

GRIEVANCE REVIEW BOARD MINUTES
February 17, 2014

Present: Tom Shandonay (arrived at 9:15 AM), Joe Hotynski, LeRoy Dahms, Brenda Keller

Excused: John Nichols

Also present: Ron Montgomery, Chief Deputy Christopherson, Sheriff Matz, John Bodnar

Meeting called to order at 9:00 **by** Joe Hotynski

Approval of the minutes of the 1-21-14 **meeting**

Motion by Brenda Keller

Seconded by LeRoy Dahms

Carried 3-0

Procedural Questions from Members

None

Motion by Brenda Keller **to go into closed session, seconded by** LeRoy Dahms, 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. Roll call vote: Dahms, aye; Hotynski, aye; Keller, aye; **Carried** 3-0

Discussion

Joe Hotynski noted that the Board had convened to consider disciplinary action of a seven day unpaid suspension against Deputy David Kasper for violation of Rule of Conduct .15 – obeying orders, Rule of Conduct .27 – confidentiality, Rule of Conduct .14 – unsatisfactory performance and SOP 902.08.S01, inmate telephone usage.

Sheriff Matz said there were two different disciplines. Deputy Kasper is a 19-year, overall good employee.. February 11, 2013 was the first incident. Deputy Kasper unwittingly looked up information for an inmate. An investigation was done and there was a formal discipline meeting with Deputy Kasper. He was informed the recommended that discipline of a one-day unpaid suspension be imposed and stayed contingent upon one full year of no further rule of conduct violations. The second incident happened the beginning of this 2014. Contraband was coming into the jail via inmates coming back from work through Huber and bringing things in for further distribution by inmates inside the Jail. As part of this investigation inmate phone calls were being reviewed and it was found that Deputy Kasper was letting inmates make unauthorized phone calls not using the inmate phone system but through the jail system. The inmates were using the calls to arrange contraband being brought in. Video was watched of Deputy Kasper and he allowed an inmate within the pod to cross the red line surrounding the pod officer station. He allowed contact of male and female inmates. Deputy Kasper fails to be in charge of the inmates and there is no officer safety. The Sheriff is asking for 6 days unpaid suspension.

Joe Hotynski stated that he seems to have a casual attitude towards his job. After 19 years on the job is this going to get him on track? The Sheriff said a mentor has been assigned to him and that he asked Deputy Kasper if he could do the job and he assured him he could. The Sheriff told him dismissal will be the next step. He will be watched more closely and will be attending additional training, not in-house, he will be sent somewhere for it. Joe Hotynski asked if there were other options for county employment. The Sheriff said he could work as a clerk for substantially lower pay.

Joe Hotynski said the Sheriff was very respectful of his rights and that he could probably find more incidences. Joe asked if that was an infringement and the Sheriff said no. Brenda Keller stated that the process sounds good but how long does it continue? The Sheriff said they will meet monthly with him and that will go on for the year. . Joe Hotynski said he's seen performance improvement plans and they are effective. The Sheriff said he's hoping this will do it. Brenda asked if anything in his life may have changed and maybe he should go to EAP. The Sheriff said he has a few personal issues and was offered EAP. Brenda asked about forcing him to attend EAP and the Sheriff said he didn't know if he could force him. LeRoy Dahms asked if the inmates were made aware of two phone systems and the Sheriff said yes they know.

Motion by Brenda Keller to accept the Sheriff's recommendation of a seven-day unpaid suspension against Deputy David Kasper

Seconded by LeRoy Dahms

Carried 4-0

John Bodnar asked Joe Hotynski if the Board was doing it as 1 day plus 6 days and he said yes.

Motion by Brenda Keller to reconvene in open session. **Seconded by LeRoy Dahms**

Roll call vote: Dahms, aye; Hotynski, aye; Keller, aye; Shandonay, aye

Carried 4-0

Motion to adjourn at 9:25 by Brenda Keller

Seconded by LeRoy Dahms

Carried 4-0

Submitted by

Kathy Rumlow