



THE LAKELAND TIMES



T-BIRDS AT STATE

Page 15

MINOCQUA, WISCONSIN • TUESDAY, JUNE 7, 2022

\$1.00

"THE VOICE OF THE NORTHWOODS SINCE 1891"

WWW.LAKELANDTIMES.COM

Punzel arrested, faces six felony charges

Five perjury counts, one misconduct in office for failure to investigate safety of alleged victim

By Richard Moore
OF THE LAKELAND TIMES

Former Minocqua police officer Kaleb Punzel has been arrested and charged with five felony counts of perjury and one felony count of misconduct in office following an investigation by the Oneida County sher-

iff's department.

The perjury charges stem from allegedly providing false material statements to the court on March 25, 2021, about an incident that occurred on June 11, 2020.

Punzel had resigned after being placed on paid administrative leave

pending the outcome of the investigation into an incident in the summer of 2020 in which the officer brushed aside repeated pleas for help by a man who had been calling 911 to report that a woman acquaintance could be in immediate danger.

In the incident, Punzel arrested the man for drunken driving — that was dismissed but he was convicted of reckless driving-endangering safety — but refused to head to a nearby residence where the man said his acquaintance

See Punzel . . . page 19

No disorderly conduct for racially motivated behavior by LUHS student

The district won't reveal the student's punishment handed out by administration

By Brian Jopek
OF THE LAKELAND TIMES

Members of the Lakeland Union High School administration have determined the penalty for a student involved in an incident at the May 19 LUHS/Rhinelanders girls' varsity soccer game where racial slurs were used.

LUHS athletic director Emily Mallek said in a statement "racially insensitive comments that occurred" took place at that soccer game at LUHS's IncredibleBank Field.

She said in her statement the LUHS student, later confirmed to be an Arbor Vitae resident by LUHS dean of students Ty Peterson, "took ownership for the mistake and will stand by the school discipline that is to follow."

In a May 24 *Northwoods River News* article about the incident, according to Mallek's statement, Rhinelanders soccer coach Nathan Bates reported several members of his team were called a derogatory term toward females and starting goalkeeper, Mya Krouze, who is bi-racial, was called the N-word.

The individuals said to be involved in the incident were positioned outside the fence on the northeast corner of the field.

The matter was investigated by Peterson and other members of LUHS administration, as well as by the Minocqua police department.

On May 25, Minocqua police chief Dave Jaeger told *The Lakeland Times* there would be no disciplinary action taken by the police department as far as issuing a citation to the LUHS student involved for disorderly conduct.

"The definition of disorderly conduct is loud, boisterous or profane," he said. "We did not get any complaints on this incident and we got complaints on the other incident."

That was a reference to the Oct. 8 LUHS/Ashland football game in which an LUHS student was punished for chanting "F _ _ Joe Biden!"

Jaeger said LUHS officials had reported the soccer game incident "after the fact."

"After they looked into it, we decided it didn't reach the level of disorderly conduct," he said, and that determination was reached despite Krouze's contention she was called the N-word.

See LUHS . . . page 19



2022 LUHS GRADUATION

HEATHER HOLMES/LAKELAND TIMES

LUHS valedictorian Katherine Suzanne Sully Tiffany (left) addresses the Lakeland Union High School graduating Class of 2022, while salutatorian Madeline Rose Saunders (right) looks on. The 65th annual commencement exercises were held Sunday, June 5, at LUHS in Minocqua.

Print Run 5,400
Vol. 131 - Issue 31
1 Section, 20 Pages



Agenda discussion resurfaces for Presque Isle town board

Extensive discussion and vote takes place on an item not on the meeting agenda

By Trevor Greene
OF THE LAKELAND TIMES

Protocol with how the agenda is formed for meetings of the Presque Isle town board resurfaced at the board's June 2 meeting.

During a Feb. 3 meeting, town chairman John MacLean requested the board change its agenda protocol to improve efficiency of meetings and prevent certain topics from catching him off-guard.

It was decided then

that if a board member wanted an item on the agenda, instead of telling town clerk Lorine Walters, it would instead need to be brought up under future agenda items at a board meeting to make it on the following meeting's agenda and at MacLean's discretion.

At the time, MacLean claimed the new protocol will eliminate misunderstandings created by evolving agendas.

At the June 2 meet- See Presque Isle . . . page 19

ing, town supervisor Carl Wolter suggested going back to the old agenda protocol when time came for "board correspondence and future agenda items."

"I also feel that the agenda is a tool that the taxpayers can use if they wanted something on the agenda," he said. "If they have something they want to discuss, they should be able to put it on the agenda and

Punzel

From page 1

was being held and was in danger, and Punzel relayed no sense of urgency either to other responding officers or in his communications with police dispatch, records obtained in an open records request show.

It took police more than 90 minutes after the man's first 911 call for police to arrive at the residence. The woman that the 911 caller was worried about subsequently said she was sexually assaulted during the time Punzel was dismissing the seriousness of the threat, and filed a notice of claim against the town of Minocqua, the Minocqua Police Department, Punzel, and the man she alleges to have assaulted her.

The criminal complaint alleges that, in the incident in question, on June 11, 2020, Punzel refused to perform the non-discretionary ministerial duty of a law enforcement officer by refusing to investigate the safety of the alleged victim when informed of concerns as to her safety via 911 calls and personal contact with the man he was detaining.

As a result, he is charged with felony misconduct in office-failure to perform known duty.

The perjury charges stem from the March 25 drunken driving hearing in that case.

On one count, the complaint alleges, Punzel testified that, when

he encountered the man he detained for driving under the influence, the man's vehicle was parked in the middle of the road when video evidence and Punzel's own recorded statement to a fellow officer showed that the vehicle was on the side of the road.

In a second count, the complaint alleges that Punzel lied when he testified that the detained man was given the opportunity to perform a standardized field sobriety test upon arrival of a backup officer.

In court, Punzel said he was waiting for an additional unit because it was Minocqua Police Department protocol that when someone is tested for their field sobriety, a second officer is there for scene safety.

When a second officer arrived, Punzel testified, he gave the detained man another chance to take the test.

"I asked [the detained man] again if he would submit to standardized field sobriety testing, he stated he would not which I deemed as a refusal, and he was advised he was being placed under arrest for operating under the influence," Punzel testified.

For his part, the detained man asserted that he was never asked to take a field sobriety test after the other officer arrived and, according to the police cam footage, the detained man's version is correct.

The police cam footage shows that, when the other officer arrived, the detained man said "great" and

"wonderful." As the other officer began to approach the two, Punzel asked the detained man to step to the front of his truck.

"I need you to place your phone up here for me," Punzel said. "Place your phone up there for me, sir. Place your phone up there for me, sir. Sir, can you please place your phone there. ... can you please place your phone on the truck for me. ... I'm asking one last time, would you please place your phone on the truck for me. If you do not consent to what I'm doing, I am going to place you under arrest for operating under the influence. Do you understand? Do you understand, ...?"

In court, Oneida circuit court judge Patrick O'Melia had questioned Punzel's narrative.

"And the point was made by [the detained man] that he'll wait until the other officer gets there, remember that?" O'Melia asked. "... There was discussion that [the detained man] was worried about your bias incident and said — he referenced it a couple times, that you shouldn't be doing this and I'll wait until the other officer arrives, right?"

Punzel said "yes" and that it would have been okay for another officer to conduct the test.

"And within seconds after [the other officer] getting into the field of view, you place [the detained man] under arrest," O'Melia said.

"Yes. I asked [the detained man] if he would submit to standardized

field sobriety," Punzel replied. "Once [the other officer] arrived, he refused, at which time he was placed under arrest."

O'Melia pressed on: "Why not let [the other officer] do the field tests?"

"Because after — I was completing the investigation at that point," Punzel replied. "Could he have done it? Yes."

"So when [the other officer] was there you asked him to do field sobriety tests?" O'Melia asked.

Yes, Punzel said.

"And then you asked him to set down his phone," O'Melia said, and Punzel said that was accurate.

"It seems like you're arresting him because he wouldn't put his phone down or was obstructing," O'Melia said.

Punzel said that wasn't accurate.

The third perjury count alleges that Punzel was not truthful when he testified that he had not begun traveling to the scene of a disturbance where the woman was until the 911 call was placed by the detained man.

However, an April 15 investigation report asserts that the man at the residence in question was Punzel's contractor for a bathroom project, and Punzel had received three calls from the man, prompting him to head toward the residence, where he encountered and detained the 911 caller in the traffic stop.

In a fourth count of perjury, Punzel is



Punzel, Kaleb

charged with lying when he testified that he provided all the information available to him regarding a disturbance at the home to the two officers who arrived to the scene of the traffic stop to assist.

The supplemental report by Oneida County sheriff's department captain Terri Hook asserts that the body camera footage of an assisting Woodruff police officer shows that when Punzel shared information about the issue at the residence with that officer and a Lac du Flambeau officer, Punzel did not share the 911 caller's concern about the safety of the woman.

Punzel also failed to provide other critical information to responding officers, placing them in danger, Hook wrote.

"Officer Punzel did not share with any of the assisting law enforcement officers that the original and only 911 calls came from [the detained man] who reported to Officer Punzel numerous times that [the detained man] was con-

cerned for the safety of [his acquaintance]," she wrote. "[The detained man] repeatedly told Officer Punzel that the welfare of [his acquaintance] should be checked because [the detained man] had concerns about [the man at the residence's] intentions with [his acquaintance]."

Much later, after assisting officers arrived, Punzel gave those officers the acquaintance's purse, which was in the detained man's vehicle, to return to her at the residence.

The fifth count of perjury charges Punzel with making a false material statement of material fact when he testified that he received two communications from his contractor when telephone records confirmed three communications to the defendant's private cellphone.

Richard Moore is the author of the forthcoming "Storyfinding: From the Journey to the Story" and can be reached at richardmoorebooks.com.

LUHS

From page 1

Unlike two previous incidents that occurred during the 2021-22 school year, including the Oct. 8 incident, LUHS is now not releasing information to the media regarding any disciplinary action taken against the LUHS student involved in the May 19 incident at the LUHS/Rhineland soccer game.

LUHS principal Chad Guarke told the *Times* after the Oct. 8 LUHS/Ashland football game and the "F__ Joe Biden!" chants that disorderly conduct citations would be issued

for similar incidents from that point forward.

As a result of that incident, law enforcement action against the LUHS student was punished by way of a disorderly conduct ticket, a court appearance, a three-day suspension from school and loss of participation in two wrestling matches.

On May 27, Guarke released a statement regarding the incident at the LUHS/Rhineland soccer game.

"At this time, we have been advised by our legal council to release the following statement," an email from Guarke to the *Times* reads. "Lakeland Union High School

takes this type of conduct seriously. After investigating the allegations, the District took appropriate action under Board Policy and the Athletic Code. The District is unable to share additional information regarding the student(s) involved or the discipline that was issued due to state and federal laws protecting the confidentiality of student records."

Previous incidents

In addition to the Oct. 8 incident at the LUHS football game, in February, an incident on a Lakeland school bus in Woodruff, involving 10 LUHS students from Lac du Flambeau, resulted in three-day suspensions for those

students.

In addition, Mallek as a result of the LUHS investigation of that incident also issued one student a 50% suspension in their participation in LUHS athletic contests and 25% reductions each for two other students.

Those were handled, she said, according to the LUHS athletic code.

However, there were no disorderly conduct tickets issued by Woodruff police chief Cory Backhaus, who did the investigation including checking the school bus the students had been on for any evidence of marijuana smoking or the drinking of alcohol.

Peterson, who was in charge of the LUHS

portion of the investigation and played a role in the discipline ultimately handed down, said the video of the incident from the bus in which the bus driver in her statement said students weren't in their assigned seats and some were smoking what she believed to be marijuana, was available.

Backhaus told the *Times* he didn't watch the video, and although there's said to be a vodka bottle in the video and students were drinking from it, there really was no way to prove what was in the bottle.

As for the October 8 incident involving the "F__ Joe Biden!" chant, Backhaus told

the *Times*, based on what he knew of that incident, he wouldn't have issued the student a ticket for disorderly conduct.

Peterson, who headed up the LUHS investigations of the February bus incident in Woodruff and the May 19 LUHS/Rhineland soccer game incident, told the *Times* on May 25 he "can only control what I'm in control of."

"Everyone I've handled, I'm confident that I'm doing a good job and getting after it, being transparent and trying to be consistent as much as we can," he said.

Brian Jopek may be reached via email at bjopek@lakelandtimes.com

Presque Isle

From page 1

make comment on it."

Town supervisor Cathy Logan Weber clarified for Wolter, explaining not just anyone in town can put an item on the agenda, but they may suggest it to any of the three supervisors.

After MacLean recapped the current procedure,

Wolter said he wanted the ability to add an item to the agenda by telling Walters, further indicating his displeasure in having to ask for MacLean's permission.

"The problem is we could end up getting 14, 15 items, and we end up having a longer meeting," MacLean said. "So ... every meeting is every two weeks, and I still want to have the ability to say 'Hey, that's an impor-

tant item, you should bring it up.' And you can plead this is a really important (item) ... but in order to keep these more orderly meetings, I'm trying to keep the number of items a manageable number."

Wolter and Weber feel the old agenda procedure wasn't a problem, but MacLean said it was for him.

Wolter said he doesn't want to wait two weeks to

discuss certain topics sometimes.

"If there's something I want on the agenda, I want to be able to come to Lorine and say put this on the agenda," he said.

When MacLean proposed a slightly different procedure from the current one, Wolter told him "we're all equals."

"I'm sensing a desire by the other two board mem-

bers to change the process," Walters said. "Wisconsin Towns Association says if you guys decide as a town board the way you're going to do an agenda, that's how you do them. If you don't take action as a town board, the chairman has statutory authority over the agendas."

The statutory authority mentioned by Walters was

See *Presque Isle*. . . page 20