



CITY OF MADISON POLICE DEPARTMENT



INTRA-DEPARTMENTAL CORRESPONDENCE

DATE: January 24, 2023

TO: Sergeant Matt Baker  
FROM: Sergeant Ryan Gibson  
SUBJECT: Pre-Determination, 2022PSIA-0161

On 11/03/22, you sent an email addressed to Captain Mindy Winter and Lieutenant Jen Hannah, and cc'd that email to Captain Kelly Beckett and Lieutenant Michael Richardson. The email you sent was in regards to a previous PSIA investigation (2022PSIA-103) where you were issued a citation. That email was brought to the attention of PSIA, as the complainant felt the tone of the email was aggressive towards the parties, and out of line with the MPD Code of Conduct, specifically the Courtesy, Respect and Professional Conduct Portion.

Following the internal investigation and your interview, you have tentatively been found in violation of the following:

**\*Code of Conduct – Courtesy, Respect, and Professional Conduct**

**"Members of the Department shall be courteous and respectful to the public and coworkers. Our encounters should be predicated upon civility and upon the appropriate use of an officer's discretion based upon the totality of the circumstances. Members of MPD should avoid abusive or profane language, gestures, and actions that bring disrespect upon the Department or members of the community. This includes unreasonable orders, or warnings not within the lawful scope of the member's authority."**

PSIA will be conducting a pre-determination hearing on this matter, on **Wednesday, February 1, 2023 at 3:30 pm at the PSIA offices**. The pre-determination hearing is your opportunity to dispute any factual conclusions made in this investigation, to provide any mitigating information/circumstances explaining your conduct, or to provide any other information or explanation that you would like considered. Attendance on your part is voluntary and if you so choose to attend, you may have a representative of your choice present. If you fail to appear, a decision regarding this matter will be based on the information available.

You may also submit a written statement, whether or not you chose to appear in person. If you choose to submit a written statement in lieu of attending the hearing, that statement must be received by this office by the meeting date and time noted above.

If you have any questions regarding this matter, please contact your direct supervisor, a member of your bargaining unit, or me, at 266-4590.

**Sergeant Ryan Gibson**

Sergeant Ryan Gibson  
Professional Standards and Internal Affairs





CITY OF MADISON POLICE DEPARTMENT



INTRA-DEPARTMENTAL CORRESPONDENCE

DATE: January 4, 2023

TO: Shon Barnes, Chief of Police  
FROM: Angela Kamoske, Lieutenant of PSIA  
SUBJECT: 2022PSIA-0161 Sergeant Matt Baker

**Complaint:**

On 11/07/22, a Blue Team entry was made by Captain Kelly Beckett regarding an email sent to Captain Winter and Lieutenant Hannah regarding a previous PSIA investigation where Sgt. Baker was issued a citation after a squad crash he was involved in. Captain Beckett stated that she felt the tone of the email was aggressive towards the parties it was addressed to and out of line with the MPD Code of Conduct, specifically the Courtesy, Respect and Professional Conduct portion.

**Email Sent by Sergeant Baker:**

The following email was sent by Sgt. Baker on 11/03/22 at 11:11am. It was addressed to Captain Mindy Winter and Lieutenant Jen Hannah, and cc'd to Captain Kelly Beckett and Lieutenant Mike Richardson.

*I've talked to the City Attorney about this citation, even if he wasn't doing a hold open for me I would fight it and easily prevail. Anyone familiar with this can watch the video and see I didn't lose control of my vehicle and the correct violation would be violate red signal - even so he said I am granted exception for good cause. I think looking at your MDC (which you'll recall wasn't working as usual) for a cross street is good cause and he agreed.*

*This is the second time PSIA folks have gotten the citation WRONG. If you're gonna nickel and dime people, make sure it's for the right offense. The city attorney was perplexed about why this citation was even issued, especially coupled with a letter of reprimand. I have no response other than this department just loves tanking morale. VORC is a joke and you'll never change my mind. The other day I listened to PSIA at Sgt check in talk about all the duty related mitigating circumstances and so many other blatant lies being spewed I was fuming.*

*To avoid this down the road I will adapt accordingly; no patrolling, go only where you're told to, and definitely don't drive 33 because the department is looking to hang you out to dry.*

**Sergeant Matthew Baker**  
City of Madison Police Department  
211 S. Carroll Street  
Madison, WI 53703  
Cell (608)513-2388  
Non-Emergency (608)266-4275  
[mbaker@cityofmadison.com](mailto:mbaker@cityofmadison.com)

**Follow up With City Attorney Steve Brist:**

On 11/09/22, Assistant Chief Brian Austin contacted City Attorney Steve Brist regarding his conversation with Sgt. Baker, to see if there were corrections that needed to be made to the citation that Sgt. Baker referenced in his email. The following is a synopsis of that conversation sent via email to PSIA.

*Good morning,  
I just got off the phone with Steve Brist from the City Attorney's Office. Long story short, he stated that Sergeant Baker perhaps misread his assessment of the situation here. Steve indicated the following:*

*He feels our process in general is appropriate, as are the citations we issue in squad accidents.*

He feels the citation in this particular case was appropriate. He told me that they wouldn't have agreed to a hold open if it wasn't appropriate, they would have simply dismissed the citation.

We discussed the circumstances preceding the crash, including the speeds on Gammon after the officers had called out 10-2, as well as the failure to clear the intersection at Gammon and the Beltline, entering at 46 MPH. Steve didn't disagree that we likely could have issued the due regard ticket in this matter given the totality, although that wasn't the focus of our conversation.

BA

Assistant Chief Brian Austin  
Investigative and Specialized Services

### Interview with Sergeant Baker:

I interviewed Sgt. Baker on 12/07/22. The interview was audio recorded and transcribed. Also present for the interview was PSIA Sgt. Ryan Gibson and MPPOA representative [REDACTED] Sgt. Baker stated that he understood that per MPD Code of Conduct he needed to participate in this investigation and stated that he would be truthful in his answers.

I provided Sgt. Baker with a copy of the email that he sent so that he could refer to it if necessary. I asked Sgt. Baker to explain to me the circumstances surrounding him sending the email.

Q: Yeah, so that you can see it if you'd like. So, so can you just tell me the circumstances surrounding why you sent this email?

A: So, on this particular day, I had gotten a phone call back from the City Attorney, Assistant City Attorney that I had been instructed to reach out to

Q: Okay.

A: By Captain Winter. So he and I spoke on the phone after some back and forth with email or voicemail. And so I had a conversation with him that made me kind of, made me pretty upset and frustrated with the circumstance.

Q: Okay

A: That, that the ticket was, was either being issue and he kind of saw that as overkill. He pointed to, I don't want to put words in his mouth because that conversation was over a month ago now. It doesn't seem like it but it seemed as though the citation was issued for failure to maintain control or have control.

Q: Mhmm

A: And the question he had well did you lose control? Did you have your lights and siren on? Well he asked that way but he, my, my take away from the conversation with him was that disregard a red signal would have been more applicable.

Q: Okay.

A: And defensible from his perspective as a violation since I didn't lose control. Even though he did say though that then to the red signal, you had your lights and your siren on, etcetera etcetera. And so it was after that conversation which, is which prompted me to send the email. I'll pause there unless you have more.

I then confirmed with Sgt. Baker that he had spoken with City Attorney Brist regarding this conversation. I asked Sgt. Baker what his intent was in sending the email, and if he was hoping to see something as a result of the information he sent in the email.

*Q: Okay. So what message were you trying to convey to the command that you addressed this to? What was your intent with the email?*

*A: My frustration. I, I felt that the letter of reprimand I received would have been sufficient seeing as how I, to my recollection, I've never had a crash driving 33. And in this circumstance, you know, there was duty, like, you know, mitigating circumstances. My computer was not working. The cross streets have been removed due to an IMAT blunder so there was no cross streets. So I was looking at the computer and I talked to Richardson. I felt like my interview with Richardson, I owned it. I knew on day one that I would get spanked for that final red light. It's one, two, three and the fourth light was, you know, but if I had technology that was working like my map that I had pulled up at West District which had then gone to like a blank google maps screen because the web connection doesn't stay on that squad. And it's like an every other day, every two days kind of thing.*

*Q: Okay.*

*A: Generally at the beginning of my shift, which this was. There was a lot of circumstances that Richardson and I talked about. I don't want to dive into that but I felt like the citation was just not issued for the right violation if we were going to go that route. And so that was my, I guess, intent.*

*Q: Okay. I guess, just as a follow up on that, were you hoping that something then would come out of this email? Like was it your hope to send something and then try to rectify a process or bring up, you know*

*A: I was hoping that someone might ask more about my experiences with VORC. I called out VORC. I have yet to see a product of VORC, whether it involved an officer that I was investigating for an on duty crash, that I didn't kind of squint my eyes at. Officers that were, you know, I'll just leave it at that.*

*Q: Okay.*

*A: You know, but, but, you know it was a crash and it's like VORC is just sort of a little bit out to get people. And it was again, the one particular example that comes to mind first is an officer that was looking at the computer, getting call updates, responding to a call like tons of duty like, you know, looking at the computer and just nudged into the car in front. I don't even think there was damage but they were recommending that that officer be cited for inattentive driving*

*Q: Okay*

*A: Rather than following too close. I have particularly been in this office under a different circumstance for an off-duty crash and issued a citation for inattentive driving, which when I called attention to that typical infraction happening for anybody else on the street, the common occurrence is we cite for automobile following too close. And the PSIA Lieutenant and Sergeant at the time voided the inattentive driving ticket and wrote the following too close ticket.*

*Q: Okay.*

*A: So is there system improvements? Absolutely. I was not looking for any other changes other than to vent, which I probably should have done in a different format but yes, I believe that there, there could be some improvement with issuing citations to officers and making sure those are the right violations if we're going to go that route.*

I then gave Sgt. Baker a copy of the Code of Conduct and asked him to review the portion regarding Courtesy, Respect and Professional Conduct. After he did so, I asked him if he felt that the email he sent could be seen as a violation of this. Sgt. Baker stated that upon reflection, he could understand how this email could be seen as a violation of being professional and courteous with co-workers. I asked him if he were to be able to do it differently, what he would change. Sgt. Baker stated that he would not have addressed his concerns in the heat of the moment when he was upset, and also would have spoken to Captain Winter on the phone or in person regarding his concerns.

I then asked Sgt. Baker about his last statement in his email where he states that he would only go where he was called to and not conduct any proactive patrolling I asked him if that was part of his frustration on

that day, or if this was how he intended to work in the future. Sgt. Baker stated that part of this was his frustration at the time and that he does not plan to change his work style to that extreme, however, did say that he would be more cautious to respond in emergency mode, as he now has an open citation.

**Relevant Department SOPs and Guidelines:**

**MPD Code of Conduct – Courtesy, Respect and Professional Conduct**

Members of the Department shall be courteous and respectful to the public and co-workers. Our encounters should be predicated upon civility and the appropriate use of an officer's discretion based upon the totality of the circumstances. Members of MPD should avoid abusive, profane language or gestures and actions that bring disrespect upon the Department or members of the community. This includes unreasonable orders, or warnings not within the lawful scope of the member's authority.

**Summary**

Sergeant Baker sent an email voicing his displeasure at receiving a citation and his concerns about the citation being incorrect. Sgt. Baker acknowledges that he sent the email in the heat of the moment and was frustrated not only because of the current citation but also because of another experience he had with VORC and PSIA on a previous off duty crash that he felt was handled incorrectly.

Sergeant Baker did himself acknowledge that the email could be seen as unprofessional and discourteous, and upon reflection, would have handled this situation differently.

**Recommendation:**

**MPD Code of Conduct – Courtesy, Respect and Professional Conduct: Sustained.**



CITY OF MADISON POLICE DEPARTMENT



INTRA-DEPARTMENTAL CORRESPONDENCE

DATE: February 14, 2023

TO: Matt Baker, Sergeant  
FROM: Shon F Barnes, Chief of Police  
SUBJECT: Suspension Notice- 2022PSIA-0161

The PSIA Unit conducted an investigation reference an email you sent on 11/03/22 to members of Command staff. The email you authored was determined to be in violation of our Code of Conduct. A determination hearing took place and I have determined you violated the following, and am issuing the following sanction:

**Code of Conduct: Courtesy, Respect, and Professional Conduct – 1 day suspension, held in abeyance.**

In determining the disposition to this case I considered the following factors:

- I believe that you could reasonably be expected to have knowledge of the consequences of your conduct.
- I believe that the policy you violated is a reasonable policy.
- I believe that a reasonable effort was made to discover whether you did, in fact, violate policy.
- I believe that the investigation was both fair and objective.
- I believe that there is substantial evidence that you violated policy.
- I believe that I am applying this discipline to you fairly and without discrimination.
- I believe that this discipline reasonably relates to the seriousness of this violation and to your service record with the Department.

Any future sustained violations of the Code of Conduct: Courtesy, Respect, and Professional Conduct, within one year from the date of the incident (11-03-22), will result in you being ordered to serve the suspension day. Any future sustained violations of MPD's Code of Conduct, Standard Operating Procedures, or City of Madison APM's, may result in more significant discipline, up to and including separation from service.

Under Wisconsin State Statute Section 62.13, you have the right to request a hearing on this decision before the board of Madison Police and Fire Commissioners. If you have not made such a request in writing by March 1, 2023, I will assume you have chosen to accept the above stated discipline.

You are further advised that you are not eligible to participate in the promotional process or compete for any closed positions for one calendar year from the date of the incident, 11/03/2022.

Shon F Barnes, Chief of Police



CITY OF MADISON POLICE DEPARTMENT



INTRA-DEPARTMENTAL CORRESPONDENCE

DATE: January 31, 2023  
TO: Sergeant Ryan Gibson  
FROM: Sergeant Matthew R. Baker  
SUBJECT: Pre-Determination, 2022PSIA-0161

I fully recognize and own that the tone was poor and the professionalism was lacking in regards to this email. It was not written with civility and was composed during a peak of frustration relating to PSIA-103, an on-duty squad crash. I am cognizant of my error and will take measures to not let that happen again. With that said, the frustration from the on-duty squad crash still stands. I have never had an on-duty crash or complaint involving an emergency driving response. A review of my squad video will show that I do yield at intersections while responding emergently. The only other on-duty crash I can recall involved black ice during a heavy snowfall as I pulled up to another officer who was involved in a crash.

Upon reviewing my squad video shortly after the crash I saw that I did not proceed through the intersection with care as I did not see the light change. I knew then that I did not meet my own expectations and conveyed all this to Lt. Richardson during my interview that I was accountable for not slowing down. I cited a slew of duty-related mitigating circumstances (officer on scene has significant performance issues, the subjects he was dealing with were known to be resistive, my google map/internet went down when I left station, a Mobile update by IMAT took away the cross streets, etc), which I have been told by commanders are all valid. At the very moment I was hit – by a likely drunk driver who then fled – I was glancing at my MDC to verify my target address (as is practical and allowed by state statute) and switching from the blank internet page to the Mobile screen looking for cross streets on Tree Ln.

Even so, I was issued a letter of reprimand, a citation, and remedial training. In my eleven years here, there has always been a progression of discipline/non-discipline measures when involved with PSIA matters. Where is the documented counseling and remedial training prior to a letter of reprimand and citation? The discipline in regards to the crash is as though I denied there was any wrongdoing on my behalf or as though I had a previous emergency driving/due regard incident. It was pointed out to me that my remedial training was rather a moot point given I knew where I flawed and that remedial training usually is paired with verbal or documented counseling, and less frequently paired with citations and letters of reprimand. I am undoubtedly not alone in thinking this discipline was heavy-handed which does create frustration, stress, and affect morale.

Beyond the poor taste of my email; no one has spoken to the wrong violation on the citation I was issued - which even the city attorney's office called attention to, and no one has spoken to the duty related mitigating circumstances I laid out to Lt Richardson during my interview pertaining to the crash - despite PSIA personnel claiming that they heavily factor these into account and rarely issue citations (at a recent sergeant check-in session).

In regards to the last sentence of my email, I have taken great length to show that was not my true intention. I have carried on as normal and will continue to because that is not who I am. I am accountable/apologize for the driving the day of the crash and for the tone of the email, I am human and have flaws as well as plenty of other stressors outside of work life.

Respectfully,

Sergeant Matthew R Baker



# Madison Police Department

## PSIA Report

### Incident Details

Date Received	Date of Occurrence	Time of Occurrence
11/07/2022	11/03/2022	11:11
Record ID Number	Case #	Tracking #
9733		2022PSIA-0161
Date/Time Entered	Entered By	
11/07/2022 09:48	Captain Kelly Beckett - [REDACTED]	
Madison PD BlueTeam 6 Assigned Investigator	IAPro Assigned Investigator	
[Pending assignment]	LT. Angela Kamoske	

### Incident Summary

Sgt. Matt Baker sent an email to Captain Winter and Lieutenant Hannah regarding a previous PSIA investigation where he was issued a citation for getting involved in a traffic accident while operating his squad in emergency mode. Lieutenant Richardson and I were also cc'd on this email. Upon reading it, I felt the tone of it was aggressive toward the parties it was addressed to and seemingly out of line with the MPD code of conduct, specifically item number 10 which is titled Courtesy, Respect and Professional Conduct.

Upon receiving this email, I notified Lt. Kamoske and also forwarded it to Assistant Chief Valenta. AC Valenta asked that west command make contact with Sgt. Baker to see if he was ok and to briefly speak with him about this email. Lt. Richardson made in person contact with Sgt. Baker on 11/4/22 at approximately 2:45 pm to discuss this email and Sgt. Baker's current feelings about the issue. The attached memo reference Lt. Richardson's conversation with Sgt. Baker is attached. Also attached is the original email authored by Sgt. Baker.

From Sergeant Ryan Gibson (2-16-23). Sergeant Baker was informed of the sustained violation and 1 day suspension held in abeyance, by Captain Kelly Beckett on 2-15-23 at 3:10 pm.

### Incident Location

#### Addresses

1710 McKenna Boulevard, Madison (City)

- Location of Occurrence: West District

## Reporting Employees

**Captain Kelly Beckett** - [REDACTED]

**Assignment at time of incident:** Captain West District/Administration Opsw/Command Opsw/0800-1600

[None Entered]

**Role:** [None Entered]

## Involved Employees

**SGT Matthew Baker** - [REDACTED]

**Assignment at time of incident:** SGT Patrol Sergeants/[REDACTED] [None Entered]

**Role:** [None Entered]

### Linked Allegations

- Code of Conduct - Courtesy, Respect and Professional Conduct - Sustained - 02/13/2023
- Suspension - 02/13/2023

## Employee Witnesses

**LT. Jennifer Hannah** - [REDACTED]

**Assignment at time of incident:** LT. Traffic/Traffic Admin/Command Supt/0700-1500

[None Entered]

**Role:** [None Entered]

**Captain Mindy Winter** - [REDACTED]

**Assignment at time of incident:** Captain Traffic/Traffic Admin/Command Supt/0800-1600/Third

[None Entered]

**Role:** [None Entered]

**LT. Michael Richardson - [REDACTED]**

**Assignment at time of incident:** LT. West District/Administration Opsw/Command Opsw/07:30-15:30

[None Entered]

**Role:** [None Entered]

### Tasks

No tasks to show

### Running Sheet Entries

No running sheet entries to show

### Attachments

Date Attached	Attachment Description	Attachment Types
11/07/2022	Conversation with Lt Richardson	pdf
11/07/2022	Original Email	msg

### Assignment History

Date/Time Sent	From	To	Activity
11/07/2022 10:55	LT. A Kamoske		Field status changed in IAPro from In chain to Released
11/07/2022 10:55	LT. A Kamoske		Released back to IAPro

### Chain of Command History

**Routing Number:** 1

**From** [Snapshot Title Unavailable] Kelly Beckett

**To** LT. Angela Kamoske

Cc:

Date/Time Sent 11/07/2022 10:01

Instructions From [ [Snapshot Title Unavailable] Kelly Beckett ] To [ LT. Angela Kamoske ]

For your information and review.

Comments/Response From [ LT. Angela Kamoske ]

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user LT. Angela Kamoske

Assigned Investigator Signature Line

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[Pending assignment]

Chain of Command Signature Lines

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11/07/2022 null LT. Angela Kamoske - 3662