

Employee Incident Investigation Form

A tool to document a formal investigation

Employee reporting incident: Jordan Schaller	Date: 02/27/2017
Department: University Police Services	Position: Sargent
Employee(s) involved: Kim Dearman	Dept.: UPS Position: Law Enforcement Dispatch

Incident Details as Described by Reporting Employee

Date of Incident: 02/01/2017

Location of Incident: UPS Dispatch office

Write a detailed description of the incident. Please include the names of all parties involved and any witnesses to the event.

██████████ and Kim Dearman
██████████ was working her first day in the dispatch area under Kim's tutelage. Upon receiving Chancellor Gow's email of 01/30/2017, Kim began to openly explain her opinion of the immigration political situation. In doing so, she referenced ██████████ stating "but no offence to you". Kim's tone of voice and derogatory statements were of concern to ██████████ as they came from her direct supervisor. Kim's reference to her directly made her feel very uncomfortable. ██████████ explained the situation in her email statement below. ██████████ subsequently resigned her position.

Employee(s) Interview: Kim Dearman

Date: 03/10/2017 8:00am

Scott McCullough, Kathy Accola and Kim Dearman present. Before starting the meeting, Kim started the recording function on her cellphone. Kathy asked what she was doing and Kim stated she was going to record the conversation. This writer asked that she did not have permission to record and asked that the recorder be shut off. Kim did not comply. Scott told her, as his supervisor, to turn off the recorder and she complied. For the record this writer stated that Kim did not have permission to record this investigatory interview.

Kim was asked if she recalled the conversation with ██████████ on February 1, 2017. Kim stated she did not recall what the circumstances were about. This writer shared that there was a conversation that started after she and ██████████ read a statement from Chancellor Gow regarding Trump's travel status policy. She stated "I thought it was a good idea" this writer asked if she said anything else after that and she stated she did not. This writer asked her again, did the conversation progress, did ██████████ respond to her comments? Kim said there was no further conversation.

Kim received an email from Jordan on February 2nd that ██████████ was not going to be at work. Kim was asked if she had any further communication with ██████████ and she stated that she emailed ██████████ about her schedule on February 3rd and had no response back from ██████████. Finally on February 6th, ██████████ responded that she is no longer working at UPS.

Kim was asked if she had any communication with Jordan regarding ██████████. She stated she had not, outside of the email she received on February 2nd. Kim was asked again if she has discussed ██████████ with Jordan. She then stated that she spoke with Jordan when she received ██████████ February 6th email. She asked him why ██████████ quit and wondered if there was more to the email she received from her. Jordan referenced the February 1st conversation.

Scott asked Kim if she recalls a difference in ██████████'s demeanor from before the comment and after the comment was made regarding your agreement with Trump's policy. She did not recall any change. She stated they talked and laughed. ██████████ shared that she had spent time overseas and has family over there. It was no different than when they started.

Kim was asked if she had anything else that she wanted to share and she did not. She was asked if she had any questions. She asked why she was being investigated for threatening or abusive behavior. This writer explained the words that were spoken become threatening when they are spoken from a supervisor to a subordinate. The words hold more weight and can seem threatening to an individual who has no control.

This writer asked again if Kim had anything to add or any further questions. She said she did not.

Kim was placed on a paid administrative leave for the integrity of the investigation. She was told that she is not to go

back to the UPS and that her fob would be deactivated until we meet again. She was given a Memo for the administrative leave and a memo for the Investigation response meeting. She was told the results could be one of three, no discipline, discipline, or termination. Scott asked that she not return to the Police Department before Monday. He stated that if she needed to do so, she is to contact him prior to coming in. He must be present if she is there.

Witness Interviews

Explain that retaliation resulting from this event will not be tolerated. It is expected that this investigation and its results remain confidential, not shared w/ other staff or co-workers. Information is on a need-to-know basis.

Have the employee explain the events that occurred that resulted in this investigation.

Witness #1: [REDACTED] (complainant)

Date: 02/2/2017

Dear Jordan,

The incident that occurred on Wednesday, February 1st, happened like this...

It was my first day at work and Kim was training me. Everything was going fine, and things were relatively slow. I was scheduled to work from 8am to 12:30pm, but since I have class at 1:10pm, I ended up staying in the office until 1pm. At 12:46pm, both Kim and I received an email from Joe Gow. In the email, Joe Gow stated that he was sorry about the email he had sent on Monday, January 30th, and apologized for making it seem like UW La Crosse was taking a political stance. Kim proceeded to laugh and say that he deserved the backlash he got from students. I proceeded to say "Since you disagree with what he said originally, I assume you take the opposite stance in the political argument." She said yes and then continued on to say how we should respect our president and trust that he knows best. She continued to say that people who "don't belong here" should leave and that Trump is trying to make the best of a bad situation and we as a country should support what he does. Not knowing what to say, I mentioned that most people were upset with the policy passed because Trump was saying that it was to keep terrorists out when in reality the countries that were banned weren't places that terrorists were known to come from and the places where terrorists did come from weren't banned. After I said that, Kim seemed to agree, but then she went on for about 5 minutes about how immigrants don't belong and then turned to look at me and said "but no offence to you." She then went on to say how she believe she wasn't a racist, but she believed that all immigrants deserved to go back to where they were from. After she said that, I didn't know what to say, so I just sat there quietly until 1pm. At 1, I got up and said goodbye and that I would see her Friday (because I was scheduled to work again from 8am to 2pm). I then went through the rest of my day debating what to do, and decided that I would email Jordan Schaller instead of going to human resources because I believe that Kim didn't mean it as horribly as it sounded. I didn't want to cause a big problem, but I am glad that the incident is being handled and I hope that instead of being a punishment, it becomes more of a learning moment for Kim.

[REDACTED]

03/08/2017: [REDACTED] came to HR to visit with this writer. [REDACTED] recalled the incidents which she identified in the email above. She also stated that she engaged several of her friends and mother for advice regarding how to properly address this situation. During our conversation, [REDACTED] became tearful. It is evident to this writer that Kim's actions hurt her deeply. It was recommended that she visit with Campus Climate for resources in managing this pain.

Witness #2: Jordan Schaller

Date: 02/14/2017

Email from Jordan Schaller to Chief McCullough regarding this situation.

Good Afternoon Chief,

My apologies of not getting this out to you sooner. Hopefully I can explain most of what happened on my end for the [REDACTED] Kim Dearman incident:

On 2/1/17 around 10:15 I received an e-mail from [REDACTED] [REDACTED] a new hire by dispatch. I had met her at the Coffee with Campus Cops event held in December. We had a long conversation during the event and I eventually talked with her about coming to work for us in dispatch. She sounded really enthusiastic about it and very interested. She did apply and subsequently hired. She had her first day with Kim in dispatch on Feb 1, the date of the incident. After reading her e-mail, I called her and asked her what she needed to speak with me about. [REDACTED] stated she was training in dispatch with Kim when a conversation about an e-mail Chancellor Gow had sent out regarding Trump's immigration order. [REDACTED] told me that Kim was stating her opinions of the e-mail as well as Trump. [REDACTED] was fine with this as everyone is entitled to their own opinions she said. However, what made [REDACTED] upset was the fact that Kim, while making comments about immigrants, looked at [REDACTED] and said "Well, no offense to you". [REDACTED] is a student of color. She stated that this really upset her and she no longer wished to work at the police department.

I met with [REDACTED] in person on Feb 8th and asked if there was any way we could convince her to come back. I advised he she would not have to train with Kim and we could place her with other dispatchers. [REDACTED], however refuted this saying at some point she would see Kim and was not comfortable doing so. I offered my apologies on behalf of the department and told her if she ever wanted to dispatch on campus that she was more than welcome to apply and come back. She said thanks and kept repeating that "it's not a big deal". I told her that if it caused her to quit it is a big deal, and we are not taking this lightly.

She seemed happy with this response and our meeting ended.

Email received by Jordan from [REDACTED] dated 02/27/17
From: [REDACTED]
Sent: Monday, February 27, 2017 9:43:51 PM
To: Jordan Schaller
Subject: Hey!

Hi Jordan!

I just wanted to email you to ask you how things went after our discussion at the Student Union.

Thank you!
[REDACTED]

03/02/2017: meeting with Jordan Schaller, Chief McCullough and Kathy Accola present.
The first time that Jordan discussed this situation with Kim was when Kim approached him regarding [REDACTED]'s resignation. She did not recall anything wrong. Jordan prompted her with the information and she stated, "It was nothing" and "She better get used to it 'cuz could happen to her the rest of her life"

Additional Information

03/02/2017: Scott asked Kim about the incident and Kim's response was "No big deal" and "Why are we talking about this? Scott shared that he was meeting with HR today regarding this.

Conclusions and Recommendations: Scott McCullough, Kathy Accola

Based on the information from the witnesses and Kim's statement, it is concluded that the conversation between [REDACTED] and Kim was far more extensive than Kim shared. It is not found that [REDACTED] would have any reason to fabricate her story. The information she shared with Jordan and Kathy Accola was consistent throughout. Her demeanor during the interview with Kathy clearly showed the depth of the hurt Kim's comments and behavior caused. It is also concerning as this conversation took place on [REDACTED]'s first day of work and that Kim is her supervisor. This escalates the meaning of Kim's words to a level that caused fear and intimidation toward a subordinate. [REDACTED] had no recourse. This behavior is not acceptable to the mission and values of the University and its Police Services.

Kim is currently in a Performance Improvement Plan process for previous disciplinary actions.

Chief McCullough has made the decision to terminate Kim Dearman's employment effective immediately.