

GREEN BAY - A Green Bay police officer who was previously disciplined for excessive force will face a hearing Monday over whether he should be fired.

Misconduct allegations against Alderman Guy Zima also are moving forward.

Here's a rundown of key government meetings in the week ahead.

Police officer faces termination



Green Bay's Police and Fire Commission on Monday is scheduled to hear arguments over whether an officer should be fired, according to a meeting agenda.

Police Chief Andrew Smith said Friday he is seeking to remove patrolman Paul Spoerl from the police department in connection with a harassment investigation.

Smith did not provide details of the allegations against Spoerl, except to say the case is not tied to a previous excessive force complaint against the officer.

Last year, an internal investigation found fault with how Spoerl and other officers handled an early-morning traffic stop in February on Green Bay's

The incident, near an apartment building on Admiral Court, ended with police firing their Tasers three times at an unarmed man before handcuffing him and then jailing him.

The probe found that officers misinterpreted the man's slow actions as resisting arrest and mistook his efforts to keep his pants up as reaching for a gun.

Charges against the man were dropped.

Spoerl admitted to violating the police department's Taser policy during the traffic stop. Investigators also determined that he used a level of force that was not reasonable or necessary,

the discipline.

Spoerl, who is challenging the dismissal, declined to comment Friday and his attorney did not respond to a request for comment.

that he failed to give a warning he was about to use his Taser, and that he filed an inaccurate and ambiguous report about the incident.

Three of the officers, including Spoerl, were suspended for five days without pay and ordered to undergo re-training. The officer who initiated the traffic stop, Michael Rahn, falsified a report about the incident and later resigned.

Despite the findings of the internal investigation, four training officers within the department determined that the use of force was justified and the city's police union has criticized

Third officer may lose job over harassment

Doug Schneider Green Bay Press-Gazette
USA TODAY NETWORK - WISCONSIN

GREEN BAY — A Green Bay police officer's career hangs in the balance this week, as officials weigh claims that he lied during an internal investigation that ultimately cost two fellow cops their jobs.

Officer Paul Spoerl, 29, would be fired if Chief Andrew Smith gets his way. Spoerl has been suspended with pay

since July 31.

Smith has asked the city's Police and Fire Commission to dismiss Spoerl, alleging the officer lied to investigators looking into allegations that some Green Bay officers were being harassed by others in the department.

A hearing related to Spoerl's case began Monday.

Records made public Monday say Spoerl told investigators during a December 2016 interview he had no knowl-

edge of inappropriate actions by fellow officers on the night shift. In a January 2017 follow-up interview, Spoerl changed his story, admitting he witnessed sexual and racial harassment.

"Spoerl's initial statement ... lacked candor, was untruthful and was contradicted by his later statements," Smith wrote in a five-page statement of charges.

Spoerl, via Milwaukee attorney Jonathan Cermele, is asking the commission

to dismiss the charges.

Cermele says the department initially indicated the case against Spoerl could be resolved with him being fired.

He also accused the city of dragging its feet on the case. As a result, Cermele said, Spoerl's reputation has suffered.

It's the latest in a string of cases in which Smith has taken steps to weed out a handful of officers.

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Suspended Green Bay Police Officer Paul Spoerl, left, listens as the city's Police and Fire Commission discusses his potential firing.

four hours Monday hearing arguments on technical issues related to the Spoerl case, but did not rule on any. They are:

■ Whether the PFC is the proper panel to hear the case. Cermele said too much time has elapsed since Spoerl was suspended to allow the PFC to retain jurisdiction.

■ Whether to allow Smith to withdraw and refile charges against Spoerl. Madison attorney Kyle Gulya, representing Smith, said the chief learned after suspending Spoerl that "subsequent investigation" is needed.

Cermele opposes that request.

■ Spoerl's motion to have the charges dropped.

The commission began deliberating behind closed doors Monday afternoon, but commission President Rod Goldhahn said a ruling is unlikely before Thursday.

Spoerl, a De Pere resident, joined the department in September 2015.

He had not been disciplined before the harassment investigation, but was suspended without pay for five days last year for using what Smith said was unreasonable force during a February traffic stop, then filing a report that was inaccurate

considers questions about his potential firing
Spoerl's lawyer, Jon Cermele, is at right. DOUG SCHNEIDER/USA TODAY NETWORK-WISCONSIN

or ambiguous.

Four training officers who reviewed the report argued the use of force was justified. The city's police union has criticized the discipline.

In July, Brown County District Attorney David Lasee issued a statement, called a Brady/Giglio Letter, saying dishonesty by Spoerl would harm his ability to be a credible witness in criminal prosecutions.

The investigation that led to the excessive force allegation against Spoerl led to the firing of Officer Michael Rahn, who falsified a report about the incident, and discipline of several other officers.

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Spoerl still on leave as new charges prepared

Doug Schneider Green Bay Press-Gazette
USA TODAY NETWORK - WISCONSIN

GREEN BAY - Misconduct allegations against suspended Green Bay Police Officer Paul Spoerl are being withdrawn, but Spoerl will remain on paid leave while new misconduct charges are prepared.

The city's Police and Fire Commission on Thursday granted a request by Chief Andrew Smith to withdraw and re-file charges against Spoerl, who Smith says lied to internal investigators looking into officer-on-officer harassment that plagued the department's night shift. Smith has asked commissioners to fire the officer.

"He's not going back on duty," Smith said of Spoerl. The new filing will be made "very quickly - probably within a week or two" after he meets with an attorney for the department.

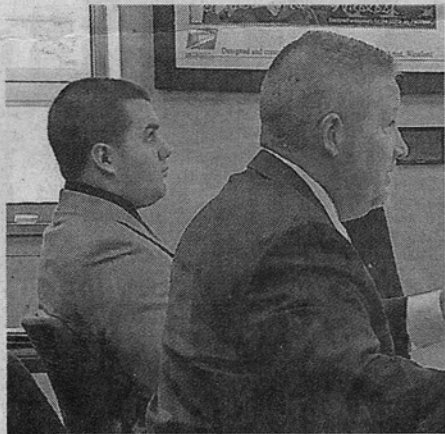
Smith said he asked to withdraw the charges because new information had surfaced.

PFC Chairman Rod Goldhahn announced the decision without comment. He said the commission ruled unanimously. The commission began deliberating Spoerl's case in late January.

Spoerl, of De Pere, was suspended July 31, when Smith alleged the officer lied during an interview with investigators. Per the city's contract with its police union, Spoerl remains on the department's payroll during the suspension.

"Spoerl's initial statement (to internal investigators) ... lacked candor, was untruthful and was contradicted by his later statements," Smith said in five pages of charges.

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Suspended Green Bay Police Officer Paul Spoerl, left, listens as the city's Police and Fire Commission considers questions about his potential firing. Spoerl's lawyer, Jon Cermele, is at right. DOUG SCHNEIDER/USA TODAY NETWORK-WISCONSIN

Spoerl

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The allegation of dishonesty prompted Smith to ask the Police and Fire Commission to fire the officer. An unwritten rule in policing is that lying during an internal investigation can be career-ending.

Records made public in January say Spoerl told investigators in December 2016 he had no knowledge of inappropriate actions by fellow officers on the night shift. In a January 2017 follow-up interview, Spoerl changed his story, admitting he witnessed harassment of women and minorities.

Spoerl is not accused of harassing or bullying fellow officers.

The harassment case led to three officers resigning before they could be fired. Spoerl and five others received unpaid suspensions.

The others returned to duty after serving those suspensions, but Spoerl was suspended again when Smith accused him of lying.

Spoerl's attorney Jon Cermele had asked the commission to clear his client. Cermele said the city dragged its feet on the case, damaging Spoerl's reputation.

Spoerl joined the department in September 2015.

He had not been disciplined before the harassment investigation, but was suspended without pay for five days in 2017 for using what Smith said was unreasonable force during a February traffic stop, then filing a report that was inaccurate or ambiguous.

Four training officers who reviewed the report argued the use of force was justified. The city's police union has criticized the discipline.

In July, the Brown County district attorney issued a statement saying dishonesty by Spoerl would harm his ability to be a credible witness in criminal cases.

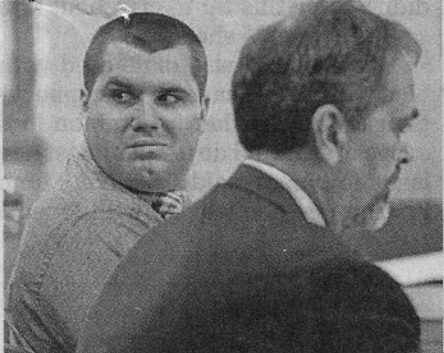
Spoerl's was the latest in a string of cases in which

Smith has taken steps to weed out a handful of officers.

The investigation that led to the excessive force allegation against Spoerl led to the firing of Officer Michael Rahn, who falsified a report about the incident, and discipline of several other officers.

The harassment investigation in which Spoerl is accused of lying led to the forced resignation of night-shift officers Lt. Robert Korth and Patrolman R. Casey Masiak. Department officials said the pair had helped foster an environment of sexual and other harassment on the overnight shift.

Separately, Officer Michael Jeanquart was dismissed last summer after acknowledging he signed his ex-wife's name to the title of a car they owned together. Jeanquart and a special prosecutor have entered into an agreement in which two felony charges against Jeanquart will be dismissed if he complies with other terms of the agreement.



Paul Spoerl, a Green Bay Police Department officer accused of lying to internal investigators to cover up for fellow officers involved in a harassment case, looks behind him at his dismissal hearing in June before the Green Bay Police and Fire Commission at City Hall. SARAH

KLOEPPING/USA TODAY NETWORK-WISCONSIN

Green Bay Police fires officer for lying

Doug Schneider

Green Bay Press-Gazette

USA TODAY NETWORK - WISCONSIN

GREEN BAY - Green Bay Police Officer Paul Spoerl was fired Thursday, nearly a year after he was suspended for lying to internal investigators.

The city's Police and Fire Commission agreed in a 4-0 decision to end Spoerl's employment with the city, backing Police Chief Andrew Smith's claim that the officer chose loyalty to fellow officers over telling the truth.

"It was clear that Officer Spoerl's statements (to internal investigators) had changed," Commission President Rod Goldhahn said in announcing the decision Thursday afternoon.

The dismissal is effective immediately. Spoerl did not attend the meeting.

Commissioners based their decision on evidence and testimony from a two-day hearing in early June.

Smith suspended Spoerl on July 31, 2017, saying he'd been dishonest and evasive in an effort to keep friends on the force from being punished for harassing fellow officers. Smith said Spoerl no longer merited the trust of the community.

"We have no positions in the Green Bay Police Department for officers who can't do the job," Smith testified at Spoerl's hearing in June. "We just can't

Officer

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afford that.”

Spoerl, a De Pere resident hired in 2015, was paid his \$61,230 salary while suspended, under terms of the city’s police officers’ union contract.

Concerns about Spoerl’s credibility had earlier prompted Brown County District Attorney David Lasee and Green Bay City Attorney Vanessa Chavez to issue letters saying they would not use Spoerl as a witness in criminal cases. The DA’s office dropped two misdemeanor weapons-possession cases because it could not use Spoerl’s testimony in those cases.

Spoerl didn’t testify at the June hearing, which was held to determine if he had lied to detectives investigating the harassment of two officers, a woman and an African-American, who worked on the department’s night shift.

His attorney acknowledged that elements of Spoerl’s answers changed during interviews in late 2016. But he said those changes were related to Spoerl not remembering minor details, rather than intentional untruths.

The harassment case resulted in multiple officers leaving the department under a cloud. Lt. Robert Korth and patrolman Casey Masiak resigned under pressure after the investigation began; Korth was accused of using a racial slur to refer to a black officer.

Officer Stephanie Dantoin, the victim of much of the harassment and bullying, resigned from the department in spring after receiving a \$200,000 settlement from the city.

A half-dozen other officers have been disciplined in connection to the case, and Capt. Todd Lepine is fighting Smith’s efforts to suspend him for five days over allegations that he failed to supervise officers on that shift. That case is unlikely to be resolved for several months.

GREEN BAY - A hearing on the fate of suspended Green Bay police officer Paul Spoerl ended Thursday with his lawyer insisting his client did not lie to internal investigators.

Nor was the 29-year-old Spoerl evasive, or trying to protect his friends, when he was questioned by two Green Bay lieutenants looking into harassment by other officers on the department's night shift, attorney William Rettko told the Police and Fire Commission.

"The city says he was trying to protect his friends," Rettko said. "He wasn't trying to protect anyone ... there is nothing here that, at the end of the day, that anyone would find untruthful."

The four commissioners will now review testimony, along with a video of Spoerl's December 2016 interview with investigators, and determine if it will grant Chief Andrew Smith's request to fire the officer. They did not set a date on which they will announce a decision.

Smith suspended Spoerl last July 31, saying he'd been dishonest and evasive in an apparent effort to keep friends from being punished for harassing fellow officers. Smith said Spoerl no longer merited the trust of the department or the community.

Under the city's contract with the officers' union, the Green Bay Professional Police Association, Spoerl has been paid during his suspension. His salary this year is \$61,230, a 2.25 percent increase over 2017's rate because of a change in the contract.

In testimony Thursday, two officers who have worked with Spoerl said they found no problems with Spoerl's general performance as an officer.

"He was a good cop who worked hard and had integrity out on the road," said Jeremy Bilskey, a patrol officer and a police union representative.

Added Mike Knetzger, who was recently promoted from patrol officer to sergeant: "In the calls that I can remember, he was professional and I enjoyed going on calls with him."

Spoerl

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They were the lone department employees to testify on behalf of Spoerl, a De Pere resident who joined the department in 2015. Spoerl did not testify.

Rettko also tried to get Lt. Keith Gehring, an investigator who questioned Spoerl, to say the department only took a hard look at statements in Spoerl's employment application in retaliation after Spoerl indicated he would challenge an unpaid suspension Smith planned to give him in 2017. Smith had said investigators last year reviewed Spoerl's employment application and decided he had been untruthful about an interaction with a Hortonville police officer in 2011.



Knetzger

in 2011.

"There's a pattern here," Rettko said. "Background checks are performed on people who appeal discipline. Why's that?"

Gehring said it is standard procedure in Green Bay to dig into the background of an officer who has disciplinary issues.

Thursday's testimony included efforts by an attorney and witnesses for the city to again show that Spoerl had been extremely reluctant to admit to investigators that he had seen two night-shift officers harass others on the department — even though he was not a target of the investigation, officials said.

The two officers — Lt. Robert Korth and patrolman Casey Masiak — resigned under pressure after the investigation began.

Korth was accused of using racial slurs to refer to black people, including a Green Bay officer; Masiak was accused of harassing a female officer. That officer, Stephanie Dantoin, resigned in March after receiving a \$200,000 settlement from the city.

The strongest testimony came from Smith, who said Spoerl's lack of candor contributed to an environment that was "devastating" to the department, and will require significant efforts to rebuild the department's reputation in the community.

Citing letters from Brown County District Attorney David Lasee and Green Bay City Attorney Vanessa Chavez that they would not use Spoerl as a witness in criminal cases because of credibility issues, Smith said there was no reason to keep him on the force.

"We have no positions in the Green Bay Police Department for officers who can't do the job," Smith testified. "We just can't afford that."

Because it could not use testimony from Spoerl, the DA's office had to drop two criminal cases. Lasee said both involved a misdemeanor charge of carrying a concealed weapon.

Also Thursday, former Hortonville police officer Chad Kleman said Spoerl had sped away in 2011 when Kleman tried to stop him and two other motorcyclists who were speeding through the Outagamie County village at least 28 mph above the 35-mph speed limit.

Kleman said one motorcyclist pulled over when he saw Kleman. He said the other two looked at each other, then sped off.

The motorcyclist who stopped identified Spoerl to Kleman, who later questioned him and gave him a ticket.

"He kind of changed his story of whether he saw me," said Kleman, who now works for Brown County Human Services. "He actually changed his story a couple, I think, three times."

Smith said earlier this year that Spoerl, when seeking the Green Bay job in 2015, described the incident as his having been "out for a drive — nothing crazy."

A half-dozen other officers have been disciplined because of the harassment case. And a captain is fighting Smith's efforts to suspend him for five days over allegations he failed to supervise officers on that shift.