

[Lux-et-Veritas](#)  
(Silver Member)  
04/05/08 11:35  
AM

**Time to take out the garbage**

Does anyone but me notice a common theme to the series of recent/repetitive overreactions that continue to garner Laramie statewide, if not national, ridicule/negative publicity? There seems to be at least one individual that will ensure escalation, polarization, and finally humiliation or obfuscation, whenever he is involved in one of these events.

It isn't the school administration that is common to all these gaffes, and it isn't even Tim Hale. I understand that Mr. Hale can identify the suspect, though he has problems pronouncing the culprit's name correctly. He did get close enough with his mangled pronunciation however to help the subject of all this controversy gain national fame for leaving a loaded gun in the bathroom of a busy eatery in the near past. But wait! That was an entirely different episode and we have to read further for the details on that faux faux, stay focused or at some point they just begin to run on into a never ending blur of malevolent malfeasance.

Only one individual appears at the center of all three of these stories, obviously a man who would charge a fire with a bucket of gasoline. I once heard it said fool me once, shame on you, fool me twice, shame on me. What happened to 3 strikes and you are out?

As for members of the Laramie City Council that feel it is their job to represent the best interests of this community, their faces should be red with shame at this point. Of course, that also makes it easy to spot the ones that don't care or worse, condone this conduct.

**Officials should take  
high road with critics**

**Star-Tribune Editorial Board**

A very public dispute about garbage pickup in Laramie has us thinking about Rodney King's famous plea: "Can't we all just get along?" Because if the parties in this fight can't, things are likely to get even sillier.

Nearly every city or town seems to have at least one political gadfly like Laramie's Tim Hale -- a maverick who enjoys pointing out what's wrong with local government. The Hales of the world often have legitimate points to make. But sometimes, getting a rise out of the city fathers seems to be part of the fun.

At a recent city council meeting, Hale took the provocative step of bringing a prop: a leaking bag of garbage. When he was finished talking, he left it at the lectern and walked away. Laramie Mayor Klaus Hanson asked him to take the bag with him. Hale replied that it wasn't his garbage.

At this point, cooler heads did not prevail.

Laramie Police Chief Robert Deutsch asked the mayor whether he wanted Hale cited for littering. Hanson said yes.

That led, on Monday, to a nearly two-hour trial. In the end, a special municipal judge threw out the littering charge.

The judge, Laramie attorney Devon O'Connell, ruled that while Hale's conduct was "abhorrent," it was not illegal. That's a sweetly satisfying outcome for a political gadfly. He not only defeats city hall, he makes it appear ludicrous.

To be sure, Hale's behavior was rude. It's pretty ill-mannered to drop off a bag of slop to make a point.

But charging him with a crime was a needless escalation. Trying to punish a gadfly usually just rewards him with more attention and support. When people see authorities trying to quash dissent, they wonder whether their own grievances will be treated respectfully.

The council didn't do itself any favors a year ago, when it changed the rules about public comment in an effort to thwart Hale. Instead of allowing people a limited period to discuss non-agenda items at the beginning of the meeting, the council pushed that opportunity to the end of the session.

Critics could speak, but usually late at night, when much of the audience had gone home.

Local democracy is not always pretty. Relentless criticism irritates elected officials and makes them question why they contribute their time. Yet the wisest recourse is usually just to let people have their say. Some people want only to have someone listen with respect.

Some gadflies, of course, refuse to be mollified. (Hale may be one of those.) Even in those cases, wise officials remain calm and respectful. Instead of trying to retaliate against their antagonists, they take the high road.

It beats a needless trial that has people literally talking trash.

[Lux-et-Veritas](#)  
(Silver Member)  
04/05/08 11:41  
AM

**Re: Time to take out the garbage**

### **Judge tosses littering charge**

**By PHIL WHITE**  
**Star-Tribune correspondent**

LARAMIE -- A Laramie attorney acting as a special municipal judge Monday dismissed a charge of leaving litter in the City Council chambers which had been filed against a perennial critic of the council and other public boards and agencies.

The city charged Tim Hale with littering after he brought a bag of garbage to the lectern during the public comments portion of the Jan. 2 City Council meeting and then left the garbage and disappeared when council members noticed a liquid dripping from the bag.

Police Chief Robert Deutsch, who was present during the incident, testified that he asked Mayor Klaus Hanson at the time if he wanted a citation for littering issued to Hale, and the mayor answered in the affirmative.

In her ruling, Judge Devon O'Connell said Hale's actions were "abhorrent but not illegal."

O'Connell based her ruling on the definition of "public property" in the city's litter ordinance, which provides that the phrase "includes, but is not limited to, the following exterior locations: streets, street medians, roads" and other locations. This means, the judge ruled, that the application of the ordinance is limited to exterior locations.

The ruling came at the close of the city's presentation in a nearly two-hour trial that included testimony from the chief of police and another officer and the mayor and another council member. The testimony showed that when council members noticed the leak and attempted to take action against Hale, he walked toward the door of the chambers. Mayor Hanson asked him to take his garbage with him, and Hale responded that it was not his garbage.

Hale attempted to demonstrate during the trial that the prosecution for littering was a veiled effort to suppress his rights of free speech and of obtaining redress through the public comment period. Hale also contended that he brought the bag of garbage as a prop to accentuate his criticism of the city's garbage collection performance in his neighborhood.

The judge ruled numerous times that Hale's cross-examination questions were irrelevant to the issue of whether he violated the litter ordinance.

Hale has been a frequent commenter at council meetings for years and previously had carried on a public campaign against some members of the Iverson Memorial Hospital Board. In February 2006, Hale told the council the city's policy of not collecting garbage on holidays contributes to the unsightliness of the neighborhood.

Last year, the council eliminated the opening public comment period on non-agenda items which had previously been allowed at the beginning of council meetings, pushing that opportunity to the end of the meetings -- which frequently is 11 p.m. or later.

[Evilaynde](#)

**Administrator**

(A few cans short of a six pack.)

04/05/08 11:53 AM

**Re: Time to take out the garbage**

Good Editorial!

Hooray for the Star Tribune!

Where is the Boomer in all this? I can't read it online as the site says it's down..... "technical difficulties"... been that way for a couple of days.

[Lux-et-Veritas](#)

(Silver Member)

04/05/08 12:08 PM

**Re: Time to take out the garbage**

Tuesday, February 5, 2008 11:15 PM MST

Star-Tribune Editorial Board

Zero tolerance for "hurling missiles" at school is appropriate. But classifying airborne french fries as weapons makes us wonder what the adults at Laramie Junior High School would do in a real crisis.

In a classic case of overkill, Laramie police recently charged three junior high students with an adult crime for trying to start a food fight. After getting wind of the plot the previous day, Principal Steve Hoff and police officer Al Rich warned the school's students that any participants would suffer the consequences. Three girls did it anyway.

Should they be punished for rebelling against authority? Yes. One of the parents -- who happens to be chairwoman of the school board -- set a good example by making sure her daughter paid the \$60 fine.

But certainly the school could mete out punishment to fit the crime without involving police and the court system. Cafeterial cleanup duty. After-school detention. Writing on the blackboard 500 times, "I will not launch my lunch."

Judging by the reaction of Laramie Police Chief Bob Deutsch, it's surprising his officers didn't show up in riot gear. Here's what he said: "These things can degenerate into something a lot more harmful than simply throwing food. At what point does somebody get hit with a piece of food and respond with a tray, and fists, and knees, and glasses, and cell phones and everything else?"

The chief has an active imagination. In fact, none of those things happened. Nobody got hurt. (In fact, if authorities think Laramie Junior High's french fries are dangerous projectiles, maybe they shouldn't ask students to eat them.)

Will police be summoned for every playground fight or act of defiance? In the absence of genuine violence, school officials ought to be able to enforce their own rules.

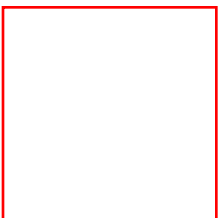
People who commented on this story on the Star-Tribune's Web site, trib.com, divided between two camps: The kids deserved the tickets, said one group. The adults' handling of the affair was ludicrous, said the other. One reader in the latter group wrote, "Those police should have given the principal a ticket for being such a baby and wasting their time."

All of the media coverage of the french fry incident may embarrass Laramie. Then again, it might inspire some people to move there.

After all, if you lived in some crime-infested urban area, wouldn't you want to move to where the police have nothing better to do than bust kids for flinging food?

[Lux-et-Veritas](#)  
(Silver Member)  
04/05/08 12:13  
PM

**Re: Time to take out the garbage**



**Saturday, February 2, 2008 2:05 AM MST**

## **Laramie police ticket 13-year-old girls for throwing french fries**

**By MEAD GRUVER**

**Associated Press writer**

LARAMIE -- Don't even think about starting a food fight.

Police say that's the message they hope to get across to Laramie Junior High School students by citing three 13-year-old girls for "hurling missiles," an adult crime under city ordinances.

The girls allegedly threw french fries during lunchtime two weeks ago.

Police Chief Bob Deutsch said that the day before the incident, school officials who'd heard rumors of a food fight held an assembly in which Principal Steve Hoff and police officer Al Rich warned all of the students: If you throw food, prepare to suffer the consequences.

"They saw it as really the planning of a riot, when you think about it," Deutsch said.

He said the girls decided to test the warning nonetheless.

"It wasn't a spontaneous thing -- a couple of kids giggling, throwing a french fry at each other," Deutsch said. "They intended on getting everybody involved in this and starting something that no doubt would have the potential of getting out of control."

Deutsch said the girls deserved citations for deliberately flouting the principal and school police officer, as well as for not considering that someone could get hurt.

"These things can degenerate into something a lot more harmful than simply throwing food," he said. "At what point does somebody get hit with a piece of food and respond with a tray, and fists, and knees, and glasses, and cell phones and everything else?"

But others said police and school officials went overboard.

"It certainly seems that this was an overreaction to a situation that could have been handled differently," said Linda Burt, Wyoming director of the American Civil Liberties Union.

And one parent said she's upset because her daughter wouldn't have gotten in trouble had she not gone to the principal and admitted throwing a french fry.

"It upsets me that the chief says that she wasn't responsible, or accountable, when she was the one who actually told on herself," Janice Isom said.

Isom said she also was upset that the school didn't call her or her husband. She said they found out through the mother of one of her daughter's friends. She said they drove to the school, but by then police had issued a ticket and the school had issued a three-day suspension.

"The ticket is something that's on her record now. I think that's a bit much for a french fry. They were not inciting a riot as the police chief says they were," Isom said.

Sue Ibarra, a mother of another of the girls, said the citation "might have been a little over the top ... when you think it was french fries."

But Ibarra, who is chairwoman of the school board, stood by the school's decisions. Court documents on Thursday showed that her daughter was the only one who had paid the \$60 fine.

"The students involved had been warned the day before," Ibarra said. "And my daughter still chose to push it to see if it actually was going to happen. It obviously did and she had to pay the consequences, and it's been a good living lesson for her."

Parents of the third girl did not immediately return a telephone message seeking comment.

[Lux-et-Veritas](#)  
(Silver Member)  
04/05/08 12:16  
PM

**Re: Time to take out the garbage**

Last modified: Friday, December 23, 2005 11:21 AM MST

### **Laramie police chief leaves loaded gun in restaurant bathroom**

**By The Associated Press**

**LARAMIE, Wyo. (AP)** -- The city's police chief left his loaded service pistol in a restaurant bathroom last month and didn't realize it until another officer returned the gun to him.

When he realized his mistake, Chief Bob Deutsch wrote an e-mail to the entire department stating what he had done. He then wrote himself a written reprimand.

"When I walked out of the restroom, I forgot it," Deutsch said Wednesday. "There are no excuses. Personally, I think that's a serious violation of policy."

A customer found the .40-caliber Glock semiautomatic pistol in a holster on a countertop at Jeffrey's Bistro on Nov. 29. The customer contacted a restaurant employee, who in turn called police.

Officers traced the pistol back to Deutsch about 30 minutes after he left the restaurant.

"The (police officer) came to my office, closed the door and handed it to me," Deutsch said. "I was very embarrassed and apologetic. I immediately e-mailed the entire department, saying I had made a mistake."

Deutsch said the gun was left unattended in the bathroom for no more than a couple of minutes before it was found. There is no external safety mechanism on the Glock pistol, which is the department's standard issue weapon.

Deutsch issued himself a written reprimand, which was then approved by City Manager Mark Collins. Collins declined to discuss the incident on Wednesday, citing employee confidentiality concerns.

The reprimand means that if Deutsch were ever to leave his pistol lying around again, it would be grounds for suspension. Deutsch, who became police chief in February, said he would have recommended a similar punishment for any other officer in his department. He said it was the first time in his 33-year career that he has misplaced his gun.

Laramie resident Tim Hale confronted the Laramie City Council about the incident on Tuesday. He said it was a public safety issue that could have become a legal nightmare for the city.

"We all know what could happen if, God forbid, a kid walked into the bathroom and thought it was a play toy," Hale said.

[Lux-et-Veritas](#)  
(Silver Member)  
04/05/08 12:48  
PM

**Re: Time to take out the garbage**

Evilaynde:

Don't bother looking for the Boomerang to provide real coverage of this, they only print 2 kinds of stories about the Laramie Police:

A) the press releases issued by the Chief and his lackeys;  
*(if I correctly remember all the fanfare associated with the announcement of his hiring, the bulk of his experience in law enforcement was not as a real cop but as the press officer for the Sheriff's Department in Jefferson County Colorado. The same Sheriff's Department that responded to the Columbine incident and botched all the prior complaints from parents and students in advance that everyone agreed after the fact were clear warning signs. That kind of background means the powers that be at City Hall were not looking for a law enforcement officer to lead the department, they were looking for what this candidate had to offer, lots of experience putting the spin on law enforcement bumbling. Remember, they had to do damage control with the fresh scandal of the HRY program's illegal resort spending by Faith France. Tim Hale had been talking about it for weeks in the city council meetings. By the time the story made it into the Boomerang it was like a decomposing carcass in the best chair of the living room that could no longer be ignored by Bob Black.)*

These press releases are usually just printed verbatim by the paper over the byline of "Boomerang Staff" since they don't have authority to change anything without the permission of the LPD.

B) The second kind of Boomerang story you will read is the "heroic police officer at work" stories ghost written by the Chief and his topheavy administration and published under the name of Karla Pomeroy. These are usually front page stuff with big headlines and flashy pictures.

Don't expect anything more from our local watchdogs of the fourth estate, the more appropriate term would be lapdogs of the city council.

[Alice in Wonderland](#)

(Member  
Extraordinaire)  
04/07/08 12:40  
PM

**Re: Time to take out the garbage**

Lux thank you for your comments and for reprinting these articles for us, especially the ones from the Casper Star Tribune which most of us would not have seen.

I am not a legal scholar but I do have some training in criminal law, and I know that the city would have to prove every element of the ordinance and prove it beyond a reasonable doubt for a conviction to be obtained. There was no way the city could do this and the powers that be should have known it right from the beginning, especially the Chief of Police whose job is to read the ordinances, KNOW WHAT THEY PROVIDE, and enforce them. There was no way that leaving a bag of CONTAINED garbage INSIDE a building was illegal. What part of "exterior to a building" couldn't they read? It's not rocket science. How much of this can we stand for in this town? Are they going to go ahead with the french fry prosecution even though the action of the girls also DOES NOT FIT THE ORDINANCE of hurling missiles? (As far as I know, this prosecution is continuing.) Is the Chief of Police the one pushing for this prosecution to go forward? Does he wish to be embarrassed yet one more time, and at taxpayer expense?

[Lux-et-Veritas](#)  
(Silver Member)  
05/06/08 08:59  
PM

**Re: Time to take out the garbage**

Alice:

Your question is answered. Tour de Laramie, need I say more?

[Lux-et-Veritas](#)  
(Silver Member)  
05/22/08 08:18  
AM

**Re: Time to take out the garbage**

Whatever happened to the french fry criminals?

[Joe Hageman](#)  
(Platinum  
Member)  
05/22/08 09:48  
AM

**Re: Time to take out the garbage**

The trial is scheduled for next Tuesday at 10:30 AM. I have been planning to attend to see what happens. I'll post when I know.

[Joe Hageman](#)

(Platinum Member)

05/27/08 10:49 AM

**Re: Time to take out the garbage**

I went to the Municipal Court this morning to watch the trial.

When I got there  
the courtroom was bare  
and as to a trial  
there was none.

When I checked with the Clerk of Court, there was a Motion to Dismiss filed with the Court by the City seeking dismissal on the basis of the "interests of justice" but no order dismissing the charge of "hurling missiles" had been entered. It would appear as though the City Attorney's office decided to hurl the charge.

[Lux-et-Veritas](#)

(Silver Member)

06/02/08 04:38 AM

**Re: Time to take out the garbage**

Judge tosses french fry charge

By JARED MILLER  
Star-Tribune capital bureau

CHEYENNE -- A Laramie Junior High School girl cited by police in January for throwing french fries during lunchtime is out of hot water.

A municipal court judge on Tuesday dismissed the citation against the 13-year-old student for breaking a city ordinance that prohibits "hurling missiles," court records show.

The charge -- an adult crime under city ordinance -- was dropped at the request of the Laramie city attorney, a court spokeswoman said.

Two other girls, including the daughter of school board chairwoman Sue Ibarra, were also cited under the same ordinance and paid \$60 fines soon after the citations were filed, Laramie Police Chief Robert A. Deutsch said.

Deutsch said Friday he played no part in the decision to dismiss the case, but he can live with the outcome.

“I’ve been doing this for so long that I understand that we play one part in the criminal justice system,” he said. “If it gets dismissed we have to respect and appreciate that.”

**But Deutsch insisted that his office made the right decision about the citations at the time, and said he would not hesitate to write similar tickets in the future.**

“I think we did our best,” Deutsch said. “The whole intent wasn’t to send some phenomenal message, it was to enforce the law. We just hope there is not going to be a reoccurrence and students know now that it’s not worth the trouble.”

Back in February, Deutsch told a reporter that the citations were warranted because the french fry throwing incident was not a “spontaneous thing,” but rather a calculated effort to start a “riot.”

He noted that school officials, after hearing rumors of an impending food fight, called a class assembly days before the incident to warn students that throwing food would result in severe consequences.

The students ignored the advice and tried to start a food fight that could have resulted in injuries or damage, Deutsch said.

The girls “intended on getting everybody involved in this and starting something that no doubt would have the potential of getting out of control,” Deutsch told The Associated Press in February.

The citations against the teens resulted in a flood of community reaction, including some criticism directed toward school officials for not handling the matter internally. Linda Burt of the American Civil Liberties Union called the case an “overreaction.”

One of the girls’ parents told the AP that she was upset because her daughter wouldn’t have gotten into trouble had she not gone to the principal and admitted throwing a french fry.

On the other hand, Ibarra, whose daughter paid the fine, said the experience had been a “good living lesson” for her teen.

Deutsch said the students were cited under the adult law because juvenile statutes don’t have an appropriate charge. He admits that the “hurling missiles” ordinance sounds “silly” but said it was appropriate in this case.

Principal Steve Hoff said in a brief interview Friday that he has put the episode behind him and did not want to comment about the court’s decision.

“It's water under the bridge, and the school year is almost over with, so I'd just as soon leave it where it lie,” Hoff said.

City prosecutor Ashley Castor did not respond to a phone message left on Friday.

Reach capital bureau reporter Jared Miller at (307) 632-1244 or at {M3jared.miller@trib.co

[Lux-et-Veritas](#)  
(Silver Member)  
06/02/08 04:48  
AM

**Re: Time to take out the garbage**

This story also made the Sunday night news broadcast on Channel 5 out of Cheyenne. Apparently the only "news" organization that chose to ignore it was our own local paper. We all know that the Boomerang can't print anything offensive to officials in city government, and further, that news stories involving the Laramie Police Department must also be cleared with the LPD first so no big surprise there. The Boomerang's city reporter isn't "embedded" with the LPD, she is "in bed" with the LPD.

[Alice in Wonderland](#)  
(Member  
Extraordinaire)  
06/02/08 11:36  
AM

**Re: Time to take out the garbage**

What???? Why was there nothing in the Boomerang??? Are you kidding? This case was dismissed by the City attorney and there was no comment except for Deutsch who said he really didn't want to send a message, but wasn't that the whole reason he brought the charges and stuck with them --- TO SEND A MESSAGE TO THE TEENAGERS AT THE JUNIOR HIGH to not get into a food fight??????

Let me just say that this whole hurling missiles charge could NEVER have stuck (the action didn't fit the ordinance) and that is why it was dismissed. And no doubt cooler heads (read, the new city attorney, Dave Clark) saw this. And why was it brought in city court (adult court) in the first place? Chief Deutsch made that decision and that decision was in direct violation of the city's own resolution to bring minors into the County Court system where there is a diversion program (or where it would have been dismissed by the County Attorney). The answer is that Chief Deutsch and his henchmen were wanting to win a power-play with the County Attorney's office. Well, he lost because one person had the courage to stand up for her daughter and for what was right and just! Bravo to her! I hope those other parents think twice before they sell their kids down the road. I wonder if they know that their kids now have a permanent criminal record for no other reason than there is one ego-inflated police chief who had to show that he was tougher than three

13-year-old girls?

[Lux-et-Veritas](#)  
(Silver Member)  
06/12/08 07:44  
AM

**Re: Time to take out the garbage**

Laramie Police Chief sues local resident for seeking investigation of possible criminal activity!

Tim Hale has been sued by Robert A. Deutch for libel/slander.

Hale discovered that TChief Deutch ordered an HP laptop computer in December of 07, had it shipped to his personal residence, paid for it with petty cash funds from the LPD, and when confronted by the city manager after discovery of the misappropriation months later, TChief Deutch reimbursed the city with a personal check for the full amount of the purchase price. Computer purchased December 2007, reimbursment check to city of Laramie dated February 2008.

Hale secured copies of all the paperwork documenting this purchase and subsequent "reimbursement" from the City in a public records request and wrote a letter to the city manager requesting the matter be investigated for possible violations of criminal law. For his efforts to expose wrongdoing in city government, he is now the defendant in a lawsuit by the subject of this discussion line.

[Dude](#)  
(Platinum Member)  
06/12/08 09:03  
AM

**Re: Time to take out the garbage**

What a strange little town we live in.

It seems the city has used nearly every dept. in an attempt to harass Mr. Hale. They tried to prevent him from speaking at Council meetings.

They refused to pick up his garbage.

They attempted to use the weed ordinance against him.

They sent animal control after him.

They attempted this last littering charge.

Now this personal law suit filed by Chief Deutsch.

Seems Mr. Hale is the one with reason to sue.

Our city should take the advice of the Casper Star Tribune Editor: [Local democracy is not always pretty. Relentless criticism irritates elected officials and makes them question why they contribute their time. Yet the wisest recourse is usually just to let people have their say. Some people want only to have someone listen with respect.](#)

[Mr. Hale's letter to the Casper Editor.](#)

[Joe Hageman](#)  
(Platinum  
Member)  
06/12/08 11:07  
AM



**Re: Time to take out the garbage**

The Small Claims Affidavit (Complaint) filed in the matter of Deutsch v Hale is interesting. It asks for \$5045 plus filing fee in a Court where the jurisdiction extends only to \$5000. It would be interesting for Hale to ask that the matter be converted to a Civil Action in the Circuit Court so that he could conduct discovery for his defense. While the Chief's personnel records would not have been available in a public records request, they are certainly subject to subpoena in this action and the City Manager could be subpoenaed and compelled to answer questions and produce records about this matter that could never have been reached but for the ill-advised filing of this suit.

Of course the Chief, as an individual, has the right to have access to and redress of complaints by the Courts. However, the wisdom of this action is questionable, at best.

[AnnieRie](#)  
(Platinum  
Member)  
06/12/08 11:58  
AM



**Re: Time to take out the garbage**

I CANNOT believe this city and its staff.....

It has to be a misprint -- how can one file a claim for more than is allowable? If I were to try to file in small claims for more than 5,000, would they let me?

Tim Hale must be doing something right.

I am flabbergasted, and glad I am on eLaramie so I have at least an idea of what the liable and slander was about.

Is he filing as a City Employee with any legal costs being paid for by us?

[Joe Hageman](#)  
(Platinum  
Member)  
06/12/08 12:08  
PM

**Re: Time to take out the garbage**

The Staff in the Circuit Court aren't responsible for errors made in filing Small Claims cases. It may be that the amount demanded was intended to be the jurisdictional limit plus the cost of having the Complaint served of \$45 but this is not stated on the face of the document so the first course of action in defending would be Moving to Dismiss on jurisdictional grounds because the Small Claims Affidavit is actually the sworn statement of the Plaintiff as to a Principal amount greater than the limit. Those are the Plaintiff's own words and he proceeds at his peril.

[Joe Hageman](#)  
(Platinum  
Member)  
06/12/08 02:25  
PM

**Re: Time to take out the garbage**

I am so entertained that I can barely contain myself. Truth is always a defense to the merits of this type of case as a FALSE statement is something that Plaintiff Deutsch must prove by the preponderance of the evidence. The Affidavit states that the false accusation is that of "criminal wrongdoing". It is an interesting concept that if the Plaintiff can meet this burden of proof, then Hale can defend this by proving "criminal wrongdoing" by a preponderance of the evidence instead of beyond a reasonable doubt as would be the case if there actually were criminal charges. Hale will obviously need to obtain the records of the City as to any personnel investigation and action taken in order to overcome any testimony of the Chief that goes to the Chief's intent in using petty cash funds as noted by Lux above.

Assuming that the plaintiff could leap the hurdle of filing for too much and also that he could prove his case, he must then prove his damages. He does allege a false statement broadcast on cable TV. Note the following Wyoming Statute:

1-29-103 Limitation as to damages.

In an action for damages for any defamatory statement published or uttered in or as a part of a visual or sound broadcast, the complaining party shall be allowed only the actual damages he has alleged and proved.

The Affidavit does not allege any actual damage.

Another Statute of interest is this:

1-29-104 Publication of proceedings of governing bodies deemed privileged; exception.

The publication of a fair and impartial report of the proceedings before state or municipal legislative bodies, or before state or municipal executive bodies, boards or officers, or the whole or a fair synopsis of any document presented, filed or issued in any proceeding before a legislative or executive body, board or officer, is privileged unless it is proved that the publication was made maliciously.

Judge Arp should truly enjoy this case.

[AnnieRie](#)  
(Platinum  
Member)  
06/12/08 03:50  
PM

**Re: Time to take out the garbage**

tee hee tee hee tee hee ---

[Wyonative](#)  
(Platinum  
Member)  
06/12/08 05:48  
PM

**Re: Time to take out the garbage**

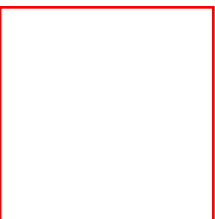
Forgive me if ignorance is a factor here, but - wasn't a long time city employee fired a couple of years ago for granting himself a loan which he paid back within a week? Wasn't he fired after this loan, which had been repaid, had been discovered months later?

If Deutsch paid for this computer only after the "error" was brought to someone's attention than his intent was not to ever pay for it. How does one forget to pay for personal items, delivered to personal home?? Is his salary so poor that he needed to purchase the computer through the city and would pay for it later? That would be a loan - right? Was the original purchase made through the city so that he could receive some kind of discount or to not pay taxes on it? If that is the case, wouldn't that be considered illegal anyway since it is not for government use? I think it's hilarious that Deutsch has put himself in the spotlight for stupidity once again and to further his personal humiliation he arrogantly sues the hero who caught this "error" by claiming defamation. Of course, he will be given a pat on his poor little back and the city will find another avenue to torture Mr. Hale if this lawsuit doesn't pan out and that fact is not funny at all.

Keep up the good work Tim! Deutsch may have opened a can of worms for himself and many other city benefactors, er - I mean employees.

[Dude](#)  
(Platinum  
Member)  
06/12/08 07:51  
PM

**Re: Time to take out the garbage**



Another little interesting thing that Mr. Hale has brought to light.

According to city "law", citizens must pay for city garbage collection unless the property is a fourplex or more. (Someone correct me if I'm wrong.) I do know that if you have a duplex or a single family home, you can have a non-city company collect your garbage, but you still have to pay the city collection fee.

According to Mr. Hales letter in the Casper paper, he did not have to pay these fees.

Quote:

What was not stated was the fact that the city of Laramie has refused to pick up my trash since October 2007, but was more than happy to charge me for a service I was not receiving. After a number of protests, the city refunded my collection payment.

Does this set a standard for the rest of us?

[Ron Glaser](#)

(Member

Extra-ordinary)

06/12/08 09:17

PM

**Re: Time to take out the garbage**

I am truly amazed again at people's response to Mr Hale's antics. Mr Hale often brings up issues that are of gravity and I applaud his efforts in that regard. At other times, complaints about trivial items like debris left in the street after an accident could have been easily cured with a broom and dust pan in less time than marching down to City Hall.

Tim is Tim, and his decades long hobby of annoying City officials will not change...what is truly sad is to witness a local government culture so intent on controlling the message from the population that they have gone to great extents to limit Mr. Hale's ( and the rest of us) right to speak up while more important matters lie unattended. As obnoxious as he can be at times, the best way to deal with Mr Hale is simply listen for five minutes, and then move on. Going to great lengths to silence him, by denying us all the convenience of speaking at the beginning of council meetings is little more than a childish attempt by council to demonstrate that THEY are in control, and have no use for criticism, constructive or otherwise.

Allowing Mr Hale to "get under their skin" and then responding with limitations to free speech--- and now, this law suit, only plays into Tim's need for attention. I don't agree with Mr. Hales methods, but he has a right to speak up and City actions to silence him at the expense of all of our rights is deplorable and reflects poorly on any assessment of the fitness to Govern of those trying to silence him.

Criticism is healthy and a vital part of quality decision making. In the scientific

community, criticism is welcomed and sought after. It is needed to move forward and hopefully move forward in a positive direction. It is truly alarming to see individuals in leadership positions whose egos are so fragile that they can only interpret criticism of their work as some kind of personal attack. This is not a healthy view. Criticism provides an opportunity for re-assessment and improvement. To constrain the public with rules of decorum so strict that the average citizen needs an attorney to appear before council only places the council out of touch with "We, the People" in the decision making process, leading to more and more litigation. Will all of this progress to the point where Council decisions are ultimately decided by the courts again and again? Something is very wrong here in Laramie.

In my 54 years of experiencing life's ups and downs, I can truly say the best friends I've had were the ones that cared enough to tell me when I was screwing up. Now there is something to think about.

My Father used to say:

" Call me anything but late for dinner "

City officials could benefit greatly from such an attitude.

Respect demanded is an illusion that often results in an unexpected knife in the back.

Respect earned is genuine and the only path to loyalty.

It will be interesting to see how this all plays out. My hope is that the concept of "Rule of Law" rather than the Rule by Individuals will be affirmed. It is not unusual for companies to provide laptops so employees can work at home. This entire fiasco appears to be little more than a procedural error, but, really, one would expect the chief to follow procedure or correct the systemic deficiencies in policy that make short-circuiting procedures a necessity in order to get the job done in a timely fashion. On the other side of the coin, Tim's comments were over-reaching and I have a hard time seeing criminal intent on the Chief's part. But, in light of this event and others, the question of competence seems to loom larger with each episode.

My 17 cents worth, corrected for inflation

[Lux-et-Veritas](#)  
(Silver Member)  
06/13/08 07:57  
AM

**Re: Time to take out the garbage**

*Forgive me if ignorance is a factor here, but - wasn't a long time city employee fired a couple of years ago for granting himself a loan which he paid back within a week? Wasn't he fired after this loan, which had been repaid, had been discovered months later?*

Wyonative:

I believe you are referring to former County employee, Brad Clingman. He was not only fired but prosecuted and spent time in jail for "loaning himself" government funds/property.

The information available at this time would seem to indicate an investigation into a violation of law is appropriate. At a bare minimum, the currently known facts trigger possible application of Wyoming Statute § 6-5-110 - Wrongful appropriation of public property;

(a) A public servant who lawfully or unlawfully comes into possession of any property of any government and who, with intent temporarily to deprive the owner of its use and benefit, converts any of the public property to his own use or any use other than the public use authorized by law is guilty of wrongful appropriation of public property.

(b) Wrongful appropriation is a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than one thousand dollars (\$1,000.00), or both.

The known facts are *first* that T/Chief Deutch reimbursed the city in full for the price of the computer when confronted by his supervisor demonstrating that the purchase was not authorized, *second*, property of the City of Laramie was used to purchase the computer, (the LPD petty cash fund took a hit in an amount in excess of \$1000.00), and *third*, said property was clearly converted to his own use by the suspect for several months, thereby depriving the owner temporarily of its use and benefit. That would be enough to cause the average Joe to be arrested by most LPD officers.

The assertion of Mr. Glaser that companies often provide their employees computers is irrelevant because T/Chief Deutch was forced to reimburse the City of Laramie for the full price of the computer so clearly it wasn't a case of mistakenly buying something authorized for "work" use with the wrong revenue source. T/Chief Deutch has paid for the computer with a personal check in full now, it is his personal property. The publicly disclosed facts are inconsistent with any defense that it was just a work computer and this is all a simple misunderstanding.

What we know at this point would seem to beg the question, why isn't Mr. Hale's request for an investigation by an independent agency being seriously considered instead of the stonewalling by city officials we can all read about in today's Casper paper?

The administration at the City is obviously now so locked into coverup mode that a proper inquiry will never be allowed. Does anyone else remember the scandal associated with fraudulent spending by one of the former "High Risk Youth Officers" on one of their annual junkets? Wasn't that also finally exposed by Mr. Hale?

Instead of all the backslapping going on between the members of the city's administration over the fact that someone is finally attacking Mr. Hale for asking embarrassing questions, perhaps they should be considering the possibility that he could be the best watchdog of taxpayer money they could hire to audit the city's spending.

[Frannie, WY](#)  
(Member)  
06/13/08 11:08  
AM

**Re: Time to take out the garbage**

Lux et...

If one were to do a top-to-bottom investigation of corruption--real and possible--in your city, I would include the matter of "time sheet fraud."

For those employees who use a time clock this kind of fraud is difficult, if not impossible, to carry-out. However, for those who sign-in, on a time sheet, it's another story.

I'm retired as an employee of a state in the northeast. For a two to three year period a co-worker worked-out an "arrangement" with my supervisor wherein he would cooperate with her noting bogus arrival and departure times on her time sheet in exchange for sexual favors. To this day, this woman remains in the employ of this state and, as far as I know, has never had to repay a dime of her ill-gotten gains. I don't think it's difficult to imagine less "dramatic" time sheet fraud scenarios.

Finding an employee who is willing to be a "mole," rather than a whistleblower, might be one way of rooting-out this kind of corruption. The "mole" could alert an outsider, such as a bogus telephone repair man, to the real time the employee arrives, or leaves. In turn, that "repair man" could show-up in time to witness the arrival, or departure, of the employee in question.

[Mr. Fuzz](#)  
(Rabble Rouser  
turned Lurker)

**Re: Time to take out the garbage**



Quote:

Monday, April 21, 2008 2:05 AM MDT

Editor:

The recent attempt to prosecute me for littering when I was seeking redress at a Laramie City Council meeting led to another city of Laramie debacle. I appreciate Casper Star-Tribune's participation and coverage. Due to the dismissal after the prosecution presented, I had never stated my defense.

What was not stated was the fact that the city of Laramie has refused to pick up my trash since October 2007, but was more than happy to charge me for a service I was not receiving. After a number of protests, the city refunded my collection payment.

**For several decades**, I have been conscientiously picking up litter and trash in the hopes of improving the image of the neighborhood. I had asked the City Council and city manager for assistance in dealing with these chronic neighborhood problems.

The city's answer was to prosecute the messenger (me). The prosecution involved approximately eight policemen, three different judges, three court appearances, and three months of procedural work by the city attorney's office -- all at public expense.

And the case was subsequently dismissed because no one had bothered to read the ordinance. **By the way, the neighborhood still looks like a dump.**

The police chief was the complainant against me. Don't you find it ironic that he cites me for littering after I exposed him for leaving his loaded pistol in a public restroom. Anyone else would have been charged with public endangerment, but he was allowed to write his own reprimand. **At my trial, Police Chief Deutsch stated that nothing I have ever said about him has embarrassed him.**

What should be most alarming to the public is the fact that Mayor Klaus Hanson stated that at no time was this incident discussed at their secret, executive Council meetings. Yet this testimony was contradicted by the next witness, another participant in the same meetings.

TIM HALE, Laramie

*Emphasis in bold by Me.*

Ron,

I must respectfully and vehemently disagree with your portrayal of the events. You

and I both know that Tim has been a target of the Council, Laramie Police Department, and the Office of Public Works for a LONG TIME due to his diligent and unsettling actions of taking his Citizen RIGHTS seriously.

You know what Tim says is true. You may disagree with his delivery but that doesn't reduce the validity of his questions and complaints...does it? I say, "No, it does not." Still Mr. Hale just goes to the meetings and states his case almost each and every meeting. He could have lawyered up years ago and sought redress for his treatment from the City. Has he? NO. Because Tim like You cares about Laramie.

You of all people should stand up and support Mr. Hale for uncovering not one, not two, but multiple egregious acts of our elected and not-so-elected officials. ALL OF WHICH disappear quietly into the dark with palms greased and bad people protected from the good.

The fact that you tacitly dismiss the action of the Council to quiet Tim is unsettling as well...I thought you were against such governmental action. Tim is not a tempest in teapot, he is serious and has been seriously deprived of his rights by the City of Laramie multiple times.

Must the rest of Laramie wait to see all of Tim's hogs gored before they stand up and do the right thing? Because, once Tim runs out of hogs...yours are next.

Sincerely,  
Tony Bennett

BTW, How goes the West Laramie Fire Station...still not built?? Whodathunkit?



Good luck Mr. Tim Hale. Maybe you should recruit:  
**Needed - A Few Good Men & Women.**

Does anybody else not find the actions against Mr. Hale offensive? Or are you all too busy drinking the Soylent Green from a certain downtown coffee shop?

[Adam Vernati](#)  
(Member)  
06/13/08 04:24  
PM



**Re: Time to take out the garbage**

First of all, I must agree with you that the general condition of our city is filthy. I have actually spoken with several people who have said the very same thing. This is definitely one issue that bugs me to no end. I cannot say whether the facts as stated about our police chief are true or not, but I can say If I were on the council I would be concerned about what the facts truly were. I do feel that government owes a responsibility to the people it is supposed to protect and serve. An event of this level needs to be addressed immediately. Whatever the outcome. I have said very early on that moving public comment to the end of the meeting in order to avoid any undesirable statements is wrong. People deserve to be heard whether we agree with them or not. I served 15 years in order to protect that very principle.

Just my 2 cents.

[Wyonative](#)

(Platinum Member)

06/13/08 07:37 PM

**Re: Time to take out the garbage**

Be careful Adam. Council *has* worried about the trash in Laramie. Their solution has obviously not worked.

The city has wasted time and money on punishing the home-owner instead of coming up with ways to actually deal with garbage in a very windy little city with many transient (due to academic facilities) residents who care not at all for what they will soon leave behind. Laramie did not need stricter rules and more reasons to not haul away what is in the trash bin, but an upgrade to the disposal system. If council were not busy fighting for expensive projects that benefit their personal business (i.e. fancy street signs downtown, 40k roofs for a dumb picnic table at a park we do not own and are not allowed to park at, 1+ million dollars to upgrade electrical posts downtown to allow for fancier christmas lights) we could probably afford the upgrade to the garbage utility.

On a side note - I did not read Ron's post quite the same way as Fuzz. I think Ron disagrees with how the city has handled Mr. Hale.

[Ron Glaser](#)

(Member

Extra-ordinary)

06/13/08 10:40

PM

**Re: Time to take out the garbage**



Well, I suppose I am misunderstood again. It's true that Mr. Hale can be hard to listen to at times...but really, the point I am trying to make, whether it's Mr. Hale, or anybody else that addresses council, they must be allowed to speak, and **those that have been following this ridiculous display know that I filed a complaint with the Albany County Sherrifs office when Mr. Hale was not allowed to speak before council.** This complaint led to a reassessment of the so-call code of conduct in light of the case law presented by our competent Laurie Seidenburg. I would have done the same thing had it been , yes, even, Mr. Fuzz or Joe Shumway that was shut down... the point is not so much Mr. Hale or any other rabble rouser or whistle blower, but the point is an arrogant staff and council that seems to be out of touch with the Bill of Rights, the Rule of Law, and the fundamental idea of government "By the People and for the People".

The abuses suffered by Mr Hale from the City Staff are real and I am surprised he has not sought a legal remedy. Perhaps the Chief will give him that opportunity through his own mis-guided need for redemption. Perhaps it is time for the courts to step in and examine what is going on at City Hall in great detail. I hope this is just not another false start along those lines. The point I make about the laptops was intended to point out just how retarded policies can be in institutions that never feel the sharp edge of competition.

"We, the people" pay for those inefficiencies, and, in the worst cases, outright corruption.

Once that elitist attitude is removed, a lot of things will fall back into their rightful place.

I was sitting in council chambers when Mr Hale presented Mark Collins with a "horses ass" trophy...maybe he did deserve it, but I thought that was entirely inappropriate. The Bevis and Butthead use of "ass" and "intercourse" did not Mr Hale a statesman make. Retailiation by not picking up his garbage or imposing unusually strict inspections on his property... where does this childish behavior end?

In my book, both sides are at fault, but, the world will always have Tim Hales, and I don't have a problem with that. Tim has exposed some real problems and rabble rousers are healthy for our system. But the City should operate at a higher level, which, sadly, it does not.

I hope we can elect a council that has the integrity to turn this mess around and get on with the business of running a City instead of this childish tit for tat game. What a waste of resources...

Well, I suppose I will get attacked from both sides for not joining one or the other party...oh well, what else is new...

How bout this Mr. Fuzz? Who should I go to next, the FBI?

Quote:

Letter to the Governor  
Ron Glaser

153 N Adams Street

Laramie Wyoming 82070

307-760-2319

[captainronmail@yahoo.com](mailto:captainronmail@yahoo.com)

Governor Dave Freudenthal

Governor's Office  
State Capitol, 200 West 24th Street  
Cheyenne, WY 82002-0010

Dec 31, 2006

Dear Governor Dave,

My name is Ron Glaser, a Wyoming native, life long democrat and resident of Laramie. This year I ran for the office of City Councilor, but lost by the slim margin of 4 votes. I really have no political ambition, but living here in Laramie for thirty years, I have become increasingly alarmed over the profound mismanagement of our City, which, I am sure you are aware of. Thank you for your assistance with the SLIB grants.

I present this letter to you in order to ask your help. Our current City Manager and Council seem to think that State Law can be ignored by the City, or, at least on the part of the council, they may be simply ignorant.

We have seated Mayor Jodi Guerin, who has a major share in a privately held corporation that owns a State of Wyoming Liquor License. It is my understanding that such individuals cannot hold a council seat or be mayor. Even if this arrangement is legal, it still remains inappropriate, in my view, for such an individual to vote on issues pertaining to liquor licenses and liquor dispensing in our town.

In addition to these conflicts and legal concerns, our Mayor's husband sits on the board of the Laramie Economic Development Corporation. This non-governmental entity has given her corporation loans, which, in and of itself would not be so alarming if the Mayor would recuse herself from votes related to this entity, which she does not.

An individual named Tim Hale has brought these issues and others to light in our open City Council meetings. At the December 5 meeting, Mr. Hale was asked to refrain from speaking if he did not agree to not mention any City employee or Council Member's names or titles in his pleadings before council. He did not agree and was not allowed to address council. This new set of rules of conduct by the public, where any grievance against a city employee must be addressed in writing to the City manager, and not in open council, was formulated by the Mayor and City Attorney without the knowledge of full council. Please contact Councilor Jeanne Armintrout to verify my allegation. An audio transcript of this meeting is available on Laramie City website. This appears to be a violation of First Amendment Rights and has already been noticed by the Wyoming ACLU. I have filed a criminal complaint with the Albany County Sheriff's Office with regard to this matter. I find these attempts to muzzle the public and keep the grievances of citizens out of the public eye most troublesome, and possibly in violation of Wyoming Statutes pertaining to open meetings.

While I find these First Amendment issues most troubling, I am also alarmed at the handling of our Enterprise Funds. These funds are being operated with a "profit center" mentality, The City clearing a tidy 2.7 million after depreciation in FY 05, a return of over 30%. While this may be barely legal should council sanction transfers of this money, I believe this activity on an ongoing basis violates the original intent

of State Law. What is definitely illegal is the sale of municipal water to UW at a deep discount, along with the use of enterprise resources; mostly water, for general fund activities like recreational activities. I don't mind paying for the water I personally use, but I think public facilities and the UW golf course should be funded either by general fund monies or user fees. Frankly, the financial reports given to council members do not clearly indicate this exchange of funds. I would encourage your office to work with the legislature to provide some sort of oversight of City monopoly fee schemes in a manor similar to the oversight the PSC provides us with regard to private sector utilities, or, perhaps, oversight similar to that provided school districts. Another possible alternative is to provide a higher standard of reporting for Annual Reports, and have those reports audited by either the State to check for compliance with State Statutes or responsible accounting firms selected through a bid process. I find it most troubling that our financials are audited, year in and year out, but the same local firm, with no bid process.

Governor Dave, I am so pleased that you have been again chosen to lead our wonderful state. You know as well as I, that Laramie is special. Laramie provides many opportunities through education for our children, and also for adults wanting to better themselves. It is a sad thing that our community and county have the second highest housing costs and lowest median income in the State. Part of this problem, I believe, resides with a protectionist economic development group, the LEDC, that is not effective at attracting new business to our county, while the rest of our state prospers. When an economic development entity spends most of its funds on its own board members, it is no surprise that 470 jobs have been lost in Laramie since 04. Furthermore, I believe the City leaders have been instrumental in keeping housing costs high in order to gouge the children and parents of our state when they come here to learn to be prosperous citizens.

For the good of Laramie and the entire state, I would be forever in your debt if your office could find a way to investigate the handling of economic development funds in Laramie and assess the level of corruption that may exist, and hold our council to the letter of state law with regard to open meetings, eligibility for service on council, and proper behavior with regard to conflicts of interest. In the event some of these matters would be better addressed by another State or Federal office, your advice and directions would also be greatly appreciated.

Thank you for your time and the comfort of knowing we still have Gov Dave !

Bless you Sir,

Ron Glaser

153 N Adams Street

Laramie Wyoming 82070

307-760-2319

[captainronmail@yahoo.com](mailto:captainronmail@yahoo.com)

You should be receiving a copy of this correspondence soon via certified mail.

Well, there is another election on the horizon...I guess we will see if the court of public opinion works or not. In any case, we will get the government we deserve, it

seems...

Enjoy your weekend everybody,  
Happy Father's Day

[Mr. Fuzz](#)

(Rabble Rouser  
turned Lurker)  
06/15/08 09:16  
AM

**Re: Time to take out the garbage**

Sorry for being an

=

Ron,

I must apologize for my previous terseness.  We are on the same page...like usual.

I was confused as to the intent of your previous post.

Sincerely,  
Tony Bennett

Rant follows:

Calling Tim Hale a rabble rouser, or any other name that connotes that he is causing the wrong kind of trouble, sort of sticks in my craw. Were the rest of Laramie attacked, ignored, dismissed, alienated, and deprived of rights akin to Mr. Hale for as long as Mr. Hale, our delivery of the message may falter a bit as well. But wait, the rest of Laramie has been treated in this manner as of late (since 1998). Tim has had the intestinal fortitude to stand up to such blatant illegality and corruption. (I think he must have a lot of free time. ) Others have tried, or are trying, as well:  
Yourself - Ron Glaser  
Jeanne Armintrout & Ed Armintrout  
Joe Hageman  
Laurie Seidenberg  
Charles Taulbee  
Brian Shuster - Occasionally  
Bob Bell - Occasionally  
and others here and there but they are the minority and mostly single issue specific.

If it weren't for basic survival I would be there with Tim Hale like I was in many utility rate increases. So now I must fight from a distance and try to keep the candles lit.

The people of Laramie don't have to start drinking beers with Tim Hale, but they should at least stand beside or behind him at the meetings as he fights against the illegality and corruption.

I just wish there was a real journalist in Laramie that would be 10% as inquisitive as Tim to put this stuff in writing somewhere.

Sorry for the overly verbose apology/rant Ron. Mea Culpa for the previous tongue-lashing as it was unwarranted.

Sincerely,  
Tony Bennett

=

[scribe](#)  
(Member)  
06/15/08 10:30  
AM

**Re: Time to take out the garbage**

Joe:

Wouldn't Hale's comments be protected under the legal precedent of Times Vs. Sullivan? Under that ruling public figures have to prove the statement was false and the intent was malicious. That covers libel and defamation. I don't know about slander or if slader is even applicable in this case.  
We are talking about a public figure here, aren't we?

[Joe Hageman](#)

(Platinum Member)

06/17/08 02:53 PM



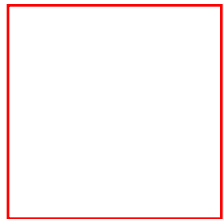
**Re: Time to take out the garbage**

Whether the Chief is a Public Figure is a question of fact but he looks like one to me. I was only at one meeting where Hale spoke about "funds used by a Department head to make a personal purchase" and made inquiry what the City's policy was as to such an action. No names were mentioned and no accusations were made toward anyone in particular. Something could have happened at a later meeting and I do not watch them on TV (free at last...). I don't see any slanderous (verbal) statement against a person, public or private. I do not know what is contained in any writing alleged to be the defamatory statement constituting libel.

[Lux-et-Veritas](#)

(Silver Member)

06/20/08 07:47 AM



**Re: Time to take out the garbage**

Critic countersues police chief

By JARED MILLER  
Star-Tribune capital bureau

CHEYENNE -- A longtime observer and outspoken critic of Laramie city government has filed a harassment and civil-rights lawsuit against Police Chief Robert A. Deutsch.

Laramie resident Tim Hale filed the lawsuit in Albany County Circuit Court on Tuesday. It is a countersuit in response to a civil defamation lawsuit Deutsch filed against him.

Hale claims that Deutsch's lawsuit constitutes harassment, and violates his free-speech rights. He's asking for a judgment of \$6,000.

On Thursday, Deutsch said he could not comment on either lawsuit.

Deutsch filed his suit earlier this month, accusing Hale of libel and slander for making "false accusations of criminal wrongdoing."

No details are included in the lawsuit, but Hale said he believes it's the result of his efforts to force an investigation of a purchase Deutsch made with city petty-cash funds.

According to city records provided by Hale, Deutsch spent more than \$1,433 in petty cash to buy a laptop computer that was delivered to his home, and later reimbursed the city with a personal check.

*City Manager Janine Jordan said last week that no misuse of public funds was*

*detected.*

Hale has been critical of Deutsch several times in the past, most recently for accidentally leaving his police-issue handgun in the bathroom at a local restaurant, and for responding by writing his own reprimand.

Hale also has accused the city of retaliating against him by failing to provide trash removal services to his business, and by failing to respond when a motorist blocked his driveway.

A regular at Laramie City Council meetings, Hale gained attention last January when he carried a bag of trash into the council chambers and left it there to protest city garbage-collection practices.

He was cited for littering for the stunt but later beat the charge when a judge determined that the city litter ordinance only extended to trash left out of doors.

At the root of the current dispute, Hale said, is his desire for accountability versus the unwillingness of city officials to be open with Laramie citizens. "This is done to discourage the public from participating in governmental affairs and expecting accountability."

He's not yet decided whether to hire a lawyer, or to fight the charge on his own, as he did in the littering case, he said.

Regardless, Hale said he's up for a fight. "People that know me usually don't try to see what I'm made out of."

Reach capital bureau reporter Jared Miller at (307) 632-1244 or at [jared.miller@trib.com](mailto:jared.miller@trib.com).

**The question for the city manager would be who "investigated" this? Did they work for the City? Or worse yet, the T/Chief? Isn't it true that Mr. Hale simply wrote a letter to her asking the matter be investigated by an outside law enforcement agency?**

**Obviously the City has no intention of allowing the details of this incident to every see the light of day. They will undoubtedly pursue the same kind of cover up they did with the LPD officer's abuses in the High Risk Youth program. The County Attorney and the Sheriff jointly requested an outside investigation of that matter by DCI and it was squelched by then "acting" LPD Chief Jim Kyritsis through his personal intervention with officials at DCI to spare one of his pet programs and several of his cronies any further embarrassment. A subsequent audit of the LPD's spending was requested by the Council due to public pressure, but only with such restrictive conditions on the scope of the**

**audit that the Council could rest assured no further abuses would be disclosed. For example, Councilman O'Malley, a former LPD Chief himself, insisted that the audit span be stopped short of any investigation of spending during his tenure as Chief. The most recent series of Chiefs and high level administrators of the LPD have created a culture of corruption and incompetence that would make the Chicago police department blush.**

It's time to take out the garbage!

[Mr. Fuzz](#)  
(Rabble Rouser  
turned Lurker)  
06/21/08 03:09  
PM



**Re: Time to take out the garbage**

=

Why doesn't the City just start operating in a moral, ethical, and responsible manner instead of testing the indefatigability of Mr. Tim Hale? It would be cheaper in the long run and better for the People of Laramie. Sorry, I forgot that there are too many morally bankrupt types in Laramie. =

How many years is this now for Mr. Hale? He has outlasted all the City Managers...wait, that isn't that hard to do...Heck, Jodi and Tim could have been pals this whole time. Just think of the good times that could have been had.

I found a rare video of The Chief in fine form (he is in the blue jacket):

=

And another video of the City of Laramie trying to silence Tim Hale:

=

**Kudos to the Casper Star-Tribune and Jared Miller for following this.**

The Bandwagon for a better Laramie waiting, lots of room left next to Tim Hale...**All Aboard!**

[Joe Hageman](#)  
(Platinum  
Member)  
06/25/08 05:03  
PM



**Re: Time to take out the garbage**

The trial was had today in Deutsch vs. Hale. Although Hale had subpoenaed the City Manager, the City's Fiscal Officer, and Councilor Schumway, only Chief Deutsch testified. The City Attorney filed and argued a Motion to Quash the Subpoenas for city employees, the judge did not rule on Motion to Quash and these city employees and the City Attorney remained at the Circuit Court for at least 2 ½ hours.

Chief Deutsch testified to the following:

Chief Deutsch ordered a Hewlett-Packard laptop computer in June or July of 2007, for which no payment or interest would be due for 6 months, which he had delivered to his home.

The Chief did not remember whether sales tax was paid as part of the purchase price (sales tax is not due for property purchased by the City, but is due for property purchased by an individual).

In December of 2007, Chief Deutsch instructed his assistant to withdraw the amount payable for the laptop from the \$2400.00 petty cash fund at the Laramie Police Department to purchase a money order payable to Hewlett-Packard, which was used to pay for the computer.

Chief Deutsch testified that by the time the payment was made he had approval from his supervisor to purchase a laptop for the department, although he had not decided at the time he took delivery whether it was for the department or for him as an individual.

The Chief said there were two or three prior incidents he had been involved with in the use of petty cash funds other than according to policy, but could not remember if they occurred before or after this disbursement of the \$1400.00 plus dollars. They were minor amounts and he considered them insignificant.

The Chief stated that this was wrong and he knows that he violated the policies concerning the use of the petty cash funds. He indicated he was given the opportunity to process the funds properly so that the laptop could be inventoried as city property but instead, he chose to simply write his personal check to the City of Laramie for the amount of the withdrawal from petty cash and retain the computer because it was less trouble than going through the usual process.

Chief Deutsch indicated he had paid the money to the City and been reprimanded and believed he had straightened it all out before Mr. Hale brought the matter to the attention of the City Council in the May 6, 2008 meeting.

The Chief acknowledged that neither he nor his department was mentioned by Mr. Hale at that meeting and that Hale would have had no method of knowing about the City personnel matter at the time the City advised in the open Council meeting that such a matter would generally be referred for criminal investigation.

The Chief admitted that the allegations contained in Hale's letter to the City Manager dated June 3, 2008, contained true statements as to the matters which were relevant to this suit such as that he had written a check to the City of Laramie for the amount paid from petty cash for the computer, but felt that the request for an outside agency to investigate whether or not there had been "embezzlement" was an

allegation of criminal wrongdoing against him.  
Chief Deutsch admitted he was a public figure.

Chief Deutsch also admitted he had suffered no monetary damages and could provide no proof of any loss of reputation, but simply wanted \$5000.00 or some other amount in punitive damages.

Laurie Seidenberg, Tim Hale's attorney, requested that all claims for defamation, whether called libel or slander, be dismissed, and the Judge found as follows:  
False allegations of criminal conduct can amount to libel or slander, per se, against a public official.

A public official has a higher burden of proving, by clear and convincing evidence, that the false statements were made "maliciously".

"Maliciously" requires proof that the person knew the statements were false at the time they were made or recklessly disregarded information which would have shown that the allegation of criminal conduct was false.

The judge found that there Deutsch had not provided sufficient proof to support the complaint as to defamation, and that it should be dismissed without the necessity of Hale putting on a defense.

Now some food for thought...

Assuming that the use of petty cash funds to pay for the computer was a second or third or fourth genuine mistake in use of petty cash funds and that the matter fully resolved by the time the Chief has been reprimanded and told that he may go through the proper process to voucher those funds, repay the funds to petty cash from the department budget, and place the laptop into City property, and that all of this is completely appropriate and unquestioned, one matter remains.

**SALES TAX.**

If the computer was ordered for the City of Laramie, no sales tax was due and the price would presumably have been 6% less than for an individual as a result of the City's tax exempt status.

I do not believe it is the policy of the City of Laramie to allow its employees to purchase items for their own use in the name of the City of Laramie, thereby avoiding the payment of sales tax. If the computer was ordered as if it were going to be for individual use, then 6% of the purchase price was sales tax, which was paid for from petty cash and which would never have been owed by the City, and it should not have been incurred as an amount to be paid by the City from petty cash or otherwise.

It appears that, even if everything which occurred through the date of the Chief's reprimand was merely a series of mistakes in violating the petty cash policies, a new and separate problem arose when the Chief determined he would prefer to write a personal check to the City of Laramie to reimburse the City for the expenditure, thereby avoiding the payment of tax.

The only other alternative is that the computer was ordered by him as an individual and the purchase price included sales tax which was paid for out of petty cash which

would seem to be contrary to the intentions testified to by the Chief. Either way, there is a problem.

I wonder what the actual cost of having this suit filed by Mr. Deutsch actually was. Sure there were \$45 in cost to the Plaintiff and Hale paid \$100 to serve the Subpoenas but, the cost to the City for the 2.5 hours of Court time for the City Manager, Attorney and Fiscal Officer together with the time preparing the Motion to Quash, ect., must be equal to or greater than the the price of the Computer.

[mern](#)  
(still here)  
06/25/08 08:29  
PM

**Re: Time to take out the garbage**

Interesting.

I worked for a billion dollar utility company who had an excellent employee who also made a mistake. She called a friend a few times on the company phone totaling an amount of \$75.00.

At the time I thought that they should let it go, but she was immediately fired.

Perhaps our city shouldn't worry about this zero tolerance stuff like smoking, construction site noise, or properly bagged garbage and concentrate their efforts on theft from the Laramie P.D..

Unlike weed control, theft is a commandment.

[Wyonative](#)  
(Platinum  
Member)  
06/26/08 06:42  
AM

**Re: Time to take out the garbage**

This matter disgusts me. Deutsch obviously was in the wrong. Personally, I think he should have been fired long ago. First, council tries to remove our right to speak to them regarding city employee behavior by law of Roberts Rules and now the city has allowed a dishonest employee who is caught with his hand in the city honey jar to sue the person who brings this to light. Hale may not have been charged, but the message is sent. The message: Do not question my behavior or I will hurt you. The relationship between Laramie government and the tax paying public is akin to an abusive and sick marriage.

[Dude](#)  
(Platinum  
Member)  
06/27/08 08:08  
AM

**Re: Time to take out the garbage**

By JARED MILLER  
[Star-Tribune capital bureau](#)

Thursday, June 26, 2008 11:09 AM MDT

CHEYENNE -- A circuit court judge on Wednesday dismissed a civil defamation lawsuit filed by Laramie Police Chief Robert A. Deutsch against his most outspoken critic.

Deutsch's lawsuit accused longtime city government watcher Tim Hale of libel and slander for making "false accusations of criminal wrongdoing. Deutsch asked the court for \$5,000 in relief.

Hale said the lawsuit was an attempt to shut him up, and he responded with a countersuit accusing Deutsch of harassment and violating his civil rights.

Circuit Judge Randal Arp of Torrington rejected Deutsch's lawsuit, saying Hale's right to criticize government officials is protected as free speech, according to Laramie lawyer Laurie Seidenberg, who represented Hale.

Hale immediately dropped his case against Deutsch.

"I was very pleased today, because we have the First Amendment in our country and people can get up and speak their minds and be critical of government and not be convicted of anything," Seidenberg said in a telephone interview after the court hearing in Laramie.

A call left for Deutsch Wednesday afternoon was not immediately returned.

Seidenberg asked the judge to dismiss the case on grounds that Deutsch's arguments did not meet the legal thresholds required to prove libel.

Arp agreed that Deutsch had not met the burden of proof. He cited the landmark New York Times v. Sullivan Supreme Court case that established the "actual malice" test for libel cases involving public officials.

"Chief Deutsch could not show that there was actual malice, and he could not show that Mr. Hale had knowledge that the statements were false or that it was reckless disregard for the truth," said Seidenberg, who labeled Deutsch's lawsuit a "slap" suit intended to dampen public participation in city government.

"Tim Hale, as the judge said today as he dismissed the case, has a right to criticize public officials, and public officials have to take it," Seidenberg said.

Hale has been critical of Deutsch on several occasions, most recently for using city

petty cash to purchase a computer that was delivered to his home, according to Hale.

City Manager Janine Jordan has said that no misuse of public funds was detected.

Hale also criticized Deutsch for accidentally leaving his police-issue handgun in the bathroom at a local restaurant. He has accused the city of retaliating against him in the past.

Hale gained attention last January when he carried a bag of trash into the Laramie City Council chambers and left it there to protest city garbage-collection practices. He was cited for littering but beat the charge.

Reach capital bureau reporter Jared Miller at (307) 632-1244 or at [jared.miller@trib.com](mailto:jared.miller@trib.com).

[mern](#)  
(still here)  
07/02/08 08:05  
PM

**Re: Time to take out the garbage**

I heard today that Mr. Deutsch is no longer Police Chief of Laramie.

Mr. Stalder will be taking over his duties.

[Lux-et-Veritas](#)  
(Silver Member)  
07/03/08 06:51  
AM

**Re: Time to take out the garbage**

Goodbye Deutsch ... hello Stalder

LPD veteran steps up as interim police chief

By Karla Pomeroy  
Boomerang Staff Writer

Commander Dale Stalder began his 29th year with the Laramie Police Department on Tuesday, near the end of his shift, at about 3 p.m., City Manager Janine Jordan appointed Stalder as interim chief.

Stalder said that after he was notified of the appointment, the manager's office sent an e-mail to city of Laramie employees notifying them of the change, and the Laramie Police Department sent out a subsequent notice within the department.

“Commander Stalder brings to the table 29 years of law enforcement experience

making him excellently qualified to assume this important role,” Jordan said in a press release issued late Tuesday night.

In naming Stalder as interim chief, Jordan said in an interview Wednesday afternoon that stability will be maintained in the three divisions of the police department and no further interim appointments will be required. She said Stalder will continue his duties as commander of the Laramie-Albany County Records and Communications (LARC) Division.

In the press release, Jordan said a primary responsibility of the interim chief will be to maintain external relationships with other local, state and federal law enforcement agencies and continue moving forward with the department’s community outreach efforts such as the downtown storefront and the community policing forum.

In an interview Wednesday afternoon, Stalder said he would split time between the two duties as LARC commander and interim chief, including time at both offices. Moving from division head to a department head brings added responsibility, he said, adding that instead of just overseeing 20 employees, he will now oversee 80.

“The whole department does not have the staffing that really allows us to have one person step entirely out of any position into an interim role like this,” Stalder said.

He said there are a number of big projects that LARC is in the midst of, including upgrading the radio console to make it compatible with the WyoLINK system. With a new fiscal year beginning, he said that as interim chief, he will work to move projects forward that are in the budget.

“We’ll try to establish an environment with whoever is chosen to be the next chief, that there is stability and continuity and adequate working environment for that person,” he added.

Stalder said the Laramie Police Department is chain-of-command-oriented so that when one person or one function drops away, there are systems that pick up to move things forward. “It’s kind of business as usual,” he said.

“We have a great command staff here. We have great people working at the department. Everybody knows what their role is. We’ll move forward without any bumps. The department is very capable, to lose any single piece of that department and still function without any problems.”

He added: “I work with a great bunch of people in LARC. I get to work with an equally great bunch of people in the police department, and now I just expand that role to being more of an integral part of a good system at the city. I have a lot of respect and a lot of dedication to both the PD and the city.” In the press release, Stalder said” “Laramie and the police department have been an incredibly important

part of my career and I look forward to ensuring that the professionalism and reputation of the PD is maintained in this interim period.”

Stalder began his career with the department as a patrol officer, working for more than 12 years. He then worked crime prevention for six years and was promoted to sergeant. In 1998, he was assigned to LARC and promoted to commander.

Jordan said the administrative staff will meet soon to discuss how to proceed with a search for a permanent replacement. The position is hired through the city manager’s office.

She said the process of finding a new chief likely will take at least three months. Stalder said the next chief will be the seventh chief in the past three decades.

Karla Pomeroy’s e-mail address is lbedit9@laramieboomerang.com

[Lux-et-Veritas](#)  
(Silver Member)  
07/03/08 06:56  
AM



**Re: Time to take out the garbage**

Laramie officials won't say if chief resigned or was fired

By JOAN BARRON  
Star-Tribune capital bureau  
Thursday, July 3, 2008 6:43 AM MDT

CHEYENNE -- The city of Laramie's police chief for more than three years, Robert A. Deutsch, left the department as of Tuesday, the city manager's office announced Wednesday.

"He is no longer working for the city of Laramie," said Jon Holmes, the city's management analyst.

Asked if Deutsch resigned or was fired, Holmes said he was not authorized to comment further.

City Manager Janine Jordan was out of the office and unavailable for comment Wednesday.

A news release from the city manager's office said Commander Dale Stalder, a 29-year law enforcement veteran, has been named interim police chief.

By naming Stalder as interim chief, Jordan said in the prepared statement, stability is maintained in the three divisions of the police department, and no other appointments will be required.

Deutsch held the position of police chief for more than three years.

"Bob led the Department through a time of change and I appreciate the efforts and energy he invested into the city. We wish him well," Jordan said in the release.

The city will begin recruiting for the permanent position in the coming weeks, the release said.

Efforts to contact Deutsch were unsuccessful Wednesday. He was not available through the police department, and his home phone is not published.

Stalder did not return a phone call Wednesday afternoon.

Laramie City Council member Jodi Guerin said she was unable to comment, given that the police chief is not part of the council's purview under the city manager form of government.

"The police chief is not one of our employees as a council," Guerin said.

On June 25, a circuit judge dismissed a lawsuit Deutsch filed against his erstwhile critic, Laramie resident Tim Hale.

The lawsuit accused Hale of libel and slander for making "false accusations of criminal wrongdoing," and asked for \$5,000 in damages.

Hale countersued, claiming Deutsch was violating his First Amendment rights to free speech.

Circuit Judge Randal Arp of Torrington rejected Deutsch's lawsuit on the grounds that Hale's criticism of a government official is protected as free speech and did not meet the "actual malice" test for libel cases involving public officials.

Hale dropped his counterclaim.

"I'd like to think I had a hand in it," Hale said Wednesday, referring to Deutsch's departure from the department.

"I'm not absolutely convinced he resigned," he added.

"I think a lot of this stemmed from the city's embarrassment of how poorly he presented his case last week in court and how he has used his position to bully a member of the public," Hale said.

Hale had been critical of Deutsch, among other things, for using city petty cash to buy a computer that was delivered to his home.

Jordan, the city manager, said earlier that an internal investigation found no

evidence of embezzlement of public funds.

On another occasion, Hale pointed out to city officials that Deutsch accidentally left his police handgun in the bathroom of a local restaurant. Deutsch responded by issuing a reprimand to himself.

On Tuesday night, Hale said, he presented information to the city council that brings into question whether Deutsch paid sales tax on the computer or whether he used the city's tax-exempt status.

The city, he said, has not provided him with adequate documentation.

Hale gained attention last January when he carried a bag of trash into the Laramie City Council chambers and left it there to protest city garbage-collection practices. He was cited for littering, but the charge was dismissed.

Stalder, meanwhile, has been responsible for the Laramie-Albany County Records and Communications Division of the department since 1988. The division provides record services to agencies throughout Albany County.

As interim chief, Stalder's primary responsibility will be to maintain external relationships with other local, state, and federal law enforcement agencies, and continue moving forward with the department's community outreach efforts, such as the downtown storefront and a community policing forum, the release said.

"Laramie and the police department have been an incredibly important part of my career and I look forward to ensuring that the professionalism and reputation of the PD is maintained in this interim period," Stalder said in the release.

Contact Joan Barron at [joan.barron@trib.com](mailto:joan.barron@trib.com) or by phone at 307-632-1244.

[hocuz pokuz](#)  
(Silver Member)  
07/03/08 07:29  
PM

**Re: Time to take out the garbage**

Resigned or fired? it doesn't matter at least he's gone. Has stalder ever been offered the chief job? seems like the best candidate to me.