

**Glendale Police
Department**

Memo

To: Chief Tom Czarnyszka
From: Lt. Don Haffner
CC: Capt Mark Ferguson
Date: November 21, 2010
Re: Officer Gscheidmeier – Written Reprimand

Officer Gscheidmeier has had an unusually high number of complaints filed against him all relating to his tone and demeanor. Following is a summary of complaints and discipline since 2008:

Date	Complaint	Discipline
February 4, 2008	Tone and Demeanor	Written requested-Verbal given
June 8, 2008	Tone and Demeanor	Unsubstantiated, but counseled
June 13, 2008	Tone and Demeanor	No basis
July 22, 2008	Tone and Demeanor	No basis
August 28, 2008	Tone and Demeanor	Counseled
January 23, 2009	Tone and Demeanor	Counseled
June 3, 2009	Tone and Demeanor	Counseled
August 28, 2009	Tone and Demeanor	Counseled
March 13, 2010	Tone and Demeanor	Unsubstantiated, but counseled

On 7/29/08 Capt Ferguson wrote an email indicating his concern about the excessive number of citizen complaints against Officer Gscheidmeier with further concern that all the complaints centered on his demeanor. The email served as documentation in case future action was necessary.

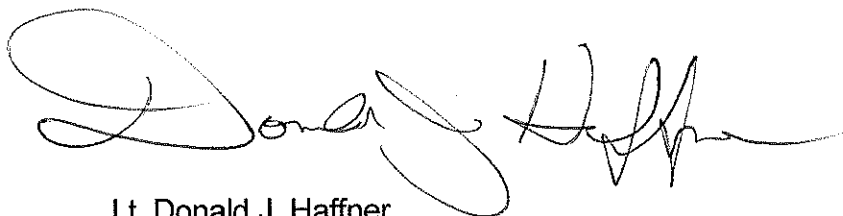
In addition to these complaints, there are three additional incidents (7/14/10, 10/16/10 and 10/16/10) that have become known. (See attached "Matter Of" and DVD from Sgt. Slamann). All these complaints show a continued pattern of behavior by Officer Gscheidmeier all relating to his tone of voice and demeanor when dealing with citizens. Approximately 70 of his traffic stops were also reviewed. Officer Gscheidmeier conducted himself properly on almost all of the stops when the violator was cooperative. However, it appears that whenever there is the slightest challenge or questioning by the violator Officer

Gscheidmeier's voice, attitude, and demeanor immediately changes to being defensive and unprofessional.

On 11/21/10 Sgt. Butler and I met with Officer Gscheidmeier regarding his pattern of behavior. I informed him that I reviewed three videos that showed poor verbal skills and quick escalation with the public. He defended his actions on two of the stops and didn't remember the third stop. I offered to show him the videos, but he declined. I informed him that based on these three incidents and a similar pattern of behavior over the past 2.5 years that I was recommending a written reprimand against him. I also informed him that any future complaints could result in further discipline including suspension.

I believe Officer Gscheidmeier's quick and inappropriate verbal escalation is affecting the reputation of both him and the department. The above list of complaints only goes back approximately 2.5 years, but similar documented citizen complaints have been a concern for the past 10 years. Although I believe that professional counseling could help correct the root cause of his behavior, based on the three new incidents and the continued pattern of behavior, I am recommending that Officer Gscheidmeier receive a written reprimand for violation of Glendale Regulation 4.12.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Donald J. Haffner". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Lt. Donald J. Haffner

Glendale Police Department

Matter Of :

To: Lt. Haffner

From: Sgt. Slamann

Date: November 12, 2010

Re: PO John Gscheidmeier

Lt. Haffner,

On Thursday, November 11, 2010, I was requested by Capt. Ferguson to help review a Use of Force incident involving PO Gscheidmeier. The incident in question occurred on October 28, 2010 at 10:06am. While watching a video of the incident, I had concerns about PO Gscheidmeier's voice tone and demeanor while he was addressing the suspect prior to the deployment of the taser on the suspect. During PO Gscheidmeier's first contact with the suspect, the suspect turned and walked away from PO Gscheidmeier after being told to "come here, I want to talk to you." PO Gscheidmeier proceeded to drive down the roadway, make a u-turn and pull over to the side of the roadway. PO Gscheidmeier exited his squad with his taser drawn and ordered the suspect to stop walking which he did. During this second contact with the suspect, PO Gscheidmeier gave the suspect several commands (drop the basketball and put his cell phone on the ground) and the suspect complied with those commands. PO Gscheidmeier then ordered the suspect to turn around and place his hands behind his back. The suspect started to turn to his right but then stopped and asked, "What did I do?" PO Gscheidmeier gave an even louder command to turn around and place his hands behind his back. Once again the suspect asked, "What did I do?" PO Gscheidmeier yelled at the suspect, that he had a chance to talk to the Police and that he now wanted him (the suspect) to place his hands behind his back. PO Gscheidmeier tells the suspect that he is under arrest for Failure to Follow a Lawful Order and that he should turn around and place his hands behind his back. At this point the suspects hands are in clear view of the PO Gscheidmeier and all the suspect is asking is what he did and why should he place his hands behind his back. PO Gscheidmeier gave the suspect one final time to place his hands behind his back or he will get tased. The suspect does not follow PO Gscheidmeier's directions. PO Gscheidmeier then tases the suspect and falls to the ground, strikes his head on the pavement and taken into custody. While reviewing

PO Gscheidmeier's report he says that the suspect did not appear to be comprehending his commands or appeared to be mentally ill. The suspect did comprehend his commands because he put the phone and basketball down as ordered.

It is my opinion that PO Gscheidmeier, in his second contact with the suspect, should have used better communication skills. Instead of repeatedly yelling commands to the suspect, he should have used his verbal-judo dialog as if he was conducting a traffic stop. The suspect asks what he did. PO Gscheidmeier should have informed the suspect why he was being detained instead of saying that he had his chance to talk to the Police. PO Gscheidmeier's tone/demeanor should have been different (less confrontational) and the outcome of this incident probably would have been different.

On 10-16-2010, I responded to 5800 N. Lydell Ave. (Lydell Parking Structure) involving a citizen complaint involving PO Gscheidmeier. PO Gscheidmeier was dispatched to a traffic crash investigation at this location.

Prior to talking to the complainant, I spoke to PO Gscheidmeier about this incident and PO Gscheidmeier told me that the lady was very difficult to deal with and that she would not listen to PO Gscheidmeier's directions at the scene. PO Gscheidmeier said that the lady was very hard to deal with.

I spoke to the complainant who stated that PO Gscheidmeier was very unprofessional in the way he talked to her. The lady was definitely upset with his actions and stated to me that she has never been involved in an accident. I spoke with her and told her that what PO Gscheidmeier told her was correct. I went further with my explanation to the lady in an attempt to educate her as to why we do things in a certain way. After my explanation, the lady understood what she should have done and said that if the officer (PO Gscheidmeier) would have explained it like I did, she would have understood.

I reviewed the squad video from PO Gscheidmeier's squad. PO Gscheidmeier started recording this incident after he filled out the Non-reportable form so he would be able to record the lady's conversation with him. While listening to the conversation between PO Gscheidmeier and the lady, PO Gscheidmeier does a good job controlling his tone/demeanor, however, later on in the conversation, the lady in a calm voice, tells PO Gscheidmeier that he is not listening to her. PO Gscheidmeier starts telling the lady, "because you are not getting it." "When I tell you to go by your car, do it." As PO Gscheidmeier speaks during this sentence, he keeps speaking louder and louder. As PO Gscheidmeier explains the accident report to the lady, PO Gscheidmeier tells the lady that she is, "Very hard to deal with" and that "I have had it, I am done dealing with you." I believe that these comments made by PO Gscheidmeier are unprofessional. At times the lady tries apologizes for her actions

but PO Gscheidmeier continues to tell the lady what she did wrong instead of just dropping the issue. (See video 20101016-101720_4)

Following this citizen complaint, I spoke with PO Gscheidmeier about his actions. I told PO Gscheidmeier that sometimes people will be upset with us and how we do things but that we cannot let people get us upset and that at times we have to educate people as to why we do things in certain way. I also told PO Gscheidmeier that as much as people may make us mad, we must act in a professional manner and not tell them that, "we have had it with them."

On 10-16-2010, PO Gscheidmeier performed a traffic stop in the 5800 block of N. Port Washington Rd. During this stop, PO Gscheidmeier's demeanor is poor and unprofessional. During the stop he is belittling the driver asking him which ticket he wants (Speeding or Violation of a sign) also during the stop, PO Gscheidmeier sounds as if he is just lecturing the driver saying that he (the driver) knows that he was speeding. While PO Gscheidmeier is lecturing to the driver, the driver tries to ask a question and PO Gscheidmeier tells the driver, "Do not interrupt me" and PO Gscheidmeier keeps on speaking to the driver. PO Gscheidmeier tells the driver, "I could write you both tickets and really teach you a lesson." Later on in the traffic stop, PO Gscheidmeier tells the driver, "you are not driving off-road and more importantly, you cannot do what the hell you want." (See video 20101016-134046_4)

I then went back to the beginning of the videos that were archived (July 14, 2010). On this date, PO Gscheidmeier stops a vehicle for a traffic violation and the stop occurs in the Kohls Dept. Store parking lot. Just as PO Gscheidmeier is making contact with the driver of the auto stopped, a female say to PO Gscheidmeier in a polite voice, "excuse me sir." PO Gscheidmeier proceeds to speak to the lady in a loud and unprofessional manner, "Ma am, I am on a traffic stop." The lady tries to tell PO Gscheidmeier that she is parked in and going to be late for work. PO Gscheidmeier in an even louder and more unprofessional voice yells at the lady to move away. The lady does move away after several more commands from PO Gscheidmeier. PO Gscheidmeier's tone of voice and demeanor in this video are very unprofessional and unacceptable. Rather than yell at the lady, PO Gscheidmeier should have responded to the lady in a polite manner. (See video 20100714-124642_4)

PO Gscheidmeier has been spoken to about his tone/demeanor in the past. On his 2009 Evaluation, PO Gscheidmeier was advised to "Self-Evaluate" his tone and demeanor when dealing with his citizen contacts to reduce the citizen complaints PO Gscheidmeier receives.

From the July 14, 2010 video to the date of this Matter-of, PO Gscheidmeier has been involved in roughly 140 traffic stops. I have randomly reviewed about ½ of these stops and in 99% of these stops, PO Gscheidmeier's actions are very good. He is polite, uses his verbal judo skills well and conducts himself in a professional

manner. However, it seems like when confronted (or challenged) by an individual, there are times that PO Gscheidmeier's tone/demeanor get thrown out the window and his actions are unacceptable and unprofessional.

I am bringing these incidents to your attention for your review.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Lorenc R. Slamann". The signature is written in a cursive style with a large initial 'L'.

Lorenc R. Slamann #712