



President Ron Duuck called the meeting to order Friday, June 1, 2012 at 3:45PM, Menasha Safety Building, 430 First Street, Menasha, Wisconsin

**Present:**, Ron Duuck, Tony Gutierrez, Jason Dionne, Chief Tim Styka, City Attorney Pamela Captain, City of Menasha Probationary Officer Marty Effert, Marshall Spencer,  
**Absent:** Terri Reuss

**Daniel L. Gueths**, Citizen Complaint to City of Menasha Police Commission, dated May 29, 2012

- Due to the age of the original complaint (October, 2010) and the lack of additional information, Jason Dionne moved to declare the complaint stale with no further action possible by the Commission. Tony Gutierrez seconded the motion. The motion was unanimously carried.

#### **Police Officer minimum qualification review**

- City Attorney Pamela Captain will provide The Commission with Police Officer minimum qualification policies from neighboring communities that the Commission can use to update the City of Menasha Police Dept policy.

#### **In the matter of probationary officer Marty Effert's status:**

- It came to the attention of City Attorney Captain and Chief Styka earlier this week that, due to a discrepancy between state and federal policy on the matter, Probationary Officer Effert was declared ineligible to carry a weapon by the federal authorities. Ability to carry a weapon is a condition of employment for a City of Menasha police officer.
- The issue relates to what was determined to be disqualifying criminal history from more than a decade ago.
- Upon learning this, City Attorney Captain (acting in her role as City of Menasha Human Resources Director) and Chief Styka immediately placed probationary officer on paid administrative leave. Once the state authorities confirmed the federal authorities' findings, officer Effert's status was changed to unpaid administrative leave.
- Probationary Officer Effert is working to resolve the matter with state officials as well as the prosecutor's office and judge that initially dealt with the incident in question.
- The issue before the Commission was whether to terminate Probationary Officer Effert or allow him to remain on unpaid administrative leave for a specified period of time pending resolution.
- Given the likelihood this would conclude in a tie vote, Ron Duuck motioned that the matter be tabled until the full commission could reconvene. Jason Dionne seconded the motion which was unanimously supported.

Adjourn: Motion by Jason Dionne, seconded by Tony Gutierrez, at 5:25 pm. The motion was unanimously carried.

- The next bi monthly meeting will be held Thursday, July 12<sup>th</sup> 2012, 4:30pm Menasha Safety Building, 430 First Street, Menasha, Wisconsin.

Menasha alderpersons occasionally attend meetings of this body. It is possible that a quorum of Common Council, Board of Public Works, Administration Committee, Personnel Committee, may be attending; however no official Acton of any of these bodies will be taken.

Menasha is committed to its diverse population. Our non- English speaking population or those with disabilities are invited to contact the acting Chief of Police at 967-3500 at least 24-hours in advance to ensure special accommodations can be made.

Respectfully submitted,

Marshall Spencer,  
Acting Commissioner, Secretary