

**GRIEVANCE REVIEW BOARD MINUTES**  
**December 7, 2009**

**Present:** John Nichols, Joe Hotynski, LeRoy Dahms, Tom Shandonay

**Also present:** Sheriff Mike Brooks, Chief Deputy Bill Tedlie, Ron Montgomery, Jim Godlewski.

**Meeting called to order at** 9:00 a.m. **by** Tom Shandonay

**Motion by** Joe Hotynski **and Seconded by** LeRoy Dahms to convene in closed session pursuant to an exemption provided in Section 19.85 (1)(b), Wisconsin Statutes, for the purpose of investigating charges against public employees and considering the possible discipline of public employees. **Carried** 4-0.

The Board retired to deliberate on the pending matter.

The Board returned at 3:50 p.m.

**Present:** John Nichols, Joe Hotynski, LeRoy Dahms, Tom Shandonay.

**Also present:** Sheriff Mike Brooks, Chief Deputy Bill Tedlie, Ron Montgomery, Jim Godlewski, Human Resources Director Karon Kraft.

**Motion by** Joe Hotynski **and Seconded by** John Nichols to reconvene in open session. **Carried** 4-0.

Vice Chairman Shandonay announced the Board's decision in the pending matter regarding Officer Jamie Mulder. (Only Motions and votes are contained here. Refer to the Board's written decision, 'Findings of Fact, Conclusions of Law and Disposition of Charges,' for further details.)

1. The Board determined by a 4-0 vote that the Sheriff's charges against Officer Mulder are sustained and that discipline should be imposed.
2. The Board determined by a 4-0 vote that the Sheriff's recommendation that Officer Mulder should be suspended without pay for two weeks (12 days) be confirmed and imposed for negligently releasing an inmate from custody in violation of Rule of Conduct 01, Unlawful Act; Rule of Conduct. 10, Level of Competency, and Rule of Conduct 32, Prisoners in Custody.
3. The Board failed to confirm, by a 2-2 vote, with Messrs. Shandonay and Dahms voting yes, and Messrs. Nichols and Hotynski voting no, the Sheriff's recommendation of termination as a penalty for failing to respond appropriately to an inmate who was placing his left hand down his pants in an area that commonly is used to conceal weapons.

4. The Board determined by a 3-1 vote, with Messrs. Nichols, Hotynski and Dahms voting yes, and Mr. Shandonay voting no, that Officer Mulder should be suspended without pay for one month (30 calendar days) for failing to identify an inmate's actions of furtively placing his left hand in the groin area of his pants as a threat to officer safety and notifying the contact officer, in violation of Rule of Conduct 10, Level of Competence and Rule of Conduct 32, Prisoners in Custody.

The Findings of Fact, Conclusions of Law and Disposition of Charges document and the Compact Discs containing the County's exhibits 3, 4 and 5 were filed with Ron Montgomery in his capacity as staff to the Grievance Review Board. (A copy of the document which comprised the County's other exhibits was set to be sent to Mr. Montgomery separately and later. [The document arrived on December 8, 2009.] )

**Motion by Joe Hotynski and Seconded by LeRoy Dahms to adjourn. Carried 4-0.**

Submitted by Ron J. Montgomery, Human Resources Specialist-Labor Relations