City of Milwaukee

Report of Investigation
Misconduct and Conflict of Interest during Converged Security Information Management Request for Proposal (CSIM RFP)

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October 2021

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CONFIDENTIAL INVESTIGATION REPORT- ***Milwaukee Police Department, Fusion Division***	
Allegation/Issue	The Office of the Inspector General (OIG) received a complaint referred by Attorney Paul Schinner of Cross Law Firm S.C. on behalf of a Milwaukee Police Department (MPD) employee, Sergeant Adam Grochowski (Sgt Grochowski) formally of the MPD, Intelligence Fusion Division, presently referred to as the Fusion Division. The complaint alleged that Lieutenant Branko Stojsavljevic (Lt Stojsavljevic), Director of the MPD, Fusion Division displayed misconduct and potential conflict of interest during the Converged Security Information Management (CSIM) software Request for Proposal (RFP) as well as retaliatory efforts and ongoing risks. The complaint requested that given the ranking of Lt Stojsavljevic as well as the sensitivity and importance of the public programs at hand, the OIG investigate whether: ▪ Lt Stojsavljevic, or any other MPD Officer or City of Milwaukee employee had financial conflicts of interest related to Motorola Solutions and the Project Greenlight RFP Process; ▪ Lt Stojsavljevic, through the actions described below committed fraud, waste or abuse of City resources; and ▪ Lt Stojsavljevic, through the actions described below engaged in retaliation in violation of city, state, or federal rules and regulations, including 31 U.S.C. 3730(h). The OIG received the complaint on April 14, 2021 and initiated an investigation into the allegations on April 15, 2021.
Name/Designation of employee subject to investigation:	Lt Branko Stojsavljevic, MPD-Fusion Division

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Name of complainant	Sgt Adam Grochowski, MPD-District #4 (by Attorney Paul Schinner Cross Law Firm S.C)
Investigator	Ronda M. Kohlheim, Inspector General
Report Date	October 28, 2021

Background

In July 2019, MPD explored the possibility of procuring and implementing a public-private, 24-hour surveillance monitoring camera network and real time crime center, similar to the City of Detroit's Project Greenlight. With guidance and oversight from the Department of Administration, Purchasing Division, a request for proposal (RFP) was established and published on November 19, 2019.

The RFP process was used because cost was not the sole factor under consideration for determining awarding the contract. To award a contract, an evaluation criterion were selected and weighted.

The evaluation criteria included:

- The company's experience;
- The experience of personnel assigned to the project;
- The approach to the project;
- Methods of reporting;
- Training;
- The completeness of the proposal; and
- The ability to meet the City's needs.

The RFP is an exception to the bidding process and is not open to the public; this is to maintain the integrity of the negotiation process. The City Purchasing Director (Ms. Rhonda Kelsey) must approve a request to conduct an RFP process. A RFP Evaluation Committee (Evaluation Committee) was established with names of individuals recommended by the Fusion Division. Evaluation Committee members are approved and finalized by the Purchasing Director. The Evaluation Committee members were required to sign and abide by the guidelines and responsibilities as stipulated in the Responsibilities of the RFP Committee Members form. The signed forms are maintained as part of the RFP file. Adherences to these requirements assure the efficiency and effectiveness of the committee while protecting the interest of the City of Milwaukee as well as the vendors competing for the award of the RFP.
In an effort to ensure fairness and integrity of the RFP process, the Purchasing Director considers the following when finalizing the committee.

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1. Depending on the complexity of the RFP, the evaluation committee should be an odd number, not to exceed seven individuals.
2. Members of the evaluation committee must be able to meet all of the requirements stipulated on the Responsibilities of RFP Committee Members form.
3. The RFP Evaluation Committee must be balanced, unbiased, and must include a representative from the requesting department, subject matter experts, members from other City departments and potential external stakeholders[1].

Each member selected to participate on the committee must sign the form and agrees to abide by the responsibilities below:

- **Fairness and Integrity** – collectively ensure that the evaluation of each vendor under consideration is conducted in an impartial, objective and professional manner.
- **Understanding of the Project** – have a comprehensive understanding of the project, and be familiar with the requirements and specifications included in the RFP.
- **Attendance** - committee members must attend all meetings of the committee, including interviews with the proposers (as applicable) and agree to participate in any off-site visits, if scheduled.
- **Confidentiality** – to maintain the integrity of the process, members must commit to the following:
  - Not discuss the evaluation with one another unless all members are present.
  - Not communicate with other individuals outside of the committee on the nature or content of the written proposals, products demonstrations, interviews, evaluation proceedings, deliberations of the evaluation panel or individual opinions about the proposers or the project.
  - Keep the names and phone numbers of proposers or firms who submitted a proposal confidential.
  - Members who need to share details of their involvement on the committee with their supervisor, department head, or other superior from time to time must convey the importance of confidentiality to those persons.
  - Members must not communicate with proposers about the project outside of scheduled and sanctioned evaluation activity.

- **Conflicts of Interest** – Members must not serve on the committee if:
  - The member has an immediate family member who has a financial interest related to the contract (purchase).

[1] City of Milwaukee, Purchasing Liaison Manual. Request for Proposal (RFP) Process, Evaluation Committee P. 42.

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- The member cannot agree that if there is a current or later-discovered conflict of interest it must be conveyed to the City Purchasing Director immediately and he or she must be removed from the committee[2].

Note: Witness testimonies and RFP documentation confirm that Lt Stojsavljevic was not approved by the City Purchasing Director to serve on the Evaluation Committee for the CSIM project.

The contract was awarded to Brite Computers on April 27, 2020.

Remit of Investigation

The complaint alleges that Lt Stojsavljevic interfered in the RFP process for the CSIM RFP process in ways that evinced misconduct and a potential conflict of interest with one of six vendors under consideration for the RFP, Motorola Solutions Inc. (Motorola). The complaint suggests that although Lt Stojsavljevic was not assigned as a member of the RPF Evaluation Committee, he continued to insert himself in the process by advocating for Motorola while erroneously and vocally demeaning other competing vendors. The complaint further alleges that Lt Stojsavljevic made clear his intention to sabotage the winning vendor's contact with the City. Additionally, the complaint alleges retaliatory efforts and ongoing risk against Fusion Division staff who opposed his efforts to unduly influence the RFP process and undermine the committee and the City's RFP process. The complaint implies that the actions of Lt Stojsavljevic raised myriad concerns that posed imminent risks because of his position and the sensitivity and importance of the public safety programs.

Investigation Process

Various methods used to gather information include documentation review; personal interviews; questions and responses (via email) based on interviewee statements; and email communications.

- Reviewed the details stated in the complaint.
- Met with Attorney Paul Schinner, Cross Law Firm (virtual meeting).
- Reviewed documentation related to the Video Surveillance Camera (VSC) CSIM RFP (**RFP #17078**) from the Purchasing Division.
- Interviewed twenty-four witnesses in addition to Lt Stojsavljevic. Nineteen of the witnesses were from a witness list presented by Attorney Schinner. The witness list contained the names of 22 individuals identified as "primary", "secondary", or

[2] City of Milwaukee, Purchasing Liaison Manual. Request for Proposal (RFP) Process, Responsibilities of RFP Evaluation Committee Members P. 43.

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"miscellaneous". Three witnesses from the list were not interviewed: one was a former employee of the city; one was identified as confidential; and the other was an outside consultant. Some witnesses from the list did not believe they had any information relevant to the investigation other than knowledge of the RFP itself[3].

- Additional individuals, not identified on the witness list, were also interviewed because they either contacted me personally, or asked that their contact information be given to me.
- Contacted the Motorola, Office of Ethics to confirm whether Lt Stojsavljevic had a financial interest in the company.
- Contacted Mr. Peter Jafuta (former Motorola, Sales Representative for Wisconsin) via phone and email; received an email response from Mr. Jafuta advising that he was no longer the sales representative for Wisconsin and would not be able to assist me.
- Requested and reviewed email communications from Lt Stojsavljevic related to "Project Greenlight".
- Based on witness testimonies requested email communication between Lt Stojsavljevic and Peter Jafuta (then-Motorola Solutions Sales Rep.).
- Reviewed approximately 200 emails between Lt Stojsavljevic and Mr. Jafuta.
- Review several sources of documentation relevant to the investigation.
- During this investigation, the OIG was notified that Lt Stojsavljevic was the subject of a MPD-Internal Affairs Division (IAD) investigation regarding potential conflict of interest with competing vendor, Motorola Solutions for the MPD Computer Aided Dispatch (CAD) systems RFP. As a result, I contacted the IAD regarding their investigation.
- Requested performance evaluations and memorandums from Sgt. Grochowski's employee file to determine whether there were other issues of circumventing the chain of command, or issues with his work performance or unwelcomed behavior.
- Requested the final disposition from IAD upon completion of its investigation.
- Reviewed the City of Milwaukee's Purchasing Liaison Manual, Request for Proposal section.
- Reviewed the MPD, 520 Equal Employment Opportunity Policy.
- Reviewed the MPD Code of Conduct 3.00 Integrity, §3.04; 4.00 Leadership, §4.04; 5.00 Respect, §5.02
- Reviewed the City of Milwaukee Anti-Harassment Policy.
- Reviewed the MPD 004 Whistleblower Protection Policy, §004.10 Definitions B, D and E; and §004.20(a).

[3] The identity of witnesses contained on the list provided by the complainant, as well as other witnesses' interview by the Inspector General will remain confidential.

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- Contacted Sgt. Brian Damon regarding the Crime Stoppers program and to determine the name of the Crime Stoppers contact person from CBS 58 WDT – Milwaukee.

Findings

- **Finding 1**: The investigation does **not substantiate** the allegations that Lt Stojsavljevic, or any other MPD officer or City of Milwaukee employee had financial conflicts of interest related to Motorola and the Project Greenlight process.

- **Finding 2**: The investigation **substantiated** the allegation that Lt Stojsavljevic engaged in a pattern of misconduct and conflicts of interests during the CSIM RFP process.

  Primarily,

  Lt Stojsavljevic interacted with a representative from one of six vendors under consideration during the CSIM RFP process; Mr. Jafuta of Motorola (former Sales Representative for Wisconsin). Additionally, he shared confidential information of the other competing vendors, as well as classified information regarding MPD business matters.

- **Finding 3**: The investigation **substantiated** the allegations that Lt Stojsavljevic, through his actions engaged in retaliatory efforts, which is in violation of MPD, city, state, or federal rules and regulations including 31 U.S.C. 3730(h).

  Specifically,

  Sgt Grochowski sent an email on November 9, 2020, to the Office of the Mayor requesting a meeting. Witness testimonies as well as a November 30, 2020 memorandum written by Lt Stojsavljevic says that Sgt Grochowski did not have authorization from his immediate supervisor(s) to contact the Mayor's Office and therefore circumvented the chain of command by doing so. The MPD chain of command reporting structure determines how each member reports to one another at the top of the chart; for example, Chief of Police, Assistant Chief of Police, Police Chief of Staff, Inspector, Captain, Lieutenant, Sergeant, Detective and Officer. For the purposes of this investigation, note that the immediate supervisor for a sergeant is the lieutenant. For the purposes of this investigation, Lt Stojsavljevic was the immediate supervisor of Sgt Grochowski.

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Lt Stojsavljevic failed to communicate to his chain of command (Captain Craig Sarnow and Inspector Paul Formolo) that he was cognizant of Sgt Grochowski working with Sergeant Joseph Roberson (Sgt Roberson) of the Mayor's Office regarding a surveillance camera project that riveted the Mayor. Confidential verifiable evidence confirms that Lt Stojsavljevic and Sgt Grochowski had conversations, in October 2020, that included discussions of the surveillance cameras involving the Mayor's house. Furthermore, confidential verifiable evidence confirms that Inspector Formolo advised Sgt Grochowski, during their November 16 meeting, that Lt Stojsavljevic informed him that he had no knowledge of Sgt Grochowski communicating with anyone from the office of the Mayor or regarding a camera project. Although there is no evidence to suggest that Lt Stojsavljevic was aware of the November 9 email, confidential verifiable evidence confirms that at the request of Sgt Roberson (of the Mayor's Office), Sgt Grochowski sent an email to Alexis Peterson from the Mayor's Office to schedule a meeting. Consequently, Lt Stojsavljevic failure to substantiate his knowledge of Sgt Grochowski's work on surveillance cameras relating to the Mayor, was the final determination regarding Sgt Grochowski transfer from the Fusion Division for circumventing the chain of command. However, even though there was a lack of documentation, Management confirmed that there were other factors taken into account when making the determination to transfer the Sergeant from the Fusion Division.

- **Finding 4**: Two MPD memorandums in the personnel file of Sgt Grochowski either contained information that was false, inaccurate, or inconsistent with the instructions provided by the chain of command.

  Specifically,

  - ***November 30, 2020***: A memorandum narrated by Lt Stojsavljevic to Captain Kavanagh included false and inaccurate information. Particularly, witness testimony confirms that Sgt Grochowski's transfer was not associated with the CSIM RFP #17078. However, the memo implies that Sgt Grochowski circumvented the chain by ignoring and not relaying the desires and instructions given to him by his immediate supervisors (the Captain, then-Inspector Terrence Gordon and then-Chief Alfonso Morales), to the selection committee (evaluation committee). The memorandum further says "Sgt Grochowski ignored and did not relay the desires and instructions to the selection committee, which resulted in the MPD acquiring a system that does not perform at the level

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needed to successfully run and operate a real-time events center at the Fusion Division". However, evidence confirms that system issues encountered were related to internal IT issues and not the current vendor. Additionally, the statement is also inconsistent with a December 11, 2019, email from then-Inspector Gordon which states "that Motorola should go through the bidding process and win the contract to move forward working with MPD" on the CSIM project (Project Greenlight). Moreover, the expectation for Sgt Grochowski to relay the desires and instructions of his immediate supervisor(s) to the selection committee (for the selection of a specific vendor) does not comply with the City Purchasing Division's policies and procedures as well as circumvents the RFP process.

Statements by witnesses indicate that Sgt Grochowski had been spoken to about circumventing the chain of command on previous occasions. However, there is no supporting documentation or memorandums to confirm counsel or conversations regarding his circumventing the chain of command. Additionally, confidential verifiable evidence confirms that Inspector Formolo was told by Lt Stojsavljevic that he had a voicemail of Sgt Grochowski advising individuals to circumvent the chain of command. However, the recorded voicemail does not support that statement. Through witness testimony, it has been confirmed that to date, Inspector Formolo has not personally listened to the recorded voicemail.

Furthermore, Lt Stojsavljevic was not present for the meeting. In an interview with Acting Chief of Police, Jeffrey Norman, he indicated that though it is possible for a member of MPD to write a memorandum for a meeting they did not attend, it was not a common practice of MPD. The memorandum was signed and dated by both Lt Stojsavljevic and Captain Paul Kavanagh.

Note: Both Inspector Formolo and Captain Kavanagh were new in the department and therefore relied on statements and information from Lt Stojsavljevic regarding Sgt. Grochowski.

- ***May 17, 2021***: The memorandum says, it was learned that there was some confusion with the staff of CBS 58 regarding Sgt Grochowski's involvement with the program. After discussions between myself (Captain Eric Pfeiffer) and Inspector Willie Murphy it was decided that the department would be better served to not have Sgt Grochowski engage with the Crime Stoppers programs as a representative of the department or as a volunteer". There is conflicting

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witness testimony relating to this decision. In an interview with Inspector Murphy, he stated that his directive was that Sergeant Grochowski could no longer volunteer for Crime Stoppers while on-duty, but that he could volunteer while off-duty so as long as he ensured that his actions did not suggest that he was working or acting on behalf of MPD.

Captain Pfeiffer wrote the memorandum to Inspector Murphy. The memorandum was signed and dated by Captain Pfeiffer, but not by Inspector Murphy. Inspector Murphy acknowledged that he was aware of the memorandum, but most likely did not read or review it in its entirety, as he did not sign the memorandum.

- **Finding 5**: The investigation identified several instances where Lt Stojsavljevic disclosed classified information concerning MPD activities or business to Motorola then-sales representative, Mr. Jafuta. Additionally, in some of the information shared with Mr. Jafuta, Lt Stojsavljevic stated that the information could be used for the Computer Aided Dispatch (CAD) RFP, while the RFP was still an open RFP and while Motorola was under consideration for the contract.

  Moreover, investigation PS# 010995 IAS-2021-0071 was conducted by the MPD, Internal Affairs Division (IAD) related to the CAD RFP, but was not sustained. However, in the IAD investigation, it does not appear that it included confirming whether information was shared with the former Motorola sales representative, Mr. Jafuta.

- **Finding 6**: The investigation as well as confidential, verifiable evidence identified instances where Lt Stojsavljevic used inappropriate and derogatory memes, made comments and initiated conversations that were derogatory in nature on the Fusion Supervisor electronic message panel. Memes, comments and conversations were related to the Democratic National Convention (DNC). Though not related to this investigation, Lt Stojsavljevic jeopardize the integrity of MPD and violated the MPD Code of Conduct, specifically Leadership, §4.04.

Conclusion

Government business should be conducted in a manner above reproach and, except as authorized by statute or regulation, with complete impartiality and with preferential treatment for none. Transactions relating to the expenditure of public funds require the highest degree of public trust and an impeccable standard of conduct. The general rule is to avoid any conflict of interest or even the appearance of a conflict of interest in government-contractor relationships. While, many federal laws and regulations place restrictions on the

actions of government personnel, their official conduct must, in addition, be such that they would have no reluctance to make a full public disclosure of their actions. Compliance with the rules and regulations of an RFP is to demonstrate fulfilment of all the instructions and requirements contained in the RFP. Though compliance is mandatory for City of Milwaukee RFPs, full compliance often cannot be achieved. Specifically, it is impossible to monitor the actions of individuals not approved for involvement in the RFP process. However, there is an expectation that all City employees operate in a manner that is in the best interest of not only their individual assigned departments or divisions, but also the City as a whole.

Misconduct and Potential Conflict of Interest during the RFP Process

Founded on available evidence and witness testimonies there is adequate information to conclude that Lt Stojsavljevic engaged in a pattern of misconduct and conflict of interests with one of six vendors (Motorola) under consideration for the Project Greenlight, or CSIM software RFP during the RFP process. Although Lt Stojsavljevic was not selected as a member of the CSIM RFP Evaluation Committee, throughout the RFP process he jeopardized the integrity of the process by communicating and sharing information with the then-Motorola Sales Representative for Wisconsin, Mr. Peter Jafuta through email and in person.

Specifically,

- **January 30-31, 2020 - RFP #17078 CSIM** – Release of other competing vendor responses Addendum #3, Question #1.
- **January 31, 2020 - RFP #17078 CSIM** – Interference in the RFP process; Lt Stojsavljevic exchanged information/questions during the RFP. The information and questions provided by Mr. Jafuta were present them Captain Sarnow (then-Fusion Division) and Sgt Adam Grochowski (Project Lead for the RFP Project) suggesting that the other competing vendors should provide an answer to the questions proposed.
- **March 10, 2020 - RFP #17078 CSIM** – Lt Stojsavljevic in an email with Mr. Jafuta discrediting a competing vendor.
- **April 28, 2020 - RFP #17078 CSIM - (Awarded on April 27, 2020)** – Lt Stojsavljevic communication that the Police Chief of Staff (Mr. Nicholas DeSiato) contacted the Purchasing Director (Ms. Kelsey) to indicate that MPD did not want Brite Computers; and questioned whether the Mr. DeSiato could make the contract last for one year attributing it to Covid.
- **May 18, 2020 - RFP #17341 VSC Public Safety Pole Cameras** – Lt Stojsavljevic released RFP questions to Motorola (Peter Jafuta) prior to the questions becoming public for all competing vendors to view.

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- **June 16, 2020 - RFP #17078 CSIM** – Email – In an attempt to disqualify Live Earth/Brite/MPD from competing as a vendor, Mr. Jafuta sent and asked Lt Stojsavljevic whether Brite Computers met the Security Requirements, while the RFP was open.
- **June 23, 2020 - RFP #17341 VSC Public Safety Pole Cameras** – Email discussion in which Mr. Jafuta of Motorola submitted a series of questions to ask competing vendors during the RFP process (those questions were forwarded to Sgt Grochowski and Captain).
- **August 6, 2020 - RFP #17078 CSIM (contract awarded April 27, 2020)** Lt Stojsavljevic asked the Police Chief of Staff to request termination of the contract for "cause or convenience" in order to select the second runner up "Motorola, our choice".
- **October 20, 2020 - RFP #17078 CSIM** – The Purchasing Director informed Lt Stojsavljevic that his allegations of Live Earth/Brite Computers performance issues were inaccurate, untrue, and not in the best interest of MPD and the City as a whole. In addition, she requested that MPD leadership put an end to the accusations.

Misconduct and Potential Conflict of Interest - Confidential MPD Business/Activities

During the investigation, instances of Lt Stojsavljevic disclosing confidential information concerning MPD activities/business to Mr. Jafuta. These actions demonstrated by Lt Stojsavljevic jeopardized the integrity of the RFP process, the MPD and the City of Milwaukee as a whole. Furthermore, his actions compromised the safety of both then-President Donald Trump and then-Vice President Michael Pence as well as the safety of other MPD members and the citizens of the City of Milwaukee.

Particularly,

- **April 18, 2019** - Email forwarded by then-Captain Thompson that included information from a potential vendor and included a presentation on CRG mapping; GXP OpsView platform to be utilized during DNC.
- **October 28, 2019** - Specific details regarding dates in which flaws with MPD's Emergency Communication System were identified with Mr. Jafuta; in turn, Mr. Jafuta presented the information to Alderman Michael Murphy; and the Alderman wrote a letter to Mayor Tom Barrett.

  Note: Per the email, Mr. Jafuta informed the lieutenant that he did not disclose to Alderman Murphy where he obtained the information.
- **January 13, 2020** - Milwaukee County, Office of Emergency Management; Director entitled **Confidential… 1.14.19 Communication Plan**. Attached to the email was the most recent version of the ICS205 communication plan.

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- **January 14, 2020 - POTUS Mission** – Attached to the email were details regarding both then-President Trump's and Vice President Pence's visit to Milwaukee on January 14, 2020.
- **January 16, 2020** - Lt. Stojsavljevic's communication with then-Emergency Management Director, Kyle Mirehouse in which the Lieutenant communicated issues with MPD radios used during then-President Trump's and then-Vice President Pence's visit on January 14, 2020.
- **May 18, 2020** - Released MPD's Genetec System ID. Genetec provides security solutions combined with IP-based video surveillance, access control and ALPR (automatic license plate recognition). Upon purchase of software, Genetec issues a system ID (Genetec System ID) and password, which is found in the Security Center License Information document. Such information is usually provided once a vendor has been awarded the contract. Additionally, the ID was provided during an open RFP process in which Motorola Solutions was competing.
- **July 14, 2020** - Revealed the **DNC FirstNet SatColt Location – Wisconsin Center Lot** – the email provided a visual of the vehicle to be used; and communicated waiting on the Captain and perimeter update from the Secret Service.
- **August 19, 2020 - Celplan – Camera Connectivity** – Detailed communication regarding continued DNC camera connectivity problems.
- **October 30, 2020** - Email contained a 24-hour summary report from Wednesday, October 28, 2020, through Thursday, October 29, 2020 – the report revealed specific information regarding death investigations, violent crimes, robberies, property crimes and sensitive crimes, such as a sexual assault. Additionally, the report included the names, dates of birth, address, and time of incident as well as information regarding whether the victim or alleged perpetrator had other prior offences, etc. Per the email, the information could be used for the CAD RFP.
- **March 2, 2021** - Email entitled, "Milwaukee – Complaint Regarding OnCall Overview Sessions". The email provides detailed information about another vendor's ability to deliver on its contract with the City. Additionally, Lt Stojsavljevic demeans MPD leadership specifically stating, "they will never learn".

This information will be referred to MPD, for further investigation on those matters concerning MPD business/activities.

Retaliation and Ongoing Risk

Determined by evidence presented, there is sufficient information to conclude Lt Stojsavljevic retaliated against Sgt Grochowski, who opposed his efforts to unduly influence the CSIM RFP process and undermine the assigned RFP Evaluation Committee and the City's choice of vendor, as selected through the RFP evaluation process. Witness

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statements confirmed that there was notable tension between Lt Stojsavljevic and Sgt Grochowski as it related to the selection of opposing vendors during the RFP. Witness statements also confirmed that the notable tension intensified once the contract was awarded. Through testimony, a witness said that Lt Stojsavljevic told him that he was going to have "Adam (Sgt Grochowski) transferred. Additionally, that same witnessed stated that Lt Stojsavljevic informed him that he had access to "Adam's) calendar and was aware that he attended marital counseling.

During an interview with Lt Stojsavljevic, he stated he believed that Motorola was the best vendor to provide MPD with their communication system needs. He also said that MPD should function with all Motorola equipment. Furthermore, he stated that, unofficially, MPD command staff determined that Motorola would be the best vendor for the VMS/CSIM project, but that "Adam" (Sgt Grochowski) decided to go in a direction that was different from that of the department. Lt Stojsavljevic admitted that he believed Sgt Grochowski convinced other members of the RFP evaluation committee to vote for the current vendor (Brite Computers). However, witness testimony did not confirm the Lieutenant's belief. Lt Stojsavljevic said he believed at the request of Sgt Grochowski's both he and Captain Sarnow (then-Fusion Division captain) were removed from the RFP committee. He further implied that due to Sgt Grochowski's working relationship with the Purchasing Director, his (the Lieutenant's) relationship had been tarnished. Through witness testimony, it was determined that Lt Stojsavljevic was not approved to serve as a RFP Evaluation Committee by the City Purchasing Director and that Captain Sarnow was removed from the committee due to conflicts with his schedule.

Actions demonstrated by Lt Stojsavljevic imply that he used his authority in a retaliatory manner when he consciously failed to inform superiors that he had prior knowledge and had authorized Sgt Grochowski to work on a project concerning the Mayor. Subsequently, Sgt Grochowski received notice on November 16, 2020, of his transfer from the Fusion Division. Although Sgt Grochowski holds the same rank, the transfer was to what seemed to be a less-desirable division within the MPD. Additionally, a November 30, 2020, memorandum drafted by Lt Stojsavljevic, as well as witness testimony, confirmed that the November 16, 2020, transfer was initiated because he circumvented the chain of command by sending an email to the Mayor's office to request a meeting without the prior authorization, authority, or knowledge of his immediate supervisor. The email was sent to the Mayor's administrative assistant (Alexis Peterson) on November 12, 2020, and again on November 16, 2020. Supervisors, including Lt Stojsavljevic, corroborated neither authorizing nor having prior knowledge of Sgt Grochowski's involvement in any work on projects as part of the Mayor's staff. Conversely, confidential verifiable evidence substantiates that Sgt Grochowski informed Lt Stojsavljevic, of conversations with a

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sergeant (Sgt Joseph Roberson) from the MPD Executive Protection Unit relating to matters concerning the Mayor. This evidence also confirms that Lt Stojsavljevic authorized Sgt Grochowski to continue his work with the Sergeant from the Executive Protection Unit. Additional confidential verifiable documentation substantiates that Sgt Roberson requested that Sgt Grochowski contact Ms. Peterson for the purpose of scheduling a meeting. However, the documentation does not confirm Sgt Grochowski notified Lt Stojsavljevic of his November 12 email.

Note, it was Sgt. Grochowski' s responsibility to report directly to Lt Stojsavljevic and the Lieutenant to report directly to the Inspector of the Fusion Division (Inspector Formolo); the Inspector would continue reporting up the chain of command until the Chief of Police was informed. Additionally, as Inspector Formolo was new in his role as the Inspector over the Fusion Division, he solely relied on Lt Stojsavljevic' s statements when communicating to supervisors that no one was aware of Sgt Grochowski working with Sgt Roberson, or on a surveillance project pertaining to the Mayor. As a result. then-Assistant Chief Jeffrey Norman provided instructions regarding the transfer; however, evidence and witness testimony substantiates that no member of the chain of command staff, other than Lt Stojsavljevic had prior knowledge of Sgt Grochowski' s work with Sgt Roberson concerning matters involving the Mayor.

Although witness testimony indicates the transfer of Sgt Grochowski was unrelated to the CSIM (Project Greenlight) RFP, the November 30 memorandum drafted by Lt Stojsavljevic, implies that Sgt Grochowski ignored and did not communicate the desires and instructions by his immediate supervisors (then-Captain Sarnow, then-Inspector Terence Gordon as well as then-Chief Alfonso Morales) to the CSIM Evaluation Committee. The memorandum further states that because Sgt Grochowski's failure to communicate those instructions and desires of the command staff to the CSIM RFP Evaluation Committee, MPD acquired a system that does not perform at a level needed to successfully operate a real-time events center at the Fusion Division. Witness testimony from some command staff indicated that Sgt Grochowski was going in a direction different from that of the department. However, the investigation noted an email dated December 11, 2019, from then-Inspector Gordon conveying that Motorola would need to submit a bid for the CSIM RFP contract. The email included Lt Stojsavljevic, the former Fusion Division Captain (Captain Sarnow), Sgt Grochowski and Chief of Staff (Nicholas DeSiato). The statement in the memorandum implies that Sgt Grochowski circumvented the chain of command by not relaying the desires and instructions to the Evaluation Committee. Specifically stating in the memo "Sergeant Grochowski indicated there was a process in place for this selection and that he had to follow it. Inspector Formolo instructed Sergeant Grochowski that the Police Department is a quasi-military organization with rank structure and chain of command which every

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member has to follow." This statement further denotes that Sgt Grochowski circumvented the chain of command by not "relaying the instructions of command staff", a process that does not comply with RFP policies and procedures.

Although Lt Stojsavljevic was not a part of the meeting to inform Sgt Grochowski of his transfer, he drafted a memorandum documenting conversations from the meeting almost two weeks later. The meeting consisted of Inspector Formolo, Captain Paul Kavanagh and Sgt Grochowski; both Inspector Formolo and Captain Kavanagh were new to the Fusion Division and relied on information as it related to Sgt Grochowski; information that was provided by Lt Stojsavljevic. Determined through an interview with acting Chief Jeffery Norman, though it can be done, it is uncommon for command staff not part of a meeting to draft a memorandum about it. Additionally, witness testimony from Captain Kavanagh suggested it was his understanding was that Sgt Grochowski's transfer was already in process before he arrived into the department, rather than regarding the November 9 email to Ms. Peterson. Testimony affirmed verbal conversation with Lt Stojsavljevic, after the RFP, in which the Lieutenant vowed to have Sgt Grochowski transferred from the Fusion Division.

Witness statements suggest that this was not the first instance of Sgt Grochowski circumventing the chain of command; however, there was no documentation to support that he had been disciplined or counseled. Also, statements from witnesses suggest that Sgt Grochowski' s demeanor can come across as demanding and a bit overwhelming, but they also said that he was very nice, a hard worker, extremely knowledgeable, detail-oriented, organized, thorough and passionate about his job. However, witnesses also confirmed that Sgt Grochowski appeared overwhelmed by all the projects he was working on.

Remit of Alleged Retaliatory Conduct

On behalf of Sgt Grochowski, Attorney Schinner submitted a visual related to the retaliatory component from the original report of complaint. The alleged retaliatory conduct was investigated individually.

- **R1. Retaliatory Conduct: - February 27, 2021** - Sgt Grochowski was removed from the PSEP – MPD/MFD CAD (Hexagon) after being requested to continue as a participant and after being advised that his attendance in the meeting would be essential.

  Inspector General Response: Per a response by the inspector of police over the Patrol Bureau (Inspector Murphy), he was aware of some issues that had arisen regarding Sgt Grochowski and his former work assignment with the Fusion Division. To prevent the Sergeant from being the subject of any further conflict, Inspector

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Murphy made a decision for Captain Pfeiffer to advise Sgt Grochowski that, since he was now in the Patrol Bureau, he should relinquish any ties to projects involving the Fusion Division. Further, it was Inspector Murphy's intent to keep Sgt Grochowski focused on patrol responsibilities as well as to prevent any additional issues arising from his involvement with the Fusion Division. Additionally, the Inspector stated that there had been complaints from the Fusion Division related to Sgt Grochowski involving himself in some aspects of Crime Stoppers in a manner that was no longer his responsibility. Inspector Murphy indicated that his directives did not include Sgt Grochowski being prohibited from volunteering with Crime Stoppers during off-duty hours so as long as he was not presenting himself as a representative of the MPD or that his actions could be perceived as such. Moreover, Inspector Murphy indicated that it did not occur to him that Sgt Grochowski removed himself as a volunteer during off-duties because of his directive until speaking with me about this allegation. The claim that Sgt Grochowski was removed from volunteering with Crime Stoppers was an act of retaliatory conduct is **not substantiated**.

- **R2. Retaliatory Conduct: IAD Promotion: February 22, 2021** – Sgt Grochowski received an email from Captain Sarnow regarding the capacity in which he served on the CAD project as it related to his interest in a position in the Internal Affairs Division. Later and allegedly, Captain Sarnow informed Sgt Grochowski that it was not his choice that he was not selected for the position in IAD.

  Inspector General Response: Sgt Grochowski was one of six sergeants who applied for the one of the positions in IAD. Of the six sergeants, Sgt Grochowski was one of four candidates who were eligible. On January 20, 2021, the four eligible sergeants were interviewed. The interview panel consisted of Captain Sarnow and two IAD lieutenants with a representative of MPD Human Resource present to oversee the interview process. In the end, three out of the four were determined to be strong candidates and worthy of consideration with Sergeant Grochowski being one of them. Management anticipated that promotions would occur in March 2021. However, on February 28, 2021, the IAD received a complaint alleging that Sgt Grochowski made an endorsement on a vendor's website without permission from MPD leadership. As a result this investigation, Sgt Grochowski was removed from consideration for the IAD position. Subsequently, the investigation surrounding Sgt. Grochowski's endorsement on behalf of MPD was completed in May 2021 and was not sustained. Based on witness testimonies and supporting documentation, the claim that Sgt Grochowski was removed from consideration for the IAD position was retaliatory in nature is **not substantiated**.

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- **R3. Retaliatory Conduct: Complaint of Harassment – March 20, 2021** – Sgt Grochowski advised Lt Raymond Bratchett, via email (March 17, 2021), that he believed to be a victim of harassment by members of the Fusion Division. Lt Bratchett met with Sgt Grochowski on his next scheduled day of work, March 20, 2021, for a discussion. Lt Bratchett advised the Sergeant that he would speak with the captain (Captain Pfeiffer).

  Inspector General Response: Lt Bratchett drafted a memorandum on March 23, 2021, and gave it to his captain (Captain Pfeiffer). The memorandum was stamped as received by the Fourth District and signed by the captain on March 24, 2021. In the memorandum, Lt Bratchett indicated that he and Sgt Grochowski discussed several ways to address Sgt Grochowski's complaint of harassment. The memorandum did not include specific details regarding the claims of harassment. Per witness testimony, because the memorandum did not reference specific incidents or suggest a desire to file a complaint it was subsequently placed in the sergeant's file. As noted in a July 15, 2021, memorandum, Sgt Grochowski was interviewed by Lt Liam G. Looney (Lt Looney) of IAD, as part of an investigation involving Lt Stojsavljevic on June 28, 2021. During the investigation, Sgt Grochowski mentioned his discussion with Lt Bratchett in March 2021. At the conclusion of the interview, Sgt. Grochowski expressed that he thought he was being interviewed regarding his complaint alleging harassment. As documented in the memorandum, it was the first time Lt Looney heard about the complaint and informed Sgt Grochowski that he was not aware of his complaint against Lt Stojsavljevic. As a result, Captain Sarnow reached out to Captain Pfeiffer to obtain a copy of the memorandum. The memorandum was time-stamped June 30, 2021, 12:37 PM - the date IAD received it.

  In the July 15 memorandum, Lt Looney indicated that he contacted Sgt Grochowski by phone on July 12, 2021, to determine whether he had initiated an official complaint of harassment against Lt Stojsavljevic. The memo goes on to state that Sgt Grochowski said he believed the memorandum drafted by Lt Bratchett was his initial complaint. At that point, Lt Looney states that he informed Sgt Grochowski that there was no active complaint of harassment. The memorandum further stated that Sgt Grochowski was asked if he wanted to initiate a complaint of harassment against Lt Stojsavljevic and was advised that he should file a memorandum addressed to Captain Sarnow indicating his desire to file a complaint with details of the harassment conduct included to begin an investigation.

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Lt Looney includes in the memo that on July 13, 2021, he sent an email advising Sgt Grochowski of his options to initiate a complaint of harassment against Lt Stojsavljevic. The options in the email included:

- Author a memorandum stating the desire to initiate a complaint, providing specific details, and submitting it directly to IAD; or
- File a complaint directly with the Fire and Police Commission (FPC). The email included the link to file a complaint with the FPC, as well as the name and contact information for the FPC Investigator.

There is sufficient documentation to support the allegation that Sgt Grochowski emailed his lieutenant, Lt. Bratchett concerning a complaint of harassment against his former supervisor in the Fusion Division. The investigation further confirmed that a memorandum dated March 23, 2021 was given to Captain Pfeiffer. However, supporting documentation confirms that IAD did not receive the memorandum until June 30, 2021.

The incident as alleged occurred; however, actions of the MPD Fourth District and IAD were proper and pursuant to SOP 520 Equal Employment Opportunity Policy (§520.30, §520.35, §520.40) and SOP 450 Personnel Investigations (§450.05 (B) §450.15). There is insufficient documentation to sustain the allegation that Sgt Grochowski's complaint of harassment was not investigated due to retaliatory conduct is **not substantiated**.

- **R4. Alleged Retaliatory Conduct: P1-21 Notice of Investigation – May 12, 2021** - Sgt Grochowski was notified of an investigation regarding an alleged public endorsement on a vendor's website that he made without prior approval from the Office of the Chief.

  Inspector General Response: Police Chief of Staff, Nicholas DeSiato was made aware of the alleged endorsement by then-Sgt Matthew Palmer (now lieutenant), who was made aware of the allegations by Lt Stojsavljevic. Subsequently, Mr. DeSiato notified Captain Sarnow for review of the allegations on February 26, 2021. Case #2021-0053 was created by IAD on February 28, 2021. The case was assigned to a lieutenant in IAD and an investigation was initiated on March 15, 2021. IAD served Sgt Grochowski with form P1-21 Notice of Investigation on May 12, 2021, and interviewed him on May 18, 2021. The investigation was completed on May 24 and submitted to the Captain Sarnow for review. The recommended disposition was not

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sustained and as agreed, Captain Sarnow endorsed it on May 26, 2021 and notified both Sgt Grochowski and the Chief of Staff of the findings.

Pursuant to SOP 450.60, the IAD investigation was completed within 90 days of being assigned to a member of IAD. The alleged retaliatory conduct related to P1-21 Notice of Investigation for case #2021-0053 is **not substantiated**.

- **R5. Alleged Retaliatory Conduct: Volunteer Crime Stoppers**, **May 18, 2021** – After returning from IAD for an interview for case #2021-0053 (**see R4, above**), Sgt Grochowski was notified that he was prohibited from volunteering with Crime Stoppers both on and off duty.

  Inspector General Response: According to an MPD memorandum dated May 17, 2021, from Captain Pfeiffer to Inspector Murphy, "it was learned that there was some confusion with the staff of CBS 58 (Milwaukee Crime Stoppers supporter) regarding Sgt Grochowski's involvement with the program". As a result of this confusion, the memo states there was dialogue between Captain Pfeiffer and Inspector Murphy where a decision was made that it would be best to not have Sgt Grochowski engage in activities with the Crime Stoppers Program as a representative for the department or as a volunteer. Per the memorandum, the decision was made not because of any wrongdoings by the sergeant, but because there was too much confusion regarding the appropriate contact person for MPD. Additionally, the memo stated it was believed the decision should be made to maintain a good relationship with the department's partners involved with the Crime Stoppers program. Sgt Brian Damon replaced Sgt Grochowski as the MPD Crime Stoppers point of contact in March 2021.

  An interview with Inspector Murphy confirms that his directive never included prohibiting Sgt Grochowski from volunteering with Crimes Stoppers while off-duty. Instead, Inspector Murphy indicated that his directive was that Sgt Grochowski could not volunteer while on duty while permitting him to do so off-duty so as long as he would not act in a manner that could be interpreted as doing things on behalf of the department or as a representative of the department.

  There was no evidence to either prove or disprove retaliatory efforts regarding Sgt Grochowski's involvement with Crime Stoppers during off-duty hours. The alleged retaliatory conduct related to Crime Stopper program is **not substantiated**.

Recommendations or Corrective Actions:

Finding 1:

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Lt Stojsavljevic engaged in a pattern of misconduct and conflicts of interests during the CSIM RFP process in which he had various communication with one of four vendors under consideration for the contract. Lt Stojsavljevic's actions subjected the City to potential liability(s), jeopardized the integrity of the City's RFP process as well as violated MCO §303.5-4, MPD, Code of Conduct §3.04 and §4.04.

Recommendation:
To reduce the risk of future potential liabilities, repeated acts of misconduct or conflicts of interest during prospective or current MPD RFP projects, and to protect the City and MPD's reputation, Management should establish an official, documented policy and procedure detailing MPD internal controls and processes over MPD RFPs. Management should counsel Lt Stojsavljevic on his actions. Furthermore, management should collaborate with the FPC to ensure a legal and appropriate disciplinary action is taken to address Lt Stojsavljevic misconduct and violation of both MPD and City policies and procedures, as well as, restrict Lt Stojsavljevic's future engagement or involvement on future or current MPD RFP projects.

Additionally, the City's Purchasing Liaison Manual does not provide any requirements or guidance regarding the interference by an employee, supervisor, and department head of the requesting department or any other person not serving on the RFP Evaluation Committee. Although it is noted that total compliance is nearly impossible, the City Purchasing Division should revise its policies and procedures to address the interference of a non-RFP Evaluation Committee member.

Finding 2:
Through his actions, Lt Stojsavljevic engaged in efforts that were retaliatory in nature where he deliberately failed to inform MPD chain of command staff regarding his knowledge of Sgt Grochowski's conversations with a sergeant staffed in the Mayor's Office as it related to surveillance cameras. This resulted in the sergeant's transfer from the Fusion Division for circumventing the chain of command.

Recommendation:
MPD Management should take immediate action to stop actions of harassment and to prevent its recurrence by working with both the FPC as well as the Department of Employee Relations for recommendation regarding the appropriate corrective action, including but not limited to disciplinary actions in accordance with MPD, SOP 520, §520.30 and the City's Anti-Harassment Policy.

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Two memorandums in Sgt. Grochowski's personnel file contained inaccurate information; and an individual not present for the meetings was the author of one of the memorandums. Additionally, one memorandum suggests that the Sergeant did not follow the desires and instructions of his immediate supervisor - a statement that is inconsistent with an email communication directly from the then-inspector of the Fusion Division, as well as inconsistent with the City Purchasing Division policies and procedures for RFPs. The memorandum was placed in the personnel file and a copy was sent to the IAD. Furthermore, the memorandum was signed and dated by the captain of the Fusion Division.

The second memorandum containing inaccurate information was placed in the Sergeant's personnel file without being reviewed or signed and dated by the inspector to whom the memorandum was written. Furthermore, the inspector affirms that he likely did not review the memorandum as it did not include a date with his signature.

Recommendation:
Accurate recordkeeping, including proper maintenance of personnel records, is essential. Documents relating to each employee throughout the employee's life cycle containing the history of the employment relationship from employment application through exit interview should be consistent with City policy and procedures. In the worst-case scenario, a personnel file may turn into evidence in an employment lawsuit. Management should collaborate with the FPC and/or the Department of Employee Relations to ensure memorandums documenting the performance of an MPD employee is consistent with documented policies and procedures. Additionally, Management should re-evaluate its process for including memoranda as part of an employee's personnel file. Management should consider requiring a memorandum be signed and dated by the author as well as by the addressee of the memorandum to ensure accuracy of statements are contained in the document.

Finding 4:
Lt Stojsavljevic shared emails containing classified MPD activities/business. Additionally, in one of those emails the Lieutenant suggested the information could be used for an active RFP. An IAD investigation, PS #010995 IAS-2021-0071, was found to be not sustained; however, this information may be relevant to that investigation. The information was shared with the former sales representative for that vendor.

Recommendation:
The information identified will be provided to the MPD Chief of Staff and will be forwarded to the IAD for investigation. Additionally, IAD Management should consider reopening PS #010995, IAS-2021-0071 for further investigation based on the information discovered. Furthermore, although Mr. Jafuta is no longer the Motorola sales representative for

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Wisconsin, IAD Management should consider requesting and reviewing email communications between Lt Stojsavljevic and Mr. Jafuta from March 3, 2021 through current date. Because Captain Sarnow is now at the IAD and was the former Captain of the Fusion Division, MPD Management should consider referring the investigation to the FPC.

Finding 4

Confidential, verifiable documentation identified excerpts of various messages from an electronic message board for Fusion Supervisors where Lt Stojsavljevic engages in comments, jokes, and other inappropriate non-work related behaviors that demeaned then-presidential candidate Joseph Biden; specifically stating "Baldwin, Barrett, Gwen Moore, Bucks owners and every other Tom, Dick and Democrat Harry are at Fiserv" and posting a vomit emoji after naming them; a meme comparing Fusion pole camera's to the "sloth at the DMV at the Zootopia", it was alleged that "the sloth" was a representation of Sgt Grochowski; the appearance of mocking then-Inspector Shunta Boston-Smith after learning she might be a possible candidate for the position of Chief of Police, all of which is a violation of MPD, SOP 520, §520.15 Inappropriate Conduct as well as the MPD Code of Conduct, Integrity §3.00 Leadership §4.01, §4.03, §4.04.

Recommendation

As the current Captain IAD was the then-Captain of the Fusion Division, dates of the various excerpts documenting the inappropriate conduct from the electronic message platform for Fusion Supervisors, will be provided to the FPC for further investigation. The FPC should consider selecting a scope beyond the dates provided by the Inspector General and conduct an investigation to identify other potential instances of inappropriate conduct in the Fusion Division's message platform involving former and current Fusion Division supervisory staff. Including leaderships failure to intervene to prevent or stop misconduct, when there was an opportunity to do so as so stated in the MPD Code of Conduct, Leadership §4.03.