

DATE: December 19<sup>th</sup>, 2016  
TO: Chief Anhalt, Assistant Chief Faust, Lieutenant Konopacki, Sergeant Thomson  
RE: Pre-Determination Meeting Statement  
Cc. Jerry Tomczak, Wisconsin Professional Police Association

This letter is a written response which is intended to address the policy violations which were determined to be sustained following an internal investigation.

To whom it may Concern:

During the summer months of 2016 while working as a member of the City of Sun Prairie Police Department I signed up to work the HVE Seatbelt Grants on four separate occasions. During these grants, the grant regulations state that officers are to make a high number of traffic stops and to issue citations at a 3 to 1 ratio for traffic violations. While working overtime on these assigned traffic grants, I made a mistake which was significant and was not indicative of who I am as a person, or police officer.

Upon stopping these vehicles for lawful traffic violations, I then utilized poor judgement and made a mistake when deciding which enforcement, they were to be issued. As an active member of patrol, I have always initiated traffic stop in hopes of finding more serious criminal acts such as wanted subjects, subjects under the influence of alcohol or drugs, or drug activity. During these stops, I made a good-faith mistake and attempted to help each citizen in an inappropriate manner. I explained to citizens that even though I saw many of them wearing a seatbelt, I would instead issue them a citation for not wearing a seatbelt rather than issuing them a citation for the reason I stopped them. Most of the people, if not all, were very appreciative of this action.

I explained to each subject I pulled over that rather than issuing them a citation for speeding, or an equipment violation, which would cost them a forfeiture amount and potential points against their driver's license in court, which affects insurance rates, that I would instead issue them a citation for failure to wear a seatbelt which was a 10 -dollar forfeiture and no points against their driver's license. I engaged in this act and I wanted to do what was best for the citizen under the circumstances of the grant. It is in this moment that I proceeded to engage in this behavior 26 separate times. This action was only taken during the seatbelt grants as it was the only time where I believed I was obligated to issue a citation. It is in this moment that I did not initially consider the consequences of issuing these subjects a citation that I did not have the elements for. I subsequently issued the subjects these citations and explained that I had done so in the narrative of the citations. When writing the narratives for these citations, I was completely truthful in recording the actions I took. I did not consider the significance of my

actions or the questions that could be raised about my decision making and integrity as an officer at that time.

On the final deployment of the HVE Seatbelt Grant, and after giving this some additional thought, I realized that my action in regards to traffic enforcement on this seatbelt grant was wrong. I realized that by engaging in that behavior I was committing a mistake which could raise questions about the credibility of me as an officer and of the Sun Prairie Police Department.

Upon realizing this mistake on the last day of the grant (summer), I immediately reported it to a supervisor and provided him the facts of what I had done. I was instructed to be as detailed as possible about what had occurred and to make sure what I had done was documented in the narratives of the citations, and I did so. Approximately two months later I was informed by Sergeant Thomson that a citizen had filed a complaint regarding being issue a seatbelt ticket instead of a traffic violation and I immediately informed him of my mistake. Since the first time I reported the incident to a supervisor nearly two months ago, I have struggled to cope with the mistake and repercussion of the mistake I made. I realize the seriousness of my action and how it negatively affected the perception of the police department. I realize that if I was not comfortable with the parameters of the seatbelt grant I should not have participated.

I take full responsibility for my actions and acknowledge that my judgement was not becoming of an officer at that time. I fully acknowledge that my actions were inappropriate and may have violated department policy. Because of my mistake, I believe that discipline is warranted. When asked by supervisors what I believe that discipline should be, I did not have an answer at the time. I did not have an answer as I have never been in trouble before and have never made this kind of mistake. Because I have not been in trouble before, I still do not have a recommendation for discipline. I will however, accept whatever discipline the department feels is appropriate.

When considering what type of disciplinary procedure the department elects to enforce, I respectfully request that they take under consideration my entire body of work performance as a member of the Sun Prairie Police Department.

As an active member of the Sun Prairie Police Department, I have always strived to be the best police officer, citizen, and co-worker that I possibly can be. I have always strived to maintain the highest levels of integrity, respect, honesty and accuracy by being a pro-active problem solving member of the department. As a patrol officer, I have always elected to take on new challenges and have never been fearful of mistakes. I have never been the officer who simply collects a paycheck and I never will be. I have always strived to enhance the quality of life for the citizens of the City of Sun Prairie by thinking creatively and sometimes using alternative means to enforcement. I have never shied away from placing myself in the spotlight. I have actively engaged in community events by being a member of the Amigos en Azul Program and television

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interviews which promote integrity, honesty, and accuracy to community members through department interaction.

I have been an active member and leader in the Sun Prairie Police Department Mental Health Team, Sun Prairie Gang Team, Sun Prairie Police K9 Team, Sun Prairie Drug Strategy Team and Sun Prairie Field Training Team. I participate in these groups to positively effect the quality of life for citizens in Sun Prairie by insuring the integrity, honesty, and respect of the department are followed strictly. I work to train, model, and lead new officer of the department so that they protect and serve the community with the respect, honesty, and integrity each member of the community deserves. I feel an officer that lacks integrity, Honesty, or Respect for their community would not invest so much into their department or take their job as seriously as I do.

I wrote this letter to assure the Sun Prairie Police Department, The Dane County District Attorney's Office, and the citizens of the City of Sun Prairie that the actions taken by me during this incident was a mistake and not an integrity issue or attempt to dissuade public trust in the Sun Prairie Police Department. Throughout this mistake, while my integrity was questioned, I was completely honest and at no time did I fail to be truthful nor did I attempt to mislead anyone. I believe my true integrity as a police officer has also been displayed in a positive manner.

I ask that all subjects when deciding discipline consider the following information about the incident:

Upon realizing that the actions I had taken during the seatbelt grant traffic stop were inappropriate, I immediately seeked out a direct supervisor and informed him of my actions and wrongdoing two months prior to any citizen coming forward. I was instructed to clearly state the reason for my decision in the narratives for these citations, which I had done. I was instructed to not engage in this behavior again and I did not. I then did the hardest thing that any officer accused of wrongdoing can do. I reached out to my co-workers and explained to them what I had done wrong. I did this not for sympathy or for ridicule by them, but to educate and share so it would never happen again. I reached out to them and told them of my mistake so that this mistake would never be made by another officer.

Throughout my life and time at this police department, I have always demonstrated my passion, desire and Integrity for this profession and until they day I die will continue to emphasize it. A person without integrity would not have reported his mistake to a supervisor upon realizing it. A person without integrity would have tried to ignore the situation entirely or tried to make some excuse for his actions. A person without integrity would have lied in their reports or to a supervisor when questioned, I did neither. A person with less integrity would not have the courage to report and share his mistakes, so that others may learn. A person with less integrity would not respect the community, the badge, or his peers by reporting and acknowledging his mistake.

I hope that this letter re-enforces to the Sun Prairie Police Department, Dane County District Attorney's Office, and citizens of Sun Prairie that this action was a mistake and not an integrity issue. As I've said within, at no time was I ever untruthful. I was completely honest from the initial contact with the person stopped, to my explanation with my supervisors.

Sometimes good people with good intentions make bad choices. It doesn't mean they are bad people, it means they are human. I am human and made a bad choice. As such, I am fully committed to accepting responsibility for my actions any discipline given to me by the department or to any requirements of the Dane County District Attorney's Office. I have learned from my mistake and ensure all that I will never be found in this position again.

Professionally,

Officer Matt McElroy #7641

Sun Prairie Police Department

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