

P file
COPY

April 3, 2017

VIA PERSONAL DELIVERY

Mr. Richard Schend
President
Board of Kenosha Police & Fire Commissioners
2302 24th Avenue
Kenosha, WI 53140



Re: Filing of Disciplinary Charges against Officer Kendal West

Dear Mr. Schend:

Pursuant to the provisions of Section 62.13 (5) (b), Wis. Stats., the Bylaws of the Board of Police and Fire Commissioners, and the Rules and Regulations of the Kenosha Police Department, I am hereby filing the following charges against Officer Kendal West. These charges are being filed as the result of an internal investigation conducted by Captain Bradley Kemen and Sergeant James Beller of the Kenosha Police Department concerning serious acts of misconduct committed by Officer West.

Background Information

On January 1, 2017, the Kenosha Police Department was summoned to United Hospital Systems, Kenosha Hospital, located at 6308 8th Avenue, for "an officer that punched a doctor" complaint. Lieutenant David Molinaro responded to Kenosha Hospital where he spoke with Doctor Brian Piechowski. Dr. Piechowski complained of pain to his head caused by Officer West punching him three times. Doctor Piechowski further reported that he was in an intimate relationship with Rebecca West, the wife of Officer Kendal West. Doctor Piechowski stated that on December 24, 2016, he was in a hotel room with Rebecca and Officer West confronted them in the room. Dr. Piechowski reported that he was also verbally threatened by Officer West. During both incidents, Officer West was on duty and in police patrol uniform. During the course of the investigation, multiple violations of policy and state law were uncovered.

FACTUAL FINDINGS OF INVESTIGATION

Officer West has been employed by the Kenosha Police Department since September 3, 2013. Officer West has been thoroughly trained in the Department Rules and Regulations while employed by the Department. During the course of the investigation Officer West confirmed virtually all of the pertinent information regarding the events of December 24, 2016, December 31, 2016 and January 1, 2017. Officer West asserted that his misconduct was justified by the fact that he was overwrought due to his wife having an affair. Essentially, his position was that he did what any man would do under the circumstances.

At the conclusion of the investigation, Captain Kemen and Sergeant Beller reached the following findings:

Officer West is an intelligent, experienced and well-trained officer;

Officer West abused his position as a police officer by placing his personal issues ahead of requirements of his position as a police officer;

Officer West demonstrated a pattern of untruthfulness during his official duties as a police officer and additionally, he directed his wife to be untruthful by sending a false electronic communication;

While on duty and while in uniform, Officer West assaulted the person he believed was having an affair with his wife;

During the investigatory interview, Officer West essentially confirmed his misconduct on the dates in question;

Officer West violated state law and numerous Department policies.

CHARGES – STATUTE AND POLICY VIOLATIONS

The internal investigation found substantial and credible evidence to prove the following violations of Wisconsin state statutes and Kenosha Police Department policy.

DECEMBER 23 – 24, 2016

(1) Violation 1

On December 23, 2016 at 11:02 PM, Officer West notified Dispatch that he would be south of his area and Dispatch documented Officer West as “SOUTH OF AREA” in the computer system. The AVL (vehicle global position system) was reviewed and it showed that Officer West did not travel outside of his patrol area.

Policy violated:

- **26.1 (II) (16) General Rules and Regulations:** Not take part in or allow the falsification or intentional misrepresentation of official reports, documents or records.

(2) Violations 2, 3, 4, 5, 6 and 7

On December 24, 2016 at 1:02 AM, Officer West made a radio request to Dispatch to take a short break at his home. Dispatch replied, "You can go." Officer West replied, "10-4 I'm enroute. I gotta grab some things." Officer West did not take a break at his residence. Instead, Officer West drove to the LaQuinta Hotel, located at 7540 118th Avenue, in the Village of Pleasant Prairie. While at the LaQuinta Hotel, Officer West transmitted that he was "S10-7/A".

Officer West was interviewed on January 13, 2017, and admitted to being untruthful during his radio transmission to Dispatch to take a break at this home. Officer West admitted that he never intended to take a break at his residence and he intended to go to the LaQuinta Hotel. Officer West learned that his wife, Rebecca West, was at the hotel when he used a cell phone application to track her location to the hotel. Officer West went to the hotel to speak with his wife.

Policies violated:

- **1.2 Code of Ethics:** I will be exemplary in obeying the laws of the land and the regulations of my department.
- **26.1 (I) (5) General Rules and Regulations:** Obey all orders, directives, instructions and operating procedures as contained in the Kenosha Police Department's Policy and Procedures Manual.
- **26.1 (II) (4) General Rules and Regulations:** Be competent, efficient, and exercise common sense in the performance of their duties.
- **26.1 (II) (16) General Rules and Regulations:** Not take part in or allow the falsification or intentional misrepresentation of official reports, documents or records.
- **26.1 (II) (20) General Rules and Regulations:** Not engage in conduct which would be demeaning to the Department or unbecoming of an officer thereof.
- **26.1 (II) (22) General Rules and Regulations:** Devote full time and attention to Department business.

(3) Violations 8, 9, 10, 11 and 12

On December 24, 2016 at 1:02 AM, Officer West, while on duty, used a Kenosha Police Department patrol squad and drove to the LaQuinta Hotel, located at 7540 118th Avenue in the Village of Pleasant Prairie. While driving to the hotel, Officer West exceeded the speed limit numerous times. At three different times, Officer West traveled 23,

25 and 29 MPH in excess of the speed limit. Additional vehicles were traveling on the road and the road conditions were wet, which created additional hazards.

As he traveled to the LaQuinta Hotel, the patrol squad video recording system was started and video was recorded three times. Officer West stopped each recording after it started. Officer West documented two of the recordings as Squad Check/Non-Evidentiary. This documentation was untruthful and not the reason the recording system activated.

Policies violated:

- **1.2 Code of Ethics:** I will be exemplary in obeying the laws of the land and the regulations of my department.
- **17.6 (I) Safe Operation of Department Vehicles:** It is the policy of this Department to require Department employees to operate Departmental vehicles and privately owned vehicles used for Departmental business in a safe, responsible, intelligent, and lawful manner at all times; to require the use of all available safety equipment in the operation of vehicles so as to provide maximum protection to themselves, passengers, and citizens; and to present a professional image of the Police Department as well as positive example of driver responsibility to the motoring public.
- **26.1 (I) (5) General Rules and Regulations:** Obey all orders, directives, instructions and operating procedures as contained in the Kenosha Police Department's Policy and Procedures Manual.
- **26.1 (II) (4) General Rules and Regulations:** Be competent, efficient, and exercise common sense in the performance of their duties.
- **26.1 (II) (16) General Rules and Regulations:** Not take part in or allow the falsification or intentional misrepresentation of official reports, documents or records.

(4) Violations 13, 14, 15, 16, 17, 18 and 19

On December 24, 2016 at approximately 1:12 AM, Officer West arrived at the LaQuinta Hotel. Surveillance video footage from the LaQuinta Hotel showed Officer West in full Kenosha Police patrol uniform making contact with LaQuinta Hotel clerk Melinda Tobias.

Melinda provided a written and audio recorded statement. In her statement, Melinda stated that a Kenosha Police Officer arrived at the desk during her shift and requested room information of hotel guests. During the interview, Melinda indicated that she provided the room information to Officer West because he was in police uniform.

Officer West was interviewed on January 13, 2017, and he admitted to asking and receiving the room information for Dr. Brian Piechowski from LaQuinta Hotel staff. Officer West acknowledged that a private citizen would not have been able to obtain the room information of hotel guests.

After receiving the room number, Officer West went to room and knocked for several minutes. Officer West stated that after five to ten minutes of knocking Rebecca (West) opened the door. Officer West entered and stayed in the hotel room while speaking with Rebecca and Dr. Brian Piechowski. Officer West left the hotel without further incident.

Officer West was unavailable and out of service for approximately 37 minutes as he engaged in personal matters. During the time that Officer West was unavailable for service, two 911 Hang Up phone calls were received in Officer West's patrol area. The 911 Hang Up service calls were dispatched to other available units.

State Statute Violated:

- **Wis. Stats. Sec. 946.12 Misconduct in public office.**

Any public officer or public employee who does any of the following is guilty of a Class I felony:

- (1) In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity;

Policies violated:

- **1.2 Code of Ethics:** I will be exemplary in obeying the laws of the land and the regulations of my department.
- **26.1 (II) (4) General Rules and Regulations: Be competent, efficient, and exercise common sense in the performance of their duties.**
- **26.1 (I) (5) General Rules and Regulations:** Obey all orders, directives, instructions and operating procedures as contained in the Kenosha Police Department's Policy and Procedures Manual.
- **26.1 (II) (14) General Rules and Regulations:** Not leave the City with a City vehicle except where necessary to go from one part of the City to another by the most direct route with the consent of a person in higher authority in chain of command or dispatcher.

- **26.1 (II) (20) General Rules and Regulations:** Not engage in conduct which would be demeaning to the Department or unbecoming of an officer thereof.
- **26.1 (II) (22) General Rules and Regulations:** Devote full time and attention to Department business.

(5) Violations 20, 21, 22, 23, 24, 25 and 26

On December 24, 2016 at 1:38 AM, Officer West, responded to a suspicious call at Gas N Grab, located at 1730 22nd Avenue. The called remarks report a suspicious vehicle in the parking lot of the Gas N Grab. While traveling to the Gas N Grab, Officer West exceeded the speed limit. At one point, Officer West traveled 18 MPH over the posted speed limit. The road conditions appeared wet which caused an additional hazard.

While traveling to the Gas N Grab, the squad video recording system was activated and Officer West documented the activation of the squad video recording system as "Complaint Calls". This documentation was not truthful and not the reason for the activation.

Officer West was in the 3500 block of 18th Street when he called 10-60, common terminology used to make notification that he was in close proximity to the Gas N Grab. Officer West was 2 miles away from the Gas N Grab when he reported that he was 10-60. Two miles away from the Gas N Grab is not within close proximity, or 10-60.

Dispatch gave Officer West additional vehicle identification information and transmitted that the vehicle had left the Gas N Grab and was last seen traveling east on 18th Street. Officer West acknowledged that he received the information from Dispatch by transmitting "10-4." Officer West did not pursue the vehicle nor conduct a business check of the Gas N Grab. Officer West then cleared the call without further action.

Policies violated:

- **1.2 Code of Ethics:** I will be exemplary in obeying the laws of the land and the regulations of my department.
- **17.6 (I) Safe Operation of Department Vehicles:** It is the policy of this Department to require Department employees to operate Departmental vehicles and privately owned vehicles used for Departmental business in a safe, responsible, intelligent, and lawful manner at all times; to require the use of all available safety equipment in the operation of vehicles so as to provide maximum protection to themselves, passengers, and citizens; and to present a professional image of the Police Department as well as positive example of driver responsibility to the motoring public.

- **26.1 (II) (4) General Rules and Regulations:** Be competent, efficient, and exercise common sense in the performance of their duties.
- **26.1 (I) (5) General Rules and Regulations:** Obey all orders, directives, instructions and operating procedures as contained in the Kenosha Police Department's Policy and Procedures Manual.
- **26.1 (II) (16) General Rules and Regulations:** Not take part in or allow the falsification or intentional misrepresentation of official reports, documents or records.
- **26.1 (II) (20) General Rules and Regulations:** Not engage in conduct which would be demeaning to the Department or unbecoming of an officer thereof.
- **41.1 (III)(A)(8) Patrol:** Officers assigned to patrol duties have the following responsibilities: Respond to and handle calls for service and provide service as required.

(6) Violations 27, 28, 29, 30, 31, 32, 33 and 34

On December 24, 2016, after leaving the LaQuinta Hotel, Officer West participated in a 3-way telephone call with Rebecca West and Dr. Piechowski. During the phone call, Officer West threatened Dr. Piechowski by telling him that if anyone found out about Rebecca and Dr. Piechowski in the hotel room, there was going to be a problem. Officer West threatened him by stating, "If anyone finds out about this, I'm going to assume it was you, and I'm coming for you." Officer West was interviewed on January 13, 2017 and he admitted to making the threat.

State Statutes Violated:

- **Wis. Stats. Sec. 947.012 Unlawful Use of a Telephone**

Whoever does any of the following is guilty of a Class B misdemeanor:

- (1) (a) With intent to frighten, intimidate, threaten, abuse or harass, makes a telephone call and threatens to inflict injury or physical harm to any person or the property of any person.

- **Wis. Stats. Sec. 946.12 Misconduct in public office.**

Any public officer or public employee who does any of the following is guilty of a Class I felony:

- (1) In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity;

Policies violated:

- **1.2 Code of Ethics:** I will be exemplary in obeying the laws of the land and the regulations of my department.
- **26.1 (II) (4) General Rules and Regulations:** Be competent, efficient, and exercise common sense in the performance of their duties.
- **26.1 (I) (5) General Rules and Regulations:** Obey all orders, directives, instructions and operating procedures as contained in the Kenosha Police Department's Policy and Procedures Manual.
- **26.1 (II) (12) General Rules and Regulations:** Be neat and clean, exercising good manners at all times.
- **26.1 (II) (20) General Rules and Regulations:** Not engage in conduct which would be demeaning to the Department or unbecoming of an officer thereof.
- **26.1 (II) (22) General Rules and Regulations:** Devote full time and attention to Department business.

DECEMBER 31, 2016

(7) Violations 35, 36, 37, 38, 39, 40 and 41

On December 31, 2016 at 10:24 PM, Officer West was involved in the arrest of a subject. Officer West completed the paperwork associated with the incident at the police department. The AVL system was reviewed and at 11:48 PM, the patrol squad assigned to Officer West indicated movement. According to the dispatch computer system, Officer West was still assigned to the incident and at the police department while the squad was moving. The squad was driven to The Factory, a tavern located at 5010 7th Avenue, and the squad movement stopped outside of The Factory. Surveillance video from The Factory showed Officer West entering The Factory in patrol uniform just

before midnight. Officer West spoke to Rebecca while inside of The Factory, and he was inside for approximately 4 minutes before leaving. Officer West notified Dispatch that he was clear from the call and that he was available at 12:05 AM.

Officer West was unavailable for service for approximately 17 minutes as he engaged in personal matters. He had completed the assignment he was on and waited until after his stop at The Factory before he notified Dispatch that he was available. He did not notify Dispatch he had left the police department and traveled to another location. He thereby misrepresented his status and location.

There were five calls for service which were received between 11:56 PM and 12:05 AM. One of the calls was in Officer West's patrol area which came in at 12:04 AM. If Officer West had notified Dispatch that he was available when he left the police department at 11:48 PM, he likely would have been dispatched to one of the pending calls. Upon notifying Dispatch that he was available, he was dispatched to the call in his area immediately after he made the notification.

Policies violated:

- **1.2 Code of Ethics:** I will be exemplary in obeying the laws of the land and the regulations of my department.
- **26.1 (II) (4) General Rules and Regulations:** Be competent, efficient, and exercise common sense in the performance of their duties.
- **26.1 (I) (5) General Rules and Regulations:** Obey all orders, directives, instructions and operating procedures as contained in the Kenosha Police Department's Policy and Procedures Manual.
- **26.1 (II) (16) General Rules and Regulations:** Not take part in or allow the falsification or intentional misrepresentation of official reports, documents or records.
- **26.1 (II) (20) General Rules and Regulations:** Not engage in conduct which would be demeaning to the Department or unbecoming of an officer thereof.
- **26.1 (II) (22) General Rules and Regulations:** Devote full time and attention to Department business.
- **26.1 (III) (3) General Rules and Regulations:** Not enter a place selling liquor or fermented malt beverages, except on patrol check or police business, while consuming meals where food is served or for reason of personal necessity.

JANUARY 1, 2017

(8) Violations 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54

On January 1, 2017, while on duty and in uniform, Officer West drove to the Kenosha Hospital parking lot at approximately 1:38 AM. Kenosha Hospital is in Patrol Area 20 which is two patrol areas away from Area 10. Officer West was not dispatched to Kenosha Hospital, nor had he received permission to travel outside of his patrol area to Kenosha Hospital. Dr. Piechowski was working that night. Officer West's wife was not working at the hospital that night, but was there visiting Dr. Piechowski in the Hospital's parking lot.

As Officer West was traveling to Kenosha Hospital, Officer Andrew Baugher requested assistance over the radio for a squad accident. The squad accident occurred at 63rd Street and 14th Avenue. Officer Baugher radioed for assistance that his squad was involved in an accident. Instead of assisting a fellow officer, Officer West continued to Kenosha Hospital even though he was aware that an officer had requested assistance.

At about 1:30 AM, Dr. Piechowski received a text message from a friend of Officer West's wife, stating that both she and Officer West's wife were outside the hospital. He went outside to see them. He walked over to their car and embraced and kissed Officer West's wife. While they were talking, they heard a car "screeching" into the parking lot. Officer West's wife said, "That's got to be Kendal." Officer West parked the patrol squad behind his wife's vehicle in the parking lot at Kenosha Hospital and exited the vehicle. Dr. Piechowski recalls Officer West saying something like, "You son of a bitch." According to Dr. Piechowski, when Officer West approached him, he had an unstable and distraught look on his face. Officer West approached Dr. Piechowski and then started punching him. While he was able to dodge some of the blows, Dr. Piechowski stated that Officer West had "connected" with the left side of his face as well as his left ear. Dr. Piechowski said that the punches caused him pain.

Once Officer West stopped punching Dr. Piechowski, he returned to his squad car. Dr. Piechowski saw the squad car accelerate towards him. At the last second, Officer West swerved away from Dr. Piechowski, stopped next to him, and then left the hospital parking lot.

State Statutes Violated:

- **Wis. Stats. Sec. 940.19 Battery; substantial battery; aggravated battery.**

(1) Whoever causes bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed is guilty of a Class A misdemeanor.

- **Wis. Stats. Sec. 947.01 Disorderly conduct.**

(2) Whoever, in a public or private place, engages in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance is guilty of a Class B misdemeanor.

- **Wis. Stats. Sec. 946.12 Misconduct in public office.**

Any public officer or public employee who does any of the following is guilty of a Class I felony:

(3) In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity;

Policies violated:

- **1.2 Code of Ethics:** I will be exemplary in obeying the laws of the land and the regulations of my department
- **1.3 (II) Use of Force:** It is the policy of the Kenosha Police Department that sworn personnel use only the amount of physical force reasonable and necessary to arrest, apprehend, or restrain a person. Force may also be used in defense of self or others.
- **26.1 (I) (2) General Rules and Regulations:** Obey all local, state and federal laws, rules and regulations.
- **26.1 (II) (4) General Rules and Regulations:** Be competent, efficient, and exercise common sense in the performance of their duties.
- **26.1 (I) (5) General Rules and Regulations:** Obey all orders, directives, instructions and operating procedures as contained in the Kenosha Police Department's Policy and Procedures Manual.
- **26.1 (II) (12) General Rules and Regulations:** Be neat and clean, exercising good manners at all times.
- **26.1 (II) (13) General Rules and Regulations:** Not leave place of assignment or duty without being so directed by person in higher authority in chain of command or dispatcher.

- **26.1 (II) (20) General Rules and Regulations:** Not engage in conduct which would be demeaning to the Department or unbecoming of an officer thereof.
- **26.1 (II) (22) General Rules and Regulations:** Devote full time and attention to Department business.
- **26.1 (IV) (1) General Rules and Regulations:** Assist all other Kenosha Police Department Officers, when requested to do so, in the performance of police duties.

(9) Violations 55, 56, 57, 58, 59, 60, 61 and 62

After leaving the hospital parking lot, at approximately 1:48 AM, Officer West pulled into the parking lot of the Beth Hillel Temple, and exited his squad. The Beth Hillel Temple parking lot is located in Patrol Area 20 which is two patrol areas away from Officer West's patrol area. Officer West was not dispatched to the Beth Hillel Temple, nor had he received permission to travel outside of his patrol area to the Beth Hillel Temple. After exiting the squad, Officer West met with his wife who was also in the parking lot.

In a follow up interview, Officer West admitted that he met his wife and asked her questions about the relationship. Officer West stated that Heather Thomas was in the vehicle with his wife and he described Heather as a friend and coworker of his wife.

During the investigation, Officer Wicketts was interviewed and stated he was off duty and at The Factory on December 31, 2016 and into January 1, 2017. Officer Wicketts told me that he received a phone call from Heather Thomas and she was with Rebecca West. Officer Wicketts said that Heather Thomas had the phone on speaker phone while speaking to him. Officer Wicketts stated that during the conversation, he heard Rebecca say, "Oh my God, there he is again." Officer Wicketts said that he heard Officer West approach and recognized Officer West's voice and a police radio in the background. Officer Wicketts said that he heard Officer West arguing with Rebecca and described Officer West as yelling at Rebecca.

Officer West left the parking lot and shortly thereafter, he was summoned to return to the Police Department.

Surveillance video recordings from Kenosha Hospital recorded Officer West arriving at the Beth Hillel Temple parking lot in the patrol squad. Officer West was out of the squad for approximately 3 minutes and 39 seconds.

State Statutes Violated:

Wis. Stats. Sec. 947.01 Disorderly conduct.

(4) Whoever, in a public or private place, engages in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance is guilty of a Class B misdemeanor.

Policies violated:

- **1.2 Code of Ethics:** I will be exemplary in obeying the laws of the land and the regulations of my department.
- **26.1 (II) (4) General Rules and Regulations:** Be competent, efficient, and exercise common sense in the performance of their duties.
- **26.1 (I) (5) General Rules and Regulations:** Obey all orders, directives, instructions and operating procedures as contained in the Kenosha Police Department's Policy and Procedures Manual.
- **26.1 (II) (12) General Rules and Regulations:** Be neat and clean, exercising good manners at all times.
- **26.1 (II) (13) General Rules and Regulations:** Not leave place of assignment or duty without being so directed by person in higher authority in chain of command or dispatcher.
- **26.1 (II) (20) General Rules and Regulations:** Not engage in conduct which would be demeaning to the Department or unbecoming of an officer thereof.
- **26.1 (II) (22) General Rules and Regulations:** Devote full time and attention to Department business.

(10) Violation 63

On January 2, 2017, Officer West made a phone call from the Racine County Jail to his wife. During the phone call, Officer West asked his wife to be untruthful. Officer West requested his wife to email the Instructor of his Social Psychology class. Officer West told his wife to tell the Instructor that he does not have access to the Internet so he cannot complete a test due to a military assignment.

Policies violated:

- **26.1 (II) (20) General Rules and Regulations:** Not engage in conduct which would be demeaning to the Department or unbecoming of an officer thereof.

OFFICER WEST'S PRIOR DISCIPLINARY ACTION

On August 30, 2014, Officer West received a written verbal reprimand for a squad accident (2014-086440).

REQUEST FOR DISCIPLINARY ACTION

Based on the findings of the internal investigation, there is "just cause" as defined in Section 62.13(5) of the Wisconsin Statutes to conclude that Officer West violated the rules and regulations of the Kenosha Police Department and state statutes. The investigation revealed that Officer West has engaged in serious acts of misconduct starting on December 24, 2016 and continuing through and including January 2, 2017, when he told his wife, Rebecca West, to be send an untruthful email to the Instructor of his Social Psychology class.

Officer West's actions constitute a serious violation of state law and Department policies.

Officer West's actions are inexcusable and cannot be accepted or tolerated by the Kenosha Police Department. Based on the seriousness of the misconduct at issue, I am seeking the termination of Officer West's employment as a police officer and respectfully request the Commission to affirm this decision. This requested action is based upon the seriousness of these charges, the number of rule violations at issue, as well as Officer West's overall record of service to the Kenosha Police Department.


I am sending a courtesy copy of these charges to the KPPA President Deates, and Officer West's attorney, Loren J. Keating. It is my understanding that Commission Bylaws require that the Police Department must legally serve a copy of these charges on Officer Kendal West. Thus, attached is an Affidavit of Service which will be completed once the Filing of Disciplinary Charges have been served on Officer West. If you would prefer the Commission to officially serve Officer West with a copy of the charges filed with the Commission, please contact me and I will make arrangements to do so.

Upon your receipt of these charges, I would request that a hearing be scheduled as required by Section 62.13(5), Wis. Stats., not less than ten (10) days nor more than thirty (30) days after the service of these charges on Officer West.

I will be represented in this matter by Attorney Daniel G. Vliet and Kevin C. Pollard of Buelow Vetter Buikema Olson & Vliet, LLC, 20855 Watertown Road, Suite 200, Waukesha, WI 53186. Attorney Vliet may be reached by phone at (262) 364-0259 or by

email at dvliet@buelowvetter.com. Attorney Pollard may be reached by phone at (262) 364-0261 or by email at kpollard@buelowvetter.com. Please include Messrs. Vliet and Pollard on all future correspondence regarding the scheduling of the hearing or any other aspect of this matter.

Respectfully submitted,



Daniel Miskinis
Chief of Police

cc: Attorney Daniel Vliet
Attorney Larry Keating
Peter Deates, KPPA President
Deputy Chief Eric Larsen
Inspector Edo Maccari

Kenosha County Eye


In the Matter of the Disciplinary
Charges Filed Against

OFFICER KENDAL WEST

AFFIDAVIT OF CHIEF DANIEL MISKINIS

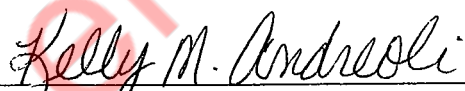
Chief Daniel Miskinis states as follows:

1. I am the Police Chief for the City of Kenosha Police Department. It is in this capacity that I make this affidavit.
2. I submit this affidavit to comply with Section 6.4.1 of the By-Laws of the Kenosha Police & Fire Commission which requires that I file a verified (notarized) complaint with the Police & Fire Commission.
3. The attached disciplinary charges are the result of an internal investigation conducted by Captain Bradley Kemen and Sergeant James Beller of the Kenosha Police Department. These charges are true and correct and are supported by substantial facts and evidence developed during the course of this internal investigation.



Daniel Miskinis, Chief of Police

Subscribed and sworn to before me
this 3rd day of April, 2017.



Notary Public, State of Wisconsin
My commission expires on 10-16-20