFL. Nothing could be further from the truth.

**Taxis (pages 24 and 25)** – The report also implies that I exceeded lawful authority and deceptively arranged for tax dollars to be sent to provide festival guests with a taxi ride. No such taxpayer funds were spent. Based on a few incidents I personally witnessed between Country Fest and Rock Fest I noticed a significant waste of taxpayer resources partially being funded privately by the Chippewa Valley Music Festivals. On occasion we deal with intoxicated individuals who are being asked to be removed from the Festival Grounds. There are times these individuals do not have a safe ride from the grounds nor the financial ability to pay for a ride and leaving them to their own devices creates great risk of injury to them or others.

One instance we had an intoxicated female in the command post that multiple employees ended up dealing with for a lengthy period of time. The female was not only intoxicated, but also was very vocal about her distrust for Law Enforcement. It was either her, or a different intoxicated female that was transported by a Law Enforcement Officer billing the festival \$71.91 an hour, to Eau Claire Wisconsin.

After what I believed was a misuse of our time protecting the public I felt compelled to correct it. I did not “shop” for an opinion, I consulted with different stake holders involved for their opinion. During this time, I was consistently told the same thing, if they call a cab themselves and enter the cab voluntarily, it does not matter who pays for it from a liability standpoint. As a private citizen I have the ability to pay for a cab for someone in need. I spoke with Chippewa Valley Festival organizer(s) regarding the matter. We as private individuals agreed that it was safer for our staff to allow these individuals to call their own cab and we agreed to personally cover the expenses for the remainder of the 2023 year (this was Friday of Rock Fest) as we explored options for the following years. I would have preferred the time to have a more leisurely response and discussion of options, time in this case was of the essence so our communications between various parties were verbal with the risks inherent in that means of communication.

I may have referred to this as a “contract” with my command staff, and I may have said I told the company to “send us the bill” but I intended on covering the expenses personally if not covered by Fest. I felt we have a duty to the public I took an Oath to protect to get them home safely if they were forced off the grounds for a non-arrestable offense. I wanted to further ensure that we were not taking people to jail just as an option to safely remove them unless they committed a crime that warranted them to go to jail. During my first year as the Sheriff during those events, I observed a few operational deficiencies and this was one I addressed. The report would suggest that I was “scheming” and acted in disregard for County Administrative Government; yet what I am guilty of is observing a waste of taxpayer funds and addressing it in a manner that was least intrusive to the citizens I took an oath to protect even if I had to personally cover the expenses. In the end not, a single tax dollar was spent as most of the attendees had funds to pay the cab fare and for the few that did not the festival paid the cost. This “contract”

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resulted in a bill of \$75, less than the cost of an hour of our resources being wasted finding them a ride.

**Page 27** – The fact that according to the report someone brought up how an employee “stopped a friend of mine for drunk driving” is further proof that this report has a clear biased agenda. There is not a single time I have intervened in any attempt to benefit anyone I know. In fact, anyone who is related to me, or is truly someone I call a friend will tell you that I treat everyone the same and if they ended up in jail the most I would do was show up to discuss how they could make better life choices. I do not recall when I would have been stopped for speeding, but I have been warned once or twice, but speeding is not a crime as this report would indicate.

**Page 28** – This section of the report again demonstrates clear examples of double standards. The County Administration asked me to not be around the office, then complains that I am not around the office. I feel that the County Administrator has not had contact with me, either intentionally to undermine my ability to effectively lead, or it has been an unintentional reaction to his absence of not being physically around the building. I do not intend to comment upon or disparage his absences, even though I am not extended the same courtesy. I have stopped by the Administrative Offices several times in an attempt to speak with him and he had been gone.

My command staff assured me that I did not need to do everything for every division. I frequently heard complaints about how the culture I inherited was micro-managed and it would be best for my employees if I “just let them do their jobs and trust them.”

Page 29 - Continuation from Page 28 and as a result I sought to give staff what they requested with the assumption they were competent adults who could do their jobs with minimal supervision so I attempted to give my staff the freedom to not feel micromanaged. I was also told that they felt prior to my arrival the Sheriff attended some meetings they did not feel he needed to be at and some he should be at he did not attend. As to the investigator meetings I requested to be made aware of anything they felt pertinent but did not know my presence in an overcrowded room was requested. I was trying to give my staff the trust and confidence they informed me they desired. At the patrol meeting I was told, “you do not need to stay, the former Sheriff showed up at the start spoke a few minutes and left.” The fact that I told our entire patrol crew I was leaving to attend my son’s baseball game should further prove my transparency with my staff. To continue that point the fact this “report” feels it is necessary to point out the fact that after ensuring with each of my staff around the office they no longer needed me for the day I was transparent enough to tell them that I was going to go home to do laundry or spend time with my family hardly smacks of deception. The comment about “mini golfing” makes me think of two instances. The first was when I went to work on a day I planned to take off, the last day of summer vacation for my child. I promised him that I would take him mini golfing but I had work I needed to do that came up unexpectedly. After doing that work I held myself accountable to the promise I made to my son and left after I was no longer needed. I told my staff that I was leaving and why. The other mini-golf incident took place when I took vacation and after the majority of the command staff gone for the day I took time from my vacation to call an employee. I called

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that employee while on vacation to discuss the details of a promotion they were offered and quite literally spoke to the person while on the min-golf course with my child. The situation is a simple example of how with modern technology one does not have to be sitting in a chair in the office to be working.

**Page 30 -Hiring of Employees** – This portion of the report implies some misconduct in the hiring process and is again incomplete if not simply wrong. The former employee that applied for our agency for a part time position was someone who called me and inquired about applying. During our first conversation he had not been recently released from any employment. Our management team has been discussing cross training employees to help us offset staffing shortages. We have also been exploring options to reduce the mandatory requirements for part-time employees so we could attract more employees that may have less availability. I inquired about different options that may be available for that individual as a way to explore staffing options. When I was encouraging we consider him for employment, this was also prior to being privy of private conversations without me that as Paul Harvey stated, “and now for the rest of the story.”

**MN Extradition** – While somewhat confusing the report seems to claim some improper action concerning a juvenile matter. I did not call to order someone to go get them, I called to inquire if we could / would. I was in my role as Sheriff and depended on my staff to assist me with tasks regarding our office that I was not familiar with. There were multiple jurisdictions involved, including management from other jurisdictions and they informed me we legally could go and get the juvenile. I misunderstood the timeline on when we could take such action, but the request was if we wanted the juvenile and if we would come at some point to retrieve them we could do that and I responded we would. When I spoke with the command staff at the time I had the impression we could go sooner but I have since learned that was not the case.

**Courthouse Threat** – This topic is something that I cannot publicly discuss without it exposing security operations and techniques that might threaten future court and courthouse security. If a forum can be found for more detailed discussion of action taken that can insure the confidentiality of operations, I am willing to do that. In the meantime, all I am comfortable saying for the public record was that robust and obviously effective actions were taken and everyone and everything stayed safe. The fact that county administration and perhaps even some members of the sheriff office do not know the full extent of the measures taken reflects that in this age security information should be on a need-to-know basis and even members of my own office do not always need to know about all measures that are taken. The measures certainly should not be shared with county administration if to do so risks exposure to disclosure under the Public Records law or by accident. I had a very active role in this matter and contrary to this report my press release was sent to stakeholders prior to its release. The only thing added was that Barron County followed him into our county and Chippewa Falls Police Department sent a negotiator when they asked how they were involved.

**Page 31 Pursuit** – The report concerning the subject of a pursuit needs to be in context. This pursuit happened on a Saturday when no other management staff were working. The suspect intentionally used his vehicle as a weapon to disable two of our marked patrol vehicles. The

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suspect also intentionally swerved his vehicle at an officer who attempted to use tire deflation devices while outside of his vehicle. Using a vehicle as a weapon can be considered deadly force. I used the radio and traveled at a speed consistent with the Wisconsin State Patrol guidelines while I was on Highway 53 and in fact the Trooper involved traveled faster than I did. When I caught up to the pursuit we entered Dunn County and I notified other units about the road structure in that area as I was familiar with it. When the suspect eventually crashed I took command of the scene and ordered the suspect out of his vehicle consistent with training I received regarding high-risk traffic stops. I also stayed with the vehicle and secured it in the evidence area. I did drive faster than the speed limit which in such circumstances the law allows me to do. I was working on a Saturday and wrote a full report. If a person had a better understanding of the sheriff's offices policies, which are my policies as the sheriff, they would see that I did not violate policy given the circumstances, and contrary what this report suggests, since I having the ultimate authority for discipline I do not believe I would have suspended anyone for similar actions under similar circumstances. The report suggests some of my staff were critical of me working on a weekend and yet the report also is critical by claiming I am not working enough. Which is it?

**Page 32 Help for Co-Worker** – This part of the report has already been addressed and as already noted shows the investigator simply does not understand federal or state personnel or medical laws.

**Page 33 Hiring Employees** – This topic has been a learning curve for me, due to the process being different than I have experienced in my prior positions. As I become more familiar with the law and the separate authority of the Sheriff this is likely to continue to be an evolving topic as I am beginning to learn that the county process may invade the province that properly is within the authority of the sheriff under the state constitution. However, I will address the report in this document and the other elements are the subject for future developments.

At the point subject to the report I did not understand why at the Sheriff's Office we were not provided with all of the applications that were sent in for our positions; and we had to set up a time to review all applicants. As an elected official, who's family roots tie to Chippewa County over 7 generations; clearly, we will receive applications who have some personal knowledge of me. Without disclosing my personal perceptions of the hiring process, nor divulging too much personal information regarding specific applicants, I feel this topic needs some clarity. There have been several candidates who reached out to me that did not move on in the hiring process. Due to my transparency, and morals, I felt compelled to understand why. Once I was explained as the reasons why, I ultimately agreed with the decision. I understand that subject to case law modification the Wisconsin State Law under Chapter 59 provides the Sheriff the authority to fill vacancies as they deem appropriate, even though I have that authority; I have said many times, "Even if my Father applied here, I wouldn't hire him unless he was the most qualified person for the vacancy."

The report references another candidate for employment that indicated I ignored "red flags" to hire the person because they were a personal friend, that is untrue. I had very limited interactions with him prior to the hiring process. I involved the entire command staff in the process. The

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background investigator informed me they had no reason to discourage me from hiring him. I then was asked if we wanted to look further into the background. I sent a member of my management team to personally view the things they wanted checked in the background. The entire command staff informed me that they wanted me to offer the job to the individual, so I did. That individual has since left because of how they reported they were treated with one example being "checking on the radio, 20 seconds late resulted in a negative mark for my daily performance evaluation." The way the County Administration has handled this "investigation" (according to the individual) was also a contributing factor in their separation of employment. Furthermore, this employee spoke highly of me to this "investigator" but she failed to report that in the report because it did not fit her clear agenda to paint me in an unfavorable light. He provided facts that did not fit her narrative so either they were intentionally omitted or forgotten due to deficient report writing.

Since the day I was elected I have not hired nor promoted any single individual that was not recommended by the majority of the panel involved in the interviews. I cannot think of a single person who was offered the "#1" position if multiple positions were open, or the person offered the only opening we were interviewing for who was not unanimously selected by the interview panel.

**Page 33 / 34 – Country Jam** – I requested that we have an extra patrol vehicle in the Town of Wheaton during Country Jam in the event that there was a public safety need. I made this request based on what the community expressed as concerns. This also was the first year for Country Jam to occur in Chippewa County. I was actively involved in several planning meetings for this event and there were a lot of unknowns. The fact that I asked for an extra public safety presence for a large influx of population density over a weekend is something I was elected to do as part of the duty to protect the public. The fact that some individuals in our Office do not want to work the overtime does not negate the fact that we should meet public safety needs. There were operational suggestions I made in the planning stages of this event, and due to it being the first one in our county we all were preparing for the worst. The fact the event happened with no serious incident should not result in criticism of the Sheriff's Office.

**Chain of Command** – The report reflects that some command staff believe that my management style allows for a jump in the chain of command. I find this claim beyond ironic as county administration routinely engages in that very behavior and has gone so far as to convince the chief deputy sheriff that it is his "boss", which violates even the organizational chart of Chippewa County. I have wanted to ensure that every member of our Office feels they can come to me with issues. The employee who asked about wearing sweatpants in the communications center was redirected to her supervisor. The employee that asked me about having time off for Fest, was not something I encouraged, and it was a misunderstanding, that I fixed. Ultimately these requests are why I encouraged us to ask for mutual aid from other agencies this year at the Festivals.

The issue mentioned about the dispatch complaint and Chief of Police is something I absolutely should have handled. I completely understand supporting the people of our Office and I also believe that it is my responsibility to ensure a positive working relationship among all public

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safety personnel within our County. The fact that this comes up under a chain of command discussion is another example of a double standard to fit a pre-determined narrative. Our command staff agreed to handle complaints regarding other offices by the head official of that organization contacting the other head of the organization to use the proper chain of command. This process was circumvented which caused unnecessary tension between my command staff and a local public safety organization. I believe the situation has been addressed to prevent future issue.

**Responsiveness** – This report would lead you to believe that my command staff and a select few members of my office believe that I am not present at the office when they think I should be. Of course, these people have no idea of the duties and responsibilities of the sheriff as they have never had the job. Few people who have not been sheriff ever truly understand what all the job entails. I inherited a culture where I was informed that the former Sheriff would be gone for multiple days at a time and they did not know where he was. Other than being in Canada where my County email did not work, I do not recall a single time where my emails or phone calls were not answered in a timely manner. This would include all communication from our Office, county staff, and the public. This evidences that I have inherited a culture where physical presence drives perception of work ethic; and that is not true with modern technology. Prove of this reality was that I was working remote while on vacation, every day utilizing satellite internet.

## **CONCLUSION**

This report demonstrates a fundamental lack of respect for the concept of separation of roles and the role and duties of an elected and independent sheriff. It is largely driven by one or more people with a political agenda who do not like the decision made by an overwhelming number of Chippewa county voters. Nowhere is that better evidenced than page 36 of the report where it is written: “A county official described the county as dealing with someone who should not be sheriff.” That opinion set the tone and provided the direction for this report and it is a sad commentary that apparently hopefully well intended county board members allowed themselves to be led down the wrong path and one I hope they see fit to un-do.

Authored By:

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