



John P. Serketich
 Principal Assistant Corporation Counsel
 730 Wisconsin Avenue
 Racine, WI 53403
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 John.Serketich@RacineCounty.com

VIA PERSONAL SERVICE

February 6, 2026

Cary Madrigal
 Law Enforcement Center
 717 Wisconsin Avenue
 Racine, WI 53403

Served 2-9 2026
 Time 150 AM PM
16708373 Deputy Sheriff
 Per Sub

**Re: Notice of intended release of records,
 Pursuant to Wis. Stat. §§ 19.356(1) and (2)(a)1**

Dear Capt. Madrigal:

Racine County has received a public records request, pursuant to Wis. Stat. §§ 19.31-19.39 for a copy of disciplinary records within your personnel file. I have enclosed a copy of the public records request for your reference. Please be advised that I am not the custodian of records for the Racine County Sheriff's Office and that I am writing only in my capacity as counsel for Racine County.

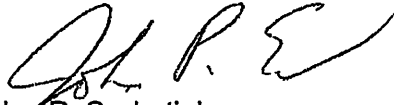
The purpose of this letter is to inform you that Racine County intends to release the enclosed responsive records pursuant to Wis. Stat. § 19.356(2)(a).

You are entitled to be notified of the decision to release this information under Wis. Stat. § 19.356(2)(a)1. You also are entitled to challenge the decision to release these records by initiating a circuit court action seeking an order to restrain Racine County from providing access to the requested records. Wis. Stat. § 19.356(3). Within ten business days after receipt of this notice, you may commence an action seeking a court order restraining Racine County from releasing the requested records. If you commence such an action, you must name Racine County as a defendant. Wis. Stat. § 19.356(4).

Racine County may not provide access to the requested records for a period of twelve business days after this notice is received. Wis. Stat. § 19.356(5). If you have not initiated an action to restrain release of these records pursuant to Wis. Stat. § 19.356(4), the requested records may be released on the thirteenth business day after the date this notice is sent or as soon thereafter as practicable. If you do file a timely action seeking a court order to restrain release of the requested records, the records will not be released until judicial proceedings have concluded.

For your information, I have also enclosed a copy of Wis. Stat. § 19.356. If you have any questions regarding this matter, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'J.P.E.', written in a cursive style.

John P. Serketich
Principal Assistant Corporation Counsel

Enclosures (3)

CC: Adrienne Melby, no enclosure

NAME CHANGE FROM THOMPSON

Discipline
File Number

06-DC 15

RACINE COUNTY SHERIFF DEPARTMENT

BLUE SLIP

Step Suspension Termination

Violation: PERFORMANCE OF DUTY: NEGLECT OF DUTY III A

Employee Name CARY M. MORIGAL Rank DEP Badge # _____

Location of Incident: 717 WISCONSIN AVE (RCS)

Date of Incident 5/31/06 Time of Incident Approx 1415 Date Officer Notified of 6-18-06

Notification Made By SGT. A. GADDEY Investigating Officers CAPT. J. SCHLITZ Pending Action H.S. GARDEN

R.C.S.D. Incident Report # _____ Citizen _____ Internal _____ Investigation # _____

Incident Summary SEE ATTACHED REPORTS

Discipline Recommendation: 1 DAY SUSPENSION W/OUT PAY

Prepared by _____ 3176 Date 6/15/06

Reviewed by _____ 3876

COMMANDER SIGNATURE

Disposition: Dz. Medical demonstrated extremely poor judgment of performance. Serious negative consequences occurred as a result. Closed with recommendation of 1 day suspension w/o pay.

Sheriff's Signature _____ Date 06-20-06 Date of Notified of Final Dispo. _____

RACINE COUNTY SHERIFF DEPARTMENT
RACINE, WISCONSIN

RULES AND REGULATIONS

(REVISED 10/16/03)

PURPOSE:

To establish general rules of conduct for members and employees of this department. Some rules and regulations will apply to sworn personnel because of their nature, but these rules and regulations are *intended as a guide* for all members of the department, both sworn and civilian. The terms "Member", "Employee", or "Personnel" may be used interchangeably. Specifics that refer to **ONLY** sworn personnel will be indicated as appropriate.

I. CIVILITY, COURTESY, RESPECT

- A. **RESPECT:** No member (sworn or civilian) shall, while on duty, OR in uniform, (on or off duty), or in public, show disrespect or discourtesy towards a supervisory officer, or any other member of the Racine County Sheriff's Department.
- B. **CIVILITY:** All personnel shall conduct themselves in a professional, mature, dignified, and respectful manner toward the general public, other members and employees of Racine County, whether on or off duty.
- C. **CITIZEN COURTESY:** All on duty (or in uniform) contacts with citizens are to be handled in a polite and courteous manner. Personnel shall answer all reasonable and non-confidential questions from the general public. If asked, all members shall provide the requester their name, rank, title, and payroll number. ~~Those working in an undercover capacity are exempt from this provision.~~
- D. **OBSCENE OR ABUSIVE LANGUAGE:** No member or employee shall use obscene or abusive language or defame any person by the use of photos, cartoons, or any other display, of any person because of their race, religion, national origin, sex, physical makeup, handicap, or sexual preference. Additionally, no member shall use their position on the department to acquire sexual favors from other members of the department, civilian or sworn, or from the general public. No member shall sexually harass (as defined in County Ordinance 15-320) any other

III. PERFORMANCE OF DUTY: NEGLECT OF DUTY

- A. NEGLECT OF DUTY:** No on duty member shall fail to take action requisite with the reasonably expected duties of their duty assignment. Members shall not sleep, play games, watch television or movies or otherwise engage in entertainment while on duty, except as may be required in the performance of duty. Members shall not engage in any activities which would cause them to neglect or be inattentive to duty, nor shall they perform any law enforcement duty for private gain, unless properly authorized. All members shall devote full time to their assigned duty and maintain communication/contact with the department.
- B. VISITING PROHIBITED ESTABLISHMENTS:** Members shall not knowingly visit, enter or frequent a house of prostitution, gambling house, or other establishment wherein the laws of the United States, the State of Wisconsin, or the ordinances of the County of Racine are regularly violated except in the performance of duty or while acting under proper and specific orders from a superior officer. No member shall consummate an act of prostitution even in performance of duty.
- C. RESPONDING TO DISTURBANCE:** Sworn on duty members and Corrections Officers shall immediately go to the scene of any unlawful disturbance occurring within their vicinity, and use their best efforts to restore peace and order by moderate means, if possible. But should such efforts fail, members may use the minimum reasonable force necessary to restore order, and sworn personnel may effect an arrest if appropriate.
- D. RENDERING ASSISTANCE:** On duty members or employees shall render law enforcement assistance to all persons who request it, insofar as such assistance is consistent with police duties, and shall cooperate with all other agencies engaged in the administration of criminal Justice.
- E. DISCHARGE OF DUTIES:** Members are required to discharge their duties with professionalism and firmness, and in times of peril they shall act together and assist and protect each other in the restoration of peace and order. Members shall not leave their assigned posts during a tour of duty except when authorized by competent departmental authority in the discharge of their duties. Members shall use the minimum reasonable force that is necessary, and shall not use language or gestures which are abusive.
- F. PRESERVATION OF LAW AND ORDER:** On duty members shall at all times within the boundaries of the County of Racine preserve the public peace, prevent crime, detect and arrest violators of the law, protect life



RACINE COUNTY SHERIFF'S DEPARTMENT

717 Wisconsin Avenue, Racine, WI 53403-1237

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Waterford (262) 534-5166 Burlington (262) 763-9558

Sheriff Robert D. Carlson

Chief Deputy William R. Gabbey

June 15, 2006

RE: Cary Madrigal Investigation

After investigating this incident, I have come to the following conclusions:

Dep. Cary Madrigal allowed inmate Catrina Mallett to use a telephone when she should not have done this. Dep. Madrigal has admitted to putting Mallett on the phone and also admitted that she should have known better. She admits that she made a mistake by putting her on the phone. Dep. Madrigal vehemently denies being told by anyone that Mallett should not be allowed to use the phone.

I can find no one who can say for sure that Dep. Madrigal knew that Mallett should not use the phone. Sgt. Willis stated that he made an announcement to those in intake that Mallett should not be allowed to use the phone, but Sgt. Willis can not say that Dep. Madrigal was in intake when he said it or heard him if she was in intake. I also spoke to two other deputies who were assigned to intake that day that did not, because they were busy, hear Sgt. Willis' announcement.

Dep. Lewis says in his statement that he personally told Dep. Madrigal this and Madrigal "acknowledge" it. In speaking to Dep. Lewis, he only assumed that Dep. Madrigal heard what he said. Dep. Lewis can not say for sure if Dep. Madrigal "acknowledge" it. He further stated that he gave her the information "real quick, real fast."

This investigation has been complicated by the rumors, innuendoes and accusations that have been prevalent since the morning after the incident. I believe that these rumors have caused facts and time lines to become blurred.

I believe that Dep. Lewis told, or at least believes that he told, Dep. Madrigal not to put Mallett on the phone.

I also believe Dep. Madrigal when she says that no one told her that Mallett should not use the phone.

From the first interview, Dep. Madrigal has admitted making a mistake by putting Mallett on the phone. Dep. Madrigal has also admitted from the beginning that she should have known that Mallett should not use a phone. What Dep. Madrigal did was make a mistake. She did not willfully disobey an order or disregard information given to her by a fellow deputy.

I am recommending a 1-day suspension with out pay for Dep. Cary Madrigal for Neglect of Duty.

Captain James Scherff



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Sheriff Robert D. Carlson

Chief Deputy William R. Gabbey

June 1, 2006

To: Lt. John Gordon


Re: Catrina Mallett SPN# 81347

On May 31, 2006, I Sgt. David Willis was assigned as the 1st shift jail supervisor. Sometime after 1300hrs, I received a telephone call from Sgt. Don Wheeler who is attached to the Racine County Metro drug unit. Sgt. Wheeler advised me that Deputy Lewis was enroute to the Racine County Jail with Catrina Mallett.

He added that she was involved in a narcotics stop with another individual. He requested that I keep her seperated from the other indiviudal and to temporarily not allow her access to a telephone. I then advised my staff of this information. I directed staff that when Ms. Mallett arrived at the RCJ that she be placed in to bullpen #3 and that she not be allowed use of the telephone.

Ms. Mallett arrived at the RCJ at 1408hrs. I observed Deputy Cary Madrigal escort Mallett in to bullpen #3. While under my observation, Mallett did not use the telephone. I advised both Lt. Wearing and Sgt. Schmidt who just arrived for the next shift of this information. My holding Deputy, Jerome Hipper specifcly advised 2nd shift holding Deputy, Brian VanScyoc.

Nothing further to report at this time.


Sgt. David Willis

Gordon, John

From: Schmidt, Paul
Sent: Wednesday, May 31, 2006 10:32 PM
To: Willis, David
Cc: Gordon, John
Subject: No Phone

C. Mallitt, the girl from the drug bust, was allowed to use the phone right after she was prebooked. The female deputy that let her described as a young blond. Mallit asked to use the phone and told the dep that she could not use the inmate phones because her family had blocks on their phones. Mallit was allowed to use the phone in P&P. The deputy said something to the effect that yes you better call your mom. They found alot of drugs in the car, your in big trouble. We are lucky the family started calling us so we were aware that people on the outside knew.

Sgt. Paul R. Schmidt

Racine County Sheriff's Dept.
717 Wisconsin Avenue
Racine, Wisconsin 53403
Phone 262-636-3217
Fax 262-636-3470
Paul.Schmidt@goRacine.org

Willis, David

From: Wheeler, Donald
Sent: Thursday, June 01, 2006 6:05 AM
To: Willis, David

Dave,

Whoever pre-booked inmate Catrina Mallett told her that she was in a lot of trouble because they found a lot of stuff in her car. The Deputy told Catrina she should call her Mom and let her know. Catrina was given a phone somewhere by this Deputy and she called her mother-in-law at [REDACTED]. Another number she might have called is [REDACTED]. Catrina said the deputy was a little bit shorter than herself and had her blond hair pulled back in a bun.

During the course of the investigation, Milwaukee officers went to the home of Katrina and Jerome, where Jerome was going to give officers several thousands of dollars in cash, a gun, and some other items. Because of the phone call that was allowed to be made, the house had been cleaned out by family members.

Not only did allowing this phone call to take place cause the removal of evidence, it interfered with an on-going federal investigation, it put the defendants in great jeopardy, along with the law enforcement officers who responded to the house with them. Not to mention the very bad light it casts upon our organization in the eyes of the officers from other jurisdictions.

Before Catrina gets released today, please have her ID the deputy responsible. Please find out what phone they used, as all of Catrina's family has blocks on theirs, and see if you can get a copy of the phone call.

Thanx,

Don

Gordon, John

From: Scherff, James
Sent: Monday, June 05, 2006 1:55 PM
To: Gordon, John
Subject: FW:

FYI and for the file

-----Original Message-----

From: Wheeler, Donald
Sent: Monday, June 05, 2006 1:40 PM
To: Scherff, James
Subject: FW:

This is the e-mail I sent to Sgt. Willis.

On the 31st of May, 2006, Deputy Parco found 8 kilos of cocaine during a traffic stop. Milwaukee HIDTA had been called as the two people arrested in the car were from Milwaukee. I interviewed the people in the car and they did not wish to speak with me. I then had them taken to RCJ. Knowing that Milwaukee HIDTA was attempting to work with these two people, I called the jail and spoke with Sgt. Willis. I requested that the two people, Catrina and Jerome not be allowed access to a phone as this could interfere with any possible future operations. I have done this in the past and if nothing works out, after a couple of hours I call the jail and give the phone back to the inmate.

Several hours later I was in the jail delivering notices of detention when I was advised by Beth Gleason, that bond money for a Wa-wa-tosa warrant had been posted for Catrina and that someone would be coming to get her. These same people that had asked about Catrina had also asked about Jerome. At that time I felt that Catrina had called some one from her car prior to being arrested and that was how information had been passed on.

By this time Jerome was already with HIDTA and working with them.

Between 9 and 10 pm I was called by HIDTA and advised that the jail had allowed Catrina the use of the phone and that she had called home to tell them that she was in jail. HIDTA found this out when they went there with Jerome to retrieve guns, money and drugs that Jerome said was there, and the items were now gone.

I went to the jail and spoke with Catrina who advised that the deputy who "asked her all the questions" let her use the phone in the room because all of her family has blocks on their phones. I had Catrina repeat this to Sgt. Schmidt who was then the 2nd shift supervisor.

The next day I spoke with Sgt. Willis who advised that he had told all of his staff that Catrina and Jerome were not to get the phone. I also spoke with Deputy Lewis who stated he had also told jail staff that Catrina and Jerome were not to get the phone.

I left a voice mail message with the HIDTA investigator to see if he knows what was taken from the house prior to Jerome taking them over there. That was just now, after he calls back I can give you that.

Besides interfering with an on-going investigation and possibly allowing drugs, guns and money on the street of Milwaukee, the actions of Deputy Madrigal gave us a very big black eye. Up to this point we had an excellent working operation with the Milwaukee HIDTA. They give us ALOT of money, training, and technical assistance. In addition to that, they talked up our department and its operations all over the country. We get calls and info from other departments all over the country asking about our programs and wanting to share information.

My last contact there was like we never worked with them. They questioned everything we did and wanted everything double checked to make sure we didn't screw it up. We both know nobody remembers anything unless you did it wrong.

Don

-----Original Message-----

From: Wheeler, Donald
Sent: Thursday, June 01, 2006 6:05 AM
To: Willis, David
Subject:





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06/09/2006

On 05/31/06, I Dep. Spaulding 5711 was assigned to work movement at the Racine County Jail from 0700-1500. At approximately 1430, while I was picturing and printing detainees, Dep. Madrigal entered the picture and print room with a black female. Dep. Madrigal was told by this inmate, (later identified as Mallett, Catrina L) the phone number and Dep. Madrigal dialed it and passed the phone receiver over to Mallett. Dep. Madrigal commented to me, she believed this inmate, that she was unaware of the drugs in the vehicle.

On 06/01/06, I was again assigned as movement officer from 0700-1500. I noticed Mallett, Catrina was in bull pin # 3. Sgt. Willis had asked me if I knew who let Mallett on the phone. I told Sgt. Willis yesterday Dep. Madrigal let her use the phone in the picture and print room. about 1430. Sgt. Willis asked me if I knew that she wasn't to use the phone? I replied No, I didn't hear anything, that I was picture and printing inmates and was setting up the printer for the next subject when Madrigal entered with Mallett. If I had known she wasn't to use the phone I Would of said something to Dep. Madrigal. Nothing further at this time.



Dep. D. Spaulding 5711

**DEPARTMENT OF SHERIFF
RACINE COUNTY, WISCONSIN**

PLACE: Racine Co Jail

DAY/DATE: Monday 6/5/06

STARTING TIME: 1306 hrs

"YOUR RIGHTS"

Before being asked any questions, you must understand your rights:

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to consult with a lawyer before questioning and to have a lawyer present with you during questioning.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you at public expense before or during any questioning, if you so wish.
5. If you decide to answer questions now, without a lawyer present, you have the right to stop the questioning and remain silent at any time you wish, and the right to ask for and have a lawyer at any time you wish, including during the questioning.

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RACINE COUNTY SHERIFF'S DEPARTMENT

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Administration Fax (262) 637-5279 Jail Fax (262) 636-3470

Sheriff Robert D. Carlson

Chief Deputy William R. Gabbey

Garrity Warning

At this time, I am going to question you about

Allowing Catrina Mallett to use
the telephone

This questioning concerns administrative matters relating to the official business of the Racine Sheriff Department. During the course of this questioning, if you disclose information which indicates that you may be guilty of criminal conduct, neither your self-incriminating statements nor the fruits of any self-incriminating statements you make will be used against you in any criminal legal proceedings. Since this is an administrative matter and any self-incriminating information you may disclose will not be used against you in a court of law, you are required to answer my questions fully and truthfully. This requirement is set forth in our Racine Sheriff Department Rules and Regulations, Insubordination IIA, Compliance with the Law IIB, and False Information on Records VI. A. You are entitled to all rights and privileges guaranteed by the Constitution and the Laws of the State of WI and the Constitution of the United States, including the right to have legal counsel or union representation present with you during this interview. If you refuse to answer all my questions, this in itself is a violation of the rules and procedures of the department, and you will be subject to separate disciplinary action.

Do you understand what I have just explained to you? YES

Do you have any questions concerning what I have just explained to you? No.

I, Cary Madrigal, by my signature below, affirm that I have been advised of the "Garrity Warning" and have had its meaning explained to me.

Employees' Signature [Redacted] Date 6-5-06

Interviewer/Investigator John Gordon

//

Tuesday, June 06, 2006

Re: Interview with Deputy Cary Madrigal

Mentioned: Deputy Kyle Poelmann
Deputy Jesse Lewis
Sgt. Don Wheeler
Sgt. Dave Willis
Deputy Jerry Hipper
Catrina Mallett
Deputy Debbie Spaulding

Background:

On May 31st, 2006, at 1408 hours, Catrina Mallett was brought into the jail for booking. She had been arrested on drug charges. Sgt. Willis had been advised that she was to be kept from the telephone, due to an ongoing investigation. Sgt. Willis advised his staff, but cannot confirm that everyone heard the order. Deputy Hipper was the holding officer and put the "no telephone" order on the bullpen log. Subsequently, Deputy Madrigal allowed Mallett to use the telephone in the picture and print room, putting the investigation and the investigators in jeopardy.

Interview:

Deputy Madrigal was interviewed on June 5th, 2006, in my office. Deputy Poelmann was present for the interview, as her union representative. The interview began at 1306 hrs.

Madrigal was read her Miranda warnings. She understood the warnings and was advised by Deputy Poelmann not to answer any questions.

Garrity warnings were then read to Madrigal, who understood the warnings as read and signed and dated as such.

Madrigal was asked to give a narrative about the Mallett incident from the time she first knew Mallett was coming to jail.

Madrigal said that Sgt. Willis had told her that Mallett was on her way to the jail on drug charges and was to be put in isolation in bullpen 3. Madrigal said she checked bullpen 3 to make sure it was ready, and then went to the bathroom. When she exited the bathroom, she noticed that Mallett was already in the metals room with Deputy Jessie Lewis. She said she went into the metals room, patted Mallett down and took her to pre-booking.

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While booking Mallett, Madrigal says that Mallett had a lot to say and that she let Mallett vent. Mallett told Madrigal that she has never been to jail before. She asked Madrigal if she knew why she was here and proceeded to give details of her arrest. She told Madrigal that her boyfriend picked her up and when they got to I94 he asked her to drive, which she thought was odd. She said she was pulled over on I94 for having tinted windows and was told she had a traffic warrant. She said she was placed in the back seat of the squad while her boyfriend let the officers search the car. A quantity of drugs was located during the search.

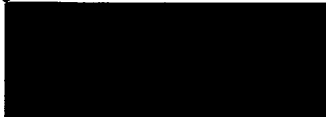
Mallett told Madrigal she had worked at the blood center for six years. Madrigal felt this showed responsibility on her part. Mallett was crying and said her mom was going to be worried sick about her and she wanted to call her. Madrigal said she ignored the request at that point.

Madrigal said that after she booked Mallett, she escorted her to bullpen 3. She said she assumed Mallett was being put in that cell because her circumstances put her at risk for suicide. Mallett again requested to call her mom. Madrigal told her she could only make a collect call. Mallett broke down crying again. Madrigal said she felt sorry for Mallett, so she took her to the picture and print room to make a phone call. Madrigal said she dialed the number and handed the phone to Mallett. Deputy Spaulding was in the picture and print room at the time.

Madrigal says she didn't hear Sgt. Willis' order not to let Mallett use the phone and that no one else told her. She said she hadn't been told by anyone else. She hadn't checked the bullpen log, which had a note that Mallett not have phone privileges.

Madrigal said she although she hadn't received word about Mallett's phone use, she should have known due to the circumstances involved. Madrigal said she bought into Mallett's story that she had been set up and that her mom was worried about her. Madrigal said she felt compassion for Mallett and it affected how she handled the situation.

Prepared by: Lt. John Gordon/3476



3476

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On Wednesday, May 31, 2006, at approximately 1345 hours, I, Deputy Cary Madrigal #7779, was working as a movement officer in the Racine County Jail when the following incident occurred. Sergeant Willis advised those of us in the Intake area that two individuals (1 male / 1 female) were being brought in by our deputies after being caught with 8 kilos of cocaine and some weed in their car. He stated he wanted to keep the female isolated and asked me if Bullpen 3 was being used by anyone. I checked the cell and advised him that the cell was available. He stated he wanted her kept in Bullpen 3 to keep a close watch on her as he did not know what her state of mind would be. Immediately, I thought maybe the female would be suicidal seeing as how she just got caught with all those drugs, and it would be a good idea to keep an eye on her even if she told us she was not suicidal.

The female, Catrina Mallett, arrived at approximately 1400 hours. I completed a custodial search on Mallett, and escorted her to the pre-book room where I initially booked her in. As I started booking her in, she asked if I knew what she was here for, and I told her that I did not. She involuntarily told me the following: "My boyfriend who I have been seeing for about a year on and off just picked me up by my mom's house. We was going to Milwaukee, and he was driving til we got near the Interstate. Then, he pulled over and asked me to drive cuz he was tired, so I did. Then we got pulled over and the cop said the tint on the windows was too dark, but you can see right through them. He took my license, then came back and said I had a warrant. It must have been from when my license was suspended, but now I got that cleared up and I am okay to drive. Anyway, then they took my boyfriend out of the car, and they were looking through the car. They must have found some weed or something, cuz they arrested him too. Oh, man my mom is going to be worried sick. I mean, she told me to call her when we got to XXXXX (I don't remember where the place she said they were going → somebody's house I think), I was supposed to call her cuz she is always worried about me." I continued to ask her the jail's questions regarding personal information and health. During the rest of the questions, she seemed extremely distraught about her worried mother. At one point, she became very choked up, and stated, "Oh my God, I have never been in trouble. My mother is not going to know where I am at! She is going to be worried sick!"

I finished the prebooking process, and escorted her to Bullpen 3. She pleaded, "Can I please call my mother so she don't worry when I don't call her?" I told her only the pay phone, and she buckled over at the knees. She began crying, and so I told her she could make a quick call on the regular phone. I dialed the number for her, and stood within 4 feet of her while she was using the phone. At first she said something like, "It's me. I am in the Racine County Jail, You are going to need to get me a lawyer. I can't talk for too long. I think he had dope in the car, a lot." Deputy Spaulding was setting someone's file up to fingerprint, and I was standing next to her. After I heard Mallett say what I listed, Deputy Spaulding asked me a question, and I turned to her and answered it. While I was talking to Deputy Spaulding, I am unsure what Mallett said on the phone, but it was only a lapse of maybe 20 seconds, if that. I recall when I looked towards Deputy Spaulding, I noticed Sergeant Willis walking towards and then sitting at his desk. Mallett finished the call, then handed me the phone, and I hung it up on the receiver. I returned Mallett to Bullpen 3 without incident.


At no time did I hear anyone state that Mallett was not allowed phone privileges. If I had been told no phone for her, I would not, under any circumstances, have let her make the call. It should be noted, I did not put her on the phone with malice, intent, or with knowledge to undermine any authority. After hearing what happened on the other end of this picture, I realized that putting Mallett was my mistake, but be assured, it was an honest mistake; one that I will NEVER make again.

Deputy Cary Madrigal #7779

June 3, 2006

To: Lt. Gordon
From: Deputy Jessie Lewis #7496
Re: Catrina L. Mallet/DOB: 06-08-72

I am writing this because I did not do a report for Mallet when she was arrested on May 31, 2006 at approximately 12:50hrs. On that date I transported Mallet to RCJ for Deputy Parco. I turned her over to jail staff without incident. Deputy Cary Madrigal approached me and stated that she had been listening to the radio and heard that Deputy Parco made a good arrest. I told her that Deputy Parco just located 8 kilos of cocaine and that Mallet was facing some serious charges. I directly told Cary that Mallet is to have no contact with anybody and that she was not allowed to use the telephone. Cary acknowledge me. I also explained to Cary that Deputy Parco would be coming down to the jail to give Mallet extra charges and she is not to be released. Cary stated ok. Cary also stated that everybody in the jail down in intake knew about this arrest.

Deputy Lewis #7496




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Sheriff Robert D. Carlson

Chief Deputy William R. Gabbey

June 12, 2006

RE: Meeting with Dep. Cary Madrigal re: Complaint

Present: Dep. Cary Madrigal, Dep. Kyle Poelmann, Lt. John Gordon, Capt. Jim Scherff

Meeting began at 1400. Dep. Madrigal was advised, and she agreed, that the Garrity warnings she received from Lt. Gordon at an earlier meeting were still in force.

I advised Dep. Madrigal that she has had a week to think about the statement she gave to Lt. Gordon. I then asked her if she wanted to change anything in the statement. She advised that she did not. That everything in the statement is the truth.

I then provided Dep. Madrigal the statement that Dep. Lewis had written regarding the incident. In the statement Dep. Lewis advised that he told Dep. Madrigal not to let Mallett use the phone and Dep. Madrigal "acknowledge" it. Dep. Madrigal then gave this statement to Dep. Poelmann to read.

I asked Dep. Madrigal if she had anything she wanted to say about the statement from Dep. Lewis. Dep. Madrigal stated that she was angered by the statement. She further advised that she recalls an insignificant conversation she had with Dep. Lewis when Lewis brought Mallett into the jail. Dep. Madrigal advised that Lewis told her that Mallett was driving a car that was stopped with cocaine in it and that Mallett had been arrested as a result of that stop. Madrigal went on to say that at about this point in her conversation with Lewis Dep. Herrera came up to Dep. Lewis and began giving him (Lewis) a hard time about not being sat her birthday party. According to Madrigal, Lewis turned to Herrera and began talking to Herrera about this. Madrigal stated that that was the end of her conversation with Dep. Lewis.

Dep. Madrigal again stated that she made a mistake when she put Mallett on the phone. She again stated that she should have known that Mallett should not have been put on the phone. However, Madrigal also stated that no one told her not to put Mallett on the phone.

Capt. James Scherff





RACINE COUNTY SHERIFF'S DEPARTMENT

717 Wisconsin Avenue, Racine, WI 53403-1237

(262) 636-3213 FAX (262) 637-5279

Waterford (262) 534-5166 Burlington (262) 763-9558

Sheriff Robert D. Carlson

Chief Deputy William R. Gabbey

June 15, 2006

RE: Cary Madrigal Investigation

On 6/15/06 at approximately 0900 Lt. John Gordon and I interviewed Dep. June Herrera regarding her recollection of the incidents that occurred on 5/31/06 involving Catrina Mallett.

Dep. Herrera advised that she was working intake that day. She further advised that she was busy and did not hear Sgt. Willis advise the staff to not let Mallett use the telephone. In response to a question, Dep. Herrera advised that she learned about Mallett not using the phone by looking at the Intake log.

I asked Dep. Herrera if she had a conversation with Dep. Lewis on 5/31/06. Dep. Herrera advised that she did speak to Dep. Lewis on that day. She advised that she came up to Dep. Lewis while he was in the intake area of the jail, and after he had brought in a female inmate later identified as Mallett. Herrera went on to say that she spoke to Lewis to give him a hard time about not being at her birthday party. She further stated that when Lewis began to respond to her, she advised him to not even talk to her. According to Herrera Lewis responded by wishing her a happy "50th" birthday.

Captain James Scherff



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RACINE COUNTY SHERIFF'S DEPARTMENT

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Sheriff Robert D. Carlson

Chief Deputy William R. Gabbey

June 25, 2006

RE: Cary Madrigal Investigation

On 6/15/06 at approximately 1209 Capt. Formolo and I interviewed Dep. Jessie Lewis in my office.

I advised Lewis that I had spoken to C. Madrigal regarding this and her story is the exact opposite of yours. Dep. Lewis reiterated that he told Madrigal that Mallett was not to use the phone. In response to a series of questions, Dep. Lewis advised that he told this to Dep. Madrigal while she was standing in the first interview room off of the Jail Intake area, and he, Dep. Lewis, was standing in the doorway to that room. Dep. Lewis advised that he and Madrigal were only a few feet apart when he told her. Dep. Lewis also said that he did not dwell on the no phone no contact information he just said it "real quick, real fast." "No contact, no phone."

With regards to his statement that Madrigal "acknowledge" the no phone information Lewis advised that he assumed she heard and understood him. Dep. Lewis stated that he assumed that she heard what he said. He also added that he does not know if she heard what he said. Dep. Lewis stated that he made that assumption based on the circumstances of the conversation, that being that Madrigal had brought the arrest up to him when he walked in and that they were a few feet apart and looking right at each other.

When asked about Dep. Madrigal bringing the arrest up to him Dep. Lewis advised that Dep. C. Madrigal had told him that she and Sgt. Willis were listening to the arrest on a portable radio and knew all about it.

With regards to a conversation he may have had with Dep. Herrera, Dep. Lewis advised that Dep. Herrera did walk by him and say something to him but he did not pay attention to it or respond to it.

Dep. Lewis also made the comment that "Even if I didn't tell her - she put her on a land line phone. When I worked in the jail, I never did that." When asked to explain this, Dep. Lewis advised that what he meant was that Dep., Madrigal is an experienced deputy who also works part time in a law enforcement capacity and she should have known that with a drug arrest, you don't put people on the phone.

Dep. Lewis stated that he did not think this was a big deal when it first occurred. I asked him when he realized that it was a big deal. Dep. Lewis advised that he realized it the next day when Sgt. Wheeler was so angry. I asked him why he did not write something up at that time as opposed to waiting until he was asked to by Lt. Gordon. Dep. Lewis stated that he thought it was all over with because Sgt. Laux told him that Dep. Madrigal had gotten a 1-day suspension. To clarify this in my mind I reiterated Dep. Lewis' story to him that Sgt. Laux told him, Dep. Lewis, on the day after the incident that Dep. Madrigal had received a 1 day suspension, Dep. Lewis said that that is what happened.

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Dep. Lewis was also concerned over the fact that he heard that the jail almost released Mallett that night because all they were initially holding her on was a Wauwatosa PD traffic warrant. Dep. Lewis advised that he personally told Deps. Madrigal and Hipper and CO Nichols not to release Mallett because additional charges were coming from Dep. Parco.

Also as part of this interview Dep. Lewis was advising us that he is being treated unfairly by people at work. That some deputies are questioning whether he told on Dep. Madrigal. Dep. Lewis further stated that he has heard that Dep. C. Madrigal is spreading rumors that he is a snitch and a liar. Dep. Lewis stated that this is making for an uncomfortable work environment for him.





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Sheriff Robert D. Carlson

Chief Deputy William R. Gabbey

June 15, 2006

RE: Cary Madrigal Investigation

After my interview with Dep. Lewis, I wanted to clarify some things that Dep. Lewis stated.

I spoke to Sgt. Laux regarding the 1-day suspension for Dep. C. Madrigal. Sgt. Laux advised that he never said anything about a 1-day suspension for Dep. Madrigal. He further stated that on the day after the incident he knew very little about what was going on. Sgt. Laux did say that a rumor of a 1-day suspension was going around the patrol station 4 or 5 days after the incident.

I spoke to Sgt. Willis about when and how he found out about the arrest on the interstate. Sgt. Willis advised that the portable radio was not on I intake on that day. He further advised that he learned about the arrest when Sgt. Wheeler called him, prior to Mallett arriving at the jail, and told him about the arrest and the fact that Mallett should be kept off the phone.

I spoke to CO Nichols regarding any conversation she may have had with Dep. Lewis about not releasing Mallett because Dep. Parco was bringing down additional charges. CO Nichols does not recall having a conversation with Dep. Lewis regarding this.

I spoke to Dep. Hipper regarding any conversation he had with Dep. Lewis about not releasing Mallett because Dep. Parco would be coming down with additional charges and Dep. Hipper advised that Dep. Lewis told him, Hipper, about the additional charges as he, Lewis, was walking out of the jail door. Dep. Hipper can not recall if he asked Dep. Lewis about the charges or if Dep. Lewis volunteered the information.

I spoke to Sgt. Schmidt, the second shift supervisor the night of the arrest if there was ever a chance that Mallett was going to be released when the Wauwatosa PD warrant was paid. Sgt. Schmidt advised that there was no way she would have been released because they were awaiting the additional charges.

I bring all these things up not to question the honesty of Dep. Lewis. I bring these things up because so much has gone on since this incident has happened, so many stories and rumors are flying around that it has become difficult, if not impossible, to determine when something was said and whether it was fact or rumor.



Employee Discipline Report



Supervisor's Discipline Recommendation for:

Suspension 1 Days or **Termination** File # 12DC44

Employee Name:
Madrigal, Cary

Rank/Position:
Sergeant

PR# 7779

Date of Violation: **08/26/2012** County Hire Date: **04/02/2000** Sheriff Hire Date: 04/02/2000

Supervisor initiating this Disciplinary Action: **Captain Lamke** *AJL*

Date Employee Initially Notified of Pending Action: **09/04/2012** Notified by: **Captain Lamke**
(date of service of full disciplinary packet addressed on last page)

Supporting Documents included with this Discipline:

Briefly list any supporting documents here, such as previous Relevant Discipline(s), Property Damage Investigations, Citizen Complaints, etc., and attach copies of those documents to this report. Include date and file numbers if applicable.

Nature of Current Violation(s)

- Attendance / Tardiness
- Conduct / Behavior / Performance

(Check the type(s) of violations at right and then list Specific Rule(s) in the narrative section of report below)

Details of the violation(s) (attach additional detailed reports if needed)

See Attached Appendix I

Expected improvement and/or standards for the future:

Sergeant Madrigal is expected to conduct herself in a professional manner while on-duty and while otherwise representing the Racine County Sheriff's Office. Sergeant Madrigal needs to recognize that she is in a supervisory position and is expected to set an example for her subordinates by the manner in which she conducts herself. This type of unprofessional conduct is inappropriate and any future violations of a similar nature could result in suspension, demotion and/ or termination.

Employee Discipline Report

Recommendations for Suspension or Termination

Employee must be provided with a full copy of the Discipline Report prior to a formal meeting (Loudermill meeting) with the Sheriff.

- The Employee named in this Disciplinary action was provided with full copy of the report on (date) 9/5/12 at (time) 1243 hrs. by: (Supervisor) [Redacted] #5112
(This date of service information can be hand-written in on this form)

Sheriff's Meeting w/ Employee – Checklist / Notifications

Notes from (Loudermill) meeting with Employee

- Date / time / Location of meeting: _____
- Union Representative Present (if applicable)
(Also note here if Union Representation was applicable, but representation was declined by the employee) _____
- Others attending with employee? _____
- RASO and HR Staff in attendance: _____
- Employee acknowledges that he/she received a copy of the disciplinary paperwork.
- Employee acknowledges that he/she had the opportunity to review the paperwork and, if applicable, consult with bargaining unit (Union) representatives.
- Explained purpose of this meeting, the allegations in the Discipline, and the process that will be followed.
- Employee provided with opportunity to respond to allegations / present his/her version of events.
- Clarifying questions / follow-up to employee's information or presentation, if needed.
- If applicable, opportunity for Union representative to discuss Union's perspective regarding the discipline

Disposition by Sheriff (or designee)

Sheriff's Signature: _____

Date: _____

- If applicable, Employee notified that Racine County Employee Assistance program is available to assist in personal, financial and other programs. To use the Racine County Employee Assistance program, contact the Family Service of Racine at 634-2391 or Human Resources.

12DC44

September 5, 2012

On August 26, 2012 Sgt. Cary Madrigal was assisting investigators searching property for evidentiary purposes. During the course of those duties Sgt. Madrigal located a small box of chocolate candies unrelated to the purpose of the search. Sgt. Madrigal consumed some of the candy and later at the Patrol Station provided other Sheriff's Office employees with some of the candy.

On September 4, 2012 I questioned Sgt. Madrigal about the incident in the privacy of my office. Sgt. Madrigal immediately admitted that she took the candy, consumed some of it, and gave the balance away to staff members at the Patrol Station. Sgt. Madrigal took full responsibility for her actions and said that she used poor judgment, both in terms of the consumption of the candy as well as the impression that poor judgment can leave on her subordinates.

Sgt. Madrigal is a new Sergeant and I stressed to her the importance of professional and ethical behavior, and that we expect her to lead by example.

Sgt. Madrigal's actions are in violation of Racine County Sheriff's Office Rules & Regulations III K. Unsatisfactory Performance as set forth below. I recommend a One Day Unpaid Suspension.

UNSATISFACTORY PERFORMANCE: Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, the failure to perform reasonably consistently within the established acceptable performance standards of equivalent members of the department; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving law enforcement attention, or absence without leave. In addition to other indications of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations; a written record of repeated infractions of rules, policies, procedures or orders of the department; or repeated substantiated citizen complaints.

Captain Thomas Lamke



Discipline Complaint Log

File #	Date Occurred	Date Received	Complainant	Nature	Personnel Mentioned	Payroll #	Rank or Position	Duty Assignment	Assigned To	Date Assigned	Date Returned	Data To RevBoard	RevBoard Chair	Date to Chief	Final Disposition	Notes	Internal Investigation
12DC44	8/26/2012	9/4/2012	Captain Lamke	Unsatisfactory Performance	Cary Madrigal	7779	Sergeant	Training	Captain Lamke	9/4/2012				9/5/2012	One Day Suspension	Inappropriate behavior	

Racine County Sheriff's Office
Employee Discipline Report

Page 1 of 3



Verbal Reprimand or Written Reprimand **File # 21DC105**

Employee Name:
Cary Madrigal

Rank/Position:
Captain

PR# 7779

Date of Violation: **11/18/21** County Hire Date: **04/02/2001** Sheriff Hire Date: **04/02/2001**

Supervisor initiating this Disciplinary Action: **Chief Deputy James Weidner**

Date Employee Initially Notified of Pending Action: **01/14/21** Notified by: **Captain Daniel Adams**

Supporting Documents included with this Discipline:

Briefly list any supporting documents here, such as previous Relevant Discipline(s), Property Damage Investigations, Citizen Complaints, etc., and attach copies of those documents to this report. Include date and file numbers if applicable.

RASO Complaint # 21-062705
RAPD Complaint # 21-46392
RASO Accident Photographs
Corporation Counsel Correspondence
County Claim

Nature of Current Violation(s)

- Attendance / Tardiness
 Conduct / Behavior / Performance

(Check the type(s) of violations at right and then list Specific Rule(s) in the narrative section of report below)

UNSATISFACTORY PERFORMANCE: Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Agency. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, the failure to perform reasonably consistently within the established acceptable performance standards of equivalent members of the Agency; the failure to take appropriate action on a **crime, disorder, or other condition deserving law enforcement attention, or absence without leave.** In addition to other indications of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations; a written record of repeated infractions of rules, policies, procedures or orders of the Agency; or repeated substantiated citizen complaints.

Details of the violation(s) (attach additional detailed reports if needed)

On 11/18/21 Capt. Cary Madrigal was involved in a minor PD accident while on duty operating squad 5094 in the City of Racine. Capt. Madrigal was on 6th St. attempting a N/B turn onto Memorial Dr. when she inadvertently rear ended a vehicle that was stopped in front of her at the intersection causing minor damage. A review of the accident provided by Racine P.D. and Capt. Madrigal indicates the accident was due to a moment of inattentive driving. Capt. Madrigal was focused on traffic traveling on Memorial Dr. and failed to observe the vehicle in front of her had stopped after advancing forward a short distance. An accident review board was convened, and it was determined that this accident was preventable. Based on the information provided in the accident reports and the fact that the accident was deemed preventable a verbal reprimand is being issued.

Expected improvement and/or standards for the future:

Capt. Madrigal is expected to maintain attentiveness and operate County owned vehicles in a safe manner and efficient manner.

Racine County Sheriff's Office
Employee Discipline Report

Verbal or Written Reprimands

This Disciplinary report has been reviewed and approved by the Division Captain:

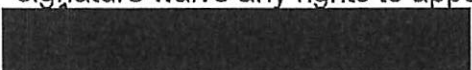
Captain Daniel Adams Date: 01/26/21 (this review and approval may be accomplished by e-mail)

NOTICE to Employee / Supervisor Meeting w/ Employee

I have received a copy of this report and I understand that this report will be entered into my personnel record. (Some contracts call for Purging of Verbal or Written Reprimands after a specified period)

I understand the Racine County Employee Assistance program is available to me to assist in personal, financial and other programs. To use the Racine County Employee Assistance Program, I can contact the Family Service of Racine at 634-2391 or contact the Racine County Human Resources Department.

- Both boxes must be checked and acknowledged for verbal or written reprimands.
- The employee signature below only acknowledges receipt of the Disciplinary Report and the notice regarding availability of the Racine County Employee Assistance Program. The employee signature does NOT admit the violation nor does the signature waive any rights to appeal or grieve the discipline.

 1-27-22

Employee Signature Date

NA

Union Representative Signature (if applicable) Date
(Also note here if Union Representation was applicable, but representation was declined by the employee)

 01/27/22

Supervisor Date

PROPERTY DAMAGE INCIDENT REVIEW

File #: 21PDD67
Date Occurred: 11/18/21
Property:
Damage Estimate: < \$1000.00
Name of Employee: CAPT. LARRY MADRICAL

1. Property Damage Review Board

Comments: Preventable Accident/Crash

CAPT. Lt. Signature [Redacted] 9192 CAPT. Sgt. Signature Member Signature
Date 12/21/21 Date Date

2. Captain's Comments: This accident was preventable

Signature [Redacted] 7574 B. Friend Date 12/21/21

3. Chief Deputy's Comments: This incident was preventable

Signature [Redacted] #7778 Date 12/28/21

4. Disposition: Presumably

Sheriff's Signature [Redacted] Date 01/13/22

CKL1K4SFCK
21-46392

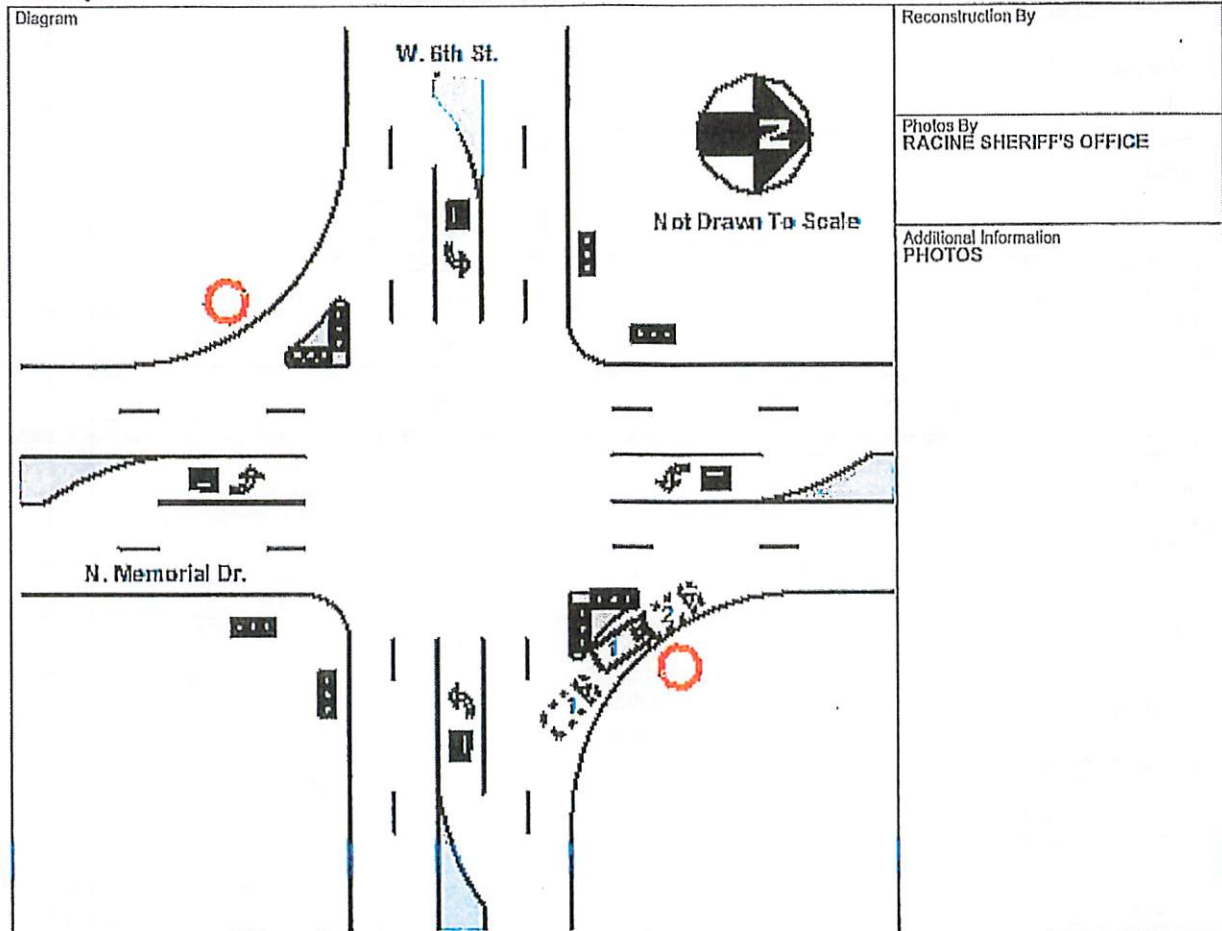
WISCONSIN MOTOR VEHICLE
CRASH REPORT

RACINE POLICE DEPARTMENT
730 CENTER STREET
RACINE, WI 53403
(262) 635-7700

CKL1K4SFCK

Document Number Override		Primary Crash Document #		Agency Crash Number 2-2		Investigating Officer/Deputy OFFICER J. PUMPHREY	
Crash Date 11/18/2021		Crash Time 04:40 PM		Date Arrived 11/18/2021		Time Arrived 04:51 PM	
Date Notified 11/18/2021		Time Notified 04:43 PM		Total Units 02		Total Injured 00	Total Killed 00
<input type="checkbox"/> On Emergency		<input type="checkbox"/> Hit and Run		<input type="checkbox"/> Lane Closure		<input type="checkbox"/> Work Zone	
<input type="checkbox"/> Government Property		<input type="checkbox"/> Active School Zone		School Bus Related NO		<input type="checkbox"/> Trailer or Towed	
<input type="checkbox"/> Reportable		Crash Type DT4000 (STANDARD CRASH)		<input type="checkbox"/> Amended		<input type="checkbox"/> Secondary Crash	
				<input type="checkbox"/> Reporting Threshold		Tags	

Description



I, a sworn law enforcement officer, agree that I have not added any CJIS data in this report.

UNIT #1 AND UNIT #2 WERE TRAVELING WEST BOUND ON W.6TH STREET. UNIT #1 AND UNIT #2 CAME TO A STOP AT THE STOP SIGN LOCATED ON THE NORTHEAST CORNER OF W.6TH STREET/N. MEMORIAL DR. UNIT #2 ATTEMPTED TO TRAVEL NORTHBOUND ON N. MEMORIAL DR FROM W.6TH STREET BUT THEN ALL OF SUDDEN CAME TO A STOP. UNIT #1 THEN ACCELERATED FORWARD BUT DID NOT HAVE ENOUGH TIME TO STOP AND ACCIDENTALLY STRUCK THE REAR BUMPER OF UNIT #2 WITH THE FRONT BUMPER OF UNIT #1.

CKL1K4SFCK
21-46392

WISCONSIN MOTOR VEHICLE
CRASH REPORT

RACINE POLICE DEPARTMENT
730 CENTER STREET
RACINE, WI 53403
(262) 635-7700

Location		
ON W 6TH ST 11 FT E OF N MEMORIAL DR IN THE CITY OF RACINE IN RACINE COUNTY	Latitude	Longitude
	X Coordinate	Y Coordinate
	Structure Type	
	42.725983897	-87.799026807
	434583.8125	4730696
	NO STRUCTURE	

Crash Scene		
First Harmful Event	First Harmful Event Location	
MOTOR VEH IN TRANSPORT	ON ROADWAY	
Manner of Collision	Light Condition	
03 - FRONT TO REAR	DAYLIGHT	
Road Surface Condition(s)	Roadway Factor(s)	
DRY	NONE	
Environment Factor(s)		
NONE		
Weather Condition(s)		
CLEAR		
Animal Type	Relation To Trafficway	
	TRAFFICWAY - ON ROAD	
Crash Classification - Location	Crash Classification - Jurisdiction	
PUBLIC PROPERTY	NO SPECIAL JURISDICTION	
Tribal Land	Access Control	Special Study
	NO CONTROL	
Within Interchange Area	Junction Location	Intersection Type
NO	INTERSECTION	FOUR-WAY INTERSECTION

Unit Summary

UNIT 01	Unit Status	Vehicle Operating As Classification	Unit Type		
	IN TRANSIT	D CLASS	AUTOMOBILE		
	Vehicle Type	Operating As Endorsements			
	(SPORT) UTILITY VEHICLE				
	Total Occs	Train/Bus # Recorded	Total # Citations Issued	Total Trailers	Total HazMat Types
	01		0	0	0
	Insurance?	Direction Of Travel	Pre Crash Tire Mark	Speed Limit	Total Lanes
	YES	NORTHBOUND	<input type="checkbox"/>	30	02
	Most Harmful Event: Collision With	Special Function	Emergency Motor Vehicle Use		
	MOTOR VEH IN TRANSPORT	NO SPECIAL FUNCTION			
Traffic Way	Traffic Control	Traffic Control Inoperative/Missing			
TWO-WAY, NOT DIVIDED	STOP SIGN	NO			
Surface Type	Road Curvature	Road Grade			
BLACKTOP (BITUMINOUS)	STRAIGHT	LEVEL			
Truck Bus or HazMat					
NO					

UNIT 01 VEHICLE 01	Vehicle			
	License Plate Number	Plate Type	St	Country of Issuance
	767BAX	AUT - AUTOMOBILE	WI	UNITED STATES
	Vehicle Identification Number	Make	Year	Model
	1FM5K8AR7HGA17629	FORD	2017	XPL
	Color	Body Style	Bus Use	
RED - RED	UT - SPORT UTILITY VEHICLE			
Initial Contact Point	Vehicle Damage			
12 - FRONT	00 - NO DAMAGE			
Extent Of Damage				
NO DAMAGE				



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21-46392

WISCONSIN MOTOR VEHICLE
CRASH REPORT

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UNIT	Towed Due To Damage NOT TOWED	Vehicle Removed By OPERATOR
	What Driver Was Doing GOING STRAIGHT	Vehicle Factors
	Driver Prior Action Other	NOT APPLICABLE
UNIT	Driver Actions	
	Owner Name RACINE COUNTY (262) 886-2300	Owner Address 717 WISCONSIN AVE RACINE, WI 53403 , US
UNIT	Sequence Of Events	
	Event MOTOR VEH IN TRANSPORT	
	Event	
	Event	
UNIT	Policy Holder	
	Insurance Company SELF-INSURED	Government RACINE COUNTY
UNIT	Individual	
	Driver GARY ANN MADRIGAL	Citations Issued 0
		Sex FEMALE
		Race WHITE
	Date of Birth	Driver License Number
	Address 717 WISCONSIN AVE RACINE, WI 53403 , US	STATE: WISCONSIN COUNTRY: UNITED STATES
UNIT	On Duty Crash POLICE	Safety Equipment
	Row 01 - FRONT ROW	Seat Position 07 -LEFT
	SHOULDER & LAP BELT	
	Helmet Use	Helmet Compliance
Eye Protection	Tint Compliance	
UNIT	Injury Severity NO APPARENT INJURY	Airbag NON DEPLOYED
	Ejected NOT EJECTED	Ejection Path NOT EJECTED/NOT APPLICABLE
	Trapped/Extricated NOT TRAPPED	
	Medical Transport NOT TRANSPORTED	EMS Agency Identifier
	Hospital	EMS Run #
	Date of Death	Time of Death
	Distracted By Source NOT APPLICABLE (NOT DISTRACTED)	
	Distracted By Action NOT DISTRACTED	

CKL1K4SFCK
21-46392

WISCONSIN MOTOR VEHICLE
CRASH REPORT

RACINE POLICE DEPARTMENT
730 CENTER STREET
RACINE, WI 53403
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UNIT INDIVIDUAL 01 001	Non Motorist		Striking Unit #	Location	
	Prior Action				
	Action				
	Action Other				
	To/From School				
	Drug & Alcohol		Suspected Alcohol Use NO	Suspected Drug Use NO	
	Alcohol Test Given TEST NOT GIVEN		Alcohol Test Type		Alcohol Test Results
	Drug Test Given TEST NOT GIVEN		Drug Test Type	Drug Test Results	
	Drug Type				
	Individual Condition APPEARED NORMAL				

Unit Summary

UNIT 02	Unit Status IN TRANSIT		Vehicle Operating As Classification D CLASS		Unit Type AUTOMOBILE	
	Vehicle Type (SPORT) UTILITY VEHICLE				Operating As Endorsements	
	Total Occs 02	Train/Bus # Recorded	Total # Citations Issued 0	Total Trailers 0	Total HazMat Types 0	
	Insurance? YES	Direction Of Travel NORTHBOUND	<input type="checkbox"/> Pre Crash Tire Mark	Speed Limit 30	Total Lanes 02	
	Most Harmful Event: Collision With MOTOR VEH IN TRANSPORT		Special Function NO SPECIAL FUNCTION		Emergency Motor Vehicle Use NOT APPLICABLE	
	Traffic Way TWO-WAY, NOT DIVIDED		Traffic Control STOP SIGN		Traffic Control Inoperative/Missing NO	
	Surface Type BLACKTOP (BITUMINOUS)		Road Curvature STRAIGHT		Road Grade LEVEL	
	Truck Bus or HazMat NO					

UNIT VEHICLE 02 02	Vehicle					
	License Plate Number		Plate Type AUT - AUTOMOBILE	St WI	Country of Issuance UNITED STATES	
	Vehicle Identification Number		Make TOYOTA	Year 2016	Model RAV	
	Color PLE - PURPLE		Body Style UT - SPORT UTILITY VEHICLE		Bus Use	
	Initial Contact Point 06 - REAR		Vehicle Damage			
	Extent Of Damage MINOR DAMAGE		06 - REAR			
	Towed Due To Damage NOT TOWED		Vehicle Removed By OPERATOR			



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 730 CENTER STREET
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WISCONSIN MOTOR VEHICLE
 CRASH REPORT

21-46392

CKL1K4SFCK

What Driver Was Doing		STOP IN TRAFFIC		Driver Prior Action Other		NOT APPLICABLE		Vehicle Factors	
Driver Actions		NO CONTRIBUTING ACTION							
Owner Name		[REDACTED]		Owner Address		[REDACTED]			
Sequence of Events		Event		Event		Event		Event	
		01		02		03		04	
Policy Holder		Insurance Company		TRAVELERS INSURANCE		Individual			
Driver		Date of Birth		Sex		Citations Issued		0	
Address		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
State		[REDACTED]		Country		[REDACTED]		[REDACTED]	
On Duty Crash		Safety Equipment		SHOULDER & LAP BELT		Seal Position		07 - LEFT	
Row		01 - FRONT ROW		Helmet Use		Helmets Compliance		Tint Compliance	
Ejection Path		NOT EJECTED		Ejection Path		NOT EJECTED/NOT APPLICABLE		NOT TRAPPED	
Medical Transport		NOT TRANSPORTED		Hospital		Date of Death		Time of Death	
Ejected		NOT EJECTED		Distracted By Source		Distracted By Action		NOT DISTRACTED	
Injury		NO APPARENT INJURY		Airbag		NON DEPLOYED			
Non-Motorists		Striking Unit #		Location					

CKL1K4SFCK
21-46392

WISCONSIN MOTOR VEHICLE
CRASH REPORT

RACINE POLICE DEPARTMENT
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UNIT	Prior Action		
	Action		
	Action Other		Tot/From School
	Drug & Alcohol	Suspected Alcohol Use NO	Suspected Drug Use NO
	Alcohol Test Given TEST NOT GIVEN	Alcohol Test Type	Alcohol Test Results
	Drug Test Given TEST NOT GIVEN	Drug Test Type	Drug Test Results
	Drug Type		
	Individual Condition APPEARED NORMAL		
	Individual		
	Passenger	Citations Issued 0	Sex
Date of Birth	Race	Driver License Number	
Address			
Safety Equipment	On Duty Crash	Safety Equipment	
Row 02 - SECOND ROW	Seat Position 09 - RIGHT	CHILD RESTRAINT SYSTEM - REAR FACING	
Helmet Use	Helmet Compliance		
Eye Protection	Tint Compliance		
Injury	Injury Severity NO APPARENT INJURY	Airbag NON DEPLOYED	
Ejected NOT EJECTED	Ejection Path NOT EJECTED/NOT APPLICABLE	Trapped/Extricated NOT TRAPPED	
Medical Transport NOT TRANSPORTED	EMS Agency Identifier	EMS Run #	
Hospital	Date of Death	Time of Death	
Distracted By	Distracted By Source		
Distracted By Action			
Non-Motorist	Striking Unit #	Location	
Prior Action			

CKL1K4SFCK
21-46392

WISCONSIN MOTOR VEHICLE CRASH REPORT

RACINE POLICE DEPARTMENT
730 CENTER STREET
RACINE, WI 53403
(262) 635-7700

UNIT INDIVIDUAL 02	Action		
	Action Other		To/From School
	Drugs/Alcohol	Suspected Alcohol Use NO	Suspected Drug Use NO
	Alcohol Test Given TEST NOT GIVEN	Alcohol Test Type	Alcohol Test Results
	Drug Test Given TEST NOT GIVEN	Drug Test Type	Drug Test Results
	Drug Type		
	Individual Condition APPEARED NORMAL		



Racine County Sheriffs Office (RASO) Incident Report

Incident: **Fleet Accident**
 Incident Report Number: **21-062705** Between: Date - Time: [] And/At: Date-Time: **11/18/21 16:40**
 Incident Location: **819 N Memorial Dr, Racine, WI, 53404**

CFS Code-1: **9033** CFS Code-2: [] CFS Code-3: [] Offense Code-4: []
 CFS Code-5: [] CFS Code-6: [] CFS Code-7: [] CFS Code-8: []

OCC Name (Last, First, Middle): [Redacted] DOB: [Redacted] Race/Sex: [Redacted]
 Address: (Address, City, State, Zip): [Redacted] Phone 1: [Redacted]
 Employer: [Redacted] Phone 2: [Redacted]
 Employer Address: [Redacted] Work Phone #: [Redacted]

OPR Name (Last, First, Middle): [Redacted] DOB: [Redacted] Race/Sex: [Redacted]
 Address: (Address, City, State, Zip): [Redacted] Phone-1: [Redacted]
 Employer: [Redacted] Phone 2: [Redacted]
 Employer Address: [Redacted] Work Phone #: [Redacted]

NAMES

Operator
 Madrigal, Cary of 717 Wisconsin Av, Racine, WI, 53403
 Phone 1: (262) 886-2300

NARRATIVE

At approximately 1640 hours on November 18, 2021, I was on duty, driving unmarked squad #5094 while in plain clothes. I had just left the Law Enforcement Center travelling west on 6th Street in the City of Racine. I approached N. Memorial Drive and entered the turn lane to go north/ turn right on N. Memorial Dr. There was a vehicle ahead of my squad also waiting to turn right on N. Memorial Dr. I observed the vehicle in front of me begin to advance. I looked at

Vehicle Information: (Year, Make, Model, Style, Color): [Redacted]
 License Number: [Redacted] State: [Redacted] Expiration Year: [Redacted] Vin: [Redacted] Insurance Company: [Redacted]
 Other Vehicle Information: [Redacted] NCIG#: [Redacted]

Reporting Officer(s): **Madrigal, Cary A.** Payroll Number: **7779** Report Date: **11/27/2021**
 Time Received: **16:44:10** Time Cleared: **18:24:38** Unit(s) Assigned: **5081, 5094** Pages: **1 Of 2**
 Reviewed by: **Schmidt, Aaron** Payroll Number: **7688** Copy To: [Redacted]

Date: 11/27/2021

CFS Code-1: 9033

Incident Report Number:

21-062705

Racine County Sheriffs Office (RASO)

Continuation

Incident Report Number
21-062705

Incident Location:
819 N Memorial Dr, Racine, WI, 53404

Incident Date:
11/18/2021

oncoming northbound traffic, a couple cars were coming. Once those cars passed and oncoming traffic was clear, I let my foot off the brake and began to look forward. I then heard a "crunch", pressed my foot back on the brake, and realized I had just collided with the vehicle in front of me. I did not put my foot on the gas pedal, so the forward advancement of my squad would have only been from letting off the brake pedal. I then put the vehicle in reverse after ensuring there were no vehicles behind me. I backed up about 2 feet, put the car in park, exited the vehicle, and called dispatch. The driver of the other vehicle also exited her vehicle. I apologized and told her I thought she had gone. I asked if she was okay, and she stated she was fine. I noticed a car seat in the back of her vehicle, and asked if the child in the back seat was okay, and she said they were both fine. These questions were asked while I was on the phone with dispatch, so it could be recorded. We both observed a small dent at the rear of her vehicle, above the bumper and below the license plate holder. We looked at my vehicle and observed absolutely no damage. The other driver stated if there would not have been a dent on her vehicle, she would have just been on her way. I explained to her that I was a law enforcement officer in plain clothes and the vehicle I was driving was a squad, so I had to have a report filed.

Because the intersection was busy, we decided to move our vehicles to the Walgreens just north of our location (State St. and N. Memorial Dr.). The other driver pulled her Toyota Rav4 into a parking spot, and I backed my squad into the spot next to her so the responding officer could see both vehicle collision locations easily. RAPD Officer J. Pumphrey responded to our location and took the fleet accident report. RASO Sgt. Spranger and Lt. Gehrand also responded to our location. Sgt. Spranger took photographs of both vehicles. During this time, the other driver and I made small talk, and she stated she was on her way home to South Milwaukee. She did state that her boyfriend advised her to make sure that she got my information and what insurance was carried. I did advise her that all the information would be in the filed police report.

Nothing further to report at this time. CM7779

Reporting Officer(s):
Madrigan, Cary A.

Payroll Number:
7779

Pages:
2 Of 2

Racine County Sheriffs Office (RASO)		Supplemental Report	
Incident Report Number: 21-062705	Incident Location: 819 N Memorial Dr, Racine, WI, 53404	Incident Date: 11/18/2021	
New Incident: Fleet Accident	Original CFS Code - 1: 9033	New CFS Code - 1 : 9033	New CFS Code - 2:
NARRATIVE			
<p>On November 18, 2021 I, Sgt. J. Spranger #9373, responded to the Walgreens parking lot located at 819 N. Memorial Dr. in the City of Racine for a fleet accident involving RASO squad 5094 and a 2016 Toyota Rav4 bearing [REDACTED]. City of Racine P.D. also responded to the scene.</p> <p>City of Racine Officer Pumphrey arrived prior to my arrival and began investigating the accident. I made contact with Capt. Madrigal who informed me that she was not injured as well as the occupants of the other vehicle that was involved.</p> <p>I observed no damage to the front end of 5094 due to the accident. I obtained eight photographs of squad 5094 which have been uploaded to evidence SYNC.</p> <p>I made contact with the operator of the Toyota RAV4 who was identified as [REDACTED] and the rear passenger who was secured in a car seat on the passenger side as [REDACTED]. [REDACTED] denied injuries and informed me that [REDACTED] was not injured. [REDACTED] informed me that her vehicle is insured through Travelers Insurance. I observed a minor dent to the rear side located near the lower left corner of the vehicles registration.</p> <p>Nordling was provided with RAPD's accident number and left the scene. Refer to RAPD complaint #21-46392 and Capt. Madrigal's incident report for further details. JS9373</p>			
Photo Log:			
5094			
1. front			
2. front			
3. front passenger side			
4. passenger side			
5. rear passenger side			
6. rear			
7. rear drivers side			
8. drivers side			
Reporting Officer(s): Spranger, James J.		Payroll Number: 9373	Report Date: 11/20/2021
Reviewed by: Spranger, James J.	Payroll Number: 9373	Copy To:	Page: 1 Of 2

Racine County Sheriffs Office (RASO)**Continuation**

Incident Report Number

21-062705

Incident Location:

819 N Memorial Dr, Racine, WI, 53404

Incident Date:

11/18/2021

2016 Toyota Rav4

- 9. front passenger side
- 10. rear passenger side
- 11. rear
- 12. rear damage location
- 13. rear drivers side
- 14. rear drivers side

Reporting Officer(s):

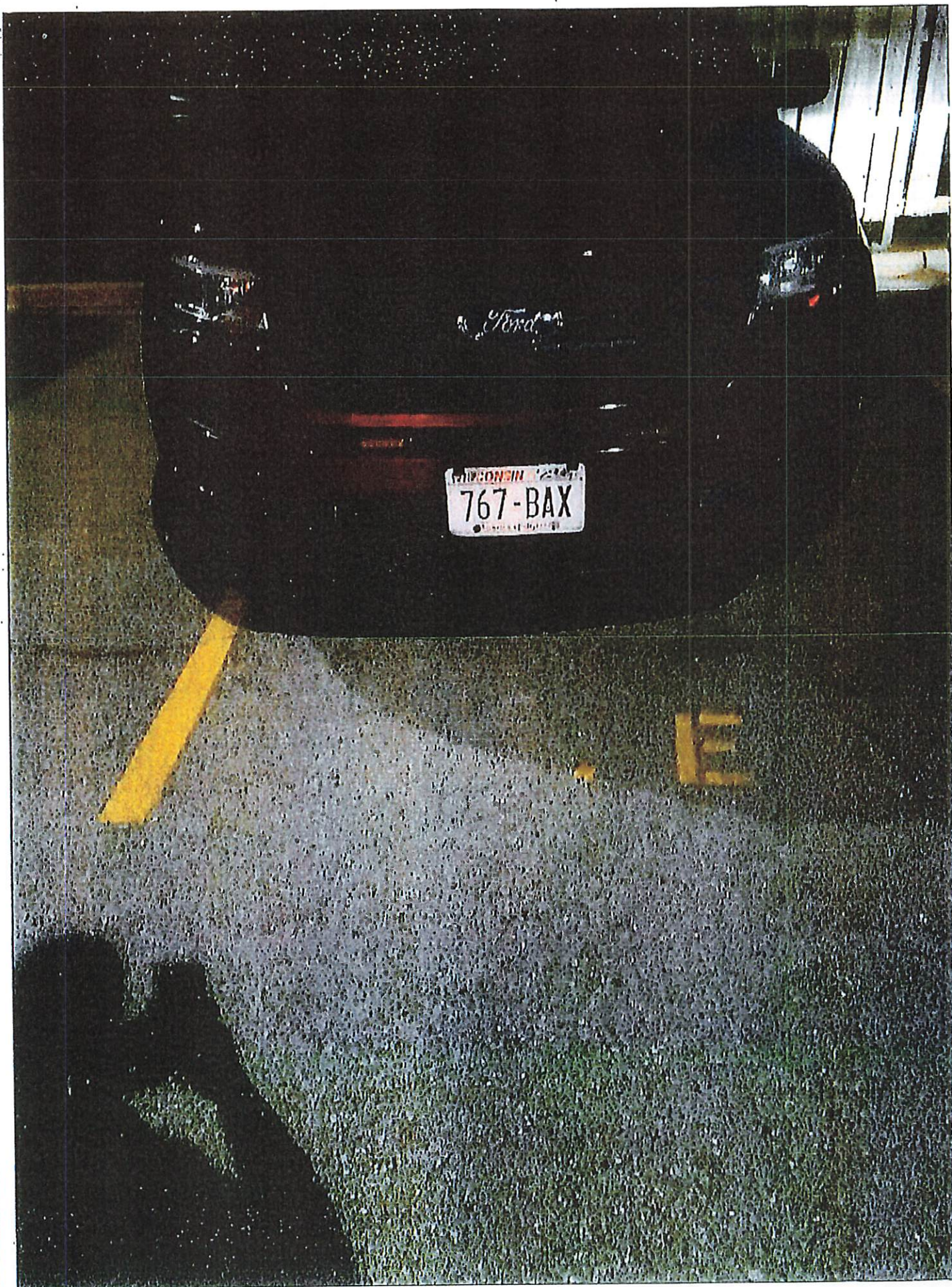
Spranger, James J.

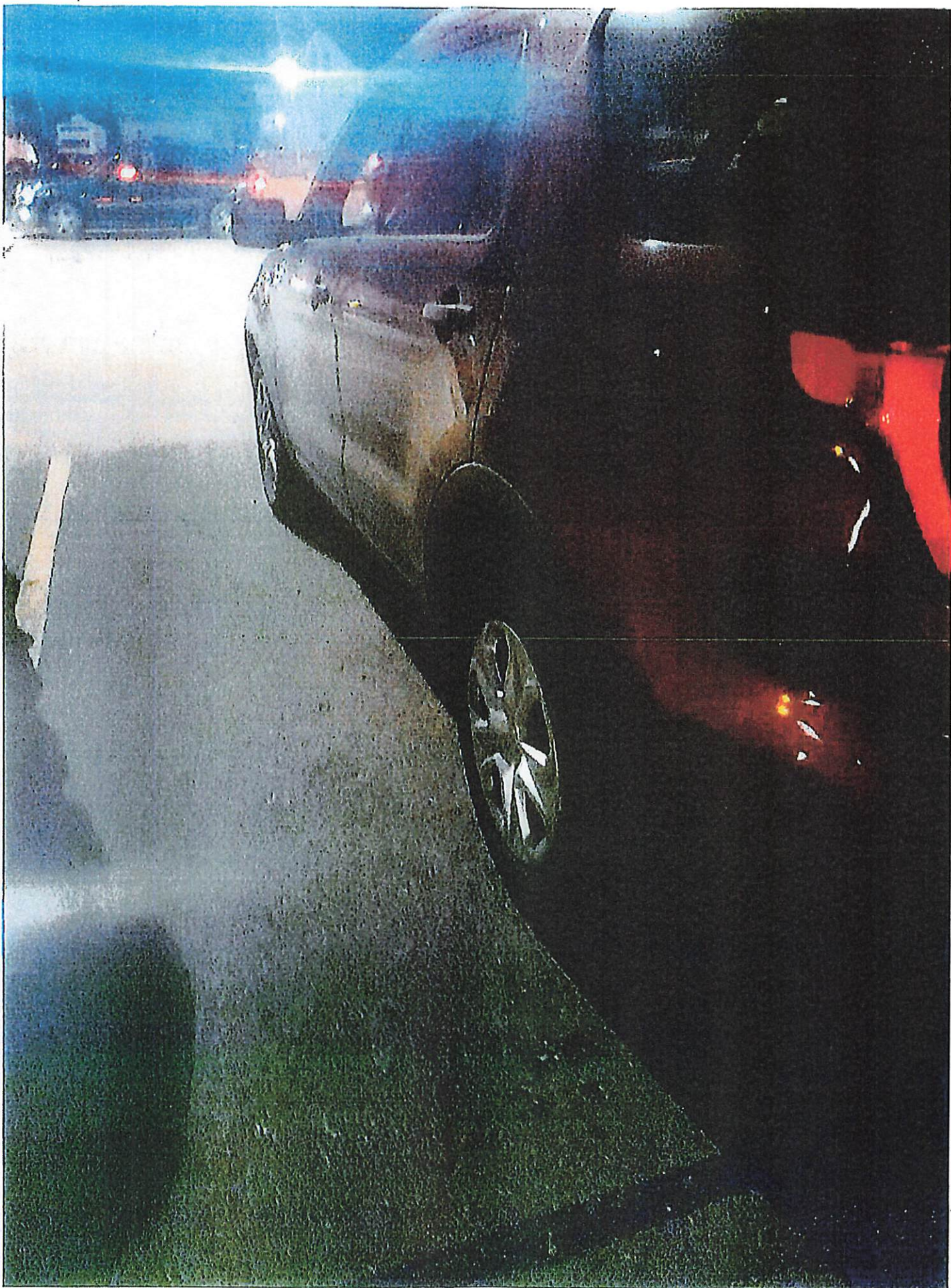
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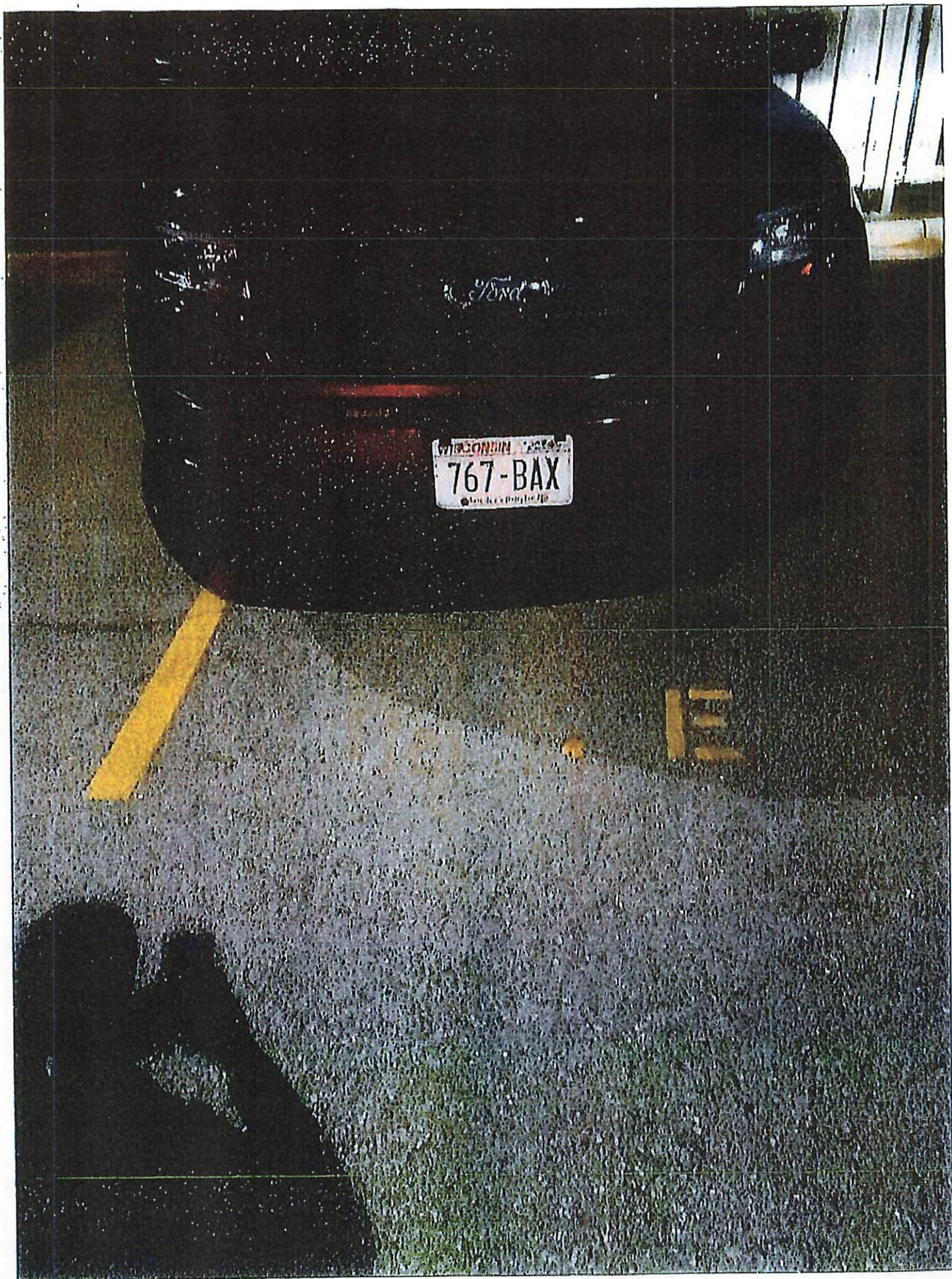
9373

Pages:

2 of 2



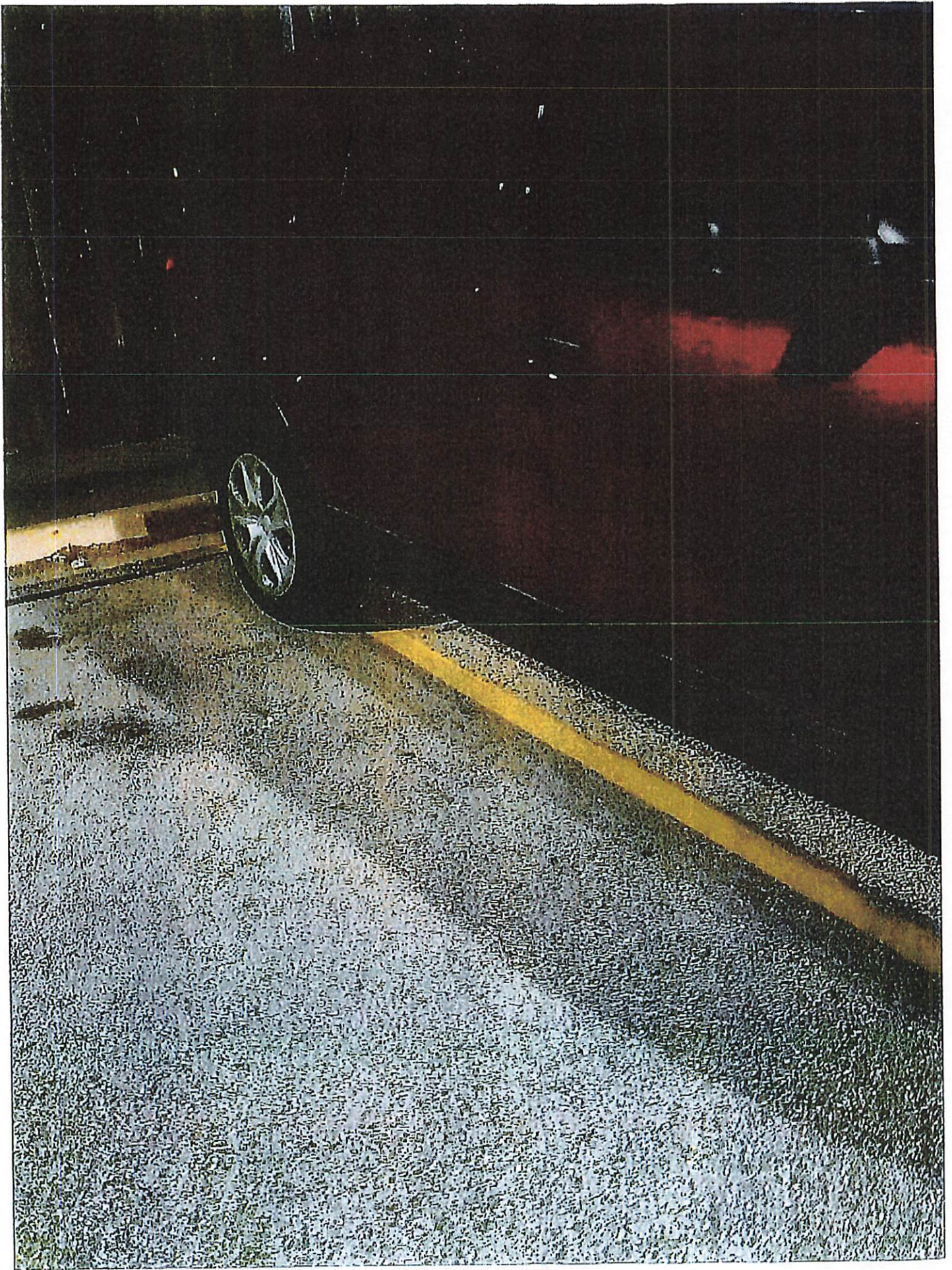




WISCONSIN
767-BAX
Wisconsin State Patrol

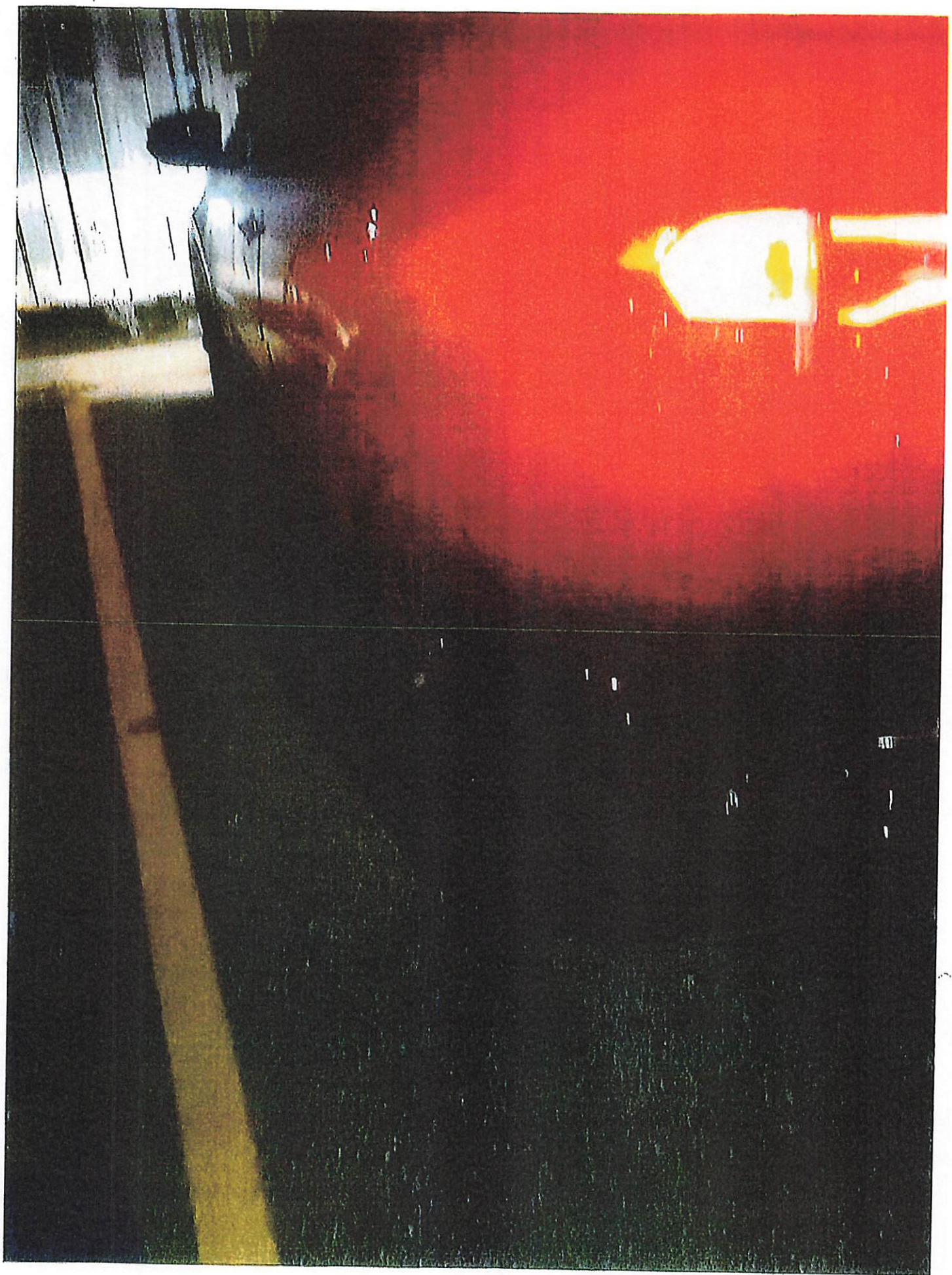


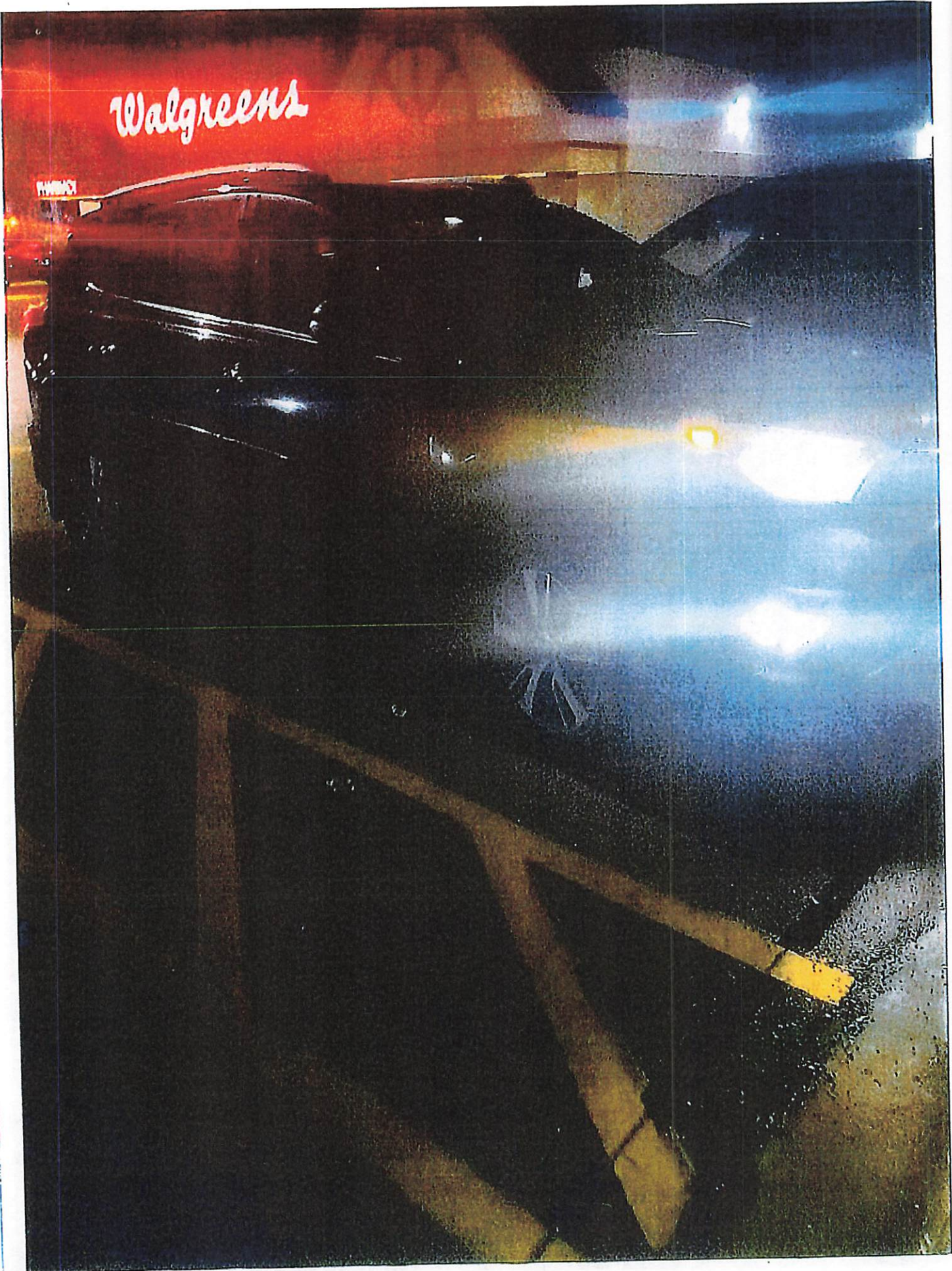


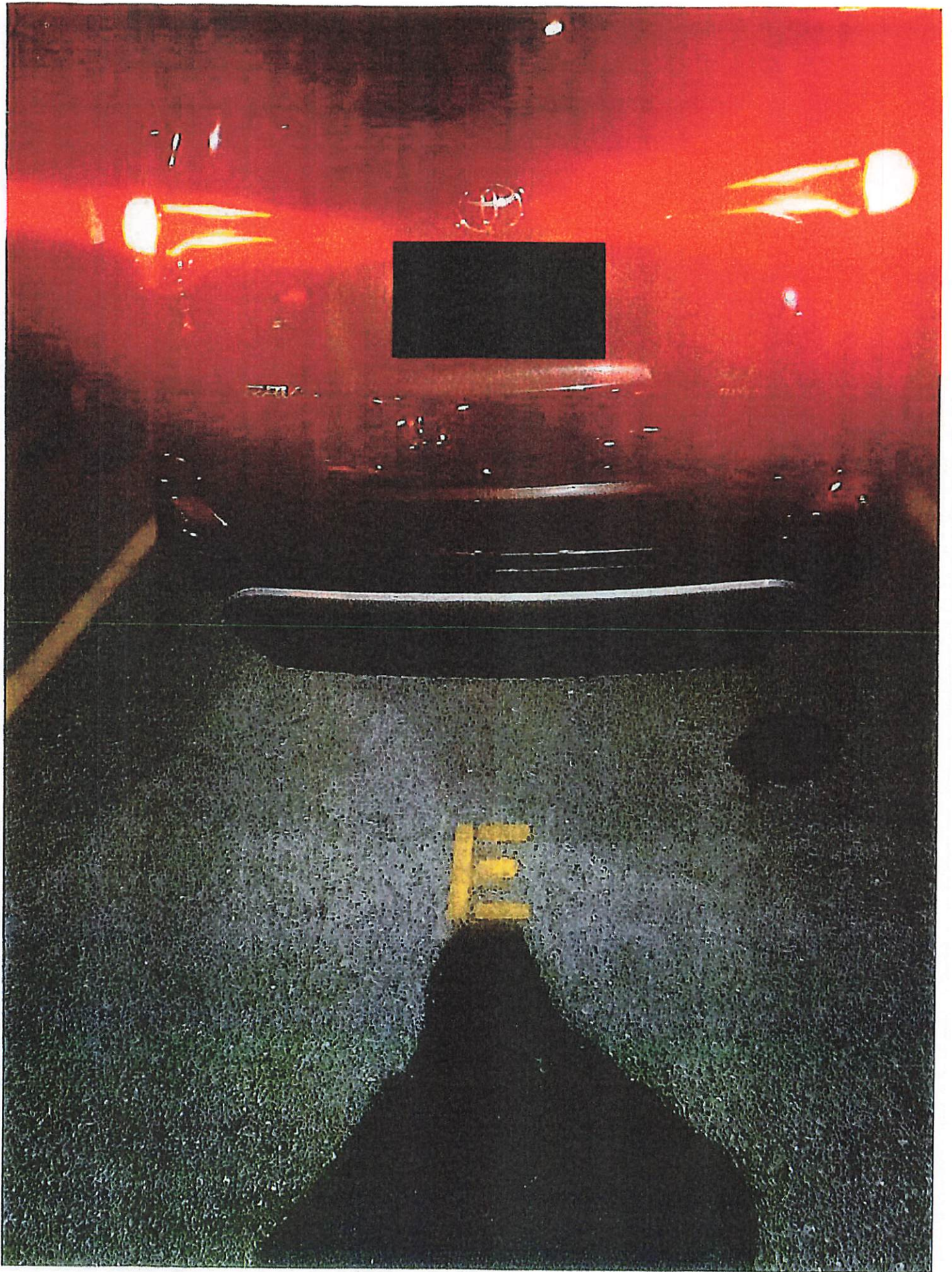


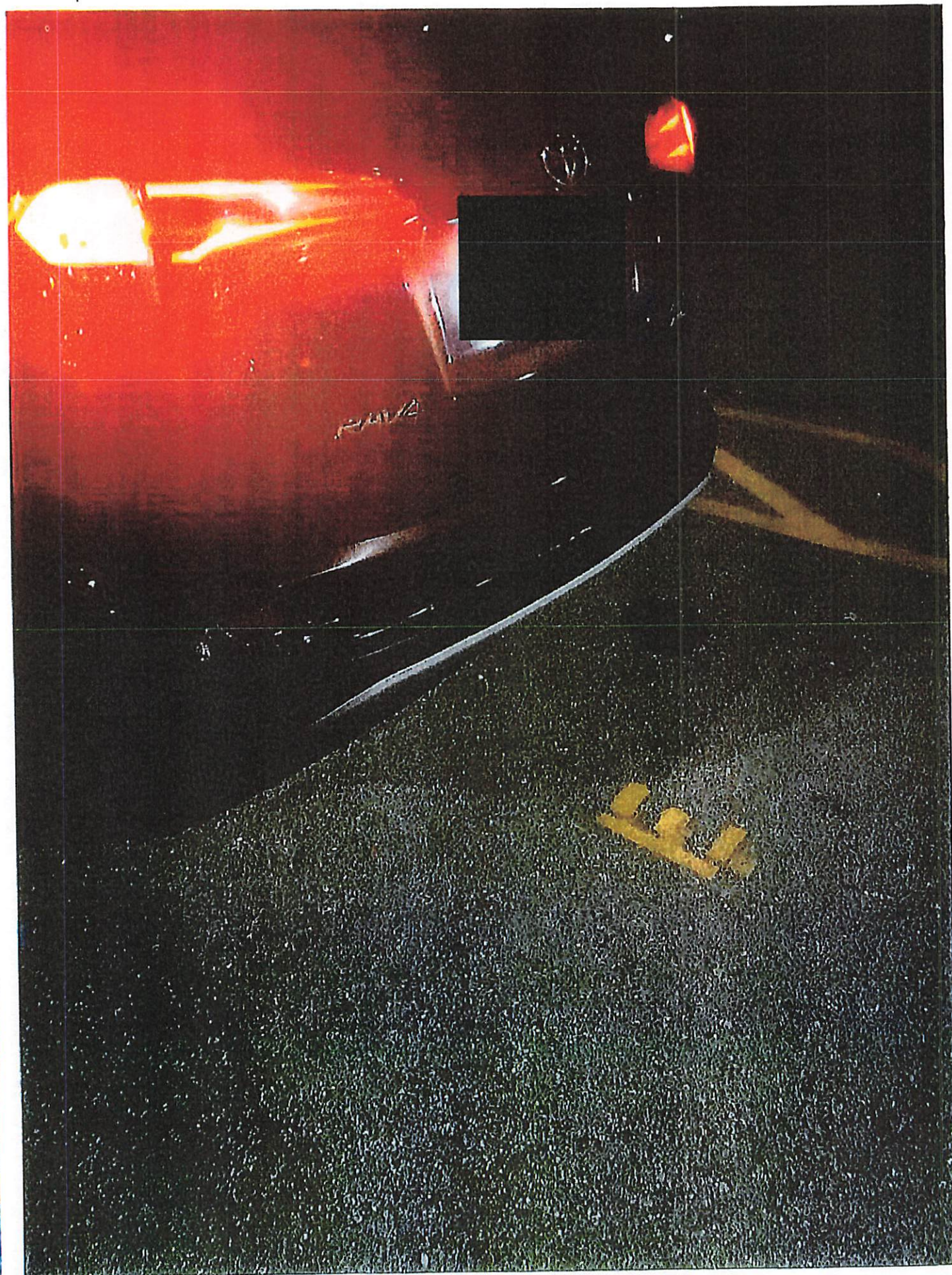


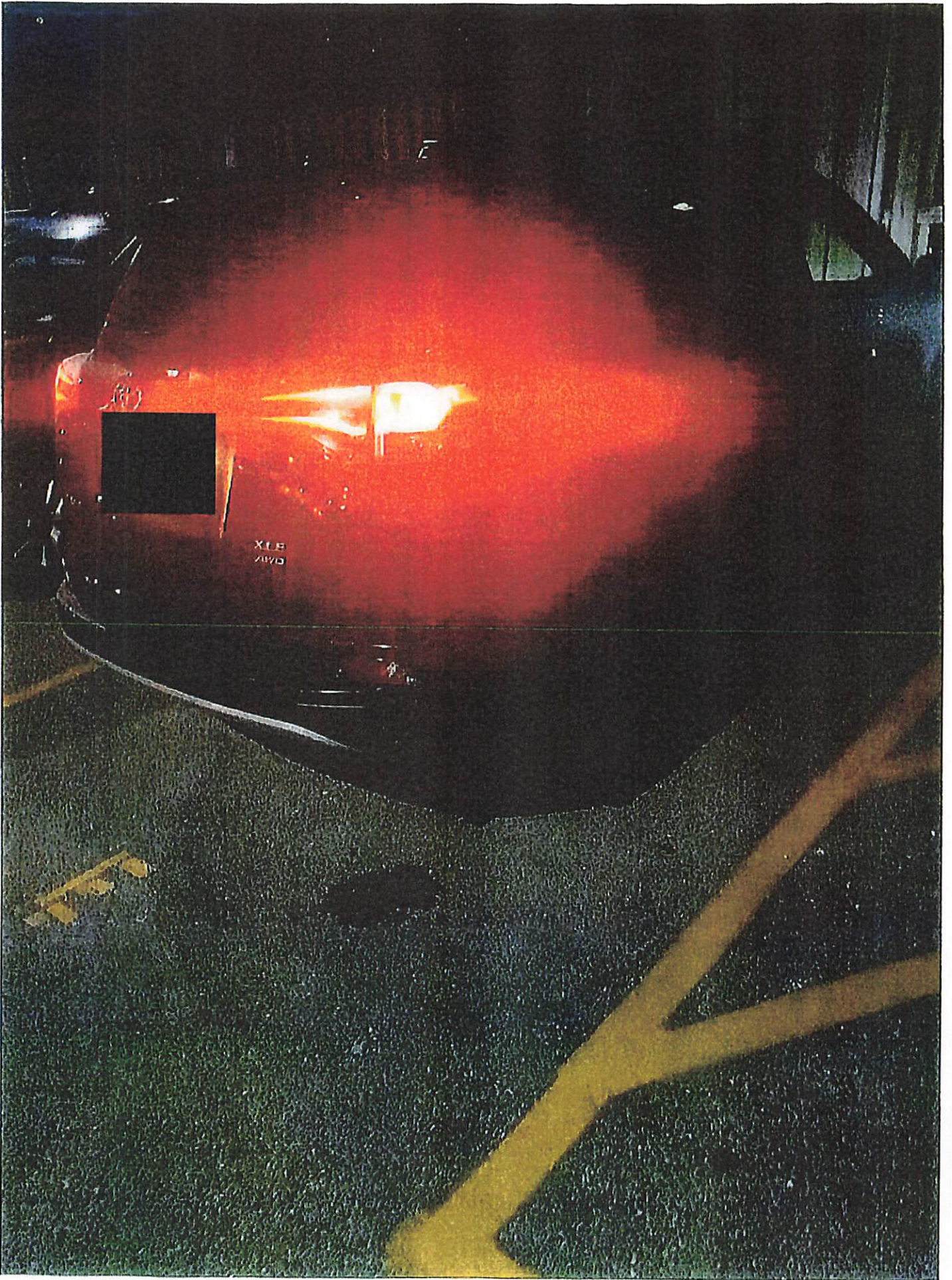


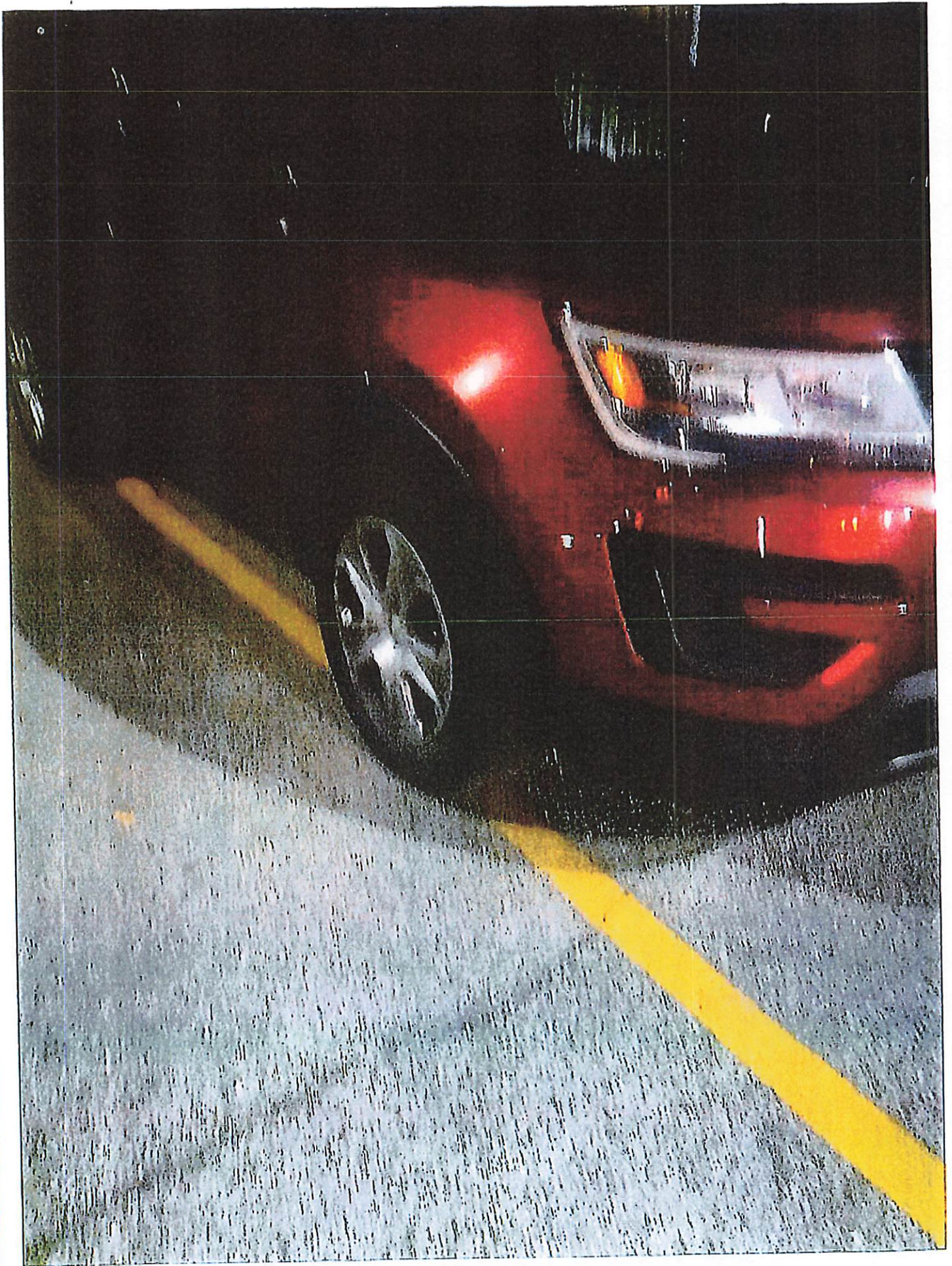


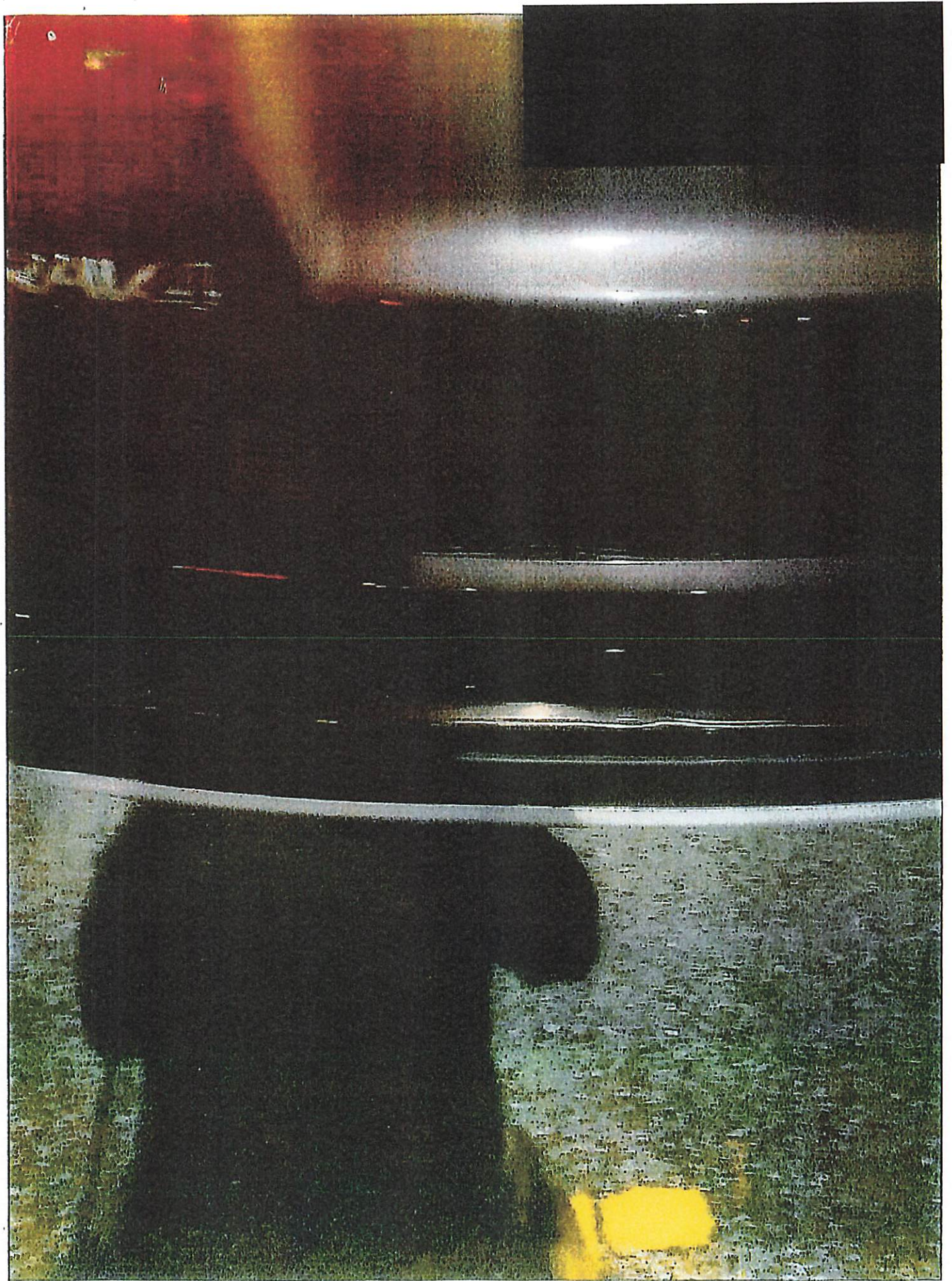














RACINE COUNTY SHERIFF'S OFFICE

717 Wisconsin Avenue, Racine, WI 53403-1237
(262) 886-2300 FAX (262) 637-5279
Waterford (262) 534-5166 Burlington (262) 763-9558

Sheriff Christopher Schmaling

Chief Deputy James P. Weidner



Loudermill Meeting Checklist

- Date / time / Location of meeting: *02/20/25 / 10:00 A.M. / Patrol - Capt OFC.*
- Union Representative Present: *NONE / DECLINED*
(Was Union Representation applicable but declined?)
- Others attending with employee: *NONE*
- RASO and HR Staff in attendance: *Sheriff Schmaling & Captain Madrigal*
- Employee acknowledges that he/she received a copy of the disciplinary paperwork.
- Employee acknowledges that he/she had the opportunity to review the paperwork and, if applicable, consult with bargaining unit (Union) representatives.
- Explained purpose of this meeting, the allegations in the Discipline, and the process that will be followed.
- Employee provided with opportunity to respond to allegations / present his/her version of events.
- Clarifying questions / follow-up to employee's information or presentation, if needed.
- If applicable, opportunity for Union representative to discuss Union's perspective regarding the discipline

If applicable, Employee notified that Racine County Employee Assistance program is available to assist in personal, financial and other programs. The EAP is available through Employee Connect by contacting them at 1-888-628-4824. This confidential service is available 24 hours a day, 7 days a week.

[Redacted Signature]

Sheriff or designee


02/20/25
Date

"A Tradition Since 1836"

Acceptance of Disciplinary Charges & Waiver of Hearing

I, Captain Cary Madrigal, hereby willingly and voluntarily accept the charges being filed by the Racine County Sheriff with the Racine County Grievance Committee pursuant to Wis. Stat. § 59.26(8)(b) and Chapter 17 of the Racine County Ordinances, which set forth grounds for the following recommended disciplinary consequences: TEN-DAY SUSPENSION WITHOUT PAY. I understand and agree I am voluntarily accepting this recommended discipline without any right to a due process hearing or any other hearing of any type. I acknowledge and agree that I am knowingly and voluntarily waiving any rights I may have to a hearing before the Racine County Grievance Committee regarding these disciplinary charges pursuant to the above-referenced statutes and ordinances, as well as any grievance rights under any applicable collective bargaining agreement, and that I will accept the decision regarding the discipline to be imposed.

2-20-25
Date


Captain Cary Madrigal



RACINE COUNTY SHERIFF'S OFFICE

717 Wisconsin Avenue, Racine, WI 53403-1237
(262) 886-2300 FAX (262) 637-5279
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Sheriff Christopher Schmaling

Chief Deputy James P. Weidner

To: Racine County Grievance Committee
From: Sheriff Christopher Schmaling
Date: February 19, 2025
Subject: Disciplinary Complaint Against Captain Cary Madrigal, 25DC20

Pursuant to the provisions of Section 59.26(8)(b) of the Wisconsin Statutes, Chapter 17 of the Racine County Ordinances, and the rules, policies, and regulations of the Racine County Sheriff's Office, I am hereby filing the following complaint against Captain Cary Madrigal. This complaint is being filed as the result of an internal investigation conducted on my directive by Attorney Samuel C. Hall Jr. of Crivello Nichols & Hall concerning serious misconduct committed by Captain Madrigal.

INTRODUCTION

On February 3, 2024, Deputy Preston Kite, while in full police uniform, was seen by a complainant masturbating his exposed penis in a public bathroom stall. Deputy Kite attempted to coerce the complainant into a bathroom stall. The Kenosha County Sheriff's Office was requested to investigate, and they arrested Deputy Kite on February 4, 2024. Ultimately, Deputy Kite was fired and charged for his actions in the bathroom and additional crimes – a total of 45 felonies and two misdemeanors – ranging from Bestiality, Child Pornography, and Sexual Exploitation of a Child (See Racine County Case Files 24CF164 and 24CF247).

After Kite's arrest, criminal charges, and termination, I was made aware of allegations of inappropriate conduct by Kite, including him sending unsolicited nude photographs of himself (often referred to as "dick pics") to other members of the Sheriff's Office and walking in on a deputy about to change his clothes. I was also informed that supervisory staff were aware of these allegations and did not take formal steps to address the situation.

Specifically, there was an allegation that a deputy who received an unsolicited "dick pic" from Kite reported the incident to Captain Madrigal, and Captain Madrigal did not respond in an appropriate manner. Based upon Captain Madrigal's and other supervisors alleged lack of responses to Kite's actions, I reported the entire situation to the Racine County Human Resources Department and Corporation Counsel. Attorney Hall was retained to investigate the matter.

This document is a summary of Attorney Hall's investigative findings – Internal Review Report and Follow-Up Internal Review Report

FINDINGS OF INVESTIGATION

Timeline

- Summer 2022 – [REDACTED] received an inappropriate picture (“dick pic”) from Kite.
- November 2022 – [REDACTED] left for [REDACTED] Leave.
- June or July 2023 – Captain Madrigal spoke to [REDACTED] about Kite’s inappropriate behavior and told [REDACTED] to talk to Kite. [Attorney Hall’s original investigative findings incorrectly concluded that this conversation occurred after [REDACTED] reported to Captain Madrigal in her office that Kite sent an inappropriate picture to [REDACTED].
 - While on transports, [REDACTED] spoke to [REDACTED] about his conversation with Captain Madrigal related to Kite’s inappropriate behavior. [REDACTED] told [REDACTED] that Captain Madrigal requested [REDACTED] talk to Kite.
- October 2023 – [REDACTED] returned from [REDACTED] Leave.
- November 2023 – [REDACTED] had his [REDACTED] hearing related to [REDACTED] [REDACTED] and [REDACTED] had a meeting with Captain Madrigal in her office.
 - [REDACTED] expressed concern of Kite becoming the LGBTQ Liaison. [REDACTED] reported that Kite sent [REDACTED] a “dick pic”.
 - [REDACTED] stated that Captain Madrigal responded, “I guess we will have to address it.”
 - [REDACTED] stated that Captain Madrigal responded, it would need some “closed door meetings”.
 - [REDACTED] reported, as a member of the [REDACTED], [REDACTED] informed him that he reported to Captain Madrigal that Kite sent him an inappropriate picture. [REDACTED] stated [REDACTED] expressed concern as to whether anything would be done.
- February 2024 – Kite was arrested, criminally charged, and terminated
 - During an open form related to Kite’s arrest, multiple deputies thought it was unusual that Captain Madrigal stated this was the first she had heard of Kite sending “dick pics”. Captain Madrigal also told [REDACTED] that he was “on thin ice” when [REDACTED] stated Kite was a pedophile.
 - [REDACTED] called Chief Deputy James Weidner and subsequently filed a formal complaint against Captain Madrigal for her actions and inactions related to Kite
- December 2, 2024 – Attorney Hall’s Internal Review Report
- February 4, 2025 – Attorney Hall’s Follow-Up Internal Review Report

[REDACTED] ([REDACTED])

Attorney Hall interviewed [REDACTED] who stated in the summer of 2022 he received a picture on his phone from Kite of Kite sitting on a toilet with his genitals exposed. [REDACTED] stated when he told Kite the photograph was inappropriate, Kite tried to play it off as a joke and “funny”. [REDACTED] stated Kite was “incessant” in asking [REDACTED] to “hang out and drink [alcohol]”. [REDACTED] stated it got so bad that he purchased a new cell phone and blocked Kite’s number.

To [REDACTED] recollection, within about a month of receiving the naked picture, he disclosed the incident at [REDACTED] training.

[REDACTED] stated after October 2023, he was subjected to a [REDACTED] hearing for [REDACTED]. [REDACTED] stated after the hearing he went into Captain Madrigal’s office, with his [REDACTED], [REDACTED], and reported that he received an inappropriate picture from

Deputy Kite. [REDACTED] corroborated the conversation. [This was the only “formal” complaint made by [REDACTED]]

[REDACTED] stated he confronted Captain Madrigal about Kite being considered for a LGBTQ Liaison position. [REDACTED] stated he said to Captain Madrigal, “I hope he doesn’t send naked pictures to people he’s supposed to help.” [REDACTED] stated he then told Captain Madrigal about the inappropriate picture Kite sent to him, and Captain Madrigal allegedly replied, “I guess we will have to address it.”

[REDACTED] stated while he was working transports with [REDACTED], [REDACTED] told [REDACTED] about an uncomfortable situation [REDACTED] had with Captain Madrigal. [REDACTED] stated [REDACTED] at first, was hesitant and spoke vaguely about Captain Madrigal’s request, but it was “obvious” that the topic was Kite. [REDACTED] stated [REDACTED] eventually explained that Captain Madrigal requested [REDACTED] talk to Kite about Kite’s inappropriate behavior. [REDACTED] stated [REDACTED] provided him the full details of the conversation between [REDACTED] and Captain Madrigal.

Attorney Hall interviewed [REDACTED] and he described a conversation with Captain Madrigal, in June or July 2023 [which was before [REDACTED] reported Deputy Kite’s conduct to Captain Madrigal], while she was still the Administrative Captain. Attorney Hall described this portion of the interview as follows:

[REDACTED] said Madrigal approached him in the hallway of the LEC building and said she “heard about the Kite stuff.” [REDACTED] responded that he “thought it happened years ago”, to which Madrigal replied, “it was coming back around.” [REDACTED] was unequivocal in that Madrigal expressly asked [REDACTED] to “talk to Kite” about the incident in order to address the issue with Kite. She did not mention any discipline or suggest any further action that would be taken, but [REDACTED] felt that Captain Madrigal wanted [REDACTED] to informally address the issue with Kite, without any formal action being taken. Captain Madrigal allegedly never discussed the matter with [REDACTED] again. (Emphasis added).

[REDACTED] never discussed the matter with Kite because he believed it was a “command level issue” that would have been addressed by supervisors.

Attorney Hall went on to describe his interview with [REDACTED] as follows:

[REDACTED] heard about Kite sending inappropriate sexual pictures “years ago” saying Kite would “test the waters” to see who may be receptive to the “dick pics.” He also heard that when other deputies had told Kite to stop, Kite did. He referred to Kite’s behavior as an “open secret.”

[REDACTED] also told us that shortly after Kite’s arrest, Madrigal was denying any knowledge of Kite’s behavior. He was critical of Madrigal in that, at the time of their conversation, he believed it was within her “purview” to discipline Kite or, at the very least, refer discipline to Captain Adams. [REDACTED] believed that Madrigal and Kite

may have been close because he knew Kite rented at a property she owned and he heard rumblings about the LGBTQ Liaison position, though he did not have any firsthand knowledge of a personal relationship between the two outside of work.

[REDACTED]

Attorney Hall interviewed [REDACTED] and reported the following:

[REDACTED] is a [REDACTED] at RASO and a member of the [REDACTED]. [REDACTED] said he was aware that [REDACTED] had met with Madrigal after his [REDACTED] hearing and reported the "dick pic" he received from Kite. After the meeting, [REDACTED] expressed to [REDACTED] he was "not sure anything was being done" after he reported the incident to Madrigal.

Following Kite's arrest, [REDACTED] heard that Madrigal stated that she "wasn't aware" of any inappropriate behavior from Kite. [REDACTED] confronted Madrigal during the meeting, specifically referencing the "dick pic" [REDACTED] received. According to [REDACTED], Madrigal told him she "did not know about that" despite [REDACTED] directly reporting the incident to her.

[REDACTED] as a [REDACTED] member, made a formal complaint to Chief Deputy Weidner concerning Captain Madrigal's actions and inactions related to Kite's behavior.

[REDACTED]

Attorney Hall interviewed [REDACTED] who stated [REDACTED] discussed the "dick pic" at [REDACTED] and "everyone at [REDACTED] knew".

Attorney Hall interviewed [REDACTED] about the conversation in Captain Madrigal's office following the [REDACTED] hearing for [REDACTED] where he was acting as [REDACTED]. Attorney Hall wrote the following:

According to [REDACTED], [REDACTED] was upset [REDACTED] and went to Madrigal's office because she was acting as a Patrol Captain at the time. [REDACTED] and [REDACTED] observed written materials on her desk about the "LGBTQ Liason" position. [REDACTED] recalled [REDACTED] saying "someone who commits sexual harassment is fronting that" or a statement of similar effect. Madrigal allegedly responded by acknowledging that she "heard those rumors" but did not address it sooner as she only recently became Patrol Captain. In [REDACTED]'s presence, [REDACTED] then allegedly directly told Madrigal that Kite sent him a "dick pic," to which Madrigal deferred discussion saying it would need to prompt some "closed door meetings."

[REDACTED] stated he and [REDACTED] were not confident that Captain Madrigal would take any actions because she had a "personal relationship" with Kite.

Captain Cary Madrigal

First Interview

Attorney Hall interviewed Captain Madrigal on two occasions. In the first interview, after obtaining some preliminary information, Attorney Hall wrote the following:

Most significantly, Madrigal confirmed she was aware of the rumors and rumblings about Kite's overly sexualized behavior within RASO. She said the "big topic" were "dick pics" sent to another deputy which she claims she first heard over a year ago. She was not on patrol at the time and is not sure where she first heard it, but eventually confirmed [REDACTED] was the recipient. Madrigal curiously stated that she heard Kite sent the picture to the [REDACTED] and discussed the arrest of [REDACTED] in connection with Kite.

Madrigal told a different version of the meeting in her office than [REDACTED] and [REDACTED]. According to Madrigal, she gave [REDACTED] a hug after his hearing because he was upset with the outcome. [REDACTED] told her it was "unjust" and told her it was "very frustrating other people get away things" and he may have mentioned "pictures from Kite." Madrigal stated she felt [REDACTED] was attempting to "redirect" the conversation to focus on conduct by others that went unpunished to specifically mentioning a "dick pic," because of the rumors that she previously heard, she surmised that was what [REDACTED] was referring to. Madrigal asserted that she did not respond to [REDACTED]'s comments about the conduct of other deputies, including any reference to Kite.

Madrigal asserted she did not have "positive confirmation" [REDACTED] received the "dick pic" from Kite until after Kite was arrested.

After the open forum meeting about Kite's arrested, Captain Madrigal stated she bluntly asked [REDACTED] if Kite sent him an inappropriate picture, and [REDACTED] responded, "[expletive] yeah, that guy was in love with me." Captain Madrigal stated this was the first time she received "confirmation" of what she had heard and that she had "bought into" the notion that Kite had sent the picture to the [REDACTED]. [These two positions are inconsistent with each other.]

Second Interview – in light of the direct allegations made by [REDACTED], [REDACTED] [corroborated by [REDACTED] and [REDACTED] [corroborated by [REDACTED], I, Sheriff Schmalig, requested Attorney Hall to re-interview Captain Madrigal to allow her to respond to the allegations related to the discussion after [REDACTED]'s hearing and "[REDACTED]'s allegations that she asked for him to informally address the photo with Kite." [The part about [REDACTED] is somewhat incorrect because Captain Madrigal did request [REDACTED] talk to Kite about his inappropriate behavior; however, this was in the summer of 2023 – while [REDACTED] was in the middle of his [REDACTED] Leave. The conversation in Captain Madrigal's Office with [REDACTED] happened in the fall of 2023.]

Regarding the second interview, Attorney Hall wrote the following:

In response to these specific allegations, Captain Madrigal was emotional and seemed to genuinely attempt to recall prior events. During the second meeting, Madrigal did note that she believed that at the conclusion of his [REDACTED] hearing,

██████████ did reference the fact that he received an inappropriate photo from Kite. She could not recall what ██████████ specifically said, but that before this time she had heard rumors about the picture being sent and she knew what ██████████ was referring to. However, at least in her mind, Madrigal indicated that she believed it was already established that the photo was simply sent to the ██████████ and that it was an innocent mistake by Kite.

However, if that explanation was accurate, there also would not have been any cause for Madrigal to ask ██████████ to address the inappropriate photo with Kite. As for specific allegations that Madrigal encountered ██████████ within the LEC and asked ██████████ to address the inappropriate photo with Kite, Madrigal indicated that she had no memory of that encounter occurring. However, she stopped short of denying that it occurred. Instead, Madrigal repeatedly said that she did not recall that encounter, but she also repeatedly indicated that she believed ██████████ to be honest and trustworthy and that she would not "call him ██████████ a liar." Madrigal did indicate that she does not think she would have spoke to ██████████ about Kite's sending of an inappropriate photo because if she believed that it warranted review and/or discipline, she would have handled that process herself. Again, however, Madrigal believed that the issues surrounding Kite's inappropriate photo being sent to ██████████ had already been determined to be a simple case of the photo being "sent to the ██████████"

POLICY VIOLATIONS

Captain Madrigal's actions violated the following policies, rules, and regulations of the Racine County Sheriff's Department:

- **1009: Personnel Complaints, 1009.6.1: Supervisor Responsibilities** – Captain Madrigal did not comply with multiple portions of this policy because she did not take any appropriate actions when, in the summer and fall of 2023, she was made aware of Kite's inappropriate behavior.

CONCLUSION

Based on the findings of Attorney Hall's investigation, I have determined that there is "just cause," as defined in Section 59.26(8)(b)5m of the Wisconsin Statutes, to conclude that Captain Madrigal violated the policies of the Racine County Sheriff's Office. Such misconduct cannot be tolerated and warrants a TEN-DAY SUSPENSION WITHOUT PAY. I respectfully request that the Grievance Committee affirm this recommended discipline.

Respectfully submitted,

██
Sheriff Christopher Schmaling
Racine County Sheriff's Office

Wis. Stat. § 19.356

*** This document is current through Act 16 of the 2025-2026 Legislative Session ***

LexisNexis® Wisconsin Annotated Statutes > *General Organization of the State, Except the Judiciary (Chs. 13 — 20)* > *Chapter 19. General Duties of Public Officials (Subchs. I — V)* > *Subchapter II Public Records and Property (§§ 19.21 — 19.39)*

19.356. Notice to record subject; right of action.

(1) Except as authorized in this section or as otherwise provided by statute, no authority is required to notify a record subject prior to providing to a requester access to a record containing information pertaining to that record subject, and no person is entitled to judicial review of the decision of an authority to provide a requester with access to a record.

(2)

(a) Except as provided in pars. (b) to (d) and as otherwise authorized or required by statute, if an authority decides under [s. 19.35](#) to permit access to a record specified in this paragraph, the authority shall, before permitting access and within 3 days after making the decision to permit access, serve written notice of that decision on any record subject to whom the record pertains, either by certified mail or by personally serving the notice on the record subject. The notice shall briefly describe the requested record and include a description of the rights of the record subject under subs. (3) and (4). This paragraph applies only to the following records:

1. A record containing information relating to an employee that is created or kept by the authority and that is the result of an investigation into a disciplinary matter involving the employee or possible employment-related violation by the employee of a statute, ordinance, rule, regulation, or policy of the employee's employer.
2. A record obtained by the authority through a subpoena or search warrant.
3. A record prepared by an employer other than an authority, if that record contains information relating to an employee of that employer, unless the employee authorizes the authority to provide access to that information.

(b) Paragraph (a) does not apply to an authority who provides access to a record pertaining to an employee to the employee who is the subject of the record or to his or her representative to the extent required under [s. 103.13](#) or to a recognized or certified collective bargaining representative to the extent required to fulfill a duty to bargain or pursuant to a collective bargaining agreement under ch. 111.

(c) Paragraph (a) does not apply to access to a record produced in relation to a function specified in [s. 106.54](#) or [230.45](#) or subch. II of ch. 111 if the record is provided by an authority having responsibility for that function.

(d) Paragraph (a) does not apply to the transfer of a record by the administrator of an educational agency to the state superintendent of public instruction under [s. 115.31 \(3\) \(a\)](#).

(3) Within 5 days after receipt of a notice under sub. (2) (a), a record subject may provide written notification to the authority of his or her intent to seek a court order restraining the authority from providing access to the requested record.

- (4) Within 10 days after receipt of a notice under sub. (2) (a), a record subject may commence an action seeking a court order to restrain the authority from providing access to the requested record. If a record subject commences such an action, the record subject shall name the authority as a defendant. Notwithstanding [s. 803.09](#), the requester may intervene in the action as a matter of right. If the requester does not intervene in the action, the authority shall notify the requester of the results of the proceedings under this subsection and sub. (5).
- (5) An authority shall not provide access to a requested record within 12 days of sending a notice pertaining to that record under sub. (2) (a). In addition, if the record subject commences an action under sub. (4), the authority shall not provide access to the requested record during pendency of the action. If the record subject appeals or petitions for review of a decision of the court or the time for appeal or petition for review of a decision adverse to the record subject has not expired, the authority shall not provide access to the requested record until any appeal is decided, until the period for appealing or petitioning for review expires, until a petition for review is denied, or until the authority receives written notice from the record subject that an appeal or petition for review will not be filed, whichever occurs first.
- (6) The court, in an action commenced under sub. (4), may restrain the authority from providing access to the requested record. The court shall apply substantive common law principles construing the right to inspect, copy, or receive copies of records in making its decision.
- (7) The court, in an action commenced under sub. (4), shall issue a decision within 10 days after the filing of the summons and complaint and proof of service of the summons and complaint upon the defendant, unless a party demonstrates cause for extension of this period. In any event, the court shall issue a decision within 30 days after those filings are complete.
- (8) If a party appeals a decision of the court under sub. (7), the court of appeals shall grant precedence to the appeal over all other matters not accorded similar precedence by law. An appeal shall be taken within the time period specified in [s. 808.04 \(1m\)](#).
- (9)
- (a) Except as otherwise authorized or required by statute, if an authority decides under [s. 19.35](#) to permit access to a record containing information relating to a record subject who is an officer or employee of the authority holding a local public office or a state public office, the authority shall, before permitting access and within 3 days after making the decision to permit access, serve written notice of that decision on the record subject, either by certified mail or by personally serving the notice on the record subject. The notice shall briefly describe the requested record and include a description of the rights of the record subject under par. (b).
- (b) Within 5 days after receipt of a notice under par. (a), a record subject may augment the record to be released with written comments and documentation selected by the record subject. Except as otherwise authorized or required by statute, the authority under par. (a) shall release the record as augmented by the record subject.

History

[2003 a. 47](#); [2011 a. 84](#).

Sheriff's Office Open Records Request

Row 4138

Created Date 12/01/25 7:53 PM

Involvement A Third-Party/Non-Rep. Requester

Full Name of Requester (Optional) Adrienne Melby

Represents Subject: No

Name of Subject in Report (First, Middle, Last) Cary Madrigal

Last Name of Subject in Report

Date of Birth of Subject in Report (If Known)

Report/Complaint Number (If Known)

Requested Records Other

Date of Incident

Other

Additional Information, Report/Records Requested Adrienne Melby, Burlington, WI 53105. Under the Wisconsin Open Records Law, §19.31 et seq., I am requesting an opportunity to inspect or obtain copies of public records pertaining to any and all administrative reprimands, administrative leave or write up enacted against Cary Madrigal or the same by any other name. If there are any fees for searching or copying these records, please inform me if the cost will exceed \$25.00. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of business / personal interests. I would request a response in writing, within the 5 days described by law, if you intend to deny this request. Also, if you expect a significant delay in fulfilling this request, please contact me with information about when I might expect copies or the ability to inspect the requested records. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal

procedures available to me under the law. Thank you for considering my request.

Telephone Number(Optional) 2622102983

E-Mail Address (Needed to contact you)* adriannemaemelby@gmail.com

Open Case/Active Investigation

Elevated Req

Pending AI Req

RE BWC Letter

Duration (Request Date to Fulfillment Date)

Requests Fulfilled

Case Number

Number of Pages

Total Bodycam Footage (Minutes)

Number of Photos

Total Amount Due

Clerk's Comments

Send Payment Request


Classification

Fulfillment Date

Request Completion Notice:

Fulfillment Time

Open Records Request Acknowledgement

 Comments

Sheriff's Office (ryan.geary@racinecounty.com) | December 2, 2025 6:21 AM

Relaying to Lt. Luell and Lt. Massie for review.

STATE OF WISCONSIN CIRCUIT COURT RACINE COUNTY

SUBJECT OF RECORDS REQUEST,

Petitioner,

vs.

Case No.: 26-CV-280

RACINE COUNTY
c/o Wendy Christensen, County Clerk
730 Wisconsin Avenue
Racine, WI 53403

Case Code: 30704
Other Injunction

and

CHRISTOPHER SCHMALING
Racine County Sheriff, in his official capacity
717 Wisconsin Avenue
Racine, WI 53403,

Respondents.

AFFIDAVIT OF CARY MADRIGAL

STATE OF WISCONSIN)
)
COUNTY OF RACINE)

Your affiant, being first duly sworn on oath deposes and says:

1. That your affiant is an adult resident of the State of Wisconsin and has been at all times relevant to this action.
2. That your affiant makes this Affidavit upon personal knowledge.
3. That your affiant has been employed by the Racine County Sheriff's Office (hereinafter "RASO") continuously for almost twenty-five (25) years.
4. That your affiant is currently a Captain with the RASO.

5. That your affiant has served distinguishably with the RASO, having earned and received approximately five (5) departmental awards/commendations in my nearly twenty-five (25) years of service with the RASO.

6. That your affiant, with the exception of the matters addressed in this litigation, has only one other discipline matter with the RASO (minor traffic accident).

7. That your affiant received a Notice, via personal service on February 9, 2026, from Racine County Corporation Counsel, on behalf Racine County and the RASO, noting its intent to release complete responsive documents to the Open Records Request. Further, attached hereto as Exhibit "A" is a true and correct copy of such Notice.

8. That your affiant additionally received, with the Notice, a copy of the responsive documents intended to be released by the RASO. Further, attached hereto as Exhibit "B" is a true and correct copy of the Responsive Documents.

9. That your affiant is aware of three (3) different instances resulting in disciplinary action which would be released in an unredacted format and in their entirety in response to the Open Records Request.

10. That your affiant is aware that within your affiant's Disciplinary Record File there are three (3) different incidents which your affiant believes contain embarrassing, personally damaging information, or information so dated or otherwise not proper for release in their entire format in response to the Open Records Request.

11. That the first incident contained within your affiant's Disciplinary Record dates to 2006 (hereinafter the "2006 Discipline").

12. That the 2006 Discipline related to your affiant in her role as a Deputy Sheriff with RASO whereby she permitted a prisoner to make a phone call (as part of the booking process) that

was relayed (by the prisoner) to your affiant that she was calling a loved one that was awaiting the prisoner's arrival.

13. That the above referenced phone call was in fact not as represented to your affiant but instead to a residence that the prisoner was connected to that resulted in a forewarning of other criminal suspects.

14. That as a result of the 2006 Discipline, your affiant received eight (8) hours off without pay.

15. That the second incident, which your affiant is aware having resulted in discipline contained within your affiant's Disciplinary Record, relates to a 2011 Search Warrant execution within Racine County (hereinafter the "2011 Incident").

16. That the 2011 Incident was the result of your affiant being disciplined and receiving eight (8) hours off without pay for eating a piece of candy located at the Search Warrant target location.

17. That the 2011 Incident had nothing to do with destruction of evidence nor dereliction of duty but was simply a minor lapse in judgment.

18. That the final incident, which your affiant is aware of and as contained within the Disciplinary Records proposed to be released, relates to a 2023 incident (hereinafter the "2023 Incident").

19. That the 2023 Incident related to the investigation, subsequent termination and criminal prosecution of a former RASO Deputy, Preston Kite (the "Kite Arrest").

20. That your affiant, prior to the Kite Arrest, had heard unsubstantiated rumors about Kite and an explicit text message Kite had sent to a different Sheriff's Deputy dating to 2021; however, your affiant never received confirmation or additional information pertaining to such rumor.

21. That your affiant is aware that the Deputy that received the text message/image was subsequently disciplined for an unrelated matter in and around October 2023.

22. That, when your affiant spoke with the Deputy who had been disciplined in 2023, such Deputy expressed frustration and concern regarding his discipline in comparison to other persons who had been disciplined within the department and only at that point in time confirmed that he had been a recipient of the rumored text message/image.

23. That the Kite Arrest resulted in Racine County hiring outside counsel, Attorney Samuel Hall (hereinafter "Hall"), to conduct an investigation into Deputy Kite and the allegations contained within a criminal complaint relating to Kite.

24. That, as a result of the 2023 Incident, your affiant spoke with Hall and disclosed that your affiant had heard rumors dating to 2021 or 2022 whereby Kite had sent a text message, containing a possible sexual image to another Sheriff's Deputy.

25. That your affiant self-disclosed her knowledge of the text message to Hall as part of his investigation.

26. That, as a result of your affiant's self-disclosure of hearing of said rumor, your affiant was further investigated by RASO and subsequently received a ten (10) day unpaid suspension in February of 2025.

27. That your affiant is aware that the Deputy who received the unwanted text message/image, at no time filed a complaint with RASO nor ever confirmed that your affiant had knowledge of the same prior to your affiant's discussion with that Deputy after his discipline and subsequent disclosure to Hall.

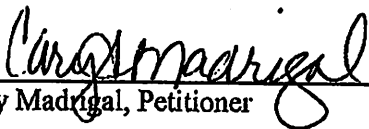
28. That your affiant, while refuting the allegations within the 2023 Incident, did not appeal the same.

29. That your affiant verily believes that the discipline, as stated herein, is wholly unrelated to your affiant's daily interactions with the public, and a release of the same would only serve to embarrass your affiant, harm your affiant's reputation and status within this community and such factors outweigh the need for disclosure of the same.


30. That your affiant makes this Affidavit in support of her Petition for a Restraining Order, enjoining Racine County and the RASO from releasing the proposed documents in response to the Open Records Request.

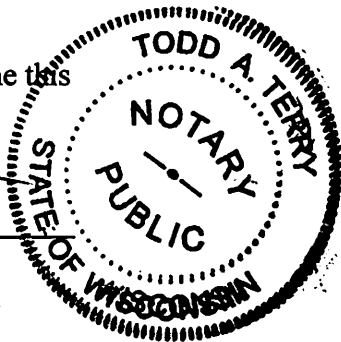
31. That this Affidavit does not exhaust your affiant's knowledge of the situation.

Dated this 23rd day of February, 2026.


Cary Madrigal, Petitioner

Subscribed and sworn to before me this
23rd day of February, 2026.


Todd A. Terry
Notary Public, State of Wisconsin
My Commission is permanent.



DRAFTED BY:

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