

Response to:

TO DISMISS and BRIEF IN SUPPORT OF MOTION TO DISMISS FOR LACK OF STANDING MOTION

HR Westbrook presents and argues many points in this motion that need addressing. First, I am not filing this complaint on behalf of anyone. This complaint was typed up, thought out, investigated, and discovered on my own. In fact, I don't even plan to call Officer Hernandez as a witness, as she has made her statements to the police and filed her own complaint in her own words with the DWD. Both of those documents are available to the Board. This complaint is about Chief Domagalski's actions, not about Officer Hernandez's. While she is the subject matter to much of what my complaint is about, this complaint is against Chief Domagalski.

To assert that I am not an aggrieved person in this matter is simply ridiculous. The City of Sheboygan, by way of Chief Domagalski, refused to release the internal investigation related to this matter for 9 months, in violation of open records laws. I personally had to pay an Attorney to write a letter to the Chief and the City of Sheboygan demanding its release. Therefore, I am already aggrieved monetarily by that alone. Furthermore, I am aggrieved that I had to miss several days of work and had many more days of my personal time to make sure that Officer Hernandez was okay. The amount of mental and emotional turmoil they put her through directly affected me in every way possible. Part of the reason I left Law Enforcement is because of the experiences I also went through in this matter. This has affected me both personally and mentally. To say I have no interest in how this turns out is absurd. It's not a secret that when victims suffer, their loved ones do as well.

Further, HR Westbrook alleges I have no firsthand knowledge of the events. This is the reason that witnesses are called. I am prepared to call many of them. If hearsay is not allowed and I cannot share what I've been told personally, witnesses are called. I admit, I don't have firsthand knowledge and was not present for the crime Officer Pray committed against Officer Hernandez. What I am aware of is what happened, through speaking with witnesses and reading official reports. The firsthand knowledge I have of the Chief's violations are literally on paper in official police documents. I am aware of information that will come out through witnesses that I have not shared, to keep them confidential from Chief Domagalski. I also have directly communicated with District Attorney Urmanski regarding this issue. DA Urmanski has told me directly and has provided me open records showing the Chief was stalling the release of records to him and that the Chief lied to him about there being no Brady violations by Officer Pray. I did all of this by myself, so it is in fact firsthand knowledge. The same arguments were used with DA Urmanski. Chief Domagalski alleged that I was lying. I challenged the DA to obtain the reports to see if I was in fact lying, or if Chief Domagalski was. Bryan Pray received a Brady Letter after reviewing the internal reports 9 months later. I was not the one lying. During the internal investigation, every single time a supervisor called Officer Hernandez, I listened to the conversations on speaker phone. I heard what Captain Zempel, Lieutenant Teunissen, and others said. I will be providing testimony of my direct observations.

I will even further add that as highly decorated police officer of 15 years, I am aggrieved because this type of behavior is unacceptable in a profession that I still love and have many friends in. The way Chief Domagalski and others acted is completely unprofessional and the vast majority of officers in this county stand against this. City of Sheboygan officers are afraid to come forward but quietly support this process and want you guys to hear the truth. They don't speak up in fear of retaliation, as they saw what happened here.

HR Westbrook alleges that if you hear my complaint that it will allow someone from anywhere in the world to file a complaint over a newspaper article. This is ridiculous and I don't think this needs an explanation, other than in this matter the only reason news articles exist are because of me. The only reason it was exposed that the Chief covered for a lying cop for two years, who ultimately received a Brady Letter and was allowed to resign, is because of me. I have a significant interest in this matter. HR Westbrook argues I have never lived in Sheboygan, worked in Sheboygan, etc. This argument is also a farce, as many people vacation and travel to Sheboygan. Because a person does not live in a specific place, does not disqualify them from making a complaint. I will note that while I was not a "Sheboygan Employee", I worked hard in the Sheboygan County Drug Unit between 2011-2013 and arrested countless drug dealers, predators, and other dangerous criminals in the streets of Sheboygan. I also worked as a Plymouth Officer in Sheboygan countless times with my police K9 during OWI details and continued to confiscate drugs, guns, and other dangerous criminals off the streets of Sheboygan. I am not some random person from Norway filing a complaint on a newspaper article. Lastly, HR Westbrook presents a rule for Oshkosh Police and Fire Commission. This is not Oshkosh, this is Sheboygan.

For all the reasons above, I urge you again to find that I do in fact have standing, am an aggrieved person, and that this case will be settled on the merits, not some technicality.

Thank you

Justin Daniels