



TOWN OF MADISON

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January 9, 2019

Dane County Equal Opportunity Commission
Attn: Shahanna McKinney-Baldon
Dane County City County Building
210 Martin Luther King Jr. Blvd Room 114
Madison, WI 53714

RE: Officer Furseth

Shahanna,

Thank you for your letter regarding our hiring of former DeForest police chief Daniel Furseth ("Officer Furseth" or "Chief Furseth"). As a matter of clarification, the letter was dated November 13, 2018 and requested I respond by December 4, 2018. However, it was not postmarked until November 30, 2018. My office did not receive it until December 30, 2018.

I was also forwarded an email string that includes an email from Dane County Board District 4 Supervisor Richard Kilmer to the Dane County Equal Opportunities Commission "DCEOC" indicating he does not expect any answer from the Town of Madison. I have to admit I am disappointed in such a statement and may very well question anything that comes out of the DCEOC based on Mr. Kilmer's statement and attitude.

I am 100% satisfied that Officer Furseth will provide fair and impartial law enforcement services to the community at large. Officer Furseth has publicly and privately expressed his remorse regarding the video in question ("Video"). To be clear, Officer Furseth was not terminated from the village of DeForest, which declined to file a complaint to the PFC based on the Video. Feel free to review this article; <https://wkow.com/news/2018/07/18/second-investigation-into-deforest-police-chief-daniel-furseth/>.

Our first step in our hiring process was to convene a police panel, consisting of a police supervisor, a detective, and a field training officer. The second step was an interview with the Police and Fire Commission. The PFC approved his hiring contingent on my interview and a successful background investigation. A medical test, a drug test, and a psychological evaluation were also conducted.

As a background Officer Furseth has 32 years of law enforcement experience in Dane County. He has extensive work with children as a school resource officer, extensive

work with community outreach and has numerous letters of appreciation throughout this time and no complaints of bias treatment or racism.

Former Chief Furseth made the Deforest Administration aware of the video and on May 30, 2018, Deforest hired Mark Beckner a nationally recognized police consultant and a retired investigator from Colorado to investigate the incident and to determine if there are any other examples of such behavior by Chief Furseth or the DeForest Police Department. On July 13, 2018 Mr. Beckner issued his findings (“Beckner Report”):

Highlights from the Beckner Report include:

- The Controversial video was created by Chief Furseth approximately 11 years ago when he was not in a leadership position.
- Digital recorders were new at the time and Chief Furseth borrowed a recorder from a police intern.
- Chief Furseth is known as a “jokester” and was making an attempt at humor.
- After recording the video he deleted it without ever showing it to anyone else (other than possibly his wife)
- The intern later recovered the deleted video using sophisticated software and held onto it until 2015. In that year, he was issued several citations by the DeForest PD for illegally flying a drone in a residential neighborhood. He posted the video to YouTube in retaliation against Chief Furseth because the chief refused the intern’s demands to void the citations. (Documented in a channel 3 interview.)
- Two years later (~April / May 2018) Chief Furseth found the video online and voluntarily reported the video to the village administrator.

Following are excerpts from the “Assessment” (conclusions) section of the Beckner Report.

“I could find nothing, other than the video in question, to suggest that Chief Dan Furseth is racist. Interviewees both inside and outside the department agreed that the video was out of character for the Dan Furseth they knew. No one interviewed had ever heard him make any off-color jokes, comments, or racially motivated statements. No one had witnessed any racial incidents involving Furseth. Some mentioned how Furseth was a known jokester and suggested he was simply trying to be funny.

“An internet search for other racially sensitive or inappropriate postings by Furseth found none. Sites and Search engines used were Google Advanced Search; Linked In; Social Mention; Facebook; You Tube; Twitter; Buzzsumo; and UVRX Social Search. Furseth also gave me full access to his Facebook and You Tube account. I did not find any other racist videos or postings during my investigation.

“Furseth fully admitted he made the video approximately 11 years ago while on his own time attending a fire department extrication event with his wife. Furseth could not explain why he made the video at the time, other than he thought it was humorous that a group of men were all dressed up in fancy clothes to eat at Steak and Shake. He denied it was intended to be racist, but did understand how others would see it as so. He said he has

grown since that time, is better educated, and has more life experience today. He was remorseful over the incident and seemed truly upset that people would judge him from this one incident 11 years ago.

“No evidence of overt or explicit racial bias within the department was found during my investigation. However, I did find some potential red flags that could indicate some implicit racial bias in how the department operates. These red flags are not proof of racial bias, but do call for more attention, analysis and monitoring to determine if some implicit racial bias is at work.”

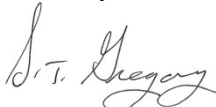
After the village of DeForest reviewed the report they declined to discipline Chief Furseth based on the Video (see my first paragraph).

A second investigation on Chief Furseth's management of the department was conducted by Attorney Mindy Rowland (Rowland Report). Her report dealt primarily with his leadership role as DeForest's chief of police and was largely unrelated to the Town of Madison position for which he was applying. The village board complaint seeking his dismissal was primarily based on the Rowland Report as it related to his management of the police department and not on the Beckner Report.

Our process was transparent as all of our hiring processes have been in the past and will be in the future. Officer Furseth will be on probation for a minimum of 12 months and will be supervised. Any violation of policy, procedure, municipal, state or federal law will be dealt with appropriately consistent with policy and procedures of police department and police and fire commission.

The trainings you mention may be of interest to all law enforcement officers. I will continue to locate appropriate training in this area for all of our officers.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. T. Gregory".

Scott T. Gregory
Chief of Police