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Police chief responds to column in Freeman

*Jack: Human error
led to video
being deleted*

By Russell P. Jack

This statement is in response to an editorial that was printed on the front page of the Waukesha Freeman on July 20, 2011. This editorial was not based on fact and contained the biased personal viewpoints of a journalist connected to the incident through friendship and an outgoing judge who had approached the Police Department seeking support prior to her loss at the polls.



Jack

As chief of police, I am compelled to respond to the deroga-

tory opinions and slanderous statements made in the article because they directly impact the credibility of the Waukesha Police Department. We want the citizens of this community to know that the Waukesha Police Department takes every complaint or allegation concerning potential misconduct or questionable actions of our officers very seriously. Our willingness to hold officers accountable was displayed recently when we conducted internal investigations of several tenured officers for misconduct, resulting in their resignations. We do not and will not hesitate to hold all employees accountable, regardless of the outcome.

We count on our citizens to advise us if an employee's actions are questionable as our supervisors cannot observe all of our employees all of the time. An impartial and objective examination of the facts by the administration of the department will be conducted when allegations or an incident comes to light where our officers may have acted inappropriately. These types of internal investigations are routinely conducted, whether we have a citizen complaint or not, in order to ferret out wrongdoing or to exonerate falsely accused officers.

As is our practice, as soon as the administration of the Police Department became aware of the Schroeder case with the missing squad video, an internal investigation was immediately launched to determine how the video was lost. We recognized the seriousness of the issue and its potential impact on the case and the department. If our officers were negligent or intentionally destroyed evidence, we wanted to know so that they could be held accountable.

This internal investigation found facts that showed that the officers did not intentionally delete the video or cover up the use of force by officers during the incident. The video was shown to several officers after the incident because it was a good example of officers correctly following the stringent requirements we impose on our officers before they can use force to control a citizen. Proof that there was no cover-up or attempt to destroy damaging evidence also comes from the fact that the video was openly shown to other officers and supervisors and the officer told the defense attorney that he had the video. When Mark Schroeder was arrested, the reports surrounding his arrest were forwarded to the Waukesha County District Attorney's office shortly after. This is common practice and

showed our intention to have him charged criminally. If there were a cover-up, the video would have been immediately deleted and no one would have been told of its existence.

The internal investigation found that the officers inadvertently mislabeled the video as a routine traffic crash scene (which is what they were dispatched to), not a use of force incident, which allowed it to be deleted at the required 120-day mark. Videos of routine stops or incidents are not saved because they do not contain anything of evidentiary value. Had the video been labeled properly, it would have been saved. It was an honest mistake – a human error. Corrective actions have been taken, officers were held accountable and new procedures are now in place to ensure this does not happen again.

The citizens of the city of Waukesha should have full faith and confidence in the honesty and integrity of its police officers and this administration’s duty to hold them accountable. As proof of this accountability, we have attached the completed internal investigation and conclusion concerning this incident.*

I know that our officers’ integrity and professionalism is intact and I support them fully. They made an error when our video system was in its incipient stage. I have included the investigation with this statement to show our transparency as an agency.

I am disappointed that the Waukesha Freeman chose the front page to print an editorial by Darryl Enriquez which was full of opinions and unsubstantiated allegations.

(Russell P. Jack is the chief of the Waukesha Police Department)

** Editor’s note: The report on the internal investigation that came electronically attached to this statement is available at www.gmtoday.com.*

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