CITY OF STOUGHTON CITY COUNCIL
BEFORE THE PUBLIC SAFETY COMMITTEE

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CITY OF STOUGHTON
POLICE DEPARTMENT,

Complainant,

-vs-

SHAKERS SALOON, LLC,

Licensee.

* *

TRANSCRIPT OF TAPED VIDEO CONFERENCE PROCEEDINGS

Held on: Thursday, December 3, 2020

Transcribed by: Sandra L. McDonald

TRANSCRIPT OF TAPED VIDEO CONFERENCE PROCEEDINGS, held in the City of Stoughton on December 3, 2020, as transcribed by SANDRA L. McDONALD, a Notary Public in and for the State of Wisconsin.

THE COMMITTEE: GREG JENSON, CHAIR
OZZIE DOOM
JEAN LIGOCKI
MAYOR TIM SWADLEY
JOYCE TIKALSKY

* * * * *

A P P E A R A N C E S

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appearing on behalf of the Public Safety Committee.

FOR SHAKERS SALOON: JOSH QUISLING
STEVE MEYER
BRADLEY DILLMAN
AARON McCARROLL
CHATTA HUFFMAN

ALSO PRESENT: CITY CLERK HOLLY LICHT
POLICE CHIEF GREG LECK

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(Original transcript filed with City Clerk Holly Licht)

CHAIRMAN JENSON: I will call the meeting to order at 6:01. And the first thing I'd like to do is take care of one piece of business for the Committee, the Public Safety Committee. And what I'd like to do is talk to you, the committee members, about our meeting that's scheduled for December 23rd. Obviously, that's right there in Christmas week.

We do have a couple of items that I would like to get discussed before the end of the year, so if the Committee is okay with moving that to the 16th, could I get some comments on that, please, if you're able to do that, yes or no?

MAYOR SWADLEY: Yes, that works for me.

MS. TIKALSKY: Yes. This is Joyce.

MR. DOOM: Yes.

MS. LIGOCKI: The time we are meeting, Greg?

CHAIRMAN JENSON: It would be at the normal meeting time, which I believe is 6:00, and it would be on the 16th.

MS. LIGOCKI: I would be open to

moving it to 5:30, given I have the Library Board of Trustees meeting at 6:30.

CHAIRMAN JENSON: All right. Is the Committee okay with that?

MS. TIKALSKY: Yep, that's fine with me.

CHAIRMAN JENSON: Ozzie?

MR. DOOM: That's a Tuesday evening?

CHAIRMAN JENSON: That's a Tuesday evening at -- or excuse me.

MS. LIGOCKI: Wednesday.

MS. TIKALSKY: Wednesday.

CHAIRMAN JENSON: Wednesday evening, the 16th.

MR. DOOM: I can make that work.

CHAIRMAN JENSON: Okay.

MS. LIGOCKI: Thanks, Ozzie.

MR. DOOM: You're welcome.

CHAIRMAN JENSON: We have a consensus on that then, Holly, so you can make a note.

MS. LICHT: Sounds good.

CHAIRMAN JENSON: It will be 5:30 on the 16th.

MR. DOOM: Yes.

MS. TIKALSKY: Thank you very much.

1 CHAIRMAN JENSON: Thank you, okay.
2 Then one last piece of business that we need to
3 do is under normal circumstances I would chair
4 this, but because this is a hearing and we have
5 hired Attorney Reuter, I would like the
6 Committee's permission to hand off the duties of
7 chair to Attorney Reuter. And we would need a
8 motion to do that, so I would make that motion.
9 I need a second and a vote from the Committee.
10 MS. LIGOCKI: Second.
11 CHAIRMAN JENSON: Okay. So we have a
12 second. And is the Committee in favor, yes or
13 no?
14 (All committee members vote in the affirmative)
15 CHAIRMAN JENSON: Okay. Thank you
16 very much. Attorney Reuter, the hearing is in
17 your hands.
18 MR. REUTER: Thank you, Mr. Chairman.
19 We'll open the hearing on the Matter of the
20 Consideration of the Revocation of the Class B
21 Reserve Combination License Held by Shakers
22 Saloon, LLC. This action was commenced by the
23 issuance of a summons on October 27th of 2020,
24 and the original summons called for a hearing
25 date of November 5th of 2020. That was

1 postponed to today's date by stipulation of the
2 parties.
3 Are both parties present and prepared
4 to proceed tonight?
5 MR. QUISLING: We're -- we're here.
6 We don't have an attorney, so we are sort of
7 defending ourselves.
8 MR. REUTER: And who are you, sir?
9 MR. QUISLING: My name is Josh
10 Quisling. I'm one of the managers of the
11 Shakers Saloon, LLC corporation or LLC, limited
12 liability company.
13 MR. MANTHE: And Attorney Rick --
14 MS. HUFFMAN: I'm here as well. I'm
15 the licensee for the bar.
16 MR. REUTER: I'm sorry. I didn't
17 catch the beginning of that.
18 MS. HUFFMAN: I said I'm here as well,
19 Chatta Huffman.
20 MR. REUTER: Okay.
21 MR. MANTHE: And Rick Manthe appearing
22 on behalf of the complainant, Police Chief
23 Greg Leck. We are ready to proceed, Attorney
24 Reuter.
25 I guess it's a little unclear whether

or not Shakers is asking for more time to hire an attorney. I guess this has been pending for a little over a month, and when I spoke to them last they were in the process of hiring an attorney. So I guess I don't know if they -- it's unclear if they've indicated whether or not they're ready to proceed, but we are.

MR. REUTER: I guess I'll ask somebody representing Shakers.

MR. QUISLING: I guess if I could just get a bit of clarification, I don't quite understand, and forgive my lack of knowledge on the process here. But you've turned over -- the City has hired an attorney and turned over chair to that attorney. Can that be explained to me and just briefly overview what the whole process is here?

MR. REUTER: Sure. The city ordinances authorize the chair of the Public Safety Committee to conduct hearings on license revocation matters. It also authorizes the chair to delegate that authority to someone else. My role --

MR. QUISLING: Understood.

MR. REUTER: -- in conducting the

1 hearing would be to make sure that everybody has
2 got an opportunity to present the evidence that
3 they want to present so that the Committee can
4 make an informed decision on the complaint.
5 Does that answer your question?
6 MR. QUISLING: That does.
7 MR. REUTER: Okay. So are you
8 prepared to proceed tonight, or are you
9 requesting more time or what? What's the deal?
10 MR. QUISLING: I -- I would say I
11 guess we're prepared to proceed. I don't know
12 what evidence -- I mean, I haven't had any sort
13 of conversations with anybody that's got any
14 sort of evidence.
15 MR. REUTER: Okay. Well, during the
16 process of the hearing we'll start with the
17 complainant presenting its evidence. You have
18 the right to cross-examine any witnesses
19 presented by the complainant. After the
20 complainant's case is presented, you'll have the
21 opportunity to present any witnesses or other
22 evidence that you think is relevant to the
23 determination of the Committee of what action,
24 if any, they should take on the complaint.
25 So with that, I guess I would ask,

1 starting with Mr. Manthe, do you want to make an
2 opening statement or call your first witness?
3 MR. MANTHE: Thank you, Attorney
4 Reuter. I'd be happy to make an opening
5 statement, and then I'll call my first witness.
6 So first off, I would just like to thank all
7 members of the Committee tonight for meeting to
8 hear this.
9 MR. McCARROLL: Excuse me.
10 MR. MANTHE: I know these are less
11 than --
12 MR. McCARROLL: I'm sorry to
13 interrupt. I'm sorry to interrupt. I just want
14 to be clear on one thing with the remaining
15 parties. Steve and Brad, are you guys ready to
16 deal with this, or should we ask for more time
17 right now since we do and have spoken in brief
18 today?
19 MR. QUISLING: I think we would like
20 to have more time. This is Josh Quisling.
21 MR. McCARROLL: I see you, Josh.
22 MR. QUISLING: We would like to have
23 more time. We do have an attorney, but he's not
24 able to be here tonight, and I think in our best
25 interests that would be --

1 CHAIRMAN JENSON: Sorry, you're -- you
2 seem to be slightly -- you were cutting in and
3 out.
4 MR. QUISLING: I didn't hear any of
5 that.
6 MR. MANTHE: I guess I'm not sure what
7 just happened, so --
8 MR. QUISLING: Yeah, I'm not getting
9 any audio from whoever is talking there.
10 MR. REUTER: Mr. Quisling, let me just
11 ask you, are you asking the Committee to do
12 something other than proceed with the hearing?
13 MR. QUISLING: I'm asking for a bit
14 more time.
15 MR. REUTER: Okay. And that's an
16 issue that I would defer to the Committee on.
17 This matter was scheduled, as I said, by a
18 subpoena, originally scheduled for November 5th.
19 UNIDENTIFIED SPEAKER: Hello? Hello?
20 MR. REUTER: I'm going to ask you to
21 mute your microphone until I'm finished here.
22 The hearing was postponed a month at the request
23 of the complainant, or with the agreement from
24 the complainant. It would be up to the
25 Committee whether or not to grant the request

1 for a postponement and, if so, determine when
2 the hearing would take place.
3 CHAIRMAN JENSON: So that would be --
4 well, I guess, yeah, let's have the Committee's
5 consensus on that. This is Chairperson Greg
6 Jenson. Joyce, do you have a preference on
7 this? Do you want to respond?
8 MS. TIKALSKY: I think it's
9 unfortunate the attorney isn't here. At the
10 same time this puts the Committee in a crunch as
11 well, and a lot of people have committed their
12 time for this evening. I'd like to see it go
13 forward.
14 CHAIRMAN JENSON: Thank you.
15 MR. DOOM: I would agree. This is
16 Ozzie. I would agree with Joyce, that I think
17 we're ready to move forward. It's been delayed
18 once already for a good month, so --
19 CHAIRMAN JENSON: Jean, do you have --
20 MS. HUFFMAN: If I may say something,
21 the delay that occurred was because one of our
22 managers was in the hospital with a serious
23 medical condition, so that was the reason that
24 we were not able to have the meeting in the
25 first place. And he just recently had gotten

1 released, and so he hasn't had -- I don't know,
2 Steve-O, if you want to chime in on this as
3 well.
4 CHAIRMAN JENSON: Well, you're out of
5 order right now, so please just wait. So next
6 was Jean. What was your comment on it?
7 MS. LIGOCKI: Thank you. I would like
8 us to proceed tonight, and the reason I'm asking
9 us to proceed tonight is they have had plenty of
10 time. And I do know that issues of health are
11 in the mix, but the public safety, to me, of
12 them having events where there was positive
13 COVID as well as numbers of people should not be
14 delayed. This is a matter of public safety. I
15 would like us to proceed tonight.
16 CHAIRMAN JENSON: All right, thank
17 you. And I'm in agreement with the -- with the
18 members. So with that said, we should proceed
19 then. Attorney Reuter, I'll hand it over.
20 MR. REUTER: Thank you, Mr. Chairman.
21 Mr. Manthe, why don't you go ahead with your
22 opening statement.
23 MR. McCARROLL: I don't see where this
24 even got us any further where you delegated the
25 power to the attorney and now you're going back

to the chair to delegate the power back to these folks. Out of fair shareness and out of respect for the public safety and for the business, we would ask for more time to consult with the attorney, which we just spoke with this morning. He's just, unfortunately, unable to be here this evening.

However, if that is a big issue, because we went through lengths as well to try and accommodate the City and the public to get more people and to get evidence ourselves, which we have not had an ample amount of time to go over at all from the police department and to confer with an attorney, I think it would be fair for the public's interests and for the safety of the bar and for the public and as a citizen of the United States, that you give us more time. Whether it be a week from now would be totally fine with us. I mean, you guys just booked something for Wednesday, the 16th. We're not against a week in time. I mean, we're just asking for a little time. If not, we can go ahead and proceed.

MR. REUTER: All right, all right. Sir, your request has been presented to the

1 Committee, and it's been denied. The Committee
2 obviously feels that you've had, you know, well
3 more than a month to consult with an attorney.
4 If you consulted with one this morning, that's
5 probably a little late in the game to be
6 expecting somebody to show up at a hearing.
7 We've got an entire committee here of
8 people who are taking their time out to
9 participate in this, and because of that, we're
10 going to be proceeding with the hearing tonight.
11 Mr. Manthe?
12 MR. McCARROLL: Go ahead.
13 MR. MANTHE: Thank you. As I was
14 saying before, thank you, all committee members,
15 for being here. I understand these are less
16 than ideal circumstances having to conduct this
17 hearing virtually, but I appreciate all of your
18 patience.
19 And I guess what this case is really
20 about is Shakers throwing away its second
21 chance. Six months ago the City suspended
22 Shakers' license because its former owner and
23 registered agent possessed cocaine with the
24 intent to deliver while on the licensed premises
25 of Shakers. The evidence you will hear today

1 will show that Shakers threw away that second
2 chance that the City provided, as the bar had
3 numerous legal violations and has been unable to
4 maintain an orderly establishment since
5 receiving its liquor license.
6 You'll hear about Shakers in the
7 midst of a global pandemic holding a COVID-19
8 superspreader event. On October 10th,
9 October 9th and 10th, Shakers held a party
10 involving over a hundred people. This was in
11 violation of State and County health orders
12 limiting gatherings, business occupancy and
13 prohibiting taverns from operating.
14 Additionally, we know of at least one
15 COVID-19-positive person who attended that
16 party. On the same night or morning of the
17 superspreader event a shooting occurred in
18 Shakers' parking lot involving people who were
19 actually attending the party. Approximately
20 15 shots were fired, and one individual was shot
21 at least six times. Not only that, but it
22 occurred in an area surrounded by residences
23 while people were sleeping.
24 You'll rehear about the incident
25 involving the former owner and registered agent

1 for Shakers, Dale Kittleson. Mr. Kittleson
2 possessed roughly two and a half ounces of
3 cocaine on his person and in his effects while
4 on the Shakers licensed premises, and the amount
5 of cocaine was presumed to be with the intent to
6 deliver.
7 Additionally, Shakers has violated
8 liquor laws. In February they received a
9 closing hours violation citation, and then after
10 the shooting they refused to allow a police
11 officer entry for inspection, despite a clear
12 ordinance prohibiting such action.
13 After hearing all of the evidence, we
14 will ask that you revoke Shakers' liquor
15 license. The number and, more importantly, the
16 severity of the violations will mandate that
17 action. Thank you.
18 MR. REUTER: Does anybody on behalf of
19 Shakers want to make an opening statement?
20 MR. QUISLING: Sure. This is
21 Josh Quisling. So thank you for having us, and
22 I hope that you will keep an open mind here and
23 not solely base this on the historical previous
24 incident that took place.
25 As far as we understood it, the Tavern

1 League told us that we were allowed to be open,
2 and we took that as the ability for us to hold a
3 party. We don't feel that we have the ability
4 to control patrons' or non-patrons' actions
5 outside of the bar.
6 The shooting that took place, we
7 don't have any clear evidence or recollection
8 of that person being in the bar that night.
9 Whether or not that person was in the bar, how
10 can you revoke a liquor license based on the
11 action outside of the bar, as the bar was
12 closed?
13 All the patrons were out of the bar at
14 the time of the shooting, and at no point did
15 the police ever come into the bar and question
16 any of the staff. The first notification that
17 we had was when Brad Dillman went outside,
18 taking the trash out, and was told to return
19 into the bar. And after that, nobody came in to
20 question him any further.
21 As far as the COVID-19, all of the
22 events that we have had during this pandemic, we
23 have taken temperatures of people as they enter,
24 and we were under the impression we were
25 limiting it to one-third of our capacity. In

1 response to the statements in the complaint that
2 we refused entry to a police officer, we didn't
3 actually refuse entry to a police officer. That
4 was actually a patron that denied entry to the
5 police, and we later, when we were informed
6 inside, came out and allowed the officer in,
7 clearly and concisely.
8 We don't feel that we have thrown away
9 our second chance here, and we kind of question
10 the ability to move forward with a second chance
11 if we are constantly living under the guise of
12 what someone else did or did not do in the bar
13 previously. We don't have an affiliation with
14 that person anymore, and we don't want that to
15 smear the image of Shakers Saloon, but it seems
16 that it's impossible for us to clean that
17 from -- from the future.
18 So with that, I guess I'll pass it
19 back to the Chair.
20 MR. REUTER: Thank you, Mr. Quisling.
21 Mr. Manthe, your first witness?
22 MR. MANTHE: I'll call Detective
23 Brandon Hill.
24 MS. HUFFMAN: I'm sorry. Is there a
25 chance where I would be able to speak on the

1 bar's behalf as well?
2 MR. REUTER: You're talking about
3 making another opening statement?
4 MS. HUFFMAN: Well, I had some things
5 I wanted to add to it. I can most definitely
6 save it for later if you wish.
7 MR. REUTER: Well, are you going to be
8 testifying?
9 MS. HUFFMAN: I would --
10 MR. QUISLING: Yes.
11 MS. HUFFMAN: -- like to.
12 MR. REUTER: All right. Well, then
13 why don't we wait until you testify.
14 MR. MANTHE: Attorney Reuter, I guess
15 at this point I'd request that Shakers sort of
16 designate somebody that is the lead on their
17 team, instead of having several people try to
18 talk all at once.
19 MR. QUISLING: Yeah, I'll be that
20 lead, Josh Quisling.
21 MR. REUTER: All right. Then I'm
22 going to ask everybody else on behalf of Shakers
23 that unless you're called to testify that you
24 please mute your mic and don't interrupt the
25 proceedings.

MS. HUFFMAN: Well, excuse me. I'm not trying to interrupt, but I would just try to reiterate that I am the license holder of the bar, so I believe at some point I should be allowed to speak on behalf of the bar. Yes, Josh is, as discussed, going to be the lead on it. However, I don't believe it's fair that the rest of us are not being allowed to speak on behalf of the bar.

MR. REUTER: Is there anything that you have to say that you can't say while you're testifying?

MS. HUFFMAN: Well, I guess not. It seems like you're willing to -- go ahead.

MR. REUTER: You'll -- you'll get a chance to testify to whatever it is that you have to say that's relevant to this matter, but we really would like to get the hearing going with the testimony. Detective Hill, would you raise your right hand, please?

BRANDON HILL,

having been first duly sworn on oath,

was examined and testified as follows:

1 MR. REUTER: Go ahead, Mr. Manthe.
2 MR. MANTHE: Thank you.
3 DIRECT EXAMINATION
4 BY MR. Manthe:
5 Q Detective Hill, could you just spell your name for
6 the record?
7 A It's Brandon Hill, B-r-a-n-d-o-n, H-i-l-l.
8 Q And how are you currently employed?
9 A I am a detective for the City of Stoughton Police
10 Department.
11 Q And how long have you been a detective with the City
12 of Stoughton?
13 A 10, almost 11 years.
14 Q And did you have any prior police experience prior to
15 becoming a detective?
16 A Yeah, I was a patrol officer. I've been with the
17 City of Stoughton for a total of 20 years, and prior
18 to that I worked part-time for the State of
19 Wisconsin, as well as the City of Evansville for
20 one year.
21 Q Could you just briefly describe some of your duties
22 as a detective currently?
23 A General investigation of crime. I collect evidence.
24 I interview people. I take statements. I prepare
25 reports. I present those reports to attorneys. I

1 testify in court.
2 Q Thank you. Were you working the early morning hours
3 of October 10th?
4 A I was sleeping until I got called in to work.
5 Q And what was the nature of the call?
6 A A report of a shooting in the parking lot of
7 Shakers Saloon.
8 Q And do you remember approximately what time you
9 received the call?
10 (Video conference inaudible)
11 CHAIRMAN JENSON: Can you rephrase or
12 restate the question?
13 Q Okay. And do you remember around what time you
14 received a call to come into work?
15 A 2:30-ish.
16 Q And you said that you received a call for responding
17 to a shooting. Did you respond to that call?
18 A Yes, I did. I came into work, got some equipment
19 ready, and then I went to the parking lot of
20 Shakers Saloon.
21 Q And what, if anything, did you observe when you
22 arrived on scene?
23 A Police were present. There was crime scene tape up.
24 I met with Sergeant Johnson, who walked me through
25 the crime scene. I saw numerous shell casings on the

1 ground, spent, you know, shell casings, some live
2 rounds and a puddle of blood.
3 Q And after you arrived on scene, were you there, I
4 guess, the entire morning?
5 A No. While I was being shown around, we received a
6 report that a shooting victim had shown up at
7 Edgerton Hospital, and I responded there, assuming
8 that it was probably related.
9 Q So after you arrived at the hospital -- well, did you
10 go to the hospital?
11 A Yes, I did.
12 Q What happened after you arrived?
13 A I met with Edgerton Police, who escorted me into the
14 hospital. I met with the on-duty emergency room
15 doctor who was treating the patient. I identified
16 the patient and our subsequent victim. He had been
17 asked by the doctor if he was from the Stoughton
18 shooting, because they had heard about it before.
19 All the hospitals had been notified that we were
20 looking for a victim. He said he was.
21 I then met with him briefly and asked him if he
22 knew who shot him or why he was shot, and he said he
23 did not know who shot him or why. At that point in
24 time he was then Med-Flighted to UW Hospital in
25 Madison, where I later interviewed him.

1 Q Did you learn how many times he had been shot?
2 A Yeah, the doctor -- well, he didn't know exactly. He
3 said six to eight because he couldn't tell exactly
4 what were entrance and exit wounds, but he had what
5 he felt to be six to eight times that he was shot in
6 the lower abdomen, upper legs, pelvic region.
7 Q Were you able to do an interview with the victim?
8 A Yes, later in the same day I interviewed him up at
9 UW Hospital.
10 Q And what was his name?
11 A Sherrod Temple.
12 Q And what did you learn from your interview with
13 Mr. Temple?
14 A Well, the first thing I learned when I got up there
15 is that he had tested positive for COVID-19, because
16 I had to put on the full gown and mask and
17 everything else and he was on a COVID-positive wing
18 of UW Hospital. And then when I interviewed him he
19 had said that -- we kind of ran through the whole
20 day.
21 He and his cousin had met up with two girls
22 somewheres in the Cottage Grove area and had come to
23 Stoughton for a party. He didn't know the name of
24 the bar that he went to the party at, but he said it
25 was the bar where he was shot in the parking lot at.

1 He felt he was at this party for somewheres between
2 half an hour to an hour before bartime was called and
3 he went out into the parking hot.
4 He said once out in the parking lot, he said he
5 and another subject, which he provided me a brief
6 description of, got into an argument that turned into
7 a fist fight. That subject then pulled a handgun on
8 him and started shooting him numerous times. He said
9 after that he kind of blacked out.
10 MR. QUISLING: I'm sorry. Could you
11 repeat the first part of that testimony?
12 THE WITNESS: The fact that I went to
13 the hospital and learned that he was
14 COVID-positive?
15 MR. QUISLING: No, the part about --
16 the part about the altercation that took
17 place.
18 THE WITNESS: That at bartime he had
19 gone out into the parking lot, got into an
20 argument with a subject in the parking lot, and
21 that subject had pulled a gun on him and shot
22 him.
23 Q So based on that information that is available to
24 you, do you -- is it your understanding or do you
25 have an opinion as to whether he was at Shakers

1 Saloon?
2 A He was at Shakers Saloon. He said he was at a party
3 at the bar where he was shot in the parking lot. I
4 also later interviewed his cousin, who he said would
5 remember more. He was identified as Quavell Mayo,
6 and he was the one that had driven, and he did know
7 it was Shakers Saloon that they were at a party at.
8 Q And do you know if Mr. Temple had been drinking that
9 night?
10 A He had. He admitted to drinking, and his cousin also
11 said that he was very intoxicated that night.
12 Q And you said that he -- just to clarify, how long did
13 Mr. Temple say that he was at Shakers?
14 A He felt half an hour to an hour.
15 Q Did he have a sense for how many people were actually
16 in the bar?
17 A He said a lot when I asked him about that. I don't
18 know what his definition of a lot is, but --
19 Q So turning your attention now to December 18th of
20 2019, were you working on that day as well?
21 A Yes, I was.
22 Q And on that day did you have reason to go to
23 Shakers Saloon?
24 A I did. I was requested by the DEA, the U.S. Drug
25 Enforcement Administration, and their task force

which works with DCI, which is the Wisconsin Department of Justice, Department of Criminal Investigations, to assist them in a joint drug investigation that they were working on regarding Dale Kittleson, who at the time was the license holder and part of the business for Shakers Saloon, and they were looking to see if he was there, as they had probable cause to arrest him for delivery of cocaine charges based on a case they were working.

Q And were you able to locate Mr. Kittleson at the bar that day?

A I located his vehicle and then notified the task force, who came down and made initial contact with him, and then I was in contact with him as part of that.

Q And did they arrest Mr. Kittleson that day?

A Yes, they did.

Q Did they perform a search of Mr. Kittleson's person?

A Yep. Right when they went into the bar they arrested him or informed him that he was under arrest and immediately searched him. When they did, they found a little kind of Tupperware-type container in his pocket, and when they opened that there was kind of a pressed hard white ball or rock-like substance that based upon my training and experience looked to be

1 cocaine. And based upon my training and experience,
2 I estimated it to be about an ounce worth. Later,
3 members of that task force did test that substance,
4 and it did test positive for cocaine.
5 Q And was there a search conducted of the premises?
6 A Yes. A search warrant was drafted, and a couple
7 hours later I was requested to come back to Shakers
8 and assist in the search of the bar. While doing
9 that, members of the task force located another about
10 ounce of cocaine in a bag with a handgun. We located
11 a rifle, located another half to three-quarters of an
12 ounce of cocaine and a small amount of what later was
13 found to be methamphetamine.
14 Q So the subsequent substances that were found prior to
15 the search of him, were those also tested?
16 A The substances found as part of the search warrant
17 were also tested, and those tested positive for
18 cocaine and then the methamphetamine.
19 Q And did you conduct a search of Mr. Kittleson's
20 truck?
21 A Yes, I personally searched his truck. There were a
22 bunch of sharp weapons and clubs and things like
23 that, and then the most prominent thing of note was a
24 notebook that, based upon my training and experience,
25 appeared to be a drug ledger. It had names or

1 nicknames and then what looked to be amounts, you
2 know, like eighth, quarter and dollar amounts written
3 next to them. Based on my drug training, drug
4 dealers use that to keep track of, you know, either
5 money owed to them or money they owe to other people
6 and amounts.
7 Q Did you find any -- any other sort of drug
8 paraphernalia?
9 A I personally did not. I can't remember exactly what
10 all that team found. It's not my case. It's their
11 case. I was assisting them.
12 Q So approximately how much cocaine was located both on
13 Mr. Kittleson and within the -- the bar, or the
14 office area, I should say?
15 A I didn't weigh it personally. I can't say exactly,
16 but what I saw I would estimate to be somewheres
17 between two and a half to three ounces of cocaine.
18 Q And is that more consistent with personal use or for
19 distribution?
20 A Absolutely distribution. I've never in my career
21 seen personal use for two to three ounces.
22 Q And just for a sense, how much would -- what amount
23 would be used for personal use?
24 A Typically when I've arranged or done drug buys if
25 we're doing a personal use-type of buy, you're buying

1 an eighth of an ounce, and that's a couple doses. Of
2 course it's different for everybody. It's not like,
3 you know, a prescribed amount, but the typical amount
4 of use would be a gram or so. There's 28 grams in an
5 ounce, so we're talking about over 80 doses at that
6 point in time approximately. I mean, depending on
7 people's tolerances and things like that, it can
8 change, but quite a few doses of cocaine.
9 Q Do you have any sort of indication what that might be
10 worth or that amount of cocaine might be worth?
11 A I -- I don't know currently the street value of it.
12 It's thousands of dollars.
13 Q And just to clarify, this was all located on
14 Shakers' -- all the controlled substances were
15 located on Shakers' licensed premises?
16 A Yes. The one ounce was removed from Dale Kittleson's
17 pocket. The other ounce and a half to two ounces and
18 the methamphetamine were found within the office area
19 kind of in the back of Shakers.
20 Q So now I want to turn your attention to a different
21 matter. So during the first -- obviously, this is
22 our second revocation hearing.
23 A Yep.
24 Q Did you serve the summons on Shakers during the first
25 revocation hearing?

1 A To Dale Kittleson, I did.
2 Q Do you recall what the address was that you served
3 that to?
4 A I -- it's a single-digit number on Odana Lane. I
5 can't remember exactly.
6 Q What city is it located in?
7 A City of Madison, Dane County, Wisconsin.
8 Q So when you went and -- do you know if that's
9 Mr. Kittleson's residence?
10 A It's the one he provides to law enforcement, it's the
11 one he provides to courts and the one he provides to
12 DOT, and I made contact with him there, so I would
13 assume it is.
14 Q So when you first served the summons to him, who
15 answered the door when you arrived?
16 A Chatta Huffman.
17 Q Did you serve the summons for this revocation
18 proceeding?
19 A Yes, I did, and the previous one that was canceled.
20 I served all three.
21 Q And who did you serve the most recent summons to, I
22 guess the two most recent summons to?
23 A Both of those I handed directly to Chatta Huffman.
24 Q And where did you serve those upon her?
25 A The first one I served her or the second service, she

had me park in the Hy-Vee parking lot, which is directly across the street from Odana Lane. I watched her come out of Mr. Kittleson's apartment, walk across the street, and I served it to her there.

The summons for this hearing that we're having now I served to her. She again asked me to go to Hy-Vee, and I just parked directly in front of Mr. Kittleson's residence, and I called her and said I was in front of her house. She corrected me and said I was in front of Dale's house, and she then exited Dale's, and I served her there.

MR. MANTHE: I have no further questions.

MR. QUISLING: Okay.

MR. REUTER: Go ahead, Mr. Quisling.

CROSS-EXAMINATION

BY MR. QUISLING:

Q So you stated that Mr. Temple tested positive for COVID. Do you know, to your knowledge, was he tested at the hospital when he arrived, or was he tested prior?

A At the hospital. He told me he didn't know he even had it until he got to the hospital.

Q Okay. You stated that you arrived at the Shakers parking lot. Do you have a designation of what is

1 Shakers' parking lot and what is the hotel's
2 parking lot?
3 A I believe it's just one kind of shared parking lot.
4 Q Okay. Where in that allegedly shared parking lot
5 were the shell casings and the pool of blood --
6 A The shell casings --
7 Q -- if you were facing the building.
8 A Yep, so if you're facing the building, the shell
9 casings that I was shown, there were a couple of them
10 kind of what I would call dead center of the parking
11 lot. And, I mean, the parking lot is like a big U
12 shape all the way around the building, if we're going
13 to talk about what serves -- well, it's actually a
14 circle all the way around the building if we talk
15 about what serves the church, Shakers --
16 Q Correct.
17 A -- and the hotel. But on the west side, which is the
18 front of Shakers and the front of the majority of the
19 hotel, on that side, in the middle of the parking lot
20 which is right next to Chalet Drive there were some
21 shell casings, and then there were quite a few more
22 shell casings on kind of the southwest area of the
23 parking lot, and then the blood was on the southwest
24 side of the parking lot but much closer to the
25 building.

1 Q And if you had to estimate the distance to the door
2 of the bar, approximately what would be your best
3 guess for both the shell casings and the pool of
4 blood?
5 A The first group is shell casings, and I'm just kind
6 of estimating, 20 yards. And then the other stuff,
7 40 yards. They were right at the end of the
8 building, if anybody is kind of familiar with it.
9 Q Okay. So the farthest point from the Shakers door?
10 A I mean, and still be on the property, a farther
11 point, but --
12 Q Pretty close?
13 A The farthest end of the building from, yes.
14 Q And when you say 20 yards and 40 yards, would you
15 say that's an approximation from one end of the
16 building to the other, or is that from where the
17 shell casings are to the building or where they were
18 horizontally?
19 A That's from I would say from where the shell casings
20 were to -- the question you had asked, you said the
21 front of Shakers, so I was just going like from
22 Shakers' door.
23 Q Yep, so 40 yards from the door?
24 A Yeah.
25 Q And what's the proximity to the trash cans and the

1 entrance on Chalet Drive?
2 A Are you asking distance? I mean, it's kind of close
3 to there.
4 Q Okay.
5 A I would say closer to -- and for everybody to know,
6 by trash cans, I assume you're talking about the
7 dumpsters that are on the far southwest corner?
8 Q Yes, I am.
9 A They're closer to those dumpsters than they are to
10 Shakers' door.
11 Q And when you arrived were there any reports or did
12 you see any other people from the bar still there?
13 A There might have been a few people around. I don't
14 believe there really was many people at all.
15 Q Is there -- did you question anyone from Shakers
16 Saloon that night?
17 A No.
18 Q Is there a reason that you didn't?
19 A I went to interview the victim. There were other
20 officers present. They were doing canvasses, other
21 officers and another detective present who were
22 collecting evidence. And he'll be able to answer the
23 distances and things like that. But my role in it
24 was to go and interview the victim.
25 Q Okay. And you stated that Mr. Temple had stated that

he had met up with two girls in another city who brought him to a party?

A He and his cousin Quavell had met up with two girls because they wanted go to this party but they didn't know exactly where it was. Those girls knew how to get there, so he met up with the girls in, he felt, Cottage Grove, and then came down to Stoughton to the party.

Q Okay. You stated that Mr. Temple got into an altercation outside of the bar; is that correct?

A That is correct.

Q Did he state approximately what time or that they had been -- that the bar had closed?

A He had said the party had ended and most people were leaving. He felt it was around bartime.

MR. QUISLING: Okay. That's all I've got for right now.

MR. REUTER: Any redirect, Mr. Manthe?

MR. MANTHE: No.

MR. REUTER: Does anybody on the Committee have any questions for Detective Hill?

MS. LIGOCKI: I do not.

MR. REUTER: All right. It looks like there are none. Thank you, Detective Hill.

1 Your next witness, Mr. Manthe?
2 MR. MANTHE: Thank you, Attorney
3 Reuter. Actually, if I could do just a little
4 housekeeping, there are a couple exhibits that I
5 would just like to have entered right away.
6 They're government documents. I don't think we
7 need to have anybody testify to them. I labeled
8 them as Exhibits 1 through 4. It's just
9 Shakers' liquor license, their application for
10 the assignment of agent, the Dane County public
11 health order and the State public health order
12 that were in effect at the time.
13 MR. REUTER: All right. Mr. Quisling,
14 any objection to the Committee considering
15 Exhibit No. 1?
16 MR. QUISLING: I don't even have the
17 exhibits, so is there a way that they can be
18 e-mailed to me or --
19 MR. MANTHE: I can certainly email
20 them. I just need an email address.
21 MR. QUISLING: Yeah, just send them to
22 josh@gqsand.com.
23 MR. REUTER: Are you going to send
24 him all the exhibits that you're going to offer,
25 Mr. Manthe?

1 MR. MANTHE: Yes, I can do that. All
2 right. I just emailed all the exhibits.
3 MR. REUTER: Okay. Mr. Quisling, let
4 us know when you've received those and have had
5 a chance to look at them.
6 MR. QUISLING: Yeah, I'm looking for
7 them right now.
8 MS. LIGOCKI: Holly, could you bring
9 up the title of Exhibit No. 3? Thank you.
10 Emergency Order No. 9. Thank you.
11 MR. QUISLING: I'm not seeing anything
12 come in. Oh, it looks like I just got it.
13 Yeah, I still don't have these.
14 MS. LICHT: Are you able to see the
15 screen?
16 MR. QUISLING: Oh, there I got it.
17 I've got it. Which exhibits? Holy cow. Which
18 exhibits did you just enter?
19 MR. MANTHE: 1 through 4.
20 MR. QUISLING: Okay.
21 MR. MANTHE: Exhibit 1 is the liquor
22 license for Shakers. Exhibit 2 is just the
23 application for the liquor license and to have
24 Chatta as the registered agent. Exhibit 3 is
25 the Dane County public health order, and

1 Exhibit 4 is the Department of Health Services
2 public health order.
3 MR. QUISLING: Gotcha. If you'll just
4 indulge me for a minute here, it's going to take
5 me a second to get all of these open. Do you
6 have the date of Exhibit 4? I don't see a date
7 when this order actually was issued.
8 MR. MANTHE: It should be on the
9 bottom of the order.
10 MR. QUISLING: Yeah, okay.
11 MR. REUTER: Any objection to those
12 being admitted into evidence, Mr. Quisling?
13 MR. QUISLING: No, I have no
14 objection.
15 MR. REUTER: Okay.
16 MS. LIGOCKI: Mr. Quisling, did your
17 question get answered about Order No. 9 Amended,
18 when it was in effect?
19 MR. QUISLING: It did. I believe that
20 the signature on the bottom of that order, if
21 I'm understanding it correctly, is October 4th,
22 if I could get a consensus of agreement on
23 that.
24 MR. MANTHE: Well, that last
25 paragraph just says that it goes into effect

1 October 8th, so I think that would be the
2 effective date.
3 MR. QUISLING: Okay. That was what I
4 wanted clarification on.
5 MR. MANTHE: My next witness will be
6 Detective Adams.
7 MR. REUTER: I'm not seeing Detective
8 Adams. Is he on the line? I'm sorry. Would
9 you raise your right hand, please?
10
11 ALLEN ADAMS,
12 having been first duly sworn on oath,
13 was examined and testified as follows:
14
15 MR. REUTER: State your name for the
16 record and spell your last name, please.
17 THE WITNESS: Allen Adams. My last
18 name is spelled A-d-a-m-s.
19 MR. REUTER: Your witness,
20 Mr. Manthe.
21 DIRECT EXAMINATION
22 BY MR. MANTHE:
23 Q Detective Adams, how are you currently employed?
24 A I'm a detective with the City of Stoughton Police
25 Department.

1 Q And how long have you been a detective with
2 Stoughton?
3 A Since 2008, 12 years approximately.
4 Q And how were you employed prior to becoming a
5 detective?
6 A As a police officer also.
7 Q How long have you been in law enforcement?
8 A Now over 25 years.
9 Q Were you working on the early morning of
10 October 10th?
11 A I was.
12 Q Did you have reason to go to Shakers Saloon that
13 morning?
14 A I did.
15 Q And what was the purpose of going there?
16 A I was going to assist Detective Hill with processing
17 a crime scene, specifically a shooting that took
18 place in the parking lot that serves Shakers Saloon.
19 Q And what was your role on scene?
20 A On scene I coordinated with the patrol sergeant
21 there, who showed me where various evidence might be.
22 I took control of the crime scene and began
23 processing the items of evidence that were there to
24 be collected.
25 Q And what were your observations there?

1 A The crime scene was spread primarily through the
2 southern part of the parking lot beginning at the
3 entrance onto Chalet Drive southward towards the
4 apartment buildings directly to the south and up to
5 the beginning of the back parking lot of the hotel
6 area.
7 Q And what evidentiary items did you find, if any?
8 A There was blood where it appeared the victim would
9 have been located directly south of the hotel portion
10 in the parking area between or next to a car, a
11 couple different pools of blood there. Around those
12 pools of blood there were shell casings of a larger
13 type consistent with a .45 caliber round. As you
14 went more towards the access driveway to the lot, the
15 rounds became of the 9-millimeter variety, which is a
16 smaller round.
17 Q And approximately how many shots do you think were
18 fired?
19 A I found at the scene eight 9-millimeter casings. I
20 found six casings for .45 rounds. I did also find
21 some spent rounds, the actual lead portion,
22 approximately three of those around the pools of
23 blood. I also found a bullet hole actually in the
24 siding of the motel as well, as well as some damage
25 to the car that was next to the pools of blood where

it looked like a round had skimmed the roofline of the vehicle.

Q So -- and I apologize if this question is not clear, but were you able to draw any conclusions from, I guess, the location of the shells?

A The shells were consistent, the .45 rounds, the amount of lead looked consistent with those rounds being fired. Some of them were left on the ground. It seemed to look like two different areas and definitely two different styles of handgun were being used during that altercation or whatever took place.

Q So did it appear that, I guess, the individuals were shooting at each other potentially?

A That is a possibility.

Q Could you describe the surroundings of Shakers, I guess the neighborhood?

A Yes. It is adjacent to Highway 51/East Main Street and is in the kind of square of Chalet Drive and 51. Just south are apartment buildings, multi-family housing, and farther down the street are some residences, and finally where it comes up to the next road, an elementary school. Directly across from the hotel and Shakers is a daycare, a laundromat as you get closer more back up towards 51, so a very mixed-use area.

1 Q So just to, I guess, summarize, there are both
2 residential -- it's a residential area, and there are
3 some commercial properties?
4 A Correct.
5 Q As part of your investigation, did you review any
6 video footage from Shakers?
7 A I did. We did perform a search warrant a couple days
8 after the incident, I believe the 15th, where we did
9 go into Shakers Bar, and I did observe several video
10 camera setups, actual cameras around the bar,
11 approximately 10. We did go back into the office
12 area and did find that these cameras were hooked up
13 to a monitor, which was viewable, and you could see
14 the camera footage from that monitor back in the
15 office. It was also hooked up to various modems.
16 There was a server back in the office and also a DVR,
17 so --
18 Q So you'd --
19 A Yeah, go ahead.
20 Q You had indicated that you got a search warrant for
21 that or for the cameras. Prior to obtaining the
22 search warrant did Shakers or any representatives
23 from Shakers say if they had cameras for the bar?
24 A I was informed that they did not have any video
25 footage and that those cameras did not work.

1 Q And after executing the search warrant, were you able
2 to obtain video?
3 A I was.
4 Q So there were actually recordings that you could
5 view?
6 A 10 cameras' worth, yes, for several days.
7 Q And did you actually review the video from that
8 night?
9 A I did.
10 Q So at this point it may be a little difficult because
11 I'd like to introduce some still frames. So I guess
12 first I'm going to show you what's marked as
13 Exhibit 5. So I don't know, Holly, if you want to
14 bring that up. Okay. So could you please identify
15 what Exhibit 5 is?
16 A This is a shot from the camera that is at the
17 northern part of the main bar in Shakers. It is
18 pointed southwards, and you can see the various
19 patrons there unmasked and the bartenders unmasked as
20 well that I noticed throughout the night as being the
21 primary two bartenders there.
22 MR. Manthe: All right. At this point
23 I'd like to introduce Exhibit 5 into the record.
24 MR. REUTER: Any objection,
25 Mr. Quisling?

1 MR. QUISLING: No, no objection.
2 MR. REUTER: All right. Exhibit 5
3 will be received, along with 1 through 4.
4 Q At this point I'd like to show you what's marked as
5 Exhibit 6. And could you please identify Exhibit 6,
6 Detective?
7 A That is from the same camera, and that is the third
8 bartender, also the gentleman I talked to out in the
9 parking lot that night as I was processing the crime
10 scene that I later identified as Mr. Dillman.
11 MR. Manthe: At this point I'd like to
12 enter Exhibit 6 into the record.
13 MR. REUTER: Any objection,
14 Mr. Quisling?
15 MR. QUISLING: No objection.
16 MR. REUTER: Exhibit 6 will be
17 received.
18 Q And at this point I'd like to show you what's been
19 marked as Exhibit 7. Could you please identify this,
20 Detective?
21 A This is the south end of that main bar. It is the
22 camera closest to the entrance of the bar that I
23 could find, and this is basically what I observed
24 around, as I was viewing the footage, the main bar
25 area, and the approximate distances people were from

1 each other as they were in the bar. It was pretty
2 packed.
3 MR. Manthe: At this point I'd like to
4 enter Exhibit 7 into the record.
5 MR. REUTER: Any objection,
6 Mr. Quisling?
7 MR. QUISLING: No objection.
8 Q I'd like to show you what has been marked as
9 Exhibit 8.
10 MR. REUTER: Exhibit 7 will be
11 received.
12 Q And, Detective, could you please identify what
13 Exhibit 8 is?
14 A This is another camera view. This camera was more on
15 the east side from the kind of office area pointed
16 back towards the main bar to the west and is again
17 kind of representative of the spacing of people
18 within the bar.
19 MR. Manthe: At this point I'd like to
20 enter Exhibit 8 into the record.
21 MR. REUTER: Any objection?
22 MR. QUISLING: No objection.
23 MR. REUTER: All right. Exhibit 8 is
24 received.
25 Q The last photo here, I'd like to show you what's been

1 marked as Exhibit 9. And could you please identify
2 Exhibit 9, Detective?
3 A This is back to the main bar area with that
4 southerly-faced camera, again showing one of the main
5 bartenders and patrons at that bar.
6 MR. MANTHE: I'd like to enter
7 Exhibit 9 into the record.
8 MR. REUTER: Any objection?
9 MR. QUISLING: No objection.
10 MR. REUTER: Exhibit 9 is received.
11 Q Detective, are you familiar with the individual by
12 the name of Sherrod Temple?
13 A I am.
14 Q When you were reviewing the video footage were you
15 able to identify whether or not Mr. Temple was at
16 Shakers?
17 A Yes, he was.
18 Q Do you have any sense of for how long he was in the
19 bar?
20 A He wasn't there right away at the beginning when
21 patrons started coming in at approximately 10 p.m.,
22 but he did arrive and was there for a couple hours,
23 if not three hours. He was consistently back and
24 forth through that main bar area and actually did go
25 back into -- unfortunately, we don't have an exhibit

1 for it -- more of an VIP area where the actual
2 birthday party group was housed and the birthday
3 person was getting his 32 shots poured by
4 Mr. Dillman. So, yeah, he was there for quite some
5 time, and actually, that is where possibly the
6 interaction took place with the suspect.
7 MR. MANTHE: I have no further
8 questions.
9 MR. REUTER: Any questions,
10 Mr. Quisling?
11 MR. QUISLING: Yes.
12 CROSS-EXAMINATION
13 BY MR. QUISLING:
14 Q Given the fact that we, at Shakers Saloon, had no
15 knowledge that -- to access this DVR, how did you
16 access the video? How were these images obtained?
17 A Dane County Sheriff's Office Deputy Kunz is a
18 specialist in video forensics, actually my instructor
19 in video forensics, and he does have specialized
20 forensic software that is specific to DVRs and
21 designed to decrypt video from DVRs, even if the
22 password is not available.
23 Q Per your investigation of the shooting, have you come
24 to a conclusion of the other party or parties
25 involved?

1 A The investigation has led to possibly suspects based
2 on the interactions between.
3 Q And in your viewing of the video surveillance that
4 you obtained from the forensics, have you found any
5 altercation that took place inside the bar?
6 A There was contact both inside the bar and right at
7 bartime, within minutes, outside the bar. Once --
8 Q Can you define contact for me?
9 A Visual. Basically there appears from the video to be
10 at least eye contact interaction.
11 Q Eye contact or physical contact?
12 A No physical contact at that point that I could
13 ascertain outside.
14 Q Okay. So from all of your forensic video, there was
15 no physical altercation that took place in the bar;
16 is that correct?
17 A Not that I observed, no.
18 Q In all the review of that, was there any sign of a
19 weapon or any flashing of a gun or guns on any
20 individual in there?
21 A Can you define flashing?
22 Q Yielding, showing or otherwise a visible weapon.
23 A That is a possibility.
24 Q Can you elaborate on that, please?
25 A There may be a frame that shows a flashing.

1 Q Okay. I -- I need more concrete than maybe.
2 A That's what I can give you.
3 Q Okay. So you conclusively have no video evidence of
4 a weapon being shown?
5 A I have a possibility of a weapon being shown.
6 Q You have a possibility?
7 A Correct, sir.
8 Q So no altercation in the bar. Is there any video
9 evidence outside the bar?
10 A Define evidence of which.
11 Q Well, it's my understanding that there's a camera
12 that overlooks the parking lot. It's a City camera.
13 A Again, what are you asking about specifically?
14 Q I'm asking if the only video evidence that you
15 procured for your investigation was that of video
16 evidence inside the bar.
17 A That is incorrect.
18 Q Okay. What other video evidence do you have of this
19 altercation?
20 A Motel residents, neighbors, the daycare.
21 Q Is there any specific reason that that evidence
22 hasn't been -- can you elaborate on that evidence?
23 What does that evidence show?
24 A I think one example might be available -- I don't
25 know if it's been introduced yet -- in Exhibit 15.

1 That's --
2 Q I don't have an Exhibit 15.
3 MR. MANTHE: Yeah, I have only
4 provided 10.
5 A Okay. Again, if you could repeat your question?
6 MR. QUISLING: Well, I'm going to
7 hold -- hold on for one second here. I'm going
8 to ask a question, if the Committee would grant
9 me a little latitude here and if the attorney, I
10 don't have any of this video evidence, if you
11 could send me this Exhibit 15 that you have sort
12 of sitting on the sidelines.
13 MR. MANTHE: Well, I wasn't actually
14 planning on introducing it, so it won't be
15 evidence.
16 MR. QUISLING: I don't exactly have
17 access to any of this evidence.
18 MR. MANTHE: I have not received any
19 requests from anybody at Shakers.
20 MR. QUISLING: Well, I wasn't fully
21 understanding that I needed to make a request
22 for that stuff, as I am not a licensed attorney.
23 I don't know if the City Council or the Public
24 Safety Committee would grant me a little
25 latitude?

1 MR. REUTER: What is it that we're
2 talking about in terms of this Exhibit 15? What
3 is it?
4 MR. QUISLING: Well, I have not had
5 the ability to see any of this evidence or any
6 of these exhibits or have any sort of discovery
7 from the attorney on the other side. And I am
8 not an attorney, and I didn't really understand
9 that this was what was going to be happening
10 tonight, so I'm a little unprepared and a little
11 uninformed. And there is other video evidence
12 and other exhibits that he may or may not be
13 presenting, but I don't have any idea what he's
14 presenting at all.
15 MR. MANTHE: This is all the exhibits
16 that I plan on introducing.
17 MR. QUISLING: Right, but I'm asking
18 for what this officer said is potential other
19 camera video evidence that you supposedly have
20 in an Exhibit 15, and I'm just asking to see it.
21 MR. MANTHE: I believe Exhibit 15 is
22 just a police report.
23 MR. QUISLING: Okay.
24 MR. REUTER: So Exhibit 15 is a police
25 report?

1 MR. MANTHE: Yes. And I guess to
2 clarify, I had marked it as an exhibit and shown
3 it to the detective and then ultimately decided
4 not to introduce it.
5 MR. REUTER: Okay.
6 Q Okay. Detective Adams, could you tell me if you have
7 viewed any other video evidence that would show the
8 parking lot at the time of the incident?
9 A Yes, I did, and could make a comparison between how
10 many vehicles were in the lot prior to Shakers
11 closing to how many were left once I arrived and
12 after the shooting had taken place.
13 Q And in that video evidence how long after the closing
14 of the bar did the actual shooting take place?
15 A Within a matter of minutes.
16 Q Okay. And --
17 A Three to four.
18 Q I'm sorry? Say that again.
19 A Three or four.
20 Q In what proximity to the actual entry of the bar was
21 this shooting?
22 A Well, given the 9-millimeter casings, and if you
23 judge them by where they landed, which is not always
24 where the shot took place from -- they do travel a
25 bit -- I would say Detective Hill's estimation was

1 pretty good. The 9-millimeter casings landed, three
2 of them, basically right in front of the entrance off
3 of Chalet. They were approximately 30 feet away from
4 the edge of the hotel end towards the roadway of
5 Chalet, in that kind of driveway area entrance.
6 The others were at the south end of the hotel
7 where the vehicles were parked for those patrons.
8 And once I got there, there was only one vehicle left
9 that was actually belonging to a motel patron. The
10 other three vehicles parked in those -- I believe
11 there's four stalls there -- were kind of involved as
12 friends of the victim and had left by that time. So
13 that's what --
14 Q Did you actually have -- did you actually have video
15 of the shooting live?
16 A Of the shooting?
17 Q Yes, do you have video evidence of the shooting? In
18 other words, did you catch the actual event on camera
19 in any of the footage that you reviewed?
20 A We found one, as I discussed, yep.
21 Q I'm sorry. I couldn't hear that.
22 A That is correct.
23 Q And was that one shooter, two shooters?
24 A I would say it's inconclusive from what you can see,
25 but you can see some elements of the shooting.

1 Q And in that video evidence, were these Wisconsin
2 residents or out-of-state residents, or is that --
3 MR. MANTHE: Objection, relevance.
4 MR. QUISLING: I didn't hear that.
5 MR. MANTHE: I don't see the relevance
6 of that question.
7 MR. REUTER: Well, I'll allow the
8 question.
9 MR. QUISLING: Okay. I'm asking
10 relevant to whether or not these shooters were
11 on foot and whether the shooters were in the
12 bar.
13 MR. REUTER: Why don't you pose your
14 question to the detective. I'm not sure where
15 we are here.
16 MR. QUISLING: I don't either.
17 MR. McCARROLL: Josh.
18 Q Detective Adams --
19 MR. McCARROLL: Well, go ahead.
20 Q -- in the video evidence that you have, were these
21 shooters on foot?
22 A The suspect is on foot, correct.
23 Q And the second shooter?
24 A I think that would draw a conclusion that there was a
25 second shooter, which I am not stating that there

1 was.
2 Q Okay.
3 A It's possible, but I'm not going to draw that
4 conclusion.
5 Q But the shooting did take place outside of the bar?
6 A In the lot that services the bar, yes.
7 MR. QUISLING: No further questions.
8 MR. REUTER: I just have a couple of
9 quick things just to clarify. At the beginning
10 of your testimony you said that this shooting
11 occurred on October 10th, right?
12 DETECTIVE ADAMS: The early morning of
13 October 10th. And I was going to clarify with
14 some of your exhibits that there is a time
15 discrepancy between the difference between
16 Grand Meridian Time and Central Time, so be very
17 careful when you look at that not to draw the
18 conclusion that it's, you know, five hours later
19 or whatever.
20 MR. REUTER: My question was just
21 that this was 2020, right, that we're talking
22 about?
23 DETECTIVE ADAMS: Correct.
24 MR. REUTER: Okay. And I think you
25 said that somebody told you that there was no

video recording available from the cameras. Did I hear that right?

DETECTIVE ADAMS: That was Joshua Quisling in a conversation with him about the server that he told me about.

MR. REUTER: And when did that happen, that conversation?

DETECTIVE ADAMS: That was after the search warrant when he called to find out the status of the server, which was the 15th, I believe.

MR. REUTER: That's all I have. Does any member of the Committee have any questions?

MAYOR SWADLEY: I have a few. And my first question is do we know who made the 911 call? Was there a 911 call?

DETECTIVE ADAMS: I'm not aware of that. I was, again, basically handling the processing and then the forensics afterwards.

MAYOR SWADLEY: So I'm just wondering how the police department was notified that there was a shooting.

DETECTIVE ADAMS: That might be better for the other witnesses.

MAYOR SWADLEY: Okay. And would you

have any idea of the blood alcohol level of the victim?

DETECTIVE ADAMS: Other than being described to me as very intoxicated, no.

MAYOR SWADLEY: And then do you know what -- does somebody know what the occupancy of the building is?

MR. QUISLING: Yes. I believe it's 299.

MR. MEYER: The occupancy is 299.

MAYOR SWADLEY: 299?

MR. MEYER: The occupancy limit at Shakers is 299.

MAYOR SWADLEY: Okay.

MR. MEYER: COVID, after 25 percent, is 70. We had 69 patrons in the bar that night.

MAYOR SWADLEY: And how do you know that?

MR. MEYER: We had a checker. We had two door guys. We had a checker at the door, a clicker clicking the numbers, because our -- because the rest of the patrons were not allowed in and they stayed in the parking lot.

MAYOR SWADLEY: That's all I have.

MR. MEYER: Excuse me?

1 MAYOR SWADLEY: That's all the
2 questions I have for now.
3 MR. REUTER: Does anybody else on the
4 Committee have any questions?
5 MR. DILLMAN: Yeah, and we want --
6 MR. REUTER: Nobody else?
7 Mr. Manthe, did you have any redirect?
8 MR. MANTHE: The only -- just a quick
9 question, a couple quick questions.
10 REDIRECT EXAMINATION
11 BY MR. MANTHE:
12 Q So, Detective Allen, you said that you had reviewed
13 footage that, I believe you said, was overviewing the
14 parking lot or footage of the parking lot?
15 A That is correct.
16 Q Were there a lot of cars in the parking lot?
17 A Yes.
18 Q Was it -- I guess it may be hard to quantify, but was
19 it full, half full?
20 A It was full. If you know the shape of the parking
21 lot, primarily the hotel patrons will park on the
22 west side of the hotel. Obviously, it's more a motor
23 style, so the entrances to the rooms are on the
24 outside, and they park their vehicles in front of
25 their rooms.

1 The patrons were parked primarily on the outer
2 rim of the parking lot, directly in front of Shakers,
3 all along there, all along the dumpster area, all
4 along the south edge of the parking lot by the
5 apartments and then most of the stalls on the south
6 side of the hotel, and then also they were parking on
7 Chalet.
8 MR. MANTHE: I have no further
9 questions.
10 MR. QUISLING: Can I ask a few more
11 questions here after that?
12 MR. REUTER: Sure, if you limit
13 yourself to the topic that was just discussed,
14 you can.
15 MR. QUISLING: Sure.
16 RECROSS-EXAMINATION
17 BY MR. QUISLING:
18 Q In reviewing that footage outside in the parking lot
19 prior to the bar closing, how many people were in the
20 parking lot approximately?
21 A Prior to the bar or after bartime when the lights
22 went on?
23 Q Prior to the bar closing.
24 A Prior to the bar closing? When do you understand the
25 bar closing? Is that when the lights go on or when

1 Mr. Dillman actually reacted to what was going on
2 outside and turned the lights off?
3 Q No, 2:00 is when we close, close the bar, 2 a.m.
4 A My footage showed patrons in there after 2 a.m., and
5 that was verified by body cam comparison.
6 Q Correct, correct. We close down the bar and have a
7 time frame that we have to move people out of the
8 bar.
9 A Okay.
10 Q We have -- we have patrons exit the bar at 2:00.
11 A They started to exit at 2:00 from what I viewed,
12 yes.
13 Q My -- my question was in the parking lot prior to
14 closing, how many people approximately were in the
15 parking lot?
16 A The footage that I viewed showed a large group
17 outside of probably about 40 people in that northwest
18 corner of the lot and then several stragglers around
19 in different groups by the dumpsters and then also
20 groups over by the south end of the hotel. Again,
21 it's approximations of like 10 over in that southwest
22 corner and maybe another seven or eight over on the
23 south side of the hotel, but still there was people
24 in the bar too, and it was kind of a constant, you
25 know, slow, slow walk of people.

1 And even when Mr. Dillman shut off the lights,
2 there was still people in there, but I could not
3 identify them as like the 15 people being staff or
4 patrons or what.
5 Q Okay. But my question -- my question was prior to
6 the bar closing, so prior to, say, 1:45, how many
7 people were in the video footage outside the bar?
8 A I would say there was stragglers kind of throughout.
9 I did not observe large groups prior to the closing
10 footage that I viewed.
11 MR. QUISLING: I have no further
12 questions.
13 MR. REUTER: Anything more,
14 Mr? Manthe.
15 MR. MANTHE: No.
16 MR. REUTER: Any more witnesses?
17 MR. MANTHE: I would like to call
18 Officer Hector Covarrubias. I hope I'm
19 pronouncing that correctly.
20 OFFICER COVARRUBIAS: Yes, you are.
21 MR. REUTER: I'm sorry. What was the
22 name again?
23 MR. MANTHE: Hector Covarrubias.
24 MR. REUTER: Would you raise your
25 right hand, please?

1

2 HECTOR COVARRUBIAS,

3 having been first duly sworn on oath,

4 was examined and testified as follows:

5

6 MR. REUTER: Would you state your name

7 again and spell your last name?

8 THE WITNESS: Officer Hector

9 Covarrubias, C-o-v-a-r-r-u-b-i-a-s.

10 MR. REUTER: All right. Go ahead,

11 Mr. Manthe.

12 DIRECT EXAMINATION

13 BY MR. MANTHE:

14 Q Could you -- or how are you currently employed?

15 A I'm a police officer with the City of Stoughton.

16 Q How long have you been a police officer with

17 Stoughton?

18 A Seven years.

19 Q Do you have any prior experience before joining

20 Stoughton?

21 A I do. I was a police officer in the Village of

22 Maple Bluff for six years.

23 Q So approximately how many years have you worked in

24 law enforcement?

25 A 13.

1 Q And as a police officer, what are just some of your
2 duties that you perform?
3 A To report to calls for service, to assist people in
4 need and to do criminal investigations and write
5 reports and testify as well.
6 Q Were you working for the Stoughton Police Department
7 on the early morning hours of October 10th of 2020?
8 A I was.
9 Q Do you recall what you were doing around just after
10 midnight on that day or early morning?
11 A Myself, Officer Olson and Sergeant Johnson went to
12 Shakers Saloon to perform a bar check.
13 Q When you arrived at Shakers, what were your initial
14 observations?
15 A The entire street of Chalet and the parking lots were
16 all full of cars. There were people in the parking
17 lots. As we walked up to the front door, we were met
18 by a female who appeared to be a bouncer, as we
19 walked, as we approached the business.
20 Q And can you give an approximate time of when this
21 was?
22 A Around midnight.
23 Q Were you able to -- when you first arrived, were you
24 able to gain entry into Shakers?
25 A No, we were not.

1 Q And why was that?
2 A The female would not let us in, and then
3 Jeffrey Veith came outside and also advised us that
4 we could not come in, as it was a private party, and
5 denied us access.
6 Q Were you eventually able to gain access to the
7 interior?
8 A Yes, we were.
9 Q What did you observe while inside Shakers?
10 A I observed that there were several people in the bar
11 area and everywhere I could see. Approximately
12 there appeared to be about 100 people, and no --
13 well, 10 percent maybe were wearing masks. No one
14 was socially distancing.
15 Q Were the bartenders wearing masks?
16 A I do not recall.
17 Q Could you see Shakers implementing or, I guess, the
18 staff implementing any sort of health protocols at
19 the time?
20 A I did observe one male with a thermometer-type device
21 in his hand. I did not check to see if it was
22 working or if they were using it.
23 Q So I guess it's already been introduced into
24 evidence, but were you aware of any public health
25 orders that were in effect at the time?

1 A I believe Public Order No. 9.
2 Q And if you know, could you just describe what that
3 Public Health Order No. 9 is?
4 A I believe it had -- in regards to taverns, or what
5 are you looking for specifically?
6 Q Yes, yes, we'll limit it to taverns.
7 A Okay. As far as taverns go, I believe it states in
8 the order that customers may enter taverns only for
9 purposes of ordering, pickup and payment of food or
10 beverages or while in transit.
11 Q But not to, I guess, stay in the bar area?
12 A No.
13 Q Did you take any action after you had these
14 observations?
15 A I personally did not. Officer Olson did write a
16 report and send that report to the Dane County Human
17 Health and Services.
18 Q So after you did your bar check did you leave Shakers
19 premises?
20 A We did.
21 Q Did you have cause to go back to Shakers later that
22 morning?
23 A Yes, we did.
24 Q And what was the purpose of that?
25 A There was a call for shots fired, so we responded.

1 Q And you responded?
2 A Yes, I did.
3 Q All right. And when you arrived on scene, what was
4 your role?
5 A I arrived on scene as one of the first officers on
6 scene and observed people in vehicles as well as on
7 foot fleeing the area, screaming and running away.
8 Q Do you recall approximately what time this was?
9 A I believe it was around 2 a.m.
10 Q And did you conduct a further investigation after you
11 arrived?
12 A I did. Myself and Sergeant Johnson canvassed the
13 area for any victims, which I did not locate. We did
14 locate several shell casings as well as blood on the
15 south end of the building.
16 Q Okay. Did you interview any, I guess, neighboring
17 residents to the Shakers property?
18 A Yes, I did.
19 Q Did you interview a person by the name of
20 Austin West?
21 A Yes, I did.
22 Q And what did you learn from Mr. West?
23 A Mr. West was in Unit 202, so that's on the second
24 floor of the building. He stated that he was just
25 watching TV and heard the normal loud noises coming

1 from the parking lot due to Shakers always being
2 loud. He then stated he heard several bangs,
3 approximately 20, ran into his bathroom and called
4 911.
5 Q And did you interview an individual by the name of
6 Jody Heitke?
7 A Yes, I did.
8 Q Where does she reside?
9 A She resides in the residential area south of
10 111 Chalet at 201 Chalet Drive.
11 Q And did she -- what did she describe that she was
12 doing just prior to the shooting?
13 A Jody stated that she was just laying in bed unable to
14 sleep due to all the noise and the ruckus from the
15 outside of her residence.
16 Q And did she hear shots fired?
17 A She did. She stated that she heard, again,
18 approximately, she estimates, 20 shots.
19 MR. MANTHE: I have no further
20 questions.
21 MR. REUTER: Mr. Quisling?
22 CROSS-EXAMINATION
23 BY MR. QUISLING:
24 Q So in your time with the Stoughton Police Department
25 prior to the shooting and the dispatch on

1 October 9, 2020, how many times did you receive a
2 call at Shakers Saloon?
3 A Since I've been a police officer here in Stoughton?
4 Q As a police officer, how many times were you
5 dispatched to Shakers Saloon on an official call?
6 A I do not recall how many times.
7 Q Would you say it's more than once?
8 A Yes.
9 Q So you've been dispatched to Shakers Saloon on an
10 actual complaint of some sort more than once?
11 A Yes.
12 Q But you don't recall when or how many?
13 A No. I've been a police officer here for seven years.
14 I do not recall every call that I take.
15 Q Okay. You stated previously that you were refused by
16 who appeared to be a female bouncer and then a
17 gentleman named Jeffrey?
18 A Correct.
19 Q Neither of those people are employees of Shakers
20 Saloon. So when you were permitted entry, who came
21 and permitted you entry?
22 A Bradley Dillman.
23 Q And did Brad at the time that he asked -- or you
24 asked to enter, did he allow you entry?
25 A Yes, he did.

1 Q Did he offer to take your temperature?
2 A No, he did not.
3 Q He didn't request to take your temperature?
4 A No, he did not request to take my temperature.
5 MR. DILLMAN: Can I say something?
6 Yes, I did. Everyone that came through, and
7 there was --
8 MR. REUTER: Hold on.
9 MR. MANTHE: I'd object to
10 Mr. Dillman speaking at this point. If he has
11 testimony, he can offer it later.
12 MR. DILLMAN: Okay, well.
13 MR. REUTER: Go ahead, Mr. Quisling.
14 Q You stated that when you arrived at approximately
15 midnight there were several people in the parking
16 lot. Can you approximate how many people were in the
17 parking lot?
18 A I'd say, I don't know, probably around 10 people
19 maybe.
20 Q And when you --
21 A They were all just arriving.
22 Q Okay. And would you approximate the number of cars
23 on the street and in the parking lot, total?
24 A Probably at least 40, if not more.
25 Q And you stated that there were approximately a

1 hundred people in the bar previously.
2 A That's just my estimation. I didn't count anybody.
3 Q Okay. Did you ask for the bar to provide what their
4 current count was in the bar?
5 A I did not.
6 Q Was there any sort of disturbance or problem inside
7 the bar when you arrived?
8 A No, there was not.
9 Q And was there any disturbance or problem outside the
10 bar when you left?
11 A No, there was not.
12 MR. QUISLING: I have no more
13 questions.
14 MR. REUTER: Mr. Manthe?
15 MR. MANTHE: No further questions.
16 MR. REUTER: Does anybody on the
17 Committee have any questions for the officer?
18 CHAIRMAN JENSON: None from me. Thank
19 you.
20 MR. REUTER: Your next witness,
21 Mr. Manthe?
22 MR. MANTHE: I'd like to call
23 Sergeant Frisch.
24 MR. REUTER: I have to find him here
25 on my --

1 THE WITNESS: I'm here.
2 MR. REUTER: Would you raise your
3 right hand, please?
4
5 PATRICK FRISCH,
6 having been first duly sworn on oath,
7 was examined and testified as follows:
8
9 MR. REUTER: Would you state your name
10 and spell your last name for the record, please?
11 THE WITNESS: Sure, Patrick Frisch,
12 F-r-i-s-c-h.
13 MR. REUTER: Go ahead, Mr. Manthe.
14 DIRECT EXAMINATION
15 BY MR. MANTHE:
16 Q Mr. Frisch, how are you currently employed?
17 A I'm a police sergeant with the City of Stoughton
18 Police Department.
19 Q And how long have you have been employed by the
20 police department of Stoughton?
21 A Just over 24 years.
22 Q And how long have you worked in law enforcement?
23 A Same, 24 years.
24 Q Were you working for the Stoughton Police Department
25 on October 10th?

1 A I was.
2 Q Did you have reason to contact Chatta Huffman on that
3 date?
4 A I did. She had called the police department.
5 Q And who is Chatta?
6 A She identified herself to me as the license -- liquor
7 license holder for the Shakers Saloon.
8 Q And what was the nature of your conversation with
9 her?
10 A She told me she had heard there was an incident
11 there. I confirmed that there was, and she told me
12 that she was upset about that and wanted to surrender
13 the liquor license and asked how to do that.
14 Q Did she give a reason why she wanted to surrender the
15 license?
16 A She said that she initially told the owners or other
17 people involved apparently that she did not want it
18 open due to the COVID concerns, and they were open
19 that night, and then heard about the shooting
20 incident as well.
21 Q So after she had indicated she wanted to relinquish
22 the liquor license, what did you do?
23 A She had asked how to go about it. I told her she
24 could simply go to the bar, take the liquor license
25 off the wall and return it to the police department.

1 Q And did that happen?
2 A It did not.
3 Q And do you know why not?
4 A Chatta had called the police department shortly --
5 well, several hours, I should say, after that,
6 indicating she had gone to Shakers to get the liquor
7 license off the wall and she was physically removed
8 by one of the owners and now denied access to the
9 building, so she couldn't take it off the wall and
10 give it to us.
11 Q And after that conversation with her, did you take
12 any further action?
13 A I did. I responded to the Shakers Saloon and met her
14 in the parking lot and spoke to her there. She asked
15 if there were any other options. I told her that she
16 could surrender the liquor license to us and created
17 a form that indicated she wanted to surrender the
18 license to us. And she worked with Officer Sargent
19 to complete that form, and he later provided her a
20 copy of that, asking to surrender the liquor license
21 on that day's date, on the 10th of October.
22 Q Did you try to gain entry into Shakers?
23 A I did. I went to the front door. It was locked. I
24 knocked loudly on the door enough to hurt my knuckles
25 and received no response from somebody inside, and

she told me that she had just recently spoken to Bradley Dillman, who was inside.

Q And she wasn't able to gain entry at that time?

A She was able to get inside the front door, and she was actually, as she put it, physically removed from the premises. I asked her if she wanted to pursue charges of battery. She told me she did not.

Q And so you said you had knocked and shouted. Did anybody respond to your actions?

A Not at that time, no.

Q Were you -- or did you talk to Bradley Dillman after that event?

A I did. I returned to the police department, and I placed a phone call to the number we have on file for him, and he answered.

Q Did you ask him about whether or not Shakers has any cameras?

A I asked him if there were video cameras, and he told me there were, but he told me they were closed-circuit television cameras only, where they didn't record and he could watch but he couldn't rewind and see what happened previous.

Q And just to clarify, he said the cameras did not record?

A That's correct. As a matter of fact, Detective Hill

1 was standing outside my office at the time while I
2 was on the phone, and I wrote a note on a Post-it
3 note that says, "Cameras don't record," and showed it
4 to him so he could get that information immediately.
5 MR. MANTHE: I have no further
6 questions.
7 MR. REUTER: Mr. Quisling?
8 CROSS-EXAMINATION
9 BY MR. QUISLING:
10 Q Okay. Sergeant Frisch, you stated that
11 Chatta Huffman identified herself as the agent of
12 the liquor license; is that correct?
13 A She said she was the liquor license holder, yes.
14 Q To your knowledge, is an agent able to surrender a
15 liquor license or is just their positions as the
16 agent?
17 A I am not sure. She just said she wanted to surrender
18 it, and I was going to facilitate that.
19 Q And how many times have you been called down to
20 Shakers Saloon prior to October 10th, do you recall?
21 A Are you just asking when as it's been named Shakers?
22 Q How many times have you been called down to Shakers
23 on a report or a call-in, somebody calling in for a
24 problem?
25 A I don't believe I've been there at all personally,

1 but it's only been Shakers a few years. I've been
2 there for other businesses.
3 Q Yeah, solely when it has been Shakers.
4 A Yeah, I've been there. I work during the day, so
5 it's not my wheelhouse.
6 Q And was the liquor license surrendered by
7 Chatta Huffman?
8 A Verbally she asked to surrender the license. She
9 said she wanted nothing else to do with it, so we had
10 her complete the surrender form, and she signed it.
11 Q To your knowledge, on the day that she claimed to
12 have wanted to surrender the liquor license was she
13 under the impression that the shooting had taken
14 place in the bar?
15 A I don't know if she believed it had taken place in
16 the bar. I'm not sure exactly where she -- where her
17 impression was of where it took place.
18 Q And on the -- and do you recall whether or not the
19 news had reported that the shooting had taken place
20 in the bar?
21 A I don't know if the bar -- if the news said the bar,
22 said it took place inside or not.
23 MR. QUISLING: I don't have any
24 further questions.
25 MR. REUTER: Any follow-up,

1 Mr. Manthe?
2 MR. MANTHE: No further questions of
3 this witness.
4 MR. REUTER: Any questions by members
5 of the Committee? Seeing none, any more
6 witnesses, Mr. Manthe?
7 MR. MANTHE: One last witness. I just
8 want to do one more housekeeping thing. At this
9 point I'd like to take -- ask to take judicial
10 notice of a City of Stoughton ordinance, and
11 that is Ordinance 14-40, Subsection G. It's
12 entitled Consent to Inspection of Premises,
13 "The holder of any license issued under this
14 article shall be deemed to have given consent to
15 entry and inspection at any time by any police
16 officer or any other person without warrant.
17 Refusal by the licensee or holder of a manager's
18 or operator's license to permit such inspection
19 shall be deemed a violation of this article."
20 MR. QUISLING: And can I ask for the
21 relevance of this being a point of order? I
22 don't -- I don't understand.
23 MR. REUTER: Well, he's asking -- he's
24 asking the Committee to take official notice
25 that there's an ordinance that exists that says

what he just read, and in other words, the ordinance would become part of the record. Do you have any objection to that?

MR. QUISLING: I don't have any objection to the ordinance. I have an objection to I don't know where that became relevant, as no part or employee of Shakers Saloon has refused entry to a police officer, alderman or council member, if I understand the statute.

MR. REUTER: That's an argument that you can make.

MR. QUISLING: Sure.

MR. REUTER: As far as the ordinance goes, we will take official notice of the ordinance as stated.

MR. QUISLING: Gotcha, gotcha.

MR. MANTHE: My final witness is Paul Johnson.

MR. REUTER: Mr. Johnson, would you raise your right hand, please?

PAUL JOHNSON,

having been first duly sworn on oath, was examined and testified as follows:

1 MR. REUTER: Thank you. Would you
2 state your name and spell your last name for the
3 record, please?
4 THE WITNESS: Paul Johnson,
5 J-o-h-n-s-o-n.
6 MR. REUTER: Go ahead, Mr. Manthe.
7 DIRECT EXAMINATION
8 BY MR. MANTHE:
9 Q Mr. Johnson, how are you currently employed?
10 A I'm currently employed with the City of Stoughton
11 Police Department as a police officer.
12 Q And how long have you been a police officer with the
13 City of Stoughton?
14 A Almost five years now.
15 Q And do you have any law enforcement experience prior
16 to joining the City of Stoughton?
17 A Yes. I was a police officer in the City of Edgerton
18 for two years, and prior to that I spent three
19 summers in the Lake Geneva area as a police officer.
20 Q Were you working for the Stoughton Police Department
21 on the early morning of February 23, 2020?
22 A Yes.
23 Q And I guess what shift were you working?
24 A I am currently assigned to the third shift patrol,
25 which is 10 p to 6 a.m.

1 Q Do you recall what you were doing at approximately
2 2:40 a.m.?
3 A I was on routine patrol in the area of the
4 100 block of Chalet Drive in the City of Stoughton,
5 Dane County, Wisconsin.
6 Q Did you observe anything of note at that time?
7 A I noted that the Open sign for Shakers Saloon was
8 illuminated.
9 Q And what did you do after seeing the lit sign?
10 A I pulled into the parking lot and walked up to the
11 main entrance of the saloon and was able to see in
12 through the glass window in that door and observed
13 that there was two female bartenders, two males
14 sitting at the bar consuming alcoholic beverages and
15 one male standing near the bar.
16 Q And did you find that odd at 2:40 in the morning?
17 A That is correct, because our local ordinance is that
18 bars are not to sell or have alcohol consumed on the
19 licensed premises after 2:30 a.m. on Fridays and
20 Saturdays.
21 Q So after making these observations, did you enter the
22 bar area?
23 A I did.
24 Q And did you follow up on your observations or, I
25 guess --

1 A I did, I did. I made contact with a male that I had
2 become familiar with as Bradley Dillman. I advised
3 him that his Open sign was currently on and it was
4 now 2:42 a.m., and he advised that the four people I
5 had observed are employees and that he had bought
6 them alcoholic beverages as a, quote, thank-you,
7 end quote, for working tonight.
8 Q And did it appear that all the people that were
9 drinking were employees?
10 A The two females were behind the bar drinking and I
11 would describe it as doing job duties after a bar had
12 closed, and the two males were sitting on the patron
13 side of the bar, consuming alcohol, not doing any
14 job-related duties.
15 Q Did you issue a citation --
16 A I did.
17 Q -- based on your observations?
18 A I did.
19 Q And what was that citation?
20 A The City of Stoughton ordinance. I don't have the
21 ordinance number or anything or the citation number,
22 but I issued a municipal citation for the violation
23 of being open after hours.
24 MR. MANTHE: I have no further
25 questions.

1 MR. REUTER: Mr. Quisling, any
2 questions?
3 MR. QUISLING: No questions.
4 MR. REUTER: Do any members of the
5 Committee have any questions? Okay. Hearing
6 none, Mr. Manthe, anything else?
7 MR. MANTHE: The last one is just a
8 final exhibit. It's Exhibit No. 10, and these
9 are City Council meeting minutes from
10 April 14th. The minutes just reflect the prior
11 revocation action regarding Shakers, that their
12 license was suspended for 48 days.
13 MR. REUTER: Has this been sent over
14 to Mr. Quisling?
15 MR. MANTHE: Yes, I did send this
16 over.
17 MR. REUTER: Mr. Quisling, any
18 objection to receipt of Exhibit 10?
19 MR. QUISLING: I'm pulling it up.
20 Give me one second.
21 MR. MANTHE: I believe since it's a
22 regularly-kept government record, it --
23 MR. QUISLING: Yeah, no objection.
24 MR. REUTER: Okay. Exhibit 10 is
25 received.

MR. MANTHE: I have no further witnesses.

MR. REUTER: Okay. We've been going just about two hours. Does anybody on the Committee want to take a break? No? All right.

MR. QUISLING: If I could --

MR. REUTER: Go ahead.

MR. QUISLING: If I could take a break for 10, 15 minutes so I could kind of prepare something.

MR. REUTER: Does anybody on the Committee have an objection to a 10-minute break? Okay. We'll take a 10-minute break and be back at 8:05.

MR. QUISLING: All right.

(A recess is taken)

MR. QUISLING: This is Josh Quisling. I'm back on the line.

MR. REUTER: All right.

MR. McCARROLL: I'm back, Josh. I'm just going to leave my camera off for now.

MR. QUISLING: Who is that?

MR. McCARROLL: That's Aaron.

MR. MANTHE: Attorney Reuter, I guess

I don't know if we're starting back up yet, but do we have -- can we let our witnesses go, I guess, unless the defense wants to call them back up?

MR. REUTER: Yeah, Mr. Quisling, do you have any plans to call any of the complainant's witnesses again?

MR. QUISLING: No.

MR. REUTER: They can all be released.

MR. MANTHE: Thank you.

MR. REUTER: Do we have the whole committee here now?

MS. LICHT: I believe so.

MR. REUTER: Okay. Then let's go back on the record. Mr. Quisling, do you want to call your first witness?

MR. QUISLING: Yes. I call Steve Meyer.

MR. MEYER: I'm here.

MR. REUTER: Hold on just a minute. Would you raise your right hand, please?

STEVE MEYER,

having been first duly sworn on oath,

was examined and testified as follows:

MR. REUTER: Go ahead, Mr. Quisling.

MR. QUISLING: I'm going to let Mr. Meyer sort of testify ad lib, and then I'll follow up with some questions after he's done talking.

MR. MANTHE: I guess I would object to just ad lib testimony. I believe that there should be questions asked if it's direct exam.

MR. REUTER: Yeah, I think in order to at least keep us on relevant topics --

MR. QUISLING: Well, I mean, he has something that he wants to say, so --

MR. REUTER: Well, and you can't ask him a question that will elicit that result, that statement?

MR. QUISLING: Sure.

MR. MEYER: All I need is five minutes, please.

MR. QUISLING: What's that?

MR. MEYER: All I need is five minutes, but I appreciate it.

DIRECT EXAMINATION

BY MR. QUISLING:

Q Mr. Meyer, can you give us your take on this

1 situation? What is your take on this situation?
2 MR. MANTHE: I guess that calls for a
3 narrative. That's not really a question.
4 A Well, first of all --
5 MR. QUISLING: Look, guys, I'm not an
6 attorney, so, you know, I don't know what the
7 formal proceeding is here. I'm just trying to
8 get him to state his piece, and then we'll be
9 done.
10 MR. REUTER: All right, hold on.
11 I'm going to allow the testimony. We'll see
12 where it goes. If it starts getting too
13 long, I'm going to cut it off, but go ahead,
14 Mr. Dillman -- or Mr. Meyer.
15 A That's fine. I'm Mr. Meyer. I'm Mr. Meyer. So I'm
16 the owner of the bar, and I appreciate everybody
17 taking their time today to listen to this testimony.
18 And with that even said, that evening on the
19 10th there was something that happened in the parking
20 lot. There was nothing that happened in the bar.
21 There was no evidence that shows that there's
22 anything that happened in the bar. There was no
23 arguing. There was no fighting. There was nothing.
24 We do have a -- we do have a wand in which we
25 check every patron that comes into the bar, and we

1 have two bouncers at the door. We checked every
2 patron. Nobody brought in a weapon.
3 It's unfortunate. Thank God that no children
4 were killed or nothing, no stray bullets, but that
5 didn't happen in the bar. That happened in a parking
6 lot that we share with a motel, okay?
7 I'm not taking anything away from the
8 seriousness of that, but we at the bar take things
9 serious too. We check temperatures. We check IDs.
10 We make sure that every patron has a mask. We had
11 69 people on a clicker in the bar, not around about,
12 not an I'm not sure, not what I could see. That's
13 actual factual numbers that we had.
14 And -- and I appreciate the City Council giving
15 us the opportunity to explain ourselves. That's
16 about it. That's about all I have. We run -- we
17 don't run -- we run a very well-established bar. We
18 don't have any police calls. We don't even have one.
19 We don't have any police calls in the entire year
20 that we've been open, not one police call.
21 We have one violation, and that's Bradley giving
22 the employees a drink, and that's it. That's it.
23 Dale is completely dissolved from the company, and he
24 was dissolved before the last -- before the last
25 revocation hearing in which you guys gave us a second

1 opportunity. And we've lived up to that opportunity.
2 We do not throw crazy riotous parties down
3 there. We don't use foul language. We don't --
4 we're a righteous bar. COVID has hit all of us in
5 the gut, and but we do not run a riotous bar.
6 Q Okay. Thanks, Steve.
7 A I appreciate it. I have many friends that wear blue.
8 I have friends that are detectives in the Madison
9 Police Department, and I appreciate everyone that
10 serves, but the bar had nothing to do with this
11 shooting. Thank you.
12 MR. QUISLING: I have no further
13 questions.
14 MR. REUTER: Mr. Manthe?
15 MR. MEYER: Thank you for listening.
16 Any questions? Go right ahead.
17 CROSS-EXAMINATION
18 BY MR. MANTHE:
19 Q Mr. Meyer, what's your affiliation with Shakers?
20 MR. REUTER: We're not hearing you,
21 Mr. Meyer. Can you repeat that?
22 MR. QUISLING: Steve.
23 A I didn't hear your question.
24 Q What's your affiliation with Shakers?
25 A Oh, sorry. Yes?

1 Q Mr. Meyer, what's your affiliation with Shakers?
2 A I own it, a hundred percent of the shares.
3 Q How often are you at the bar?
4 A I own Shakers Saloon. I own a hundred percent of the
5 shares.
6 Q How often are you at the bar?
7 A Well, other than my injury, I try to be there every
8 week.
9 Q Were you there on --
10 A Other than my injury, I wasn't there at all.
11 Q Were you there on the night of October 9th and into
12 the morning of October 10th?
13 A I was not. I was in the hospital.
14 Q As owner of the bar, do you have any sort of
15 managerial responsibilities?
16 A Yes, teach my staff.
17 Q And do you stay up to date on the public health
18 orders?
19 A We do.
20 Q So you were aware of the Dane County public health
21 order that was in place?
22 A We're aware of the Dane County public 25 percent
23 occupancy rating that we were given, yep, by the --
24 we not only got that from the Urban League, but we
25 also got that -- we got that from the governor.

1 Q Were you -- excuse me. Were you aware that on
2 October 8th that Dane County had prohibited taverns
3 from any occupancy?
4 A We had -- we had governor's orders that we could have
5 25 percent occupancy. I wasn't --
6 Q But you weren't aware of the Dane County order?
7 A I don't know if I read it or received it.
8 Q And just a --
9 A I was aware that other bars -- that the bars in
10 Stoughton and other bars in Dane County are at
11 25 percent.
12 Q But you were not aware --
13 A Tailgaters was at 50 percent.
14 Q -- of the Dane County order prohibiting taverns from
15 being open?
16 A I didn't hear what you said.
17 MR. QUISLING: Can you repeat that
18 question?
19 Q Mr. Meyer, on October 9th and 10th you were not aware
20 that Dane County had prohibited bars from being open
21 and having any occupants?
22 A No, I wasn't aware of that. The rule and the orders
23 have been changing, so --
24 Q Thank you, Mr. Meyer. So then on October 9th and
25 10th, you had people in the bar?

1 A We did. There was a birthday party.
2 Q And it sounded like you were attempting to keep it at
3 around 75 people?
4 A No, we did keep it at 70 people -- 69 people that
5 came in the door, and then I had six people working.
6 Q So you're saying that there were at least -- or at
7 most, 69 people in the tavern?
8 A I'm saying that there was 69 occupants and then with
9 my six staff members, it totaled 75.
10 MR. MANTHE: I have no further
11 questions.
12 THE WITNESS: Thank you.
13 MR. REUTER: Any redirect,
14 Mr. Quisling?
15 MR. QUISLING: No.
16 MR. REUTER: Any questions from --
17 MR. QUISLING: I have no further
18 witnesses either.
19 MR. REUTER: Any questions from
20 committee members?
21 MR. DOOM: This is Alderman Doom. I
22 have one question.
23 MR. REUTER: Go ahead.
24 MR. DOOM: The question I'm asking is
25 if they took temperatures at the door of

1 everybody that came into the bar, what were they
2 using to take the temperatures with?
3 MR. MEYER: A temperature thing.
4 MR. QUISLING: They were using a
5 thermometer.
6 MR. DOOM: And if they were using a
7 thermometer, were they disinfecting it between
8 each?
9 MR. QUISLING: No, no, you're
10 misunderstanding. It's a temperature gauge
11 thermometer, so you shoot it at somebody's
12 forehead. You've seen them in the airports --
13 MR. DOOM: Okay, yes.
14 MR. QUISLING: -- and hospitals.
15 MR. DOOM: I'm aware of what they look
16 like, yes. My question was were they
17 disinfecting that particular thing between each,
18 each time they used it?
19 MR. QUISLING: There was no physical
20 contact in order to take the temperature, so
21 there was no need.
22 MR. DOOM: Okay. I have no further
23 questions.
24 MR. REUTER: Is the answer no then, it
25 was not disinfected?

1 MR. QUISLING: No, it was not
2 disinfected because there was no need to
3 disinfect it. It never came in contact with --
4 with a person.
5 MR. REUTER: I just wanted to make
6 sure the answer was clear on the record. Does
7 anybody else have questions?
8 MS. LIGOCKI: Yes, I do.
9 MR. REUTER: Go ahead.
10 MS. LIGOCKI: Mr. Meyer, I am
11 wondering how you -- there have been a number of
12 emergency orders. I work in healthcare.
13 There's lots of changes.
14 MR. MEYER: Yes.
15 MS. LIGOCKI: But many of us work to
16 stay on top and understand what is keeping
17 people safe. I'd like to know -- I'd like to
18 know how you communicated information to your
19 staff about what the orders and the standards
20 for your establishment were and besides taking
21 temperatures how they -- how they were informed
22 and how you thought they were carrying that out.
23 MR. MEYER: So basically --
24 MS. LIGOCKI: What standards did you
25 set?

1 MR. MEYER: Thank you for that
2 question because we aim to be a little bit above
3 and differentiate ourselves with other
4 establishments. We make sure --
5 MS. LIGOCKI: My question is how. My
6 question is how you informed your staff,
7 please.
8 MR. MEYER: So I informed Bradley
9 Dillman, my manager in charge of the bar -- I
10 wasn't there, I was in the hospital -- that we
11 make sure that people maintain -- that they wear
12 a mask to get into the bar and that we would
13 check temperatures and that we would -- and then
14 we had hand sanitizer solution, and at the bar
15 we had it. We would wipe down people's seats
16 after they left.
17 MS. LIGOCKI: Respectfully, Mr. Meyer,
18 I'm going to interrupt you, and I'm asking you
19 not what measures you took, but how did you
20 inform your staff about the standards? And do
21 you think you kept them? That is really my
22 question.
23 MR. MEYER: I think we kept them, yes,
24 because all the rigorous -- all the rigorous
25 systems that I made sure that Brad went through

with keeping the standards up at the bar, from making sure everything was cleansed. How did I portray, are you asking?

MS. LIGOCKI: How did you communicate to your staff the standards to keep the bar safe?

MR. MEYER: Yeah, verbally, verbally, verbally talked on the phone about how we were going to deal with making sure the public is safe and that people that are coming to the bar are safe and not spreading this, this sickness.

MS. LIGOCKI: Thank you, Mr. Meyer.

MR. MEYER: You're welcome. Thank you, ma'am.

MAYOR SWADLEY: I have a question. My question is, Mr. Meyer, are you aware if there were any complaints filed by anybody in the City of Stoughton regarding events at your establishment?

MR. MEYER: That there's been complaints? None, none to my knowledge, none to my knowledge, nobody, nobody. No police officer informed me. No health official has called me. I don't -- I'm not aware that there's any at

1 all.
2 MR. REUTER: Any other questions from
3 the Committee?
4 MR. DOOM: I have one more quick
5 question. Why weren't people working in the bar
6 wearing their masks that evening?
7 MR. REUTER: Mr. Meyer, did you hear
8 the question?
9 MR. MEYER: Oh, I'm sorry. I didn't
10 hear the question. I'm sorry.
11 MR. REUTER: The question was why the
12 employees of the bar were not wearing their
13 masks on October 9th and 10th.
14 MR. MEYER: Well, I made sure that
15 they had them, and I'm sure Brad made sure they
16 had them, whether they were wearing them on
17 their chin, wearing them partially on their
18 face. I know there was a picture that I saw
19 where it showed that they hadn't had it on at
20 that particular time, but they had them on that
21 night. Everyone in the bar is supposed to have
22 been wearing their face masks and such, so that
23 incident -- but I know that they had them, and I
24 know that they were -- that they were wearing
25 them.

1 MR. REUTER: Anybody else? No more
2 questions?
3 MR. MEYER: We make sure all chairs
4 are six feet apart. We make sure that it's
5 cleanliness on the bar, that Brad knows to keep
6 everything clean, wipe everything down with
7 disinfectant.
8 MR. REUTER: Okay. Mr. Quisling, I
9 think you said you don't have any other
10 witnesses?
11 MR. QUISLING: I don't have any other
12 witnesses.
13 MR. REUTER: All right. Then we'll
14 close the evidence of the hearing. And,
15 Mr. Manthe, do you want to make a closing
16 argument?
17 MR. MANTHE: Yes. Thank you.
18 Shakers squandered the second chance provided by
19 the City of Stoughton. As everyone knows, its
20 license was suspended after Mr. Kittleson, the
21 former owner and registered agent, was arrested
22 with roughly two and a half to three ounces of
23 cocaine in his possession while at Shakers.
24 Shakers received a stiff penalty, over 40 days
25 of license suspension, yet they were able to

1 open back up in June of this year.
2 However, recent events clearly
3 demonstrate that Shakers learned nothing from
4 the punishment. In the same night there were
5 two events that endangered the public, a
6 COVID-19 superspreader event and a shooting.
7 Officers did a bar check at midnight
8 because they received information that Shakers
9 was violating emergency health orders. When
10 officers arrived, Shakers originally -- or
11 somebody denied them entry, which appears to be
12 a pattern.
13 When the officers were allowed to
14 enter, they witnessed around 100 people inside.
15 No social distancing occurred. Very few people
16 were wearing masks. As the exhibit showed,
17 staff were not wearing masks. Shakers should
18 not have even been operating under the County
19 health orders at that time. Even under State
20 orders, they were either right at the limit or
21 possibly one over their occupancy limit.
22 However, we know of at least one person who
23 tested positive for COVID-19 while at that
24 event, and he had been there for at least an
25 hour, potentially longer. Everyone knows the

1 state of the pandemic in this state and in this
2 country. It's all over the news that Wisconsin
3 is one of the highest infection rate states in
4 the country.
5 However, not only did Shakers hold a
6 superspreader event, but Shakers' manager
7 forcibly removed the registered agent and locked
8 her out of the building after the agent raised
9 an objection to the opening. So not only is it
10 patently irresponsible and reckless to hold
11 these events, but it raises a significant
12 question of who's actually in charge of Shakers.
13 Is Ms. Huffman just the paper agent and it's
14 really somebody else that's operating the
15 facility? I guess at this point we don't really
16 know.
17 And during the superspreader event a
18 shooting occurred. At approximately 2 a.m. a
19 shootout began in the Shakers parking lot
20 resulting in 15 shots fired, approximately, and
21 one person being shot at least six times.
22 Shakers is located in a building with a motel
23 and surrounded by residential buildings, so not
24 only did Shakers' negligence put two people at
25 risk that were involved in the shooting, but the

1 surrounding community as well.
2 We've heard tonight Shakers argue
3 that, well, this shooting happened outside of
4 the bar, so it's not our responsibility. That
5 argument holds no weight. Wisconsin courts have
6 held that activity of bar patrons after leaving
7 the bar is entirely relevant to determine
8 whether the bar is indecent or improper.
9 There are two cases directly on point
10 here. I will cite them, and maybe this is just
11 for Attorney Reuter's benefit, but it's
12 State ex rel. Ruffalo versus Common Council of
13 City of Kenosha, and that's 38 Wisconsin 2d 518,
14 where they found that disturbances in the street
15 were relevant to determining whether a bar was
16 disorderly or indecent.
17 And then there's Smith versus the City
18 of Milwaukee, and that's citation 2014 Wisconsin
19 Appellate 95. And in that court case it
20 explicitly stated that the actions of patrons
21 after leaving the bar can be considered when
22 making the determination of whether or not an
23 establishment is indecent, improper, riotous or
24 otherwise disorderly.
25 Not only that, but we have a closing

1 hours violation, refusal to admit a police
2 officer on premises and noise complaints from
3 neighborhood residents. Then we have the
4 Kittleson incident from last December, as this
5 committee is familiar with. The former owner
6 and registered agent was arrested with large
7 quantities of cocaine while on Shakers licensed
8 premises, and they received a suspension for
9 that.
10 I guess the facts in these events are
11 not really in dispute here. It's really up to
12 the Committee to determine whether or not these
13 facts amount to Shakers being a disorderly,
14 riotous, indecent or improper house. Obviously,
15 that's a very broad definition, but clearly,
16 Shakers' conduct satisfies that. Here we have
17 very serious conduct that cannot be tolerated,
18 the cocaine on premises, a shooting and a
19 superspreader event.
20 Allowing Shakers to keep its license
21 sends the wrong message to the community and
22 other licensed establishments. If this does not
23 warrant revocation after Shakers already
24 received a suspension, then there's really no
25 incentive for any establishment to follow the

1 rules. I think, clearly, a shooting shows that
2 that bar is riotous or disorderly. A
3 superspreader event shows an indecent or
4 improper house. Any one of those on their own
5 would be enough. The owner possessing cocaine
6 with intent to deliver was obviously enough to
7 warrant a suspension, and then you have the
8 violating closing hours and prohibiting police
9 entry.
10 Again, in sum, the totality of events
11 can lead to no other outcome than revocation.
12 Context is also important to when these events
13 occurred. Personally, if I'm operating a bar
14 and my license was suspended, following that I
15 would be on my best behavior, making sure that
16 I'm following all the local rules and health
17 orders, especially in the midst of a global
18 pandemic. That was not the case with Shakers.
19 Shakers obviously doesn't care about the
20 rules or thinks the rules don't apply. It
21 reflects very poorly on a company if it gets in
22 trouble once and then continues to have
23 problems. Shakers was given a second chance to
24 show that they could be a responsible business
25 worthy of the privilege of a liquor license.

1 Instead, they've endangered the community, both
2 by holding a COVID-19 superspreader event, that
3 we know of at least one, which from the
4 testimony it appears that multiple events were
5 being held at Shakers, and they're obviously not
6 able to maintain an orderly crowd.
7 Accordingly, we request that you
8 find Shakers in violation of Stoughton
9 Ordinance 14-31, Subsection 1, Subsection B and
10 Wisconsin Statute 125.12(2)(ag)(2), by
11 maintaining a riotous, indecent or otherwise
12 disorderly house, and we ask that the City
13 revoke the license. Thank you.
14 MR. REUTER: Thank you, Mr. Manthe.
15 Mr. Quisling, do you have a closing argument?
16 MR. QUISLING: Okay. So the attorney
17 there has pointed out that there are some cases
18 out there that a bar can be held responsible for
19 its patrons. I don't know those cases, and I
20 don't know if that's -- you know, what the
21 circumstances of those cases were.
22 Shakers Saloon did not condone or
23 invite someone to shoot another patron or
24 another person. It did not happen in the bar,
25 and to state that the bar is responsible for

every person that enters or exits the bar and that because a bar is having a birthday party, which is basically my understanding of the premise of a bar, as a place to go and consume alcohol and have a good time, to say that we are responsible for the actions upon the exit of that bar is a far difficult task for us to maintain control of people outside of the bar.

It's a large task to maintain control over those people inside the bar. We have taken the proper precautions for maintaining that by wanding and providing the security inside the bar. If the -- if the City and the law is asking us to maintain civil order outside of the bar, then what is the police for?

As far as our track record and the history, yes, we got off to a rocky start and had problems in the beginning. We eliminated those problems, and we have had a hiccup here and there. I know of plenty of other bars in Dane County that have had far worse and maintained their liquor license, and all we're asking is for a continued opportunity.

The COVID-19 pandemic has hit the bar and restaurant industry very, very hard, and

1 keeping the business alive is a difficult task
2 in these times. To say that we're having a
3 superspreader or endangering the public but not
4 allowing us to perform any sort of business, it
5 is a death sentence for the business itself.
6 We have taken the precautions that we
7 can and tried to execute those to the best of
8 our ability. We've provided masks and taken
9 temperatures of people as they enter. We are
10 not trying to cause a public endangerment in
11 either allowing a shooting, which we did not, or
12 trying to encourage or create an environment
13 that spreads COVID-19.
14 I feel that this incident is being
15 pinned on Shakers Saloon and not on the
16 perpetrators of the incident, and I feel that
17 our liquor license does not need to be revoked
18 as a result of the shooting incident. I thank
19 you for your time and your patience with my
20 inexperience and lack of knowledge in this
21 process. Thanks.
22 MR. REUTER: Thank you, Mr. Quisling.
23 Any rebuttal, Mr. Manthe?
24 MR. MANTHE: No.
25 MR. REUTER: Okay. We will then call

1 the hearing closed, and I'll return the gavel
2 back to the Committee chair.
3 CHAIRMAN JENSON: Thank you, Attorney
4 Reuter. So we would move on then to Item No. 3,
5 which is closed session. So at this point
6 anyone who is not on the Committee, so but that
7 would include Attorney Reuter and the Clerk. I
8 guess, Holly, you would be on this as well.
9 Everybody else I would ask --
10 MS. LICHT: We need a motion.
11 CHAIRMAN JENSON: Everybody else I
12 would ask to close their computers.
13 MR. QUISLING: And how will we know
14 when you've finished your closed session?
15 CHAIRMAN JENSON: That's a good
16 question, because I'm not exactly sure how we're
17 going to be able to do this.
18 MR. REUTER: Well, my suggestion would
19 be give us email addresses, and we can shoot you
20 an email when the Committee comes out of closed
21 session, and then you can connect back in. I
22 think that will work, won't it, Holly, from a
23 technical standpoint?
24 MS. LICHT: Yes, that will work, or I
25 could give someone a call.

1 CHAIRMAN JENSON: Yeah. And I think
2 if we take five minutes for them to send emails,
3 and then we will go into closed session.
4 MR. QUISLING: And where do you want
5 us to send the emails?
6 CHAIRMAN JENSON: You can send --
7 there should be a -- up in the upper right-hand
8 corner, there should be an area there for --
9 MR. QUISLING: I'm not on -- I'm only
10 on the phone call. I'm not on the computer.
11 CHAIRMAN JENSON: Oh, okay, okay.
12 Well, then you can --
13 MS. LICHT: I --
14 CHAIRMAN JENSON: I'm sorry, Holly.
15 Go ahead.
16 MR. QUISLING: I can give you my
17 email. I can give you my email right now.
18 MS. LICHT: Okay, that works.
19 CHAIRMAN JENSON: Go ahead. Give it
20 to Holly.
21 MR. QUISLING: josh@gqsand.com.
22 MS. LICHT: Okay. Then I will email
23 you as soon as the Committee is out of closed
24 session.
25 MR. QUISLING: Okay. And then if you

could just give me five minutes to put everybody else back on after that, I think that would be the fastest way to do this.

MR. REUTER: Mr. Chairman, the Committee should actually move to go into closed session before kicking people off the meeting.

CHAIRMAN JENSON: Okay. And so that's what we'll do then is closed session. We'll enter into closed session pursuant to Wisconsin State Statute 19.85(1)(a) for deliberations concerning a case which was the subject of a quasi-judicial hearing before the Public Safety Committee. The Public Safety Committee will conduct deliberations concerning the Matter of the Consideration of Revocation of the Class B Reserve Combination License held by Shakers Saloon, LLC. And that's my motion to go into closed session. Is there a second?

MR. DOOM: I'll second that motion.

MS. LIGOCKI: Second.

CHAIRMAN JENSON: Okay. We have a second. All in favor?

(All members vote in the affirmative)

CHAIRMAN JENSON: Okay. Any opposed?

(No response)

1 CHAIRMAN JENSON: Hearing none, we are
2 in closed session.
3 MS. LICHT: So those of who remain on
4 the line that are not part of the Committee need
5 to exit the meeting.
6 (Committee deliberating in closed session)
7 CHAIRMAN JENSON: The chairmanship
8 will be back with me now. This is Alder
9 Jenson.
10 MR. QUISLING: Okay.
11 CHAIRMAN JENSON: We'll give them a
12 few more minutes.
13 MR. QUISLING: Are you guys able to
14 hear me?
15 CHAIRMAN JENSON: Yes.
16 MR. QUISLING: Okay.
17 CHAIRMAN JENSON: Well, Josh, it
18 doesn't look like anybody else is getting back
19 on here, so what I'm going to do is --
20 MR. QUISLING: Okay.
21 CHAIRMAN JENSON: -- I'm just going to
22 go ahead, and you can relay the information to
23 your people.
24 MR. QUISLING: Sounds fine.
25 CHAIRMAN JENSON: Yep. So Item No. 4

is to reconvene in open session to issue a determination or take action, other action in regard to the Class B Reserve Combination License held by Shakers Saloon, LLC. And it's my duty to tell you that we made an unanimous decision that our recommendation to Council will be to revoke the license.

The attorney, our attorney, Reuter, will be creating what's called findings, and those will be sent to you so that you can review them. There is a process that we will go through. Once -- once we have those findings, the Committee, Public Safety Committee, will meet again, and we will review those findings and make a recommendation on those findings.

There will then be a council meeting where the findings will be presented, and then it has to be done -- you know, statutorily, it has to be done twice, at two separate council meetings. So as it is, as it stands right now, it appears that it will be presented in our first meeting in December, was it -- or no, our second meeting in December, and then the second reading would be the first meeting in January.

MR. QUISLING: Okay.

1 CHAIRMAN JENSON: And your attorney
2 should have an opportunity to look through the
3 information, through the findings, and I believe
4 you will also have an opportunity to object.
5 Attorney Reuter, is there anything else that
6 I've missed?
7 MR. REUTER: No. The only other item
8 is that the parties, that is, both the
9 complainant and the licensee, have the
10 opportunity to submit arguments to the Council.
11 The procedure for that is something that the
12 Council can determine. It's either oral
13 presentation, written presentation or both. But
14 that's something that the Council can determine
15 at its next meeting.
16 CHAIRMAN JENSON: And that would be --
17 MR. QUISLING: Is that -- is it
18 possible to -- is it possible to get what you've
19 just stated in sort of some sort of written form
20 so that I, you know, can understand everything
21 that's going to happen?
22 CHAIRMAN JENSON: Holly, can you give
23 him a transcript?
24 MS. LICHT: I can do that.
25 CHAIRMAN JENSON: Okay.

MR. QUISLING: You have my email, correct?

MS. LICHT: I do.

MR. REUTER: You're just looking for what the process is from here?

MR. QUISLING: Yeah. I mean, that was a bit of a lot to try and figure out exactly what's going to happen, so if I could -- you could send me just that section. I don't need an entire transcript, I guess, if it makes -- whatever makes it easiest.

CHAIRMAN JENSON: Holly can send you the process step by step.

MR. QUISLING: Yes.

MR. REUTER: If we shoot you an email that just explains what the process is from here, that will take care of your request?

MR. QUISLING: Yes, it will.

MR. REUTER: Okay. Holly and I can coordinate on that and get something out.

MS. LICHT: Sounds good.

MR. QUISLING: Thank you all very much for your time.

CHAIRMAN JENSON: All right. And thank you for yours.

MR. QUISLING: Anything else?

CHAIRMAN JENSON: The only thing we have left to do is for adjournment.

MR. DOOM: I make the motion to adjourn.

CHAIRMAN JENSON: I have a motion to adjourn. Is there a second?

MS. LIGOCKI: Second.

CHAIRMAN JENSON: We have a second. Any discussion? Hearing none, all in favor?

(All members vote in the affirmative)

CHAIRMAN JENSON: Thank you all.

MR. DOOM: Thank you.

CHAIRMAN JENSON: Yep. We'll see you at 5:30 on the 16th. Thank you much, and thank you, Attorney Reuter.

MR. REUTER: You're welcome. It's a pleasure. I'll be in touch in the next few days.

CHAIRMAN JENSON: Thank you. Good night all.

(Adjourned)

CITY OF STOUGHTON COMMON COUNCIL
BEFORE THE PUBLIC SAFETY COMMITTEE

* *

CITY OF STOUGHTON
POLICE DEPARTMENT,

Complainant,

-vs-

SHAKERS SALOON, LLC,

Licensee.

* *

C E R T I F I C A T E

I, SANDRA L. McDONALD, do hereby certify as the duly-appointed shorthand reporter, I took in shorthand and transcribed the recording of the proceedings held in the above-entitled matter held on December 3, 2020, and that the attached is a true and correct transcription of the proceedings so taken, to the best of my ability.

In witness whereof, I have hereunto set my hand and affixed my seal of office this 4th day of January, 2021.

_____
Notary Public, State of Wisconsin
My Commission Expires 10/08/22