

Grand Chute Police Department

Memorandum



Date: July 22, 2020

To: PFC President Dave Tiedt
PFC Secretary Tom Dreier
PFC Commissioner Chuck Bongers
PFC Commissioner Dave Berlick
PFC Commissioner Eric Davidson

From: Greg Peterson

Subject: Internal Investigation regarding Officer Bryce La Luzerne

On May 31, 2020, the Grand Chute Police Department was notified through an anonymous tip of an allegation that a Grand Chute police officer was responsible for posting highly offensive racist and homophobic commentary on a social media platform. The tip included a link to a Facebook page created by the reporting person for the purpose of sharing the offensive posts. As a result, an investigation was immediately undertaken, since behavior such as that reported by the complainant would constitute conduct expressly prohibited by the Grand Chute Police Department Code of Conduct.

The investigation quickly confirmed the posts to be attributed to Grand Chute police officer Bryce La Luzerne. The dates on the posts, however, clearly revealed they were authored between 2011 and 2014. Officer La Luzerne became a member of the Grand Chute Police Department in December 2017. In 2011, he was a sophomore in high school, graduating in 2014.

Since the posts were authored prior to him joining the department, La Luzerne would not have been bound by the GCPD Code of Conduct at the time they were written. Furthermore, any attempt to discipline La Luzerne based solely on his conduct from 2011-2014 would likely have failed due to an inability to satisfy the first standard of just cause, as outlined in §62.13(5)(em), Wis. Stats., which requires the Commission to establish “whether the subordinate could reasonably be expected to have knowledge of the probable consequences of the alleged conduct.” Nevertheless, since the complainant reported the posts were part of a “history of racism, homophobia, and bigotry,” in addition to “a history of threatening murder,” a decision was made to continue the investigation. The purpose in doing so was to determine whether the allegations of offensive views and/or violence had manifested in La Luzerne’s performance as a Grand Chute police officer or if he had withheld information during the hiring process that might have disqualified him from employment with the department.

As of July 22, 2020, the aforementioned investigation has been completed and a conclusion has been reached that the allegations presented by the anonymous complainant have not been exhibited in any aspect of Officer La Luzerne's performance with the Grand Chute Police Department since his date of hire. Furthermore, there is no indication Officer La Luzerne withheld information during the hiring process that would have disqualified him from employment. As such, I will not be filing charges against Officer Bryce La Luzerne with the Grand Chute Police and Fire Commission for the purpose of seeking a disciplinary disposition.

While I have decided against filing charges against Officer La Luzerne, the highly sensitive nature of these allegations, coupled with the public nature in which the allegations and investigation have played out, necessitates that an explanation regarding how that decision was reached be provided. The remainder of this document will focus on the manner in which we approached this investigation and arrived at our decision.

The circumstances surrounding this inquiry and conclusion are unique. In most cases, a personnel investigation that does not result in a sustained finding and disciplinary disposition or administrative charges is rarely brought before the Commission, as it falls outside the Commission's typical purview as outlined in §62.13(5), Wis. Stats. This investigation, however, has unfolded in a highly public fashion, given the allegations of wrongdoing were shared via social media and involved a highly inflammatory issue, particularly in light of the social and racial unrest occurring across the country at this time. The matter generated substantial public interest and media attention, which led us to release an investigative progress report on July 02, 2020, after Officer La Luzerne waived his statutory right to appeal the release prior to reaching a final disposition, citing the importance of keeping the community informed.

Additionally, unlike most investigations that begin with an allegation of a specific act of misconduct to be proven or disproven, this investigation was based on allegations of behavior that preceded employment and purportedly reflected an attitude that could have a deleterious effect on the manner in which the subject of the investigation performed his duties as a Grand Chute police officer. Without a specific example of such performance, however, the focus of the investigation was to attempt to identify such performance examples, if they existed, or establish that they had not occurred.

The investigation examined several aspects of Officer La Luzerne's performance as a Grand Chute Police Officer in an attempt to determine whether any behaviors, such as those that occurred during 2011-2014, had occurred following his employment and/or whether his performance revealed any bias that might be consistent with views such as those allegedly espoused during the same period. The following investigative steps were performed, yielding the stated results.

- A review of Officer La Luzerne's social media activity on Facebook, Twitter, and Instagram from his date of hire was performed. The results revealed no examples of behavior similar to that from 2011-2014.
- A review of Officer La Luzerne's network internet browsing history over a six month period revealed nothing pertinent to the investigation.

- A statistical analysis of the demographic information of defendants to whom Officer La Luzerne issued a citation was performed for the years 2018, 2019, and 2020. The results revealed Officer La Luzerne's contacts with African-Americans exceeded the department average in 2018, but fell below the department average in 2019 and 2020. The department does not ask for or maintain records on the sexual orientation of offenders, therefore, it was not possible to conduct a statistical analysis of La Luzerne's conduct as it relates to the LGBTQ+ community.
- A comprehensive examination of every criminal arrest of an African-American suspect by Officer La Luzerne from December 2017 to June 2020 was conducted. The process involved a review of body camera and dash mounted camera footage of each of the 22 arrests, which was followed by a review of the body camera and dash mounted camera footage from 22 randomly selected arrests of white suspects for similar crimes. A review of these videos revealed no discernable difference in the way in which individuals were treated based upon race.
- A review of each use of force by Officer La Luzerne from 2018-2020 revealed a total of six uses of force; four in 2018, two in 2019, and none in 2020. In each instance, the use of force was deemed justified and appropriate under the circumstances. In each instance, the involved subject of the use of force was identified as a white male.
- A review of personnel complaint records showed that La Luzerne received no formal complaints in 2018 and 2020. There were two complaints received in 2019. One of the complaints alleged minor misconduct and the other alleged a procedural issue. Both complainants were identified as white males.

Given the nature of the allegations, the aforementioned performance areas represent those most likely to reveal specific behaviors comparable to those identified by the complainant, or behaviors suggesting a bias in the manner in which Officer La Luzerne performs his duties. The results, however, did not uncover behaviors similar to those reported by the complainant, nor did they uncover any apparent bias influencing the actions of Officer La Luzerne during the performance of his duties. After these investigative efforts failed to yield any examples of misconduct, the investigator attempted to determine from the anonymous complainant whether the individual had more recent examples of concerning behavior; specifically behavior occurring after December 2017. The complainant advised he or she had not witnessed anything personally in the past 5-6 years.

The secondary focus of the investigation was designed to examine Officer La Luzerne's character, with an emphasis on whether he had withheld information at the time of hire that would have disqualified him for employment with the Grand Chute Police Department. The following investigative steps were taken in furtherance of this goal, yielding the stated results.

- A review of the background investigation conducted at the time of hire was completed. It revealed the background investigator interviewed three former employers and 11 other

individuals ranging from roommates to professional contacts. Each was questioned about whether La Lutzerne ever displayed any bias based on race, sex, religion, age, or sexual preference. None of the individuals interviewed associated La Lutzerne with any form of bias.

- Following a conditional offer of employment, La Lutzerne underwent a psychological examination as well as a polygraph examination, the results of which were reviewed during this investigation. The information gained through these processes revealed La Lutzerne had not argued, raised his voice, or used insulting language with co-workers or supervisors in a work setting, nor had he committed, or threatened to commit, physical harm against co-workers. During these processes, La Lutzerne affirmed he has never been a member or supporter of a group that seeks to deny civil rights to others. Additionally, during the polygraph, La Lutzerne was specifically asked if he had ever been a member of a “militant, terrorist, subversive, outlaw motorcycle club, or street gang organization,” to which La Lutzerne replied, “no.” This question was followed by questions regarding deliberate lying during the hiring process, attempts to withhold information, and deliberate lying on the polygraph, all of which yielded an answer of “no.” Following this line of questioning, the polygraph examiner completed the test and concluded La Lutzerne displayed no deception during the polygraph, indicating he had been truthful during the hiring process
- Multiple interviews were conducted with Officer La Lutzerne. One of the interviews was conducted for the purpose of inquiring about a reference to the word “boogaloo” in a single Instagram post from October 2019. Contemporary culture identifies the “boogaloo” as a loosely organized, far right, anti-government extremist movement with varying ideologies. After the word appeared in a single social media post, a citizen expressed concern La Lutzerne was espousing anti-government views inconsistent with his service as a police officer. During the interview, Officer La Lutzerne indicated he believed the “boogaloo” referred to a group advocating 2nd Amendment rights and spontaneously provided two websites that had informed him about the term “boogaloo.” One was the website of a small arms manufacturer, while the second was a site hosted by a police officer known for producing and disseminating humorous videos. Both sites mentioned “boogaloo” in the context of protecting 2nd Amendment rights. It is worth noting that at the time Officer La Lutzerne used the word “boogaloo” in a single social media post, the group had not gained the national notoriety that it acquired when members began appearing at protests following the death of George Floyd at the hands of Minneapolis police officers on May 25, 2020. Prior to that event, most people we have asked were unaware of the “boogaloo” movement. Furthermore, at the time of hire, the polygraph established La Lutzerne was honest when he replied “no” to a question regarding his involvement or support for any militant, terrorist, or subversive organizations.

- Another interview with Officer La Luzerne focused on the content of his 2011-2014 tweets. La Luzerne indicated several of the tweets were lyrics from songs he and his friends routinely listened to. An internet search of several of the phrases used in the tweets confirmed they were, in fact, song lyrics.
- At the urging of the complainant, we interviewed two individuals who were named in some of the 2011-2014 tweets. The complainant informed us it was likely these two individuals have had “some issues with Bryce in the past” that they would like to share. One of the subjects had no recollection of La Luzerne, while the second recognized the name as someone he attended high school with, but didn’t really know.
- Between the 2017 background interview and the 2020 internal investigation, approximately 25-30 interviews were conducted in an attempt to draw conclusions about Officer La Luzerne’s character and the allegations of misconduct attributed to him. Only one person with personal knowledge of La Luzerne, the anonymous complainant identified as “Donna Draheim,” offered a critical assessment. The remaining interviews included individuals who did not recall La Luzerne, spoke favorably regarding his character, or reinforced the nature of the culture of the rural high school he attended from 2011-2014. Select results of these interviews include the following:
 - A former fiancée who has known La Luzerne since high school shared that their rural high school lacked cultural sensitivity or diversity and that students would routinely “talk foul.” She further indicated “Bryce is 100% different now than he was in high school” and the comments posted on social media in 2011-2014 do “not represent who Bryce is as a person now or what he believes.”
 - A classmate of La Luzerne who identified as African-American shared the following; “from what I knew in high school he was a great guy, I would say he is an upstanding guy, he was kind, I never would have saw any discrimination from him.” With respect to the complainant’s assertion La Luzerne was racist or homophobic, she said, “never, ever would I have put those words to Bryce.” When asked if derogatory language was commonly used in high school, she indicated derogatory words were used frequently.
 - La Luzerne’s high school soccer coach indicated there were multiple Hispanic players and an African-American player on the team with La Luzerne, noting he never heard La Luzerne make disparaging remarks. He further noted La Luzerne was always respectful.
 - An interview was conducted with the soccer teammate identified by the coach as African-American. The person indicated he did not see any “racial tendencies” during his interactions with La Luzerne, adding, “I didn’t get a feeling that he was

biased or racial.” He went on to say La Luzerne never did or said anything to offend him.

- We spoke with an officer within the Grand Chute Police Department who identifies as a member of the LGBTQ+ community. The officer reported no concerns during interactions with La Luzerne. Furthermore, this officer is not aware of any incident where La Luzerne displayed bias or negative views towards LGBTQ+ individuals.

As mentioned previously, once the investigation found no behaviors comparable to those identified by the complainant, or indicators of bias in the manner in which Officer La Luzerne performed his duties, our emphasis turned to Officer La Luzerne’s character and whether he had withheld information at the time of hire that would have disqualified him for employment with the Grand Chute Police Department. The outcome of this phase of the investigation was similar in that it revealed no deception or indication Officer La Luzerne withheld information during the hiring process that would suggest he held racist or homophobic views or supported or belonged to any militant, terrorist, or subversive group. In fact, this phase of the investigation expanded our list of character references for Officer La Luzerne, reaffirming the information on which we based our hiring decision in December 2017. The outcome of this phase of the investigation, coupled with a lack of any examples of concerning behavior occurring during his employment with the Grand Chute Police Department, ultimately led to my conclusion there were no grounds to file charges against Officer La Luzerne with the Commission.

In conclusion, we recognize the highly sensitive nature of this matter and the harmful impact such allegations, if sustained, would have on the trust we have worked so hard to build with our community. In fact, this trust has already suffered damage based solely on the egregious nature of the allegations. These facts notwithstanding, it is the value we place on this trust that drove us to be meticulous in completing this investigation. The comments shared by Officer La Luzerne as a teenager were reprehensible. Making no excuses for his conduct, he is in full agreement, stating so in a written apology he has given to me. Acknowledging the pain arising from his actions, he has also expressed his desire to “restore the trust and repair the damage” that his past words have caused. We share in this sentiment.



Greg Peterson
Chief of Police
Grand Chute Police Department