

# Petersburg Borough

## Performance Appraisal

EMPLOYEE INFORMATION		
Name	James Kerr	Date 01/14/2022
Job Title	Police Chief	
Department	Police Department	
		Review Period 01/01/2021-12/31/2022

### Strengths

*Please list this individual's top three strengths with an example for each*

1. Knowledge of Police Practices – Jim consistently provides his expertise on Police Practices to multiple departments and works effectively on issues with the Borough Attorney, Federal and State agencies, and other Borough departments.
2. Focus on Team Development – Jim has built a solid team in the PD and does an excellent job planning for the tools his team needs. Petersburg is consistently called upon by other agencies to help with training and this is due to Jim's proactive response.
3. Integration into the Petersburg Community – Jim fits in to SE and continues to work with the community. He is involved in the community beyond his job and puts in the effort to be seen in the community in positive settings.

### Opportunities for Improvement

*Please list up to three areas where this individual could improve and develop performance with an example of each*

1. Political decision making – Jim has had some missteps regarding communication both in person and on social media. The Jim's November 17, 2021 COVID discussion with the statement at the Assembly meeting was inappropriate (a) by advocating against enforcement of the mask mandate, and (2) while he did not purport to speak on behalf of the Department, he spoke to police department internal operations and asserted a position on enforcement of an ordinance and on the use of force ("if you want the mask ordinance enforced, it will be enforced but only until officers get hired by another department"; "sending officers with guns and arrest powers to a masking complaint is absurd" and "should be viewed as excessive force.") Also, and the publishing of his picture taken at the airport with a celebrity traveling through airport picture with town, with no mask on, during the pandemic, was ill-advised.
2. Budget development and management – I would like to see Jim more proactive on working to reduce Overtime and overall expenses, without reminders or prompting from me.
3. General Leadership – Jim is a good leader, but he needs to remember he is always in the center of people's attention. How we say something and how we approach problems and discussion with the public, are very important. Jim needs to keep his composure and avoid getting frustrated with how things sometimes play out.

**Borough Values**

*Please review the values, and indicate how well this employee has been exhibiting the values. Please provide examples.*

<p><b>Team Values:</b> Respect each other and honor diversity; Be straightforward and direct when dealing with each other, our customers and vendors; Balance our work and personal lives. Work hard so that each of us carry our own weight and do the job that is expected of us.</p>	<p>Jim is fantastic working with other department heads and jumping in where he can help. His team at the PD may be the best group of officers we have had in my tenure.</p>
<p><b>Our Community is Our Partner:</b> Create solutions that add value to their lives and businesses; Deliver quality service by doing quality work. Understand that we work for the city, citizens, visitors and businesses here in our community.</p>	<p>Jim knows his job as a Chief and works very well with the community. Citizens and groups in the community seek him out for advice and counsel. I would like to see Jim spend more time "visiting" with business owners, and citizen groups.</p>
<p><b>Balanced Risk-Taking:</b> Taking informed risks, balanced by the values of the team; Being nimble and innovative. Make appropriate decisions for your level in the organization while recognizing the value of working independently. Take on appropriate responsibilities and tasks without having to be asked.</p>	<p>Jim needs some work in this area. On Police matters, he is excellent. <del>On political issues, less so.</del> He knows how to make quality decisions and can successfully work independently. He does not have to be asked to take on most tasks. On more sensitive political issues, Jim sometimes struggles with the balance between being the Police Chief and a public citizen, and how to successfully navigate this challenge. <u>I will continue to discuss this with Jim, to provide further guidance.</u></p>
<p><b>Results Orientation:</b> Maximize sustainable profitability for community stakeholders; Honor commitments to each other and our community. Understand that we are judged by our accomplishments or lack of accomplishments. Be aware of the need for constant improvement and a high level of performance at all times.</p>	<p>Jim can be trusted to get the job done and has no problem with being judged on his accomplishments. He demands high performance from his team, without being overbearing.</p>

**Employee Signature and Date**  
(note – signature confirms submission of Review information)

Form Date: 02-01-2012

Petersburg 000004

**Stephen Giesbrecht**

3 attachments

**From:** Debra Thompson  
**Sent:** Tuesday, June 14, 2022 12:48 PM  
**To:** Stephen Giesbrecht  
**Subject:** Investigation letters  
**Attachments:** Kerr Investigation Conclusion Letter - signed.docx; Meucci - Kerr Investigation Conclusion Letter - signed.docx; Kensinger - Kerr Investigation Conclusion Letter - signed.docx

Hi Steve,

I thought maybe you wouldn't have to go to Kinko's if I just made you an electronic signature like I use for the Mayor when necessary. Let me know what you think. The letters can be edited if you'd like and you can still print, sign, scan and email them back to me if you prefer.

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405





June 14, 2022

Via hand delivery

Chief Kerr

Dear Chief:

This letter is to communicate to you the results of the Borough's Investigation into your allegations of harassment by Assembly Members Meucci and Kensinger. I would have preferred to provide this letter to you in person, however I am out of town until next week and did not wish to delay this notification.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Assembly Member Kensinger. After thorough investigation and analysis, Mr. Diemer determined that harassment has not occurred. I've summarized the findings below:

1. Petersburg Police Department Procedure Rule 125 applies to your November 17, 2021 statement to the Assembly. However you committed a technical violation of that Rule, under paragraph (2)(b) by "Using [your] official capacity to ... coerce or persuade any person to follow any course of political action." You advocated against enforcement of the mask mandate and attempted to persuade the members of the Assembly to follow your desired course of action. Further, while you initially disavowed speaking the position of the Borough, your statement spoke to matters within the exclusive purview and control of the Petersburg Police Department, including enforcement of an enacted ordinance and on the use of force. Thus, despite the initial disclaimer, your speech constituted an affirmative manifestation of representation of the Department.

2. While you didn't seek prior approval of your statement from me, you did inform me that you intended to make a statement. Thus, your violation was unintentional and my notations within your January 14, 2022 Performance Appraisal are too broad and must be revised and narrowly tailored to notate only those statements that are non-compliant with the Rule. I will do so when I return to the office, and we can sit down and go over the revised Appraisal.

3. You, as Police Chief, hold a policymaking position. Accordingly, your November 17, 2021 statement is not protected by the First Amendment of the U.S. Constitution.

Borough Administration  
PO Box 328, Petersburg, AK 99833 – Phone (907) 772-4425 Fax (907)772-3759  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 000016

4. Even if the policymaker exception was inapplicable, your statement is not protected by the First Amendment under the balancing test established in *Pickering v. Bd. of Educ. of Twp. High Sch. Dist. 205*, 391 U.S. 563 (1968). As Alaska's public employee free speech doctrine mirrors federal law, the same analysis would apply under the Alaska Constitution.

5. You did not allege that you were being discriminated against based upon race, color, religion, sex, national origin, age, disability, marital status, or parenthood. Accordingly, Federal Title VII and the Alaska Human Rights Act are not applicable.

6. There was not substantial evidence that the conduct you reference falls within the Employee Policy Manual's prohibition of workplace bullying or under any legal definition of harassment. While you stated that Assembly Members increased your workload by making inquiries and questioning you during Assembly meetings, the inquiries involved police department hiring processes and domestic violence calls. The Assembly has authority "[t]o inquire into the conduct of any office, department or agency of the borough, and investigate municipal affairs" (PMC 3.08.040(C)), and there was not substantial evidence that these requests by Assembly Members were outside the legitimate scope of PMC 3.08.040. Further, I, as your supervisor, had a legitimate basis to discuss your November 17, 2021 statement in your Performance Appraisal, however I will revise my comments to more narrowly tailor them.

7. There was no evidence that you sustained an adverse employment action in response to Assembly Member Kensinger's January 13, 2022 email statement. I rejected Member Kensinger's position, and you were not harassed or bullied as a result of that email.

8. The apparently misdirected text message sent by Assembly Member Meucci did not constitute unlawful harassment or bullying.

9. There was not substantial evidence that Assembly Member Kensinger made false statements at the May 2, 2022 Assembly meeting. Member Kensinger stated that he spoke with an individual within the Juneau Police Department during an in-person visit in February of this year but could not recall the name of the individual, and stated further that the individual did not ask any questions or communicate any concerns about the operation of the Petersburg Police Department scheduling. His reference to questions regarding PD scheduling were in reference to a PSAB member.

As a result of the investigatory conclusions, no further action will be taken on this matter at this time. If, at a later date, additional information is obtained or provided that contradicts these results, the matter may be investigated further.

Generally speaking, Borough personnel investigations are considered private and confidential, and accordingly this summary letter is being issued. Also, Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges.

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[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 000017

here for the sole and discrete purpose of allowing you, as well as Assembly Member Meucci and Assembly Member Kensinger (and their attorney), to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a more thorough discussion of the various principles at issue than can be contained in this summary letter. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please make arrangements with Debbie.

The Borough remains committed to creating a workplace free of illegal harassment or bullying. The Borough has taken your allegations seriously, and I thank you for your cooperation with the investigation.

Sincerely,



Stephen Giesbrecht  
Borough Manager

**Borough Administration**  
PO Box 329, Petersburg, AK 99833 ~ Phone (907) 772-4426 Fax (907) 772-3769  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 000018



June 14, 2022

Via email - Confidential

Jeff Meucci  
jrmeucciscuba@gmail.com

Dear Jeff:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Kensinger and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Kensinger and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

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[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 000019



June 14, 2022

Via email - Confidential

Dave Kensinger  
cheianproduce@gmail.com

Dear Dave:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

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Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

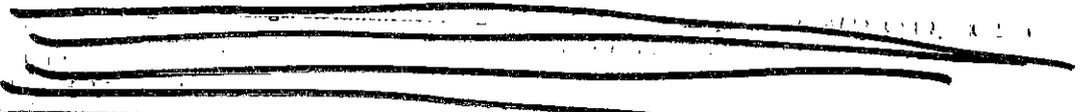
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[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 000020

Document not requested

**From:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Sent:** Tuesday, June 14, 2022 1:00 PM  
**To:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** Re: Investigation letters

They look mostly fine and an electronic signature would be great, especially if it means I don't have to drive in the traffic! 😊

A rectangular box containing a redacted signature area. The signature is obscured by several thick, horizontal black lines. The text above the lines reads: "They look mostly fine and an electronic signature would be great, especially if it means I don't have to drive in the traffic! 😊".

Steve

Get Outlook for IOS

From: Debra Thompson <[dtompson@petersburgak.gov](mailto:dtompson@petersburgak.gov)>  
Sent: Tuesday, June 14, 2022 1:47:47 PM  
To: Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
Subject: Investigation letters

Hi Steve,

I thought maybe you wouldn't have to go to Kinko's if I just made you an electronic signature like I use for the Mayor when necessary. Let me know what you think. The letters can be edited if you'd like and you can still print, sign, scan and email them back to me if you prefer.

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405





June 14, 2022

Via hand delivery

Chief Kerr

Dear Chief:

This letter is to communicate to you the results of the Borough's investigation into your allegations of harassment by Assembly Members Meucci and Kensinger. I would have preferred to provide this letter to you in person, however I am out of town until next week and did not wish to delay this notification.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Assembly Member Kensinger. After thorough investigation and analysis, Mr. Diemer determined that harassment has not occurred. I've summarized the findings below:

1. Petersburg Police Department Procedure Rule 125 applies to your November 17, 2021 statement to the Assembly. However you committed a technical violation of that Rule, under paragraph (2)(b) by "Using [your] official capacity to ... coerce or persuade any person to follow any course of political action." You advocated against enforcement of the mask mandate and attempted to persuade the members of the Assembly to follow your desired course of action. Further, while you initially disavowed speaking the position of the Borough, your statement spoke to matters within the exclusive purview and control of the Petersburg Police Department, including enforcement of an enacted ordinance and on the use of force. Thus, despite the initial disclaimer, your speech constituted an affirmative manifestation of representation of the Department.

2. While you didn't seek prior approval of your statement from me, you did inform me that you intended to make a statement. Thus, your violation was unintentional and my notations within your January 14, 2022 Performance Appraisal are too broad and must be revised and narrowly tailored to notate only those statements that are non-compliant with the Rule. I will do so when I return to the office, and we can sit down and go over the revised Appraisal.

3. You, as Police Chief, hold a policymaking position. Accordingly, your November 17, 2021 statement is not protected by the First Amendment of the U.S. Constitution.

Petersburg 000023

4. Even if the policymaker exception was inapplicable, your statement is not protected by the First Amendment under the balancing test established in *Pickering v. Bd. of Educ. of Twp. High Sch. Dist. 205*, 391 U.S. 563 (1968). As Alaska's public employee free speech doctrine mirrors federal law, the same analysis would apply under the Alaska Constitution.

5. You did not allege that you were being discriminated against based upon race, color, religion, sex, national origin, age, disability, marital status, or parenthood. Accordingly, Federal Title VII and the Alaska Human Rights Act are not applicable.

6. There was not substantial evidence that the conduct you reference falls within the Employee Policy Manual's prohibition of workplace bullying or under any legal definition of harassment. While you stated that Assembly Members increased your workload by making inquiries and questioning you during Assembly meetings, the inquiries involved police department hiring processes and domestic violence calls. The Assembly has authority "[t]o inquire into the conduct of any office, department or agency of the borough, and investigate municipal affairs" (PMC 3.08.040(C)), and there was not substantial evidence that these requests by Assembly Members were outside the legitimate scope of PMC 3.08.040. Further, I, as your supervisor, had a legitimate basis to discuss your November 17, 2021 statement in your Performance Appraisal, however I will revise my comments to more narrowly tailor them.

7. There was no evidence that you sustained an adverse employment action in response to Assembly Member Kensinger's January 13, 2022 email statement. I rejected Member Kensinger's position, and you were not harassed or bullied as a result of that email.

8. The apparently misdirected text message sent by Assembly Member Meucci did not constitute unlawful harassment or bullying.

9. Regarding Assembly Member Kensinger's statements at the May 2, 2022 Assembly meeting, Member Kensinger stated that he spoke with an individual within the Juneau Police Department during an in-person visit in February of this year but could not now recall the name of the individual, and stated further that the individual did not ask any questions or communicate any concerns about the operation of the Petersburg Police Department scheduling. His reference to questions regarding PD scheduling were in reference to a PSAB member.

As a result of the investigatory conclusions, no further action will be taken on this matter at this time. If, at a later date, additional information is obtained or provided that contradicts these results, the matter may be investigated further.

Generally speaking, Borough personnel investigations are considered private and confidential, and accordingly this summary letter is being issued. Also, Mr. Diemer's report to the Borough

Chief Kerr  
June 14, 2022  
Page 3

Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you, as well as Assembly Member Meucci and Assembly Member Kensinger (and their attorney), to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a more thorough discussion of the various principles at issue than can be contained in this summary letter. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please make arrangements with Debbie.

The Borough remains committed to creating a workplace free of illegal harassment or bullying. The Borough has taken your allegations seriously, and I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

Document not requested

On Jun 22, 2022, at 11:01 AM, Jeff Meucci <jrmeucciscuba@gmail.com> wrote:

Sounds good Steve, I'll be in this afternoon to review the report.

On Wed, Jun 22, 2022 at 10:50 AM Stephen Giesbrecht <sgiesbrecht@petersburgak.gov> wrote:

Thanks Jeff.

Sara will have to respond to your questions about access to the report. I have let her know.

**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
**Sent:** Wednesday, June 22, 2022 10:10 AM  
**To:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Subject:** Fwd: Thursday meeting

Welcome back Steve, I hope your trip was nice.

It sounds like we are getting together Thursday morning to talk about the findings related to Peter Diemer's report regarding Police Chief Jim Kerr's workplace investigation alleging improper harassment by me and later another assembly member regarding Police Chief Jim Kerr's employment with the borough.

Could you please provide me with the specific complaint made by Police Chief Jim Kerr in his workplace harassment allegations against me? To this day I have not seen a specific thing in writing that specifically states Police Chief Jim Kerr's actual allegations. I was able to review Peter Diemers' documents and all I can find is a timeline of alleged grievances. Nothing specific.

When we meet on Thursday I would like to have a copy of the report while we are going over Peter Diemer's findings regarding Police Chief Jim Kerr's allegations filed against me of improper workplace harassment, to be able to follow along as we talk on Thursday.

Thank you, Jeff

Sent from my iPad

Document not requested

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**From:** Greg Russell [mailto:greg@russell-consulting.org]  
**Sent:** Monday, June 27, 2022 10:00 AM  
**To:** Sara Heldeman  
**Subject:** Petersburg RFP draft

Good morning, Sara.

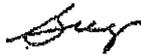
I'm grateful for the warm weekend, especially since Monday started off rather chilly and overcast!

Attached is draft response to our conversation of Friday. It is in Word format so as to lend itself to easy modification. I've also attached a copy of my 2022 fee schedule as a reference. My rates and terms for service haven't changed since 2017.

I have to run some morning errands and will be out of the office for a few hours, but will have my cell phone with me. I look forward to hearing from you at your convenience.

Thank you for this opportunity to be of service.

Best regards,



Gregory A. Russell

*"Excellence is never an accident; it is the result of high intention, sincere effort, intelligent direction, skillful execution, and the vision to see obstacles as opportunities."*

Russell Consulting, LLC  
PO Box 1655  
Soldotna, AK 99669  
(907) 398-2770 (cell)  
(907) 260-9555 (office)  
(888) 398-2658 (fax, toll-free)  
greg@russell-consulting.org  
www.russell-consulting.org

"This communication, including attachments, is for the exclusive use of the person or entity to which it is addressed and may contain confidential, proprietary and/or privileged information. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender by return e-mail and delete this from any computer."

**\*\*\*Deposition / Court Rate Information:**

Deposition / Court preparation	\$180.00 / hr.
Deposition rate	\$230.00 / hr. (inside Alaska)
Deposition rate	\$230.00 / hr. (outside Alaska)
Court rate	\$230.00 / hr. (inside Alaska)
Court rate	\$230.00 / hr. (outside Alaska)

**Other Fees:**

Other fees and expense reimbursement are due when I arrive at your location unless other written arrangements are agreed upon. All bills are payable, in any other case, within 15 days of receipt of invoice. I reserve the right to charge a fee of one percent (1%) per month on the outstanding balance.

The tax identification number for Russell Consulting, LLC is                     

\* **Written reports** are prepared only when specifically requested by you or your firm and are invoiced at the hourly investigations rate.

\*\* **Cases accepted for consultation.** There is a flat case development fee when cases are accepted for consultation, development, and preparation. *This case development fee is non-refundable.*

• <b>Normal case development fee</b>	<b>\$7,500</b>
• <b>Expedited cases</b>	<b>\$9,500</b>
• <b>Expanded case development fee</b>	<b>\$8,500</b>

The case development fee only covers work done in Alaska and excludes time spent in preparation for, or participation in, depositions or court. This fee includes document review and evaluation, discovery and investigation of additional materials, research, written reports and affidavits, telephone, and copying. It also includes follow-up discussions and reviews of additional materials. The case development fee also covers brief meetings with you and your associates when I am in your locale on other matters and our schedule permits. *Written reports are prepared only when specifically requested by you or your firm.*

I have a flat rate for case consultations rather than an hourly fee structure for several reasons. First, a flat fee promotes a better professional relationship and allows you to understand the costs you and your firm will incur at the outset. Second, I want to be an integral part of your case development to the fullest extent appropriate. The fee is structured to encourage you to draw upon this involvement and experience and to utilize it fully. Only then, can I give you the best possible consultation and be able to fully assist in presenting your case. When you consider my involvement with your case, I do not want you to feel constrained by the thought that the meter is running. My experience in police civil litigation cases with differing strategies, tactics, and demonstrative trial aids makes me a valuable resource in preparation, discovery, and case development. My experience in facilitating training on liability issues provides you with a source of current and pragmatic knowledge of police practices.

**Expanded cases** are those that require much more time and generally involve agency pattern and practice, negligent retention, wrongful termination and other personnel related matters. Such cases require extensive documentation review, such as personnel records, administrative hearing transcripts, and/or administrative investigation files and adjudications. I can usually determine whether yours is an expanded case during our initial discussion or soon after the initial review of materials.

Document not requested

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**From:** Greg Russell [mailto:greg@russell-consulting.org]  
**Sent:** Friday, July 08, 2022 10:38 AM  
**To:** Sara Heideman  
**Subject:** RE: Petersburg RFP draft

Good morning, Sara.

Thank you for the redline review. It helped.

I have no heartburn with the comments and appreciate the explanations. All have been incorporated into the signed Agreement attached.

Please forward for Steve's signature after you've had a chance to review it.

Once it is in place, then I would like to set up a Zoom meeting with him (and you if you would like to be a part of the kick-off meeting) and make sure that all energy is going in the right direction. It would be his call if he would like Chief Kerr to be a part of this initial meeting.

I am looking forward to working with you and the Petersburg Borough on this matter and appreciate the opportunity to be of service.

Have a great weekend.



Gregory A. Russell

## RUSSELL CONSULTING, LLC

P.O. BOX 1655 • SOLDOTNA, ALASKA 99669  
TELEPHONE: 907-398-2770 • FACSIMILE: 888-398-2658  
E-MAIL: [greg@russell-consulting.org](mailto:greg@russell-consulting.org)

### Professional Services Agreement

This Agreement is made by and between the Petersburg Borough in Alaska and Gregory A. Russell of Russell Consulting LLC, Consultant.

Consultant represents he has the requisite skills and qualifications to perform the services in a professional manner required by this Agreement for Petersburg Borough. Consultant shall be considered an independent Contractor and may consult for others during the term of this Agreement, provided such consultation does not interfere with the Consultant's ability to perform services hereunder.

The Petersburg Borough enters into this Agreement with Consultant, and Consultant agrees to provide services in accordance with the terms and conditions specified below.

#### Scope of Work

The Petersburg Borough engages the Consultant to provide the following services:

- Professional coaching for Police Chief James Kerr to strengthen leadership and personnel management skills; strengthen understanding of non-operational aspects of Police Chief role in community; and strengthen working relationship with Assembly.
- Work with Chief James Kerr and department staff to assess Petersburg Police Department operations staffing needs and scheduling.
- Make at least one site visit to Petersburg to meet with Police Chief, Borough Manager, and public safety staff, as agreed upon between Borough Manager and Consultant.

The Petersburg Borough, with agreement from Consultant, may amend and modify the deliverables during course of this Agreement depending on project status and necessary tasks.

#### **Compensation**

Consultant shall charge \$180 per hour per Consultant's published fee schedule and conditions (attached) with total Invoiced services, including expenses, not to exceed Ten Thousand Dollars and No Cents (\$10,000) during the term of the Agreement. Consultant shall submit Invoices monthly for approval to the Borough Manager. Upon approval of Invoice, Petersburg Borough will make payments within 15 days. Consultant shall be responsible for payment of all income taxes, employee withholdings, worker's compensation insurance and unemployment insurance for any services provided under this Agreement. All travel and lodging reservations shall be the responsibility of the Petersburg Borough, to be arranged and paid for by the Borough, prior to the actual travel. Unanticipated travel and lodging expenses and costs due to adverse weather delays or other unanticipated events, as well as any alternative travel methods (ferry travel or car rental) are the responsibility of the Borough. Ground expenses, meals, and Incidentals are billed at actual cost.

#### **Confidentiality**

All proprietary information of a confidential nature, in any form whatsoever, obtained by the Consultant in the course of performing this Agreement shall be and remain the exclusive property of the Petersburg Borough whose information it is, and the Consultant shall not disclose such information to any third party, nor use that information for any purpose other than as expressly directed by the Borough, except with the express, prior written consent of the Borough or as may otherwise be required by law. The Consultant agrees that the Borough may specifically enforce this provision.

#### **Term**

The initial Term of this Agreement shall commence at the date of the last signature below and continue for a period of three (3) months, or until the Not to Exceed amount set out herein is reached, whichever first occurs. By mutual written agreement, the Agreement may be renewed for an additional three (3) month period.

#### **Termination; Invalidity**

Either party may terminate this Agreement at any time, with or without cause, upon fifteen (15) calendar day's written notice to the other Party. In the event of termination, the Borough will be responsible for payment of the fees and costs accrued prior to the date of termination.

If any part, term, or provision of this Agreement is held by courts of competent jurisdiction to be illegal or in conflict with the laws of the State of Alaska, the validity of the remaining portions of the Agreement shall not be affected and the rights and obligations of the parties shall be

construed and enforced as if the Agreement did not contain the particular part, term, or provision.

**Disclaimer of Guarantee**

Nothing in this Agreement and nothing in the Consultant's statements to the Borough and its personnel is a promise or guarantee about the outcome of any matter. Consultant makes no such promise or guarantee. Consultant's comments about an outcome are expressions of opinion only.

Signatures follow.

\_\_\_\_\_

Date

\_\_\_\_\_

Stephen Giesbrecht, Borough Manager  
Petersburg Borough

07/08/2022

\_\_\_\_\_

Date

  
\_\_\_\_\_

Gregory A. Russell, Consultant  
Russell Consulting LLC

**Stephen Glasbrecht**

*Attachment*

**From:** Stephen Glasbrecht  
**Sent:** Wednesday, September 21, 2022 8:01 AM  
**To:** Debra Thompson  
**Subject:** FW: Chief Kerr  
**Attachments:** Chief Kerr Letter.pdf

Sara has this and asked that we do not share with anyone else at the moment. She is reaching out to APEI and will have guidance for us shortly.

**From:** James J. Davis, Jr. <jdavis@njp-law.com>  
**Sent:** Wednesday, September 21, 2022 6:35 AM  
**To:** Stephen Glasbrecht <sglasbrecht@petersburgak.gov>  
**Subject:** Chief Kerr

Mr. Glasbrecht:

We represent Chief Kerr. Our letter is attached hereto.

James J. Davis, Jr.

**Northern Justice Project, LLC**

A Private Civil Rights Firm  
406 G Street, Suite 207  
Anchorage, AK 99501  
(907) 308-3395  
<http://www.njp-law.com>

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This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.  
-----

**Stephen Giesbrecht**

1 attachment

**From:** Debra Thompson  
**Sent:** Monday, October 31, 2022 11:46 AM  
**To:** Stephen Giesbrecht; James Kerr; David Kensing; Jeffrey Meucci  
**Subject:** Litigation Hold Letter - Koenigs Lawsuit  
**Attachments:** Litigation Hold Letter - Koenigs - w enclosures 10.31.2022.pdf  
**Importance:** High

Dear Steve, Jim, Dave and Jeff,

Please find attached a letter directing us to preserve and gather any and all records relating to the lawsuit that Don Koenigs has filed against the Borough and me. A copy of Mr. Koenigs' complaint is attached to the letter. I am tasked with gathering the records for our defense attorney(s) and will need you to provide whatever records you may have on your borough and personal devices. I am able, if you wish, to help with the borough owned device searching, but you will need to provide any records from your personal devices.

Please contact me with any questions - I will begin searching my records as soon as I am able.

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**Stephen Giesbrecht**

*at Thompson*

**From:** Debra Thompson  
**Sent:** Tuesday, May 31, 2022 10:32 AM  
**To:** Stephen Giesbrecht; Sara Heldeman  
**Subject:** FW: James Kerr Appraisal 01142022  
**Attachments:** James Kerr Appraisal 01142022.docx

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**From:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Sent:** Friday, January 14, 2022 2:16 PM  
**To:** James Kerr <jkerr@petersburgak.gov>  
**Cc:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** James Kerr Appraisal 01142022

Jim, take a look and let me know when you want to discuss. I am trying to get back on track with doing reviews. Shame on me. In case someone starts snooping about, I wanted to make sure I have pointed out how well you do your job.

Thanks

Steve

# Petersburg Borough

## Performance Appraisal

EMPLOYEE INFORMATION		
Name	James Kerr	Date 01/14/2022
Job Title	Police Chief	
Department	Police Department	
		Review Period 01/01/2021-12/31/2022

### Strengths

*Please list this individual's top three strengths with an example for each*

1. Knowledge of Police Practices – Jim consistently provides his expertise on Police Practices to multiple departments and works effectively on issues with the Borough Attorney, Federal and State agencies, and other Borough departments.
2. Focus on Team Development – Jim has built a solid team in the PD and does an excellent job planning for the tools his team needs. Petersburg is consistently called upon by other agencies to help with training and this is due to Jim's proactive response.
3. Integration into the Petersburg Community – Jim fits in to SE and continues to work with the community. He is involved in the community beyond his job and puts in the effort to be seen in the community in positive settings.

### Opportunities for Improvement

*Please list up to three areas where this individual could improve and develop performance with an example of each*

1. Political decision making – Jim has had some missteps regarding communication both in person and on social media. The COVID discussion with the Assembly was inappropriate, and the publishing of the airport picture with no mask, during the pandemic was ill-advised.
2. Budget development and management – I would like to see Jim more proactive on working to reduce Overtime and overall expenses, without reminders or prompting from me.
3. General Leadership – Jim is a good leader, but he needs to remember he is always in the center of people's attention. How we say something and how we approach problems and discussion with the public, are very important. Jim needs to keep his composure and avoid getting frustrated with how things sometimes play out.

### Borough Values

*Please review the values, and indicate how well this employee has been exhibiting the values. Please provide examples.*

**Team Values:** Respect each other and honor diversity; Be straightforward and direct when dealing with each other, our customers and vendors; Balance our work and personal lives. Work hard so that each of us carry our own weight and do the job that is expected of us.

Jim is fantastic working with other department heads and jumping in where he can help. His team at the PD may be the best group of officers we have had in my tenure.

**Our Community is Our Partner:** Create solutions that add value to their lives and businesses; Deliver quality service by doing quality work. Understand that we work for the city, citizens, visitors and businesses here in our community.

Jim knows his job as a Chief and works very well with the community. Citizens and groups in the community seek him out for advice and counsel. I would like to see Jim spend more time "visiting" with business owners, and citizen groups.

**Balanced Risk-Taking:** Taking Informed risks, balanced by the values of the team; Being nimble and innovative. Make appropriate decisions for your level in the organization while recognizing the value of working independently. Take on appropriate responsibilities and tasks without having to be asked.

Jim needs some work in this area. On Police matters, he is excellent. On political issues, less so. He knows how to make quality decisions and can successfully work independently. He does not have to be asked to take on most tasks. On more sensitive political issues, Jim sometimes struggles with the balance between being the Police Chief and a public citizen, and how to successfully navigate this challenge.

**Results Orientation:** Maximize sustainable profitability for community stakeholders; Honor commitments to each other and our community. Understand that we are judged by our accomplishments or lack of accomplishments. Be aware of the need for constant improvement and a high level of performance at all times.

Jim can be trusted to get the job done and has no problem with being judged on his accomplishments. He demands high performance from his team, without being overbearing.

**Employee Signature and Date**  
(note - signature confirms submission of Review Information)

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Friday, March 11, 2022 11:53 AM  
**To:** Carleen Mitchell  
**Subject:** HR Investigation

Hi Carleen,

Our Police Chief has filed a harassment claim against two of our Assembly Members. We are seeking an attorney or HR professional that may be able to conduct an investigation into the matter. Do you have anyone you could recommend?

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**Debra Thompson**

**From:** Carleen Mitchell <cmitchell@akpei.com>  
**Sent:** Friday, March 11, 2022 12:53 PM  
**To:** Debra Thompson  
**Subject:** RE: HR Investigation

Hi Debbie-

One person I would recommend checking with is an employment law attorney named Kimberly Gearlety. She lives in Washington, but has worked with law with law enforcement in Alaska and has a very good rapport with them. She did training for APEI's law enforcement members a year ago, so it's possible your police chief is familiar with her and would be more likely to consider her investigation credible. Sitka PD has worked with her a great deal as well. I'm not 100% she does investigations, but if not, she'd likely be able to make a recommendation. You can reach her at:

gearletylaw@comcast.net  
1204 Cleveland Avenue  
Mount Vernon, Washington 98274  
360-336-5245

You can let her know that I referred her to you. Let me know if there's anything else I can do to help.

Carleen Mitchell, Deputy Director  
Phone: 907-523-9430  
Email: [cmitchell@akpei.com](mailto:cmitchell@akpei.com)



Alaska Public Entity Insurance  
2233 Jordan Ave. • Juneau, AK 99801  
(907) 623.9400

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Debbie

**Debra Thompson**

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**From:** Debra Thompson  
**Sent:** Friday, March 11, 2022 12:55 PM  
**To:** Sara Heideman  
**Subject:** FW: HR investigation

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



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Debra K. Thompson, CMC  
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Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Wednesday, March 16, 2022 5:00 PM  
**To:** James Kerr  
**Subject:** Harassment Investigation  
**Attachments:** Memo to James Kerr re Investigation 3.16.2022 signed.pdf

Chief Kerr,

Please find attached a memo regarding your complaint of harassment. Please let me know if you have any questions.

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405





**TO:** Chief Jim Kerr  
**FROM:** Debra K. Thompson, Borough Clerk/HR Director  
**DATE:** March 16, 2022  
**RE:** Upcoming Workplace Investigation

I am writing to confirm receipt of your complaint of harassment, raising allegations of workplace harassment against you by an Assembly Member or Members. In my role as Director of Human Resources for the Borough, I have opened an investigation into this matter.

You will be contacted late next week by attorney Peter Diemer for the purpose of scheduling an interview. Mr. Diemer has extensive human resources experience and will be working with Sara Heideman's office on this matter. I will ensure that the date and time of your interview with Mr. Diemer is coordinated with Steve. In the meantime, please provide to me a copy of the timeline document that you mentioned in our initial meeting.

The Borough is committed to conducting careful and thorough investigations of any such complaints. Accordingly, we expect you to cooperate to the fullest extent possible, providing accurate and truthful information as requested in the investigative process. Please be prepared to provide all of the information and documentation you believe may be pertinent to the conduct of this investigation.

Due to the sensitive nature of the process, this investigation will be conducted in a manner that protects the privacy of all involved to the greatest extent possible, free of interference. To ensure that the investigation can be conducted as fairly as possible, we request that you also keep this matter confidential and not share or discuss it with other borough employees or officials while the investigation proceeds.

Please feel free to contact me at any time during the investigative process should you have any questions or concerns. We will notify you when the investigation has been completed.

Thank you for your cooperation in this matter.

*Debra*

Borough Administration  
PO Box 329, Petersburg, AK 99833 -- Phone (907) 772-4425 Fax (907) 772-3759  
[www.petersburgak.gov](http://www.petersburgak.gov)

Petersburg 000273

**Debra Thompson**

---

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**Sent:** Wednesday, March 16, 2022 5:00 PM  
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Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



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PO Box 320, Petersburg, AK 99833 - Phone (907) 772-4425 Fax (907) 772-3759  
[www.petersburgak.gov](http://www.petersburgak.gov)

Petersburg 000276

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Tuesday, March 22, 2022 3:33 PM  
**To:** Jeffrey Meucci  
**Subject:** Workplace Investigation Notification  
**Attachments:** Memo to Jeff Meucci re investigation 3.22.2022.pdf

Hi Jeff,

Please find attached a notice of a workplace investigation involving you.

Respectfully,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405





**TO:** Assembly Member Jeff Meucci  
**FROM:** Debra K. Thompson, Borough Clerk/HR Director  
**DATE:** March 22, 2022  
**RE:** Upcoming Workplace Investigation

Chief Kerr has alleged that he has been the subject of improper harassment by you in regard to his employment. The borough is required to fully and fairly investigate these allegations, and we have asked the borough attorney to assist.

We will be requesting that you meet with attorney Peter Diemer. Mr. Diemer has extensive human resources experience and will be working with Sara Heideman's office on this matter. I will work with you directly to schedule the date and time of the interview. While I cannot provide at this time any specific details of the allegations being made against you, please be assured that you will be provided ample time and opportunity in this process to fully respond. We are hoping that you will cooperate fully with this investigation, providing information and documents as requested.

To ensure that this investigation can be conducted as fairly as possible and without interference, we would request that you keep this matter confidential and not discuss it with others, including borough employees or other borough officials.

I will be your point of contact in this matter. Please feel free to contact me at any time during the investigative process should you have any questions.

Thank you in advance for your cooperation.

*Debbie*

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PO Box 329, Petersburg, AK 99833 – Phone (907) 772-4425 Fax (907) 772-3759  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 000439

**Debra Thompson**

**From:** Jeff Meucci <jrmeucci@scuba@gmail.com>  
**Sent:** Tuesday, April 19, 2022 12:09 PM  
**To:** Debra Thompson  
**Subject:** Re: Workplace Investigation Notification  
**Attachments:** Memo to Jeff Meucci re Investigation 3.22.2022.pdf

Welcome back Debbie, as we approach the 4th week since I was originally notified of this could you please tell me where things are with this subject? Thanks you, Jeff

Sent from my iPad

On Mar 22, 2022, at 3:33 PM, Debra Thompson <dtompson@petersburgak.gov> wrote:

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Respectfully,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



Document not requested

From: Jeff Meucci <jrmeucciscuba@gmail.com>  
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Petersburg 000512

**Debra Thompson**

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**From:** Debra Thompson  
**Sent:** Tuesday, April 19, 2022 12:20 PM  
**To:** Jeff Meucci  
**Subject:** RE: Workplace Investigation Notification

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**Debra Thompson**

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**Debra Thompson**

**From:** Debra Thompson  
**Sent:** Tuesday, April 19, 2022 1:20 PM  
**To:** Jeff Meucci  
**Subject:** RE: Workplace Investigation Notification

Hey, Sara just replied to my email saying the investigator came down with COVID after he conducted his first interview so has been out of the office since then. She received word today that he hopes to be back at it in a couple of days.

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

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Sent from my iPad

On Mar 22, 2022, at 3:33 PM, Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)> wrote:

Hi Jeff,

Please find attached a notice of a workplace investigation involving you.

Respectfully,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**Debra Thompson**

---

**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
**Sent:** Tuesday, April 19, 2022 1:21 PM  
**To:** Debra Thompson  
**Subject:** Re: Workplace Investigation Notification

Thanks for the update.

Sent from my iPad

On Apr 19, 2022, at 1:19 PM, Debra Thompson <dthompson@petersburgak.gov> wrote:

Hey, Sara just replied to my email saying the investigator came down with COVID after he conducted his first interview so has been out of the office since then. She received word today that he hopes to be back at it in a couple of days.

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
**Sent:** Tuesday, April 19, 2022 1:17 PM  
**To:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** Re: Workplace Investigation Notification

Sure

Sent from my iPad

On Apr 19, 2022, at 12:19 PM, Debra Thompson <dthompson@petersburgak.gov> wrote:

Hi Jeff,

Sara is on vacation until next Monday and she has hired the attorney who is conducting the investigation. I will give you an update next week, okay?

Thanks,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



From: Jeff Meucci <[jmeucciscuba@gmail.com](mailto:jmeucciscuba@gmail.com)>  
Sent: Tuesday, April 19, 2022 12:09 PM  
To: Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>  
Subject: Re: Workplace Investigation Notification

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Borough Clerk/Human Resources Director

Petersburg Borough

Document not requested

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**Sent:** Tuesday, April 19, 2022 12:09 PM  
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Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

Document not requested

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Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

**Debra Thompson**

---

**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
**Sent:** Monday, May 2, 2022 2:28 PM  
**To:** Debra Thompson  
**Subject:** Reviewing documents

Hi Debbie, could I please stop by tomorrow morning and review any documents related to Jim Kerr's workplace complaint? Thanks you. Jeff

Sent from my iPad

Document not requested

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

From: Jeff Meucci <jrmeucciscuba@gmail.com>

Sent: Monday, May 2, 2022 2:28 PM

To: Debra Thompson <dthompson@petersburgak.gov>

Subject: Reviewing documents

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Sent from my iPad

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Monday, May 2, 2022 3:14 PM  
**To:** Jeff Meucci  
**Subject:** RE: Reviewing documents

Hi Jeff,

Sure, you may read the complaint in my office tomorrow. But it can't leave my office.

Thanks,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

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

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**Debra Thompson**

**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
**Sent:** Monday, May 2, 2022 3:23 PM  
**To:** Debra Thompson  
**Subject:** Re: Reviewing documents

I understand, this is on advise from the Human Resources attorney. Thanks

On Mon, May 2, 2022 at 3:13 PM Debra Thompson <dthompson@petersburgak.gov> wrote:

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Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

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Sent from my iPad

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Monday, May 2, 2022 3:37 PM  
**To:** Jeff Meucci  
**Subject:** RE: Reviewing documents

See you then.

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
**Sent:** Monday, May 2, 2022 3:23 PM  
**To:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** Re: Reviewing documents

I understand, this is on advise from the Human Resources attorney. Thanks

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Hi Jeff,

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Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

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

**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
**Sent:** Monday, May 2, 2022 2:28 PM  
**To:** Debra Thompson <dthompson@petersburgak.gov>

Subject: Reviewing documents

Hi Debbie, could I please stop by tomorrow morning and review any documents related to Jim Kerr's workplace complaint? Thanks you. Jeff

Sent from my iPad

**Debra Thompson**

**From:** James Kerr  
**Sent:** Tuesday, May 3, 2022 2:32 PM  
**To:** Stephen Giesbrecht; Debra Thompson  
**Subject:** Dave's Comments

Steve,

I wanted to shed some light on a comment that was made yesterday at the assembly meeting by Dave Kensinger. Dave said he spoke with the Juneau Assistant Chief of Police and Sitka Chief of Police who has questions about how we are scheduling and thinks there could be opportunities with the way we are scheduling to reduce the number of officers we have. I just got off the phone with Deputy Chief Krag Campbell who said he has never spoke with Dave or about the staffing or scheduling of the Petersburg Police Department. Campbell said it is bad business to comment about another police department without first talking to the Chief of Police with that agency. I then called and spoke with Sitka Chief of Police Robert Baty and told him what was said by Dave at the assembly meeting. Chief Baty said he actually said he spoke with me and I said I could play recording of the meeting for him. Chief Baty asked for me to play the recording and once it was done Chief Baty said he never said anything like that and would not comment on another departments staffing levels. Chief Baty said that is a lie.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



**Debra Thompson**

**From:** James Kerr  
**Sent:** Wednesday, May 4, 2022 3:46 PM  
**To:** Stephen Giesbrecht; Debra Thompson  
**Subject:** RE: Dave's Comments

I just wanted to let you know typed the wrong name with Juneau PD. I spoke with David Campbell (Deputy Chief) not Krag Campbell (Lt.).

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



**From:** James Kerr  
**Sent:** Tuesday, May 3, 2022 2:32 PM  
**To:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>; Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** Dave's Comments

Steve,

I wanted to shed some light on a comment that was made yesterday at the assembly meeting by Dave Kensinger. Dave said he spoke with the Juneau Assistant Chief of Police and Sitka Chief of Police who has questions about how we are scheduling and thinks there could be opportunities with the way we are scheduling to reduce the number of officers we have. I just got off the phone with Deputy Chief Krag Campbell who said he has never spoke with Dave or about the staffing or scheduling of the Petersburg Police Department. Campbell said it is bad business to comment about another police department without first talking to the Chief of Police with that agency. I then called and spoke with Sitka Chief of Police Robert Baty and told him what was said by Dave at the assembly meeting. Chief Baty said he actually said he spoke with me and I said I could play recording of the meeting for him. Chief Baty asked for me to play the recording and once it was done Chief Baty said he never said anything like that and would not comment on another departments staffing levels. Chief Baty said that is a lie.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Tuesday, May 24, 2022 4:49 PM  
**To:** James Kerr; Stephen Giesbrecht  
**Subject:** Written Response to 11.8.2021 email?  
**Attachments:** 11.8.2021 1.27 pm Giesbrecht to Kerr.pdf

Jim and Steve,

Was there any written response (from Jim to Steve) to the attached email?

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**Debra Thompson**

---

**From:** Stephen Giesbrecht  
**Sent:** Tuesday, May 24, 2022 4:59 PM  
**To:** Debra Thompson; James Kerr  
**Subject:** Re: Written Response to 11.8.2021 email?

Not that I can find. Jim would have likely come over to discuss in person.

Get [Outlook for iOS](#)

---

**From:** Debra Thompson <dthompson@petersburgak.gov>  
**Sent:** Tuesday, May 24, 2022 4:49:28 PM  
**To:** James Kerr <jkerr@petersburgak.gov>; Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Subject:** Written Response to 11.8.2021 email?

Jim and Steve,  
  
Was there any written response (from Jim to Steve) to the attached email?  
  
Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-8405



**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Tuesday, May 24, 2022 5:01 PM  
**To:** Stephen Giesbrecht; James Kerr  
**Subject:** RE: Written Response to 11.8.2021 email?

That is what I think happened but just verifying. Thank you. We'll see what Jim says tomorrow.

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**From:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Sent:** Tuesday, May 24, 2022 4:59 PM  
**To:** Debra Thompson <dthompson@petersburgak.gov>; James Kerr <jkerr@petersburgak.gov>  
**Subject:** Re: Written Response to 11.8.2021 email?

Not that I can find. Jim would have likely come over to discuss in person.

Get [Outlook for iOS](#)

**From:** Debra Thompson <dthompson@petersburgak.gov>  
**Sent:** Tuesday, May 24, 2022 4:49:28 PM  
**To:** James Kerr <jkerr@petersburgak.gov>; Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Subject:** Written Response to 11.8.2021 email?

Jim and Steve,

Was there any written response (from Jim to Steve) to the attached email?

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

**Debra Thompson**

**From:** James Kerr  
**Sent:** Tuesday, May 24, 2022 5:41 PM  
**To:** Debra Thompson  
**Cc:** Stephen Giesbrecht  
**Subject:** Re: Written Response to 11.8.2021 email?  
**Attachments:** 11.8.2021 1.27 pm Giesbrecht to Kerr.pdf

Debbie,

Steve and I spoke in person about this and I believe this is when Steve had Dr. T and I go business to business for education. Which we did.

James Kerr

Sent from my iPhone

On May 24, 2022, at 4:49 PM, Debra Thompson <dtompson@petersburgak.gov> wrote:

Jim and Steve,

Was there any written response (from Jim to Steve) to the attached email?

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

**Debra Thompson**

**From:** Debra Thompson  
**Sent:** Wednesday, May 25, 2022 8:41 AM  
**To:** James Kerr  
**Cc:** Stephen Giesbrecht  
**Subject:** RE: Written Response to 11.8.2021 email?

Thank you Jim.

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**From:** James Kerr <jkerr@petersburgak.gov>  
**Sent:** Tuesday, May 24, 2022 5:41 PM  
**To:** Debra Thompson <dthompson@petersburgak.gov>  
**Cc:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Subject:** Re: Written Response to 11.8.2021 email?

Debbie,  
  
Steve and I spoke in person about this and I believe this is when Steve had Dr. T and I go business to business for education. Which we did.  
  
James Kerr

Sent from my iPhone

On May 24, 2022, at 4:49 PM, Debra Thompson <dthompson@petersburgak.gov> wrote:

Jim and Steve,  
  
Was there any written response (from Jim to Steve) to the attached email?  
  
Thank you,  
Debbie

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Tuesday, May 31, 2022 10:32 AM  
**To:** Stephen Giesbrecht; Sara Heldeman  
**Subject:** FW: James Kerr Appraisal 01142022  
**Attachments:** James Kerr Appraisal 01142022.docx

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**From:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Sent:** Friday, January 14, 2022 2:16 PM  
**To:** James Kerr <jkerr@petersburgak.gov>  
**Cc:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** James Kerr Appraisal 01142022

Jim, take a look and let me know when you want to discuss. I am trying to get back on track with doing reviews. Shame on me. In case someone starts snooping about, I wanted to make sure I have pointed out how well you do your job.

Thanks

Steve

# Petersburg Borough

## Performance Appraisal

EMPLOYEE INFORMATION		
Name	James Kerr	Date 01/14/2022
Job Title	Police Chief	
Department	Police Department	
		Review Period 01/01/2021-12/31/2022

### Strengths

*Please list this individual's top three strengths with an example for each*

1. Knowledge of Police Practices -- Jim consistently provides his expertise on Police Practices to multiple departments and works effectively on issues with the Borough Attorney, Federal and State agencies, and other Borough departments.
2. Focus on Team Development -- Jim has built a solid team in the PD and does an excellent job planning for the tools his team needs. Petersburg is consistently called upon by other agencies to help with training and this is due to Jim's proactive response.
3. Integration Into the Petersburg Community -- Jim fits in to SE and continues to work with the community. He is involved in the community beyond his job and puts in the effort to be seen in the community in positive settings.

### Opportunities for Improvement

*Please list up to three areas where this individual could improve and develop performance with an example of each*

1. Political decision making -- Jim has had some missteps regarding communication both in person and on social media. The COVID discussion with the Assembly was inappropriate, and the publishing of the airport picture with no mask, during the pandemic was ill-advised.
2. Budget development and management -- I would like to see Jim more proactive on working to reduce Overtime and overall expenses, without reminders or prompting from me.
3. General Leadership -- Jim is a good leader, but he needs to remember he is always in the center of people's attention. How we say something and how we approach problems and discussion with the public, are very important. Jim needs to keep his composure and avoid getting frustrated with how things sometimes play out.

### Borough Values

*Please review the values, and indicate how well this employee has been exhibiting the values. Please provide examples.*

**Team Values:** Respect each other and honor diversity; Be straightforward and direct when dealing with each other, our customers and vendors; Balance our work and personal lives. Work hard so that each of us carry our own weight and do the job that is expected of us.

Jim is fantastic working with other department heads and jumping in where he can help. His team at the PD may be the best group of officers we have had in my tenure.

**Our Community is Our Partner:** Create solutions that add value to their lives and businesses; Deliver quality service by doing quality work. Understand that we work for the city, citizens, visitors and businesses here in our community.

Jim knows his job as a Chief and works very well with the community. Citizens and groups in the community seek him out for advice and counsel. I would like to see Jim spend more time "visiting" with business owners, and citizen groups.

**Balanced Risk-Taking:** Taking informed risks, balanced by the values of the team; Being nimble and innovative. Make appropriate decisions for your level in the organization while recognizing the value of working independently. Take on appropriate responsibilities and tasks without having to be asked.

Jim needs some work in this area. On Police matters, he is excellent. On political issues, less so. He knows how to make quality decisions and can successfully work independently. He does not have to be asked to take on most tasks. On more sensitive political issues, Jim sometimes struggles with the balance between being the Police Chief and a public citizen, and how to successfully navigate this challenge.

**Results Orientation:** Maximize sustainable profitability for community stakeholders; Honor commitments to each other and our community. Understand that we are judged by our accomplishments or lack of accomplishments. Be aware of the need for constant improvement and a high level of performance at all times.

Jim can be trusted to get the job done and has no problem with being judged on his accomplishments. He demands high performance from his team, without being overbearing.

**Employee Signature and Date**  
(note – signature confirms submission of Review Information)

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Tuesday, May 31, 2022 12:31 PM  
**To:** David Kensinger  
**Subject:** Workplace Investigation  
**Attachments:** Memo to David Kensinger re investigation 5.31.2022.pdf

Hi Dave,

Please see the attached notice of workplace investigation. I'm hoping you can be available to speak with Attorney Diemer within the next couple of days - please let me know a day/time that works for you and we'll see if we can get a telephone conversation scheduled.

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405





**TO:** Assembly Member David Kensinger  
**FROM:** Debra K. Thompson, Borough Clerk/HR Director  
**DATE:** May 31, 2022  
**RE:** Workplace Investigation

Chief Kerr has alleged that he has been the subject of improper harassment by you and another assembly member in regard to his employment. The borough is required to fully and fairly investigate these allegations, and we have asked the borough attorney to assist.

We are requesting that you speak telephonically with attorney Peter Diemer. Mr. Diemer has extensive human resources experience and is working with Sara Heldeman's office on this matter. I will work with you directly to schedule the date and time of the interview. We are hoping that you will cooperate with this investigation, providing any information and documents requested.

To ensure that this investigation can be conducted as fairly as possible and without interference, we would request that you keep this matter confidential and not discuss it with others, including borough employees or other borough officials.

I will be your point of contact in this matter. Please feel free to contact me at any time during the investigative process should you have any questions.

Thank you in advance for your cooperation.

*Debra*

Borough Administration  
PO Box 329, Petersburg, AK 99833 - Phone (907) 772-4425 Fax (907) 772-3769  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 000733

**Debra Thompson**

---

**From:** Stephen Giesbrecht  
**Sent:** Thursday, June 9, 2022 9:14 AM  
**To:** Debra Thompson  
**Subject:** Automatic reply: personnel investigation

I am out of the office until June 21st. I will respond to your email once I return.

Thank you.

Stephen Giesbrecht

**Debra Thompson**

---

**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
**Sent:** Tuesday, June 14, 2022 7:09 PM  
**To:** Debra Thompson  
**Subject:** Stopping by

Hi Debbi , I would like to stop by early in the day tomorrow, Wednesday, to discuss the workplace investigation regarding allegations of improper harassment against me by police chief Jim Kerr. I would like to review all documents related to my case that attorney Peter Diemer compiled during his investigation of this case.  
Thank you, Jeff

Sent from my iPad

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Wednesday, June 15, 2022 10:59 AM  
**To:** Jeff Meucci  
**Subject:** RE: Stopping by

Hi Jeff,

Sorry to take so long to respond - it's been really busy here all week. We have employee meetings going on regarding our health insurance today - had one at 10:00 and another at 2:00. You are welcome to come in to review Attorney Diemer's report - I have to get the draft agenda out today so will be working diligently on that.

Thanks,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

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

**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
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**To:** Debra Thompson <dthompson@petersburgak.gov>  
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Sent from my iPad

**Debra Thompson**

**From:** Jeff Meucci <Jrmeucciscuba@gmail.com>  
**Sent:** Wednesday, June 15, 2022 11:00 AM  
**To:** Debra Thompson  
**Subject:** Re: Stopping by

Thanks Debbie, I'll be by this afternoon. Jeff

On Wed, Jun 15, 2022 at 10:58 AM Debra Thompson <dthompson@petersburgak.gov> wrote:

Hi Jeff,

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Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

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Sent from my iPad

**Debra Thompson**

---

**From:** David Kensinger  
**Sent:** Friday, June 17, 2022 8:34 AM  
**To:** Debra Thompson  
**Subject:** Meeting with Steve

Debbie, Jeff and I want to meet with Sarah and Steve Monday if he is back. I will also come in and review all the documents related to the harassment complaint an hour before the meeting. Thanks Dave

David Kensinger  
907.209.7403

**Debra Thompson**

---

**From:** David Kensinger  
**Sent:** Friday, June 17, 2022 8:35 AM  
**To:** Debra Thompson  
**Subject:** Meeting

I did not clarify, The Bourough Attorney not Sarah Fine-Walsh

David Kensinger  
907.209.7403

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Friday, June 17, 2022 9:27 AM  
**To:** David Kensinger  
**Subject:** RE: Meeting with Steve

Hi Dave,

Steve is not back in the office until Tuesday. Would you like to set up a meeting for Tuesday?

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

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

**From:** David Kensinger <dkensinger@petersburgak.gov>  
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**To:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** Meeting with Steve

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David Kensinger  
907.209.7403

**Debra Thompson**

---

**From:** David Kensinger  
**Sent:** Friday, June 17, 2022 10:23 AM  
**To:** Debra Thompson  
**Subject:** Re: Meeting with Steve

Sure how does 10 work?

David Kensinger  
907.209.7403

> On Jun 17, 2022, at 9:27 AM, Debra Thompson <dtompson@petersburgak.gov> wrote:

> Hi Dave,

> Steve is not back in the office until Tuesday. Would you like to set up a meeting for Tuesday?

> Debra K. Thompson, CMC  
> Borough Clerk/Human Resources Director

> Petersburg Borough  
> 907-772-5405

> -----Original Message-----

> From: David Kensinger <dkensinger@petersburgak.gov>  
> Sent: Friday, June 17, 2022 8:34 AM  
> To: Debra Thompson <dtompson@petersburgak.gov>  
> Subject: Meeting with Steve

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> David Kensinger  
> 907.209.7403

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Tuesday, June 14, 2022 12:48 PM  
**To:** Stephen Giesbrecht  
**Subject:** Investigation letters  
**Attachments:** Kerr Investigation Conclusion Letter - signed.docx; Meucci - Kerr Investigation Conclusion Letter - signed.docx; Kensinger - Kerr Investigation Conclusion Letter - signed.docx

Hi Steve,

I thought maybe you wouldn't have to go to Kinko's if I just made you an electronic signature like I use for the Mayor when necessary. Let me know what you think. The letters can be edited if you'd like and you can still print, sign, scan and email them back to me if you prefer.

Thank you,  
Debbie

Debra K. Thompson, *CMC*  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405





June 14, 2022

Via hand delivery

Chief Kerr

Dear Chief:

This letter is to communicate to you the results of the Borough's investigation into your allegations of harassment by Assembly Members Meucci and Kensinger. I would have preferred to provide this letter to you in person, however I am out of town until next week and did not wish to delay this notification.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Assembly Member Kensinger. After thorough investigation and analysis, Mr. Diemer determined that harassment has not occurred. I've summarized the findings below:

1. Petersburg Police Department Procedure Rule 125 applies to your November 17, 2021 statement to the Assembly. However you committed a technical violation of that Rule, under paragraph (2)(b) by "Using [your] official capacity to ... coerce or persuade any person to follow any course of political action." You advocated against enforcement of the mask mandate and attempted to persuade the members of the Assembly to follow your desired course of action. Further, while you initially disavowed speaking the position of the Borough, your statement spoke to matters within the exclusive purview and control of the Petersburg Police Department, including enforcement of an enacted ordinance and on the use of force. Thus, despite the initial disclaimer, your speech constituted an affirmative manifestation of representation of the Department.

2. While you didn't seek prior approval of your statement from me, you did inform me that you intended to make a statement. Thus, your violation was unintentional and my notations within your January 14, 2022 Performance Appraisal are too broad and must be revised and narrowly tailored to notate only those statements that are non-compliant with the Rule. I will do so when I return to the office, and we can sit down and go over the revised Appraisal.

3. You, as Police Chief, hold a policymaking position. Accordingly, your November 17, 2021 statement is not protected by the First Amendment of the U.S. Constitution.

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Petersburg 001148

4. Even if the policymaker exception was inapplicable, your statement is not protected by the First Amendment under the balancing test established in *Pickering v. Bd. of Educ. of Twp. High Sch. Dist. 205*, 391 U.S. 563 (1968). As Alaska's public employee free speech doctrine mirrors federal law, the same analysis would apply under the Alaska Constitution.

5. You did not allege that you were being discriminated against based upon race, color, religion, sex, national origin, age, disability, marital status, or parenthood. Accordingly, Federal Title VII and the Alaska Human Rights Act are not applicable.

6. There was not substantial evidence that the conduct you reference falls within the Employee Policy Manual's prohibition of workplace bullying or under any legal definition of harassment. While you stated that Assembly Members increased your workload by making inquiries and questioning you during Assembly meetings, the inquiries involved police department hiring processes and domestic violence calls. The Assembly has authority "[t]o inquire into the conduct of any office, department or agency of the borough, and investigate municipal affairs" (PMC 3.08.040(C)), and there was not substantial evidence that these requests by Assembly Members were outside the legitimate scope of PMC 3.08.040. Further, I, as your supervisor, had a legitimate basis to discuss your November 17, 2021 statement in your Performance Appraisal, however I will revise my comments to more narrowly tailor them.

7. There was no evidence that you sustained an adverse employment action in response to Assembly Member Kensinger's January 13, 2022 email statement. I rejected Member Kensinger's position, and you were not harassed or bullied as a result of that email.

8. The apparently misdirected text message sent by Assembly Member Meucci did not constitute unlawful harassment or bullying.

9. There was not substantial evidence that Assembly Member Kensinger made false statements at the May 2, 2022 Assembly meeting. Member Kensinger stated that he spoke with an individual within the Juneau Police Department during an in-person visit in February of this year but could not recall the name of the individual, and stated further that the individual did not ask any questions or communicate any concerns about the operation of the Petersburg Police Department scheduling. His reference to questions regarding PD scheduling were in reference to a PSAB member.

As a result of the investigatory conclusions, no further action will be taken on this matter at this time. If, at a later date, additional information is obtained or provided that contradicts these results, the matter may be investigated further.

Generally speaking, Borough personnel investigations are considered private and confidential, and accordingly this summary letter is being issued. Also, Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges

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here for the sole and discrete purpose of allowing you, as well as Assembly Member Meucci and Assembly Member Kensinger (and their attorney), to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a more thorough discussion of the various principles at issue than can be contained in this summary letter. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please make arrangements with Debble.

The Borough remains committed to creating a workplace free of illegal harassment or bullying. The Borough has taken your allegations seriously, and I thank you for your cooperation with the investigation.

Sincerely,



Stephen Giesbrecht  
Borough Manager

**Borough Administration**  
PO Box 329, Petersburg, AK 99833 – Phone (907) 772-4425 Fax (907) 772-3759  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001150



June 14, 2022

Via email – Confidential

Jeff Meucci  
jrmeucciscuba@gmail.com

Dear Jeff:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pate Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Kensinger and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Kensinger and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

**Borough Administration**  
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[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001151



June 14, 2022

Via email – Confidential

Dave Kensinger  
chelanproduce@gmail.com

Dear Dave:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Meucci and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

Borough Administration  
PO Box 329, Petersburg, AK 99833 – Phone (907) 772-4425 Fax (907) 772-3759  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001152

**Debra Thompson**

---

**From:** Stephen Giesbrecht  
**Sent:** Tuesday, June 14, 2022 1:00 PM  
**To:** Debra Thompson  
**Subject:** Re: Investigation letters

They look mostly fine and an electronic signature would be great, especially if it means I don't have to drive in the traffic! 😊

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Steve

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---

**From:** Debra Thompson <dthompson@petersburgak.gov>  
**Sent:** Tuesday, June 14, 2022 1:47:47 PM  
**To:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Subject:** Investigation letters

Hi Steve,

I thought maybe you wouldn't have to go to Kinko's if I just made you an electronic signature like I use for the Mayor when necessary. Let me know what you think. The letters can be edited if you'd like and you can still print, sign, scan and email them back to me if you prefer.

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



Document not requested

---

**From:** Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>  
**Sent:** Tuesday, June 14, 2022 1:47:47 PM  
**To:** Stephen Glesbrecht <[sglesbrecht@petersburgak.gov](mailto:sglesbrecht@petersburgak.gov)>  
**Subject:** Investigation letters

Hi Steve,

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Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



Document not requested

**From:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Sent:** Tuesday, June 14, 2022 1:00 PM  
**To:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** Re: Investigation letters

They look mostly fine and an electronic signature would be great, especially if it means I don't have to drive in the traffic! 😊

[Redacted signature block]

Steve

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From: Debra Thompson <[dtthompson@petersburgak.gov](mailto:dtthompson@petersburgak.gov)>  
Sent: Tuesday, June 14, 2022 1:47:47 PM  
To: Stephen Glesbrecht <[sglesbrecht@petersburgak.gov](mailto:sglesbrecht@petersburgak.gov)>  
Subject: Investigation letters

Hi Steve,

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Thank you,  
Debbie

Debra K. Thompson, *CMC*  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



Document not requested

From: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
Sent: Tuesday, June 14, 2022 1:00 PM  
To: Debra Thompson <dthompson@petersburgak.gov>  
Subject: Re: Investigation letters

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~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

Steve

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---

**From:** Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>  
**Sent:** Tuesday, June 14, 2022 1:47:47 PM  
**To:** Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
**Subject:** Investigation letters

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Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
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Document not requested

**From:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Sent:** Tuesday, June 14, 2022 1:00 PM  
**To:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** Re: Investigation letters

They look mostly fine and an electronic signature would be great, especially if it means I don't have to drive in the traffic! 🌍

[REDACTED]

Steve

Get Outlook for iOS

---

From: Debra Thompson <dthompson@petersburgak.gov>  
Sent: Tuesday, June 14, 2022 1:47:47 PM  
To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
Subject: Investigation letters

Hi Steve,

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Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Tuesday, June 14, 2022 2:08 PM  
**To:** Stephen Giesbrecht  
**Subject:** RE: Investigation letters

Is this letter good to go then, Steve?

Debra K. Thompson, *CMC*  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



Document not requested

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



From: Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
Sent: Tuesday, June 14, 2022 1:00 PM  
To: Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>  
Subject: Re: Investigation letters

They look mostly fine and an electronic signature would be great, especially if it means I don't have to drive in the traffic! 😊

[Redacted signature block]

Steve

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From: Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>  
Sent: Tuesday, June 14, 2022 1:47:47 PM  
To: Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
Subject: Investigation letters

Hi Steve,

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Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

From: Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
Sent: Tuesday, June 14, 2022 1:00 PM  
To: Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>  
Subject: Re: Investigation letters

They look mostly fine and an electronic signature would be great, especially if it means I don't have to drive in the traffic! 😊

[REDACTED]

Steve

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From: Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>  
Sent: Tuesday, June 14, 2022 1:47:47 PM  
To: Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
Subject: Investigation letters

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Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405





June 14, 2022

Via email - Confidential

Dave Kensinger  
chelanproduce@gmail.com

Dear Dave:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Meucci and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Glesbrecht  
Borough Manager

**Borough Administration**  
PO Box 329, Petersburg, AK 99833 - Phone (907) 772-4425 Fax (907) 772-8759  
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Petersburg 001171



June 14, 2022

Via email - Confidential

Jeff Meucci  
jrmeucciscuba@gmail.com

Dear Jeff:

This letter is to communicate to you the results of the Borough's Investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Kensinger and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Kensinger and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

**Borough Administration**  
PO Box 329, Petersburg, AK 99833 - Phone (907) 772-4425 Fax (907) 772-3759  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001172



June 14, 2022

Via hand delivery

Chief Kerr

Dear Chief:

This letter is to communicate to you the results of the Borough's investigation into your allegations of harassment by Assembly Members Meucci and Kensinger. I would have preferred to provide this letter to you in person, however I am out of town until next week and did not wish to delay this notification.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Assembly Member Kensinger. After thorough investigation and analysis, Mr. Diemer determined that harassment has not occurred. I've summarized the findings below:

1. Petersburg Police Department Procedure Rule 125 applies to your November 17, 2021 statement to the Assembly. However you committed a technical violation of that Rule, under paragraph (2)(b) by "Using [your] official capacity to ... coerce or persuade any person to follow any course of political action." You advocated against enforcement of the mask mandate and attempted to persuade the members of the Assembly to follow your desired course of action. Further, while you initially disavowed speaking the position of the Borough, your statement spoke to matters within the exclusive purview and control of the Petersburg Police Department, including enforcement of an enacted ordinance and on the use of force. Thus, despite the initial disclaimer, your speech constituted an affirmative manifestation of representation of the Department.

2. While you didn't seek prior approval of your statement from me, you did inform me that you intended to make a statement. Thus, your violation was unintentional and my notations within your January 14, 2022 Performance Appraisal are too broad and must be revised and narrowly tailored to notate only those statements that are non-compliant with the Rule. I will do so when I return to the office, and we can sit down and go over the revised Appraisal.

3. You, as Police Chief, hold a policymaking position. Accordingly, your November 17, 2021 statement is not protected by the First Amendment of the U.S. Constitution.

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Petersburg 001173

4. Even if the policymaker exception was inapplicable, your statement is not protected by the First Amendment under the balancing test established in *Pickering v. Bd. of Educ. of Twp. High Sch. Dist. 205*, 391 U.S. 563 (1968). As Alaska's public employee free speech doctrine mirrors federal law, the same analysis would apply under the Alaska Constitution.

5. You did not allege that you were being discriminated against based upon race, color, religion, sex, national origin, age, disability, marital status, or parenthood. Accordingly, Federal Title VII and the Alaska Human Rights Act are not applicable.

6. There was not substantial evidence that the conduct you reference falls within the Employee Policy Manual's prohibition of workplace bullying or under any legal definition of harassment. While you stated that Assembly Members increased your workload by making inquiries and questioning you during Assembly meetings, the inquiries involved police department hiring processes and domestic violence calls. The Assembly has authority "[t]o inquire into the conduct of any office, department or agency of the borough, and investigate municipal affairs" (PMC 3.08.040(C)), and there was not substantial evidence that these requests by Assembly Members were outside the legitimate scope of PMC 3.08.040. Further, I, as your supervisor, had a legitimate basis to discuss your November 17, 2021 statement in your Performance Appraisal, however I will revise my comments to more narrowly tailor them.

7. There was no evidence that you sustained an adverse employment action in response to Assembly Member Kensinger's January 13, 2022 email statement. I rejected Member Kensinger's position, and you were not harassed or bullied as a result of that email.

8. The apparently misdirected text message sent by Assembly Member Meucci did not constitute unlawful harassment or bullying.

9. Regarding Assembly Member Kensinger's statements at the May 2, 2022 Assembly meeting, Member Kensinger stated that he spoke with an individual within the Juneau Police Department during an in-person visit in February of this year but could not now recall the name of the individual, and stated further that the individual did not ask any questions or communicate any concerns about the operation of the Petersburg Police Department scheduling. His reference to questions regarding PD scheduling were in reference to a PSAB member.

As a result of the investigatory conclusions, no further action will be taken on this matter at this time. If, at a later date, additional information is obtained or provided that contradicts these results, the matter may be investigated further.

Generally speaking, Borough personnel investigations are considered private and confidential, and accordingly this summary letter is being issued. Also, Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you, as well as Assembly Member

**Borough Administration**

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Petersburg 001174

Meucci and Assembly Member Kensinger (and their attorney), to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a more thorough discussion of the various principles at issue than can be contained in this summary letter. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please make arrangements with Debbie.

The Borough remains committed to creating a workplace free of illegal harassment or bullying. The Borough has taken your allegations seriously, and I thank you for your cooperation with the investigation.

Sincerely,



Stephen Giesbrecht  
Borough Manager

**Borough Administration**  
PO Box 329, Petersburg, AK 99833 – Phone (907) 772-4425 Fax (907) 772-3759  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001175



June 14, 2022

Via email – Confidential

Dave Kensinger  
chelanproduce@gmail.com

Dear Dave:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Meucci and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

Borough Administration  
PO Box 329, Petersburg, AK 99833 – Phone (907) 772-4425 Fax (907) 772-3759  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001178



June 14, 2022

Via email - Confidential

Jeff Meucci  
jrmeucclscuba@gmail.com

Dear Jeff:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Kensinger and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Kensinger and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

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[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001179

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Tuesday, June 14, 2022 3:39 PM  
**To:** David Kensinger; Jeffrey Maucci  
**Subject:** FW: personnel investigation  
**Attachments:** Kensinger - Kerr Investigation Conclusion Letter - signed.pdf; Maucci - Kerr Investigation Conclusion Letter - signed.pdf

FYI

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



**From:** Sara Heideman <sheideman@law-alaska.com>  
**Sent:** Tuesday, June 14, 2022 3:35 PM  
**To:** sarah@finewalshlaw.com  
**Cc:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** personnel investigation

Sarah -

Thank you for your June 13 submittal. For reasons that should be made clear when you read the attached letters to Assembly Members Maucci and Kensinger, we determined that waiting ten days to issue the letters was not necessary. In accordance with the letters, you and your clients should contact Debbie Thompson to review the report in full. At this time, copies of the report will not be provided to the parties.

Three additional items, related to the numbered paragraphs on page 4 of your letter.

Para. 1. I did not state that a sitting assembly member was "not unlike a water vendor." You and I were broadly discussing the rather unusual situation where a department head had lodged a formal complaint against an assembly member, and where that would fall in the employee manual. I noted that the manual has a section directly addressing harassment of employees by "nonemployees", including vendors, and I couldn't see a good argument as to why assembly members would be excluded from that since they are not borough employees (rather, they are borough elected officials).

Para. 3. As you note, the definition of harassment in the manual "includes, but is not limited to...." As we discussed in our phone call, since this is not an all-inclusive definition, an analysis was made based upon the specific allegations that were being lodged. I understood you to recognize the reasoning for that during our call.



June 14, 2022

Via email - Confidential

Dave Kensinger  
chelanproduce@gmail.com

Dear Dave:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Meucci and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giestbrecht  
Borough Manager

Borough Administration  
PO Box 329, Petersburg, AK 99833 - Phone (907) 772-4425 Fax (907) 772-3769  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001182



June 14, 2022

Via email - Confidential

Jeff Meucci  
jrmeucciscuba@gmail.com

Dear Jeff:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Kensinger and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Kensinger and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

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Sincerely,

Stephen Glesbrecht  
Borough Manager

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[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001183

**Debra Thompson**

---

**From:** Debra Thompson  
**Sent:** Friday, June 17, 2022 10:32 AM  
**To:** David Kensinger  
**Subject:** RE: Meeting with Steve

Jeff wants to talk with you before I set up a meeting. I will wait to hear from one of you later today.

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

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

**From:** David Kensinger <dkensinger@petersburgak.gov>  
**Sent:** Friday, June 17, 2022 10:23 AM  
**To:** Debra Thompson <dthompson@petersburgak.gov>  
**Subject:** Re: Meeting with Steve

Sure how does IO work?

David Kensinger  
907.209.7403

> On Jun 17, 2022, at 9:27 AM, Debra Thompson <dthompson@petersburgak.gov> wrote:

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> Hi Dave,

>

> Steve is not back in the office until Tuesday. Would you like to set up a meeting for Tuesday?

>

> Debra K. Thompson, CMC  
> Borough Clerk/Human Resources Director

>

> Petersburg Borough  
> 907-772-5405

>

>

>

> -----Original Message-----

> **From:** David Kensinger <dkensinger@petersburgak.gov>  
> **Sent:** Friday, June 17, 2022 8:34 AM

> To: Debra Thompson <dtompson@petersburgak.gov>

> Subject: Meeting with Steve

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> Debbie, Jeff and I want to meet with Sarah and Steve Monday if he is back. I will also come in and review all the documents related to the harassment complaint an hour before the meeting. Thanks Dave

>

> David Kensinger

> 907.209.7403

**Debra Thompson**

**From:** David Kensinger  
**Sent:** Monday, June 20, 2022 8:51 AM  
**To:** Debra Thompson  
**Subject:** Re: Meeting with Steve

Yes agree...a lot of material to digest. Particularly when we have to do by only viewing in your office. I have to send a truck Thursday to Wrangell at 9:30...so if it works for everyone. Also sounds like a lot for Steve to digest and be able to respond to Peters recommendations. My bottom line is I want clear policy so a future Assembly person does not have to go through this. Enjoy the weather...will be in Monday to read documents. Dave

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>> Debra K. Thompson, CMC

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>> Sent: Friday, June 17, 2022 8:34 AM

>> To: Debra Thompson <dthompson@petersburgak.gov>

>> Subject: Meeting with Steve

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>> back. I will also come in and review all the documents related to the

>> harassment complaint an hour before the meeting. Thanks Dave David

>> Kensinger

>> 907.209.7403

**Debra Thompson**

---

**From:** Stephen Giesbrecht  
**Sent:** Wednesday, June 22, 2022 10:18 AM  
**To:** Sara Heideman (sheideman@law-alaska.com); Debra Thompson  
**Subject:** FW: Thursday meeting

**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
**Sent:** Wednesday, June 22, 2022 10:10 AM  
**To:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Subject:** Fwd: Thursday meeting

Welcome back Steve, I hope your trip was nice.

It sounds like we are getting together Thursday morning to talk about the findings related to Peter Diemer's report regarding Police Chief Jim Kerr's workplace investigation alleging improper harassment by me and later another assembly member regarding Police Chief Jim Kerr's employment with the borough.

Could you please provide me with the specific complaint made by Police Chief Jim Kerr in his workplace harassment allegations against me? To this day I have not seen a specific thing in writing that specifically states Police Chief Jim Kerr's actual allegations. I was able to review Peter Diemer's documents and all I can find is a timeline of alleged grievances. Nothing specific.

When we meet on Thursday I would like to have a copy of the report while we are going over Peter Diemer's findings regarding Police Chief Jim Kerr's allegations filed against me of improper workplace harassment, to be able to follow along as we talk on Thursday.

Thank you, Jeff

Sent from my iPad

Document not requested

**From:** Jeff Meucci <jrmeucciscuba@gmail.com>  
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regarding Police Chief Jim Kerr's allegations filed against me of improper workplace harassment, to be able to follow along as we talk on Thursday.

Thank you, Jeff

Sent from my iPad

**Debra Thompson**

---

**From:** Stephen Giesbrecht  
**Sent:** Thursday, July 7, 2022 6:52 AM  
**To:** Sara Heideman (sheideman@law-alaska.com)  
**Cc:** Debra Thompson  
**Subject:** FW: Policy Guideline

**From:** Stephen Giesbrecht  
**Sent:** Thursday, July 7, 2022 6:51 AM  
**To:** James Kerr <jkerr@petersburgak.gov>  
**Subject:** Policy Guideline

Jim,

This guidance is intended to address any public statements to be made by you to the Assembly, other Boards and Commissions, and the media. The investigatory report recommends guidance on this point, and your attorney has also requested that the Borough provide written instructions on future public statements to prevent any further misunderstandings.

As a policymaker for the Borough, it is very difficult for the public to separate you from the office you hold. This is very much like my position in this way. Even if you include language at the beginning of a statement you are only expressing your personal views, this will often be insufficient for the public to distinguish you from your position as the Borough Police Chief. This is especially true if you were discussing matters within the purview of the Police Department or your job duties.

Accordingly, in the future, please present to me, in writing, any public statement you wish to make to the Assembly, other Board and Commission, or the media (excluding standard press releases addressing arrests or police criminal investigations within the Borough). This will allow me to review and analyze the statement beforehand, to ensure it is clear from the subject, content and context you are not representing the Borough or Department in your statement (unless it is an official departmental statement), it will not interfere with or impede the Borough's implementation of policy or efficiency in providing services, and it will not otherwise disrupt or detrimentally impact the performance of your duties, the operations or functions of the police department, or your working relationship with the Assembly or other Board or Commission.

Let me know if you have any questions.

Steve

**Debra Thompson**

---

**From:** Stephen Giesbrecht  
**Sent:** Monday, July 11, 2022 7:08 AM  
**To:** Greg Russell  
**Cc:** Debra Thompson; James Kerr  
**Subject:** FW: Scan from Petersburg Borough xerox  
**Attachments:** 07112022063820-0001.pdf

Here you go Greg. I think we are good on the scheduling aspect, but any advice is always welcome. Please work directly with Jim as needed.

Thanks.

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

**From:** scan <scan@petersburgak.gov>  
**Sent:** Monday, July 11, 2022 6:38 AM  
**To:** Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
**Subject:** Scan from Petersburg Borough xerox

Please open the attached document. It was scanned and sent to you using a Xerox Color.

Number of Images: 3  
Attachment File Type: PDF

Device Name: Color C70  
Device Location:

For more information on Xerox products and solutions, please visit <http://www.xerox.com/>

## RUSSELL CONSULTING, LLC

P. O. BOX 1655 ' SOLDOTNA, ALASKA 99669  
TELEPHONE: 907-398-2770 ' FACSIMILE: 888-398-2658  
E-MAIL: [greg@russell-consulting.org](mailto:greg@russell-consulting.org)

### Professional Services Agreement

This Agreement is made by and between the Petersburg Borough in Alaska and Gregory A. Russell of Russell Consulting LLC, Consultant.

Consultant represents he has the requisite skills and qualifications to perform the services in a professional manner required by this Agreement for Petersburg Borough. Consultant shall be considered an Independent Contractor and may consult for others during the term of this Agreement, provided such consultation does not interfere with the Consultant's ability to perform services hereunder.

The Petersburg Borough enters into this Agreement with Consultant, and Consultant agrees to provide services in accordance with the terms and conditions specified below.

#### Scope of Work

The Petersburg Borough engages the Consultant to provide the following services:

- o Professional coaching for Police Chief James Kerr to strengthen leadership and personnel management skills; strengthen understanding of non-operational aspects of Police Chief role in community; and strengthen working relationship with Assembly.
- o Work with Chief James Kerr and department staff to assess Petersburg Police Department operations staffing needs and scheduling.
- o Make at least one site visit to Petersburg to meet with Police Chief, Borough Manager, and public safety staff, as agreed upon between Borough Manager and Consultant.

The Petersburg Borough, with agreement from Consultant, may amend and modify the deliverables during course of this Agreement depending on project status and necessary tasks.

### **Compensation**

Consultant shall charge \$180 per hour per Consultant's published fee schedule and conditions (attached) with total invoiced services, including expenses, not to exceed Ten Thousand Dollars and No Cents (\$10,000) during the term of the Agreement. Consultant shall submit invoices monthly for approval to the Borough Manager. Upon approval of invoice, Petersburg Borough will make payments within 15 days. Consultant shall be responsible for payment of all income taxes, employee withholdings, worker's compensation insurance and unemployment insurance for any services provided under this Agreement. All travel and lodging reservations shall be the responsibility of the Petersburg Borough, to be arranged and paid for by the Borough, prior to the actual travel. Unanticipated travel and lodging expenses and costs due to adverse weather delays or other unanticipated events, as well as any alternative travel methods (ferry travel or car rental) are the responsibility of the Borough. Ground expenses, meals, and incidentals are billed at actual cost.

### **Confidentiality**

All proprietary information of a confidential nature, in any form whatsoever, obtained by the Consultant in the course of performing this Agreement shall be and remain the exclusive property of the Petersburg Borough whose information it is, and the Consultant shall not disclose such information to any third party, nor use that information for any purpose other than as expressly directed by the Borough, except with the express, prior written consent of the Borough or as may otherwise be required by law. The Consultant agrees that the Borough may specifically enforce this provision.

### **Term**

The initial term of this Agreement shall commence at the date of the last signature below and continue for a period of three (3) months, or until the Not to Exceed amount set out herein is reached, whichever first occurs. By mutual written agreement, the Agreement may be renewed for an additional three (3) month period.

### **Termination; Invalidity**

Either party may terminate this Agreement at any time, with or without cause, upon fifteen (15) calendar days written notice to the other Party. In the event of termination, the Borough will be responsible for payment of the fees and costs accrued prior to the date of termination.

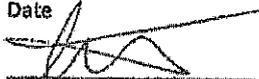
If any part, term, or provision of this Agreement is held by courts of competent jurisdiction to be illegal or in conflict with the laws of the State of Alaska, the validity of the remaining portions of the Agreement shall not be affected and the rights and obligations of the parties shall be

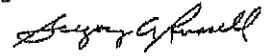
construed and enforced as if the Agreement did not contain the particular part, term, or provision.

**Disclaimer of Guarantee**

Nothing in this Agreement and nothing in the Consultant's statements to the Borough and its personnel is a promise or guarantee about the outcome of any matter. Consultant makes no such promise or guarantee. Consultant's comments about an outcome are expressions of opinion only.

Signatures follow.

7/9/2022  
Date  
  
Stephen Giesbrecht, Borough Manager  
Petersburg Borough

07/08/2022  
Date  
  
Gregory A. Russell, Consultant  
Russell Consulting LLC

**Debra Thompson**

---

**From:** Greg Russell <greg@russell-consulting.org>  
**Sent:** Monday, July 11, 2022 8:07 AM  
**To:** Stephen Giesbrecht  
**Cc:** Debra Thompson; James Kerr  
**Subject:** RE: Scan from Petersburg Borough xerox

Thank you for the opportunity to be of service. I look forward to working with you and Chief Kerr.

Best regards,

s/ Greg

Gregory A. Russell

"Excellence is never an accident; it is the result of high intention, sincere effort, intelligent direction, skillful execution, and the vision to see obstacles as opportunities."

Russell Consulting, LLC  
PO Box 1655  
Soldotna, AK 99669  
(907) 398-2770 (cell)  
(907) 260-9555 (office)  
(888) 398-2658 (fax, toll-free)  
greg@russell-consulting.org  
www.russell-consulting.org

"This communication, including attachments, is for the exclusive use of the person or entity to which it is addressed and may contain confidential, proprietary and/or privileged information. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender by return e-mail and delete this from any computer."

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**Cc:** Debra Thompson <dthompson@petersburgak.gov>; James Kerr <jkerr@petersburgak.gov>  
**Subject:** FW: Scan from Petersburg Borough xerox

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Please work directly with Jim as needed.

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Number of Images: 3  
Attachment File Type: PDF

Device Name: Color C70  
Device Location:

For more information on Xerox products and solutions, please visit <http://www.xerox.com/>

**Workplace Investigation**

Debra Thompson <dthompson@petersburgak.gov>

Tue 5/31/2022 12:31 PM

To: David Kensinger <dkensinger@petersburgak.gov>

Hi Dave,

Please see the attached notice of workplace investigation. I'm hoping you can be available to speak with Attorney Diemer within the next couple of days - please let me know a day/time that works for you and we'll see if we can get a telephone conversation scheduled.

Thank you,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405





**TO:** Assembly Member David Kensinger  
**FROM:** Debra K. Thompson, Borough Clerk/HR Director  
**DATE:** May 31, 2022  
**RE:** Workplace Investigation

Chief Kerr has alleged that he has been the subject of improper harassment by you and another assembly member in regard to his employment. The borough is required to fully and fairly investigate these allegations, and we have asked the borough attorney to assist.

We are requesting that you speak telephonically with attorney Peter Diemer. Mr. Diemer has extensive human resources experience and is working with Sara Heideman's office on this matter. I will work with you directly to schedule the date and time of the interview. We are hoping that you will cooperate with this investigation, providing any information and documents requested.

To ensure that this investigation can be conducted as fairly as possible and without interference, we would request that you keep this matter confidential and not discuss it with others, including borough employees or other borough officials.

I will be your point of contact in this matter. Please feel free to contact me at any time during the investigative process should you have any questions.

Thank you in advance for your cooperation.

*Debra*

Borough Administration  
PO Box 329, Petersburg, AK 99833 – Phone (907) 772-4425 Fax (907) 772-3769  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001291

**FW: personnel investigation**

Debra Thompson <dthompson@petersburgak.gov>

Tue 6/14/2022 3:35 PM

To: David Kensinger <dkensinger@petersburgak.gov>; Jeffrey Meucci <jmeucci@petersburgak.gov>

**FYI**

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



From: Sara Heldeman <sheldeman@law-alaska.com>  
Sent: Tuesday, June 14, 2022 3:35 PM  
To: sarah@finewalshlaw.com  
Cc: Debra Thompson <dthompson@petersburgak.gov>  
Subject: personnel investigation

Sarah -

Thank you for your June 13 submittal. For reasons that should be made clear when you read the attached letters to Assembly Members Meucci and Kensinger, we determined that waiting ten days to issue the letters was not necessary. In accordance with the letters, you and your clients should contact Debbie Thompson to review the report in full. At this time, copies of the report will not be provided to the parties.

Three additional items, related to the numbered paragraphs on page 4 of your letter.

Para. 1. I did not state that a sitting assembly member was "not unlike a water vendor." You and I were broadly discussing the rather unusual situation where a department head had lodged a formal complaint against an assembly member, and where that would fall in the employee manual. I noted that the manual has a section directly addressing harassment of employees by "nonemployees", including vendors, and I couldn't see a good argument as to why assembly members would be excluded from that since they are not borough employees (rather, they are borough elected officials).

Para. 3. As you note, the definition of harassment in the manual "includes, but is not limited to..." As we discussed in our phone call, since this is not an all-inclusive definition, an analysis was made based upon the specific allegations that were being lodged. I understood you to recognize the reasoning for that during our call.

Para. 4. I did not condition your review of the report on either viewing the complaint or your consent to release the full report. When I reached out to AM Kensinger, prior to your engagement, to obtain his views on public release of the report, he requested to review the complaint prior to responding, and we were certainly willing to accommodate that. I understood you to be making the same request. If you and AM Kensinger had decided not to view the complaint, you would still have been permitted further time to respond to my inquiry, as you requested,

Petersburg 001292



June 14, 2022

Via email - Confidential

Dave Kensinger  
chelanproduce@gmail.com

Dear Dave:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

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I thank you for your cooperation with the investigation.

Sincerely,

Stephen Glesbrecht  
Borough Manager

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[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001294



June 14, 2022

Via email - Confidential

Jeff Meucci  
jrmeucciscuba@gmail.com

Dear Jeff:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

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Borough Manager

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Petersburg 001295

**RE: Meeting with Steve**

Debra Thompson <dthompson@petersburgak.gov>

Fri 6/17/2022 10:31 AM

To: David Kensinger <dkensinger@petersburgak.gov>

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Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405

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Subject: Re: Meeting with Steve

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> Borough Clerk/Human Resources Director

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> Petersburg Borough

> 907-772-5405

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> David Kensinger

> 907.209.7403

**Re: Meeting with Steve**

David Kensinger <dkensinger@petersburgak.gov>

Mon 6/20/2022 8:50 AM

To: Debra Thompson <dthompson@petersburgak.gov>

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907.209.7403

> On Jun 17, 2022, at 10:31 AM, Debra Thompson <dthompson@petersburgak.gov> wrote:

> Jeff wants to talk with you before I set up a meeting. I will wait to hear from one of you later today.

> Debra K. Thompson, CMC  
> Borough Clerk/Human Resources Director

> Petersburg Borough  
> 907-772-5405

> -----Original Message-----

> From: David Kensinger <dkensinger@petersburgak.gov>

> Sent: Friday, June 17, 2022 10:23 AM

> To: Debra Thompson <dthompson@petersburgak.gov>

> Subject: Re: Meeting with Steve

> Sure how does 10 work?

> David Kensinger  
> 907.209.7403

>> On Jun 17, 2022, at 9:27 AM, Debra Thompson <dthompson@petersburgak.gov> wrote:

>> Hi Dave,

>> Steve is not back in the office until Tuesday. Would you like to set up a meeting for Tuesday?

>> Debra K. Thompson, CMC  
>> Borough Clerk/Human Resources Director  
>> Petersburg Borough  
>> 907-772-5405

>> -----Original Message-----

>> From: David Kensinger <dkensinger@petersburgak.gov>

>> Sent: Friday, June 17, 2022 8:34 AM

>> To: Debra Thompson <dthompson@petersburgak.gov>

>> Subject: Meeting with Steve

>> Debbie, Jeff and I want to meet with Sarah and Steve Monday if he is back. I will also come in and review all the documents related to the harassment complaint an hour before the meeting. Thanks Dave

>> David Kansinger

>> 907.209.7403

**RE: Meeting**

James Kerr <jkerr@petersburgak.gov>

Mon 6/27/2022 1:07 PM

To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>; Jeffrey Meucci <jmeucci@petersburgak.gov>; David Kensinger <dkensinger@petersburgak.gov>

Works for me.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>

Sent: Monday, June 27, 2022 12:59 PM

To: James Kerr <jkerr@petersburgak.gov>; Jeffrey Meucci <jmeucci@petersburgak.gov>; David Kensinger <dkensinger@petersburgak.gov>

Subject: RE: Meeting

Okay, how about 2 pm. Jeff and Dave, does this work for you?

From: James Kerr <jkerr@petersburgak.gov>

Sent: Monday, June 27, 2022 12:56 PM

To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>; Jeffrey Meucci <jmeucci@petersburgak.gov>; David Kensinger <dkensinger@petersburgak.gov>

Subject: RE: Meeting

Yes, I am available.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504

Petersburg 001306



**From:** Stephen Glesbrecht <[sglesbrecht@petersburgak.gov](mailto:sglesbrecht@petersburgak.gov)>  
**Sent:** Monday, June 27, 2022 12:37 PM  
**To:** Jeffrey Meucci <[jmeucci@petersburgak.gov](mailto:jmeucci@petersburgak.gov)>; David Kensinger <[dkensinger@petersburgak.gov](mailto:dkensinger@petersburgak.gov)>; James Kerr <[jkerr@petersburgak.gov](mailto:jkerr@petersburgak.gov)>  
**Subject:** Meeting

It sounds like KFSK is reaching out to everyone about the statement and the timeline document. I think it would be beneficial for the four of us to talk through the next steps to responding to them.

Is everyone willing to meet today? I have cleared my afternoon calendar.

Please let me know.

Steve

**Workplace Investigation Notification**

Debra Thompson <dthompson@petersburgak.gov>

Tue 3/22/2022 3:33 PM

To: Jeffrey Meucci <jmeucci@petersburgak.gov>

📎 1 attachments (283 KB)

Memo to Jeff Meucci re Investigation 3.22.2022.pdf

Hi Jeff,

Please find attached a notice of a workplace investigation involving you.

Respectfully,  
Debbie

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405





**TO:** Assembly Member Jeff Meucci  
**FROM:** Debra K. Thompson, Borough Clerk/HR Director  
**DATE:** March 22, 2022  
**RE:** Upcoming Workplace Investigation

Chief Kerr has alleged that he has been the subject of improper harassment by you in regard to his employment. The borough is required to fully and fairly investigate these allegations, and we have asked the borough attorney to assist.

We will be requesting that you meet with attorney Peter Diemer. Mr. Diemer has extensive human resources experience and will be working with Sara Heldeman's office on this matter. I will work with you directly to schedule the date and time of the interview. While I cannot provide at this time any specific details of the allegations being made against you, please be assured that you will be provided ample time and opportunity in this process to fully respond. We are hoping that you will cooperate fully with this investigation, providing information and documents as requested.

To ensure that this investigation can be conducted as fairly as possible and without interference, we would request that you keep this matter confidential and not discuss it with others, including borough employees or other borough officials.

I will be your point of contact in this matter. Please feel free to contact me at any time during the investigative process should you have any questions.

Thank you in advance for your cooperation.

*Debbie*

Borough Administration  
PO Box 329, Petersburg, AK 99833 – Phone (907) 772-4425 Fax (907) 772-3759  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001309

FW: personnel investigation

Debra Thompson <dthompson@petersburgak.gov>

Tue 6/14/2022 3:39 PM

To: David Kensinger <dkensinger@petersburgak.gov>; Jeffrey Meucci <jmeucci@petersburgak.gov>

FYI

Debra K. Thompson, CMC  
Borough Clerk/Human Resources Director

Petersburg Borough  
907-772-5405



From: Sara Heldeman <sheideman@law-alaska.com>  
Sent: Tuesday, June 14, 2022 3:35 PM  
To: sarah@finewalshlaw.com  
Cc: Debra Thompson <dthompson@petersburgak.gov>  
Subject: personnel investigation

Sarah -

Thank you for your June 13 submittal. For reasons that should be made clear when you read the attached letters to Assembly Members Meucci and Kensinger, we determined that waiting ten days to issue the letters was not necessary. In accordance with the letters, you and your clients should contact Debbie Thompson to review the report in full. At this time, copies of the report will not be provided to the parties.

Three additional items, related to the numbered paragraphs on page 4 of your letter.

Para. 1. I did not state that a sitting assembly member was "not unlike a water vendor." You and I were broadly discussing the rather unusual situation where a department head had lodged a formal complaint against an assembly member, and where that would fall in the employee manual. I noted that the manual has a section directly addressing harassment of employees by "nonemployees", including vendors, and I couldn't see a good argument as to why assembly members would be excluded from that since they are not borough employees (rather, they are borough elected officials).

Para. 3. As you note, the definition of harassment in the manual "includes, but is not limited to..." As we discussed in our phone call, since this is not an all-inclusive definition, an analysis was made based upon the specific allegations that were being lodged. I understood you to recognize the reasoning for that during our call.

Para. 4. I did not condition your review of the report on either viewing the complaint or your consent to release the full report. When I reached out to AM Kensinger, prior to your engagement, to obtain his views on public release of the report, he requested to review the complaint prior to responding, and we were certainly willing to accommodate that. I understood you to be making the same request. If you and AM Kensinger had decided not to view the complaint, you would still have been permitted further time to respond to my inquiry, as you requested,

Petersburg 001310



June 14, 2022

Via email - Confidential

Dave Kensinger  
chelanproduce@gmail.com

Dear Dave:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Meucci and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Meucci and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

Borough Administration  
PO Box 328, Petersburg, AK 99833 – Phone (907) 772-4425 Fax (907) 772-3758  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001312



June 14, 2022

Via email - Confidential

Jeff Meucci  
jrmeucciscuba@gmail.com

Dear Jeff:

This letter is to communicate to you the results of the Borough's investigation into allegations made by Police Chief Kerr that you engaged in harassment against him.

As you are aware, the Borough commenced an investigation, which was conducted by Pete Diemer, an attorney, working with the Borough Attorney. Mr. Diemer spoke with you, Assembly Member Kensinger and Chief Kerr. After thorough investigation and analysis, Mr. Diemer has determined no illegal harassment has occurred.

Mr. Diemer's report to the Borough Attorney is protected by the attorney-client privilege or other privileges. However, I am authorizing a narrow and limited waiver of such privileges here for the sole and discrete purpose of allowing you (and your attorney, if you wish), Assembly Member Kensinger and Chief Kerr to read Mr. Diemer's report. I feel that the parties, moving forward, would benefit from a thorough discussion of the various principles at issue. This limited waiver encompasses no other documents and no other communications, and is limited solely to allowing you to read the report. If you wish to do so, please contact Debbie to make arrangements.

Generally speaking, Borough personnel investigations are considered private and not disclosed. Accordingly, we would respectfully ask that you and your attorney keep this matter confidential.

I thank you for your cooperation with the investigation.

Sincerely,

Stephen Giesbrecht  
Borough Manager

Borough Administration  
PO Box 329, Petersburg, AK 99833 - Phone (907) 772-4425 Fax (907) 772-3759  
[www.ci.petersburg.ak.us](http://www.ci.petersburg.ak.us)

Petersburg 001313

RE: Meeting

James Kerr <jkerr@petersburgak.gov>

Mon 6/27/2022 1:07 PM

To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>; Jeffrey Meucci <jmeucci@petersburgak.gov>; David Kensinger <dkensinger@petersburgak.gov>

Works for me.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>

Sent: Monday, June 27, 2022 12:59 PM

To: James Kerr <jkerr@petersburgak.gov>; Jeffrey Meucci <jmeucci@petersburgak.gov>; David Kensinger <dkensinger@petersburgak.gov>

Subject: RE: Meeting

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Sent: Monday, June 27, 2022 12:56 PM

To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>; Jeffrey Meucci <jmeucci@petersburgak.gov>; David Kensinger <dkensinger@petersburgak.gov>

Subject: RE: Meeting

Yes, I am available.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504

Petersburg 001320



From: Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
Sent: Monday, June 27, 2022 12:37 PM  
To: Jeffrey Meucci <[jmeucci@petersburgak.gov](mailto:jmeucci@petersburgak.gov)>; David Kensinger <[dkensinger@petersburgak.gov](mailto:dkensinger@petersburgak.gov)>; James Kerr <[jkerr@petersburgak.gov](mailto:jkerr@petersburgak.gov)>  
Subject: Meeting

It sounds like KFSK is reaching out to everyone about the statement and the timeline document. I think it would be beneficial for the four of us to talk through the next steps to responding to them.

Is everyone willing to meet today? I have cleared my afternoon calendar.

Please let me know.

Steve

Additional information and clarification from yesterday's meeting.

After speaking yesterday, I wanted to say a few more things.

Yesterday I made reference to harassment, but this is in terms of the act/dictionary definition "aggressive pressure or intimidation." In no way was my reference of harassment related to the workplace harassment definition which involves race, color, religion, sex gender, national origin, age.

Therefore, my issues are related to retaliation and intimidation from Dave and Jeff.

The specific event which this retaliation relates to was my personal speech from 11/17/21. This is the incident which started the directed retaliation towards me. We talked about what Dave did and said along with what emails he sent to Steve which resulted in my talking to along with the documented personal speech statement in my performance evaluation.

Both Dave and Jeff wanted Steve to do something towards me as they were upset about my speech. Both used every possible incident or power they had to retaliate towards me. This involved in person talks and emails to Steve, using the power as an assembly member to add additional work via inquires about the PD or functions.

Steve and Debbie warned both Jeff and Dave several times about their actions/requests telling them this is retaliation and harassment.

Jeff also made points to make sure he spoke about the Police Department at assembly meetings and questioned me at these meetings or I was required to make statements in public meeting about the Police Department. Jeff also coached/conspired with the chairperson of the public safety advisory board Mark Testoni on how to violate the Roberts rules of order along with advising him not to put things on paper which creates a messy paper trail and advised him in person was the best way.

I have had other department heads thank me for taking the heat away from them and say they couldn't handle the pressure of what I have been going through. They have said keep up the good work. This shows that Jeff's and Dave's actions have influenced others to not speak out against the borough assembly.

Jim Floyd (community member and manager of Hammer and Wilkan) also made a statement at the March 21, 2022 assembly meeting saying what the assembly is doing is retaliation for Chief Kerr's personal statement made 11/17/21.

You asked how this retaliation from both Dave and Jeff has affected my life and family.

Myself:

- Increased workload from requests
- Added stress from constant requests about PD
- Lower moral in PD since they see the issues between Dave, Jeff and me being talked about in meeting and added workload.
- I have looked for other jobs due to the retaliation from Dave and Jeff.
- I have been asked by members of the community if we moved they would like to buy my home.
- I have been asked by a community member if I need money for an attorney to go after the Borough for retaliation.
- With my personal statement documented in my performance evaluation I asked Steve if this was the documentation process to get rid of me. I asked if I needed to find a new job.
- Members of the community have called the Petersburg Police Department to ask if everything was okay with me and told me I was not allowed to quit. They have also voiced their support for the police department.
- Community members ask me if they need to attend assembly meeting to show support.
- I have been contacted by several community members who want to know if the PD is being talked about at the next assemble meeting and if Dave and Jeff have backed off.
- I haven't been as focused on my family at home since the retaliation due to constantly working on what Jeff wanted or what thing is Jeff going to go after me for next.

Wife:

- She has been contacted by phone and in person by employees and community members asking if everything is okay with Jim's job.
  - Asked if they need to attend assembly meeting or make statements to the assembly because they notice the retaliation toward Jim.
  - She is constantly called prior to meeting if they police department is being talked about at the meeting.
  - She receives calls telling her what the assembly (Dave and Jeff) are doing is not right.
  - She was stopped in the trading union grocery store by a local business owner and asked if we needed money to hire an attorney to fight back against the borough assembly.
  - Everywhere she goes in the town the topic is always what the assembly is doing is wrong and community members telling her Jim is doing a great job.
- \_\_\_\_\_

Kids:

-My boys have been asked by their friends if we are moving.

-They have been told by adults at school your dad is doing the right thing.

---

I just wanted to clarify things from yesterday after thing about them last night.

I you have any questions let me know.

James Kerr

To: Peter Diemer[peter.diemer@cdlaw.pro]  
Cc: Stasi Stocker[stasi.stocker@cdlaw.pro]  
From: James Kerr  
Sent: Thur 4/7/2022 7:30:47 PM  
Subject: Additional info from meeting  
Document1.docx

After thinking about our meeting last night I wanted to provide this additional information.

Chief James Kerr  
Petersburg Police Department  
PO Box 328  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



Petersburg 001327

Additional information and clarification from yesterday's meeting.

After speaking yesterday, I wanted to say a few more things.

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- \_\_\_\_\_

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---

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I you have any questions let me know.

James Kerr

To: James Kerr[jkerr@petersburgak.gov]  
From: Stephen Giesbrecht  
Sent: Tue 6/28/2022 6:10:13 PM  
Subject: Comments

Jim,

Good job yesterday. It is clear Dave and Jeff are willing to move forward, but it is also clear they understandably still have some reservations. Only time will help this issue.

I wanted to make sure you understand my directions on dealing with the press and others on this issue. While I cannot control what Jeff, Dave or others say, it is important that you do not respond in a negative fashion. You need to be a calming influence on the situation, so we can all move past this. If the KFSK story and Dave or Jeff's comments are critical, you will need to not respond in kind. As elected officials, they have the right to voice their concerns; you and I must focus on the job at hand and move forward.

Please let me know if you have any questions, and thank you again for your handling of the issue during yesterday's meeting.

Steve

Mr. Diemer,

At yesterday's Petersburg Borough Assembly Meeting Dave Kensinger made comments about the Petersburg Police Department. You can listen to the recording which starts at 1:05:19 where he talks about my personal statement and then how he has spoken to the Assistant Chief of Police in Juneau and the Sitka Chief of Police stating they have questions about how we are scheduling and thinks there could be opportunities with the way we are scheduling to reduce the number of officers we have.

I called the subjects involved see below email.

I spoke with Krag Campbell 05/03/22 @ 1:29 pm for 20 minutes

I spoke with Robert Baty 05/03/22 @ 2:19 pm for 5 minutes

Dave Kensinger has now made public comments which are proven false in an attempt to undermine/question my ability as chief of police to run the Petersburg Police Department. I knew he would resort to retaliation at budget time but not flat out lying in a recorded meeting where I can speak to the subjects involved and prove his false statements.

Link to recorded meeting.

<https://www.kfsk.org/wp-content/uploads/2022/05/ASSEMBLY.mp3>

To: Stephen Giesbrecht[sgiesbrecht@petersburgak.gov]; Debra Thompson[dthompson@petersburgak.gov]  
From: James Kerr  
Sent: Tue 5/3/2022 10:32:19 PM  
Subject: Dave's Comments

Steve,

I wanted to shed some light on a comment that was made yesterday at the assembly meeting by Dave Kensinger. Dave said he spoke with the Juneau Assistant Chief of Police and Sitka Chief of Police who has questions about how we are scheduling and thinks there could be opportunities with the way we are scheduling to reduce the number of officers we have. I just got off the phone with Deputy Chief Krag Campbell who said he has never spoke with Dave or about the staffing or scheduling of the Petersburg Police Department. Campbell said it is bad business to comment about another police department without first talking to the Chief of Police with that agency. I then called and spoke with Sitka Chief of Police Robert Baty and told him what was said by Dave at the assembly meeting. Chief Baty said he actually said he spoke with me and I said I could play recording of the meeting for him. Chief Baty asked for me to play the recording and once it was done Chief Baty said he never said anything like that and would not comment on another departments staffing levels. Chief Baty said that is a lie.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



Petersburg 001342

To: Greg Russell [greg@russell-consulting.org]  
From: James Kerr  
Sent: Fri 7/22/2022 6:46:10 PM  
Subject: FW: Additional Info from meeting  
[Document1.docx](#)

I sent this the morning after verbal meeting with Pete.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: James Kerr  
Sent: Thursday, April 7, 2022 11:40 AM  
To: Peter Diemer <peter.diemer@cdlaw.pro>  
Cc: Stasi Stocker <stasi.stocker@cdlaw.pro>  
Subject: Additional Info from meeting

After thinking about our meeting last night I wanted to provide this additional information.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
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I you have any questions let me know.

James Kerr

To: Greg Russell [greg@russell-consulting.org]  
From: James Kerr  
Sent: Fri 7/22/2022 9:53:22 PM  
Subject: FW: Article

Just showing I have tried to get the borough to fix their false press release.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



Document not requested

Petersburg 001350

To: Greg Russell [greg@russell-consulting.org]  
From: James Kerr  
Sent: Fri 7/22/2022 6:44:59 PM  
Subject: FW: Kerr's Complaint info

I added this to my complaint after the assembly meeting.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



Document not requested

Petersburg 001354

**Subject: Dave's Comments**

Steve,

I wanted to shed some light on a comment that was made yesterday at the assembly meeting by Dave Kensinger. Dave said he spoke with the Juneau Assistant Chief of Police and Sitka Chief of Police who has questions about how we are scheduling and thinks there could be opportunities with the way we are scheduling to reduce the number of officers we have. I just got off the phone with Deputy Chief Krag Campbell who said he has never spoke with Dave or about the staffing or scheduling of the Petersburg Police Department. Campbell said it is bad business to comment about another police department without first talking to the Chief of Police with that agency. I then called and spoke with Sitka Chief of Police Robert Baty and told him what was said by Dave at the assembly meeting. Chief Baty said he actually said he spoke with me and I said I could play recording of the meeting for him. Chief Baty asked for me to play the recording and once it was done Chief Baty said he never said anything like that and would not comment on another departments staffing levels. Chief Baty said that is a lie.

Chief James Kerr  
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PO Box 329  
Petersburg Alaska, 99833  
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Cell: 907-518-0482  
FAX: 907-772-3504



Petersburg 001356

To: Greg Russell [greg@russell-consulting.org]  
From: James Kerr  
Sent: Fri 7/22/2022 7:17:27 PM  
Subject: FW: Policy Guideline

Here was my Instructions moving forward.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99233  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
Sent: Thursday, July 7, 2022 6:51 AM  
To: James Kerr <jkerr@petersburgak.gov>  
Subject: Policy Guideline

Jim,

This guidance is intended to address any public statements to be made by you to the Assembly, other Boards and Commissions, and the media. The investigatory report recommends guidance on this point, and your attorney has also requested that the Borough provide written instructions on future public statements to prevent any further misunderstandings.

As a policymaker for the Borough, it is very difficult for the public to separate you from the office you hold. This is very much like my position in this way. Even if you include language at the beginning of a statement you are only expressing your personal views, this will often be insufficient for the public to distinguish you from your position as the Borough Police Chief. This is especially true if you were discussing matters within the purview of the Police Department or your job duties.

Accordingly, in the future, please present to me, in writing, any public statement you wish to make to the Assembly, other Board and Commission, or the media (excluding standard press releases addressing arrests or police criminal investigations within the Borough). This will allow me to review and analyze the statement beforehand, to ensure it is clear from the subject, content and context you are not representing the Borough or Department in your statement (unless it is an official departmental statement), it will not interfere with or impede the Borough's implementation of policy or efficiency in providing services, and it will not otherwise disrupt or detrimentally impact the performance of your duties, the operations or functions of the police department, or your working relationship with the Assembly or other Board or Commission.

Petersburg 001357

Let me know if you have any questions.

Steve

To: Peter Diemer[peter.diemer@cdlaw.pro]  
Cc: Stasi Stocker[stasi.stocker@cdlaw.pro]  
From: James Kerr  
Sent: Mon 4/11/2022 6:06:21 PM  
Subject: Jeff Meucci Email

Additional information for the retaliation complaint.

Perfect example of Jeff using his position to retaliate/intimidate against me and create more work/stress.

I just received this email where Jeff is asking for more information. Steve doesn't even understand what Jeff is asking for. Jeff received the information on March 9<sup>th</sup> and hasn't asked any questions about it until now. This is after I received the text message and filed the retaliation complaint against him and after he was advising Mark Testoni of the public safety advisory board.

Other assembly members have sent emails and told me in person the information received was great and they did not want an Annual Report because they did not see the cost to benefit ratio.

I will forward the original email with all the attachments I sent that go along with this.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
Sent: Monday, April 11, 2022 7:41 AM  
To: Jeff Meucci <jrmeucciscuba@gmail.com>  
Cc: Debra Thompson <dthompson@petersburgak.gov>; James Kerr <jkerr@petersburgak.gov>  
Subject: Re: (No subject)

Sure Jeff, but I am not sure what you want that was not included. The Incident reports provided by the Chief show the breakdown of what they handled for the years you requested. I also do not understand your reference to "actual calls"? Are you suggesting that the reports are inaccurate, or do you need me to explain what each incident type is? As Jim explained, this is what we have available from our reporting software.

Steve

Petersburg 001370

Get Outlook for IOS

**From:** Jeff Meucci <[jmeucciscuba@gmail.com](mailto:jmeucciscuba@gmail.com)>  
**Sent:** Monday, April 11, 2022 7:22 AM  
**To:** Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
**Subject:** Fwd: (No subject)

Hi Steve, in an effort to understand the yearly reports of the police departments I was hoping you might help me decipher the 117 pages of information that was provided to me from chief Kerr. What I am looking for is a yearly report from the police department regarding their call history. Like I mentioned at the meeting in an effort to understand the needs of the police department it would be helpful to understand their needs based on calls. Without data based on actual calls it is difficult to make decisions based on actual calls. The data that I would like to focus on are the numbers for the years 2017 thru 2021 titled "Law total Incident Report, by Nature of Incident". Highlighting the large call volumes. I would like to sit down with early next week to discuss this further and clarify any questions you might have. I am available at your convenience. Thanks Jeff

Sent from my iPad  
Begin forwarded message:

**From:** James Kerr <[jkerr@petersburgak.gov](mailto:jkerr@petersburgak.gov)>  
**Date:** March 9, 2022 at 3:17:39 PM AKST  
**To:** Assembly <[assembly@petersburgak.gov](mailto:assembly@petersburgak.gov)>  
**Cc:** Reporter Pilot <[reporter.pilot@gmail.com](mailto:reporter.pilot@gmail.com)>, angela denning <[angela@kfsk.org](mailto:angela@kfsk.org)>, joe viehnicki <[joe@kfsk.org](mailto:joe@kfsk.org)>, Annette Wooton <[director@petersburgwave.org](mailto:director@petersburgwave.org)>  
**Subject:** 2017-21 Annual Report information

?  
March 9, 2022

Petersburg Borough Assembly,

The Petersburg Police Department has been asked by Assembly Member Meucci about the status of the Police Department's Annual Report. When I think of an annual report to the Community and Assembly, I envision a very detailed and laid out packet/booklet or download of information. please see link ( <https://www.cityofkingman.gov/government/departments/police-department/reports-and-downloads>) for examples. This is the type of annual report I think about. After listening to comments at the assembly meeting, I believe we may have been on different pages of our thought process of an annual report. From the discussion it seems like the Assembly would like to view the number of calls into dispatch, arrests, and crimes reported. This is easily accessible information to provide from our report management system, Spillman.

I have compiled the information requested for the last five years from calendar years 2017-2021.

2017-21 Arrest by Offense

2017-21 Inmate Bookings & Days Served

2017-21 Police Reported Offenses

Petersburg 001371

**James Kerr**

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**From:** James Kerr  
**Sent:** Wednesday, November 16, 2022 4:15 PM  
**To:** James Kerr  
**Subject:** Steve,

THIS WAS A NOTE FROM JIM'S PHONE  
READ TO STEVE JULY 5<sup>TH</sup> 2022

Steve,

I have always judged my decisions and choices in life by the one simple rule. That's "Can I live with the choices I make on the front page of the paper or on the news?"

After dealing with the Pilot having the story on the front page and KFSK blasting this all over social media and the Internet along with the constant community talk, I'm in agreement with Jeff and Dave, release the full report.

I can't sleep and constantly thinking about this.

The Borough did a good job with its release of the timeline which paints a scattered approach and discredited my complaint. You also said harassment but I outlined and I quote "Therefore, my issues are related to retaliation and intimidation from Dave and Jeff."

If you would have looked at the paperwork I had sent this emailed statement to Pete after my verbal meeting with a focused complaint. You chose not to release that email or the follow up complaint about Dave and the meeting where he lied to the other assembly members. I understand Pete discredited that part of the complaint by the statement Dave wasn't clear but it was still a complaint.

Dave and Jeff said they were willing to put this behind them but would defend themselves and that's exactly where I'm at.

Release the report.

James Kerr

Sent from my iPhone

**Subject: Dave's Comments**

Steve,

I wanted to shed some light on a comment that was made yesterday at the assembly meeting by Dave Kensinger. Dave said he spoke with the Juneau Assistant Chief of Police and Sitka Chief of Police who has questions about how we are scheduling and thinks there could be opportunities with the way we are scheduling to reduce the number of officers we have. I just got off the phone with Deputy Chief Krag Campbell who said he has never spoke with Dave or about the staffing or scheduling of the Petersburg Police Department. Campbell said it is bad business to comment about another police department without first talking to the Chief of Police with that agency. I then called and spoke with Sitka Chief of Police Robert Baty and told him what was said by Dave at the assembly meeting. Chief Baty said he actually said he spoke with me and I said I could play recording of the meeting for him. Chief Baty asked for me to play the recording and once it was done Chief Baty said he never said anything like that and would not comment on another departments staffing levels. Chief Baty said that is a lie.

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Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



Petersburg 001375

To: Jeffrey Meucci[jrmeucci@petersburgak.gov]; David Kensinger[dkensinger@petersburgak.gov]; James Kerr[jkerr@petersburgak.gov]  
From: Stephen Giesbrecht  
Sent: Mon 6/27/2022 8:37:13 PM  
Subject: Meeting

It sounds like KFSK is reaching out to everyone about the statement and the timeline document. I think it would be beneficial for the four of us to talk through the next steps to responding to them.

Is everyone willing to meet today? I have cleared my afternoon calendar.

Please let me know.

Steve

To: James Kerr[jkerr@petersburgak.gov]  
From: Stephen Giesbracht  
Sent: Thur 7/7/2022 2:51:21 PM  
Subject: Policy Guideline

Jim,

This guidance is intended to address any public statements to be made by you to the Assembly, other Boards and Commissions, and the media. The investigatory report recommends guidance on this point, and your attorney has also requested that the Borough provide written instructions on future public statements to prevent any further misunderstandings.

As a policymaker for the Borough, it is very difficult for the public to separate you from the office you hold. This is very much like my position in this way. Even if you include language at the beginning of a statement you are only expressing your personal views, this will often be insufficient for the public to distinguish you from your position as the Borough Police Chief. This is especially true if you were discussing matters within the purview of the Police Department or your job duties.

Accordingly, in the future, please present to me, in writing, any public statement you wish to make to the Assembly, other Board and Commission, or the media (excluding standard press releases addressing arrests or police criminal investigations within the Borough). This will allow me to review and analyze the statement beforehand, to ensure it is clear from the subject, content and context you are not representing the Borough or Department in your statement (unless it is an official departmental statement), it will not interfere with or impede the Borough's implementation of policy or efficiency in providing services, and it will not otherwise disrupt or detrimentally impact the performance of your duties, the operations or functions of the police department, or your working relationship with the Assembly or other Board or Commission.

Let me know if you have any questions.

Steve

To: Jeff Meucci[jrmeucciscuba@gmail.com]  
Cc: Debra Thompson[dthompson@petersburgak.gov]; James Kerr[jkerr@petersburgak.gov]  
From: Stephen Giesbrecht  
Sent: Mon 4/11/2022 3:41:25 PM  
Subject: Re: (No subject)

Sure Jeff, but I am not sure what you want that was not included. The incident reports provided by the Chief show the breakdown of what they handled for the years you requested. I also do not understand your reference to "actual calls"? Are you suggesting that the reports are inaccurate, or do you need me to explain what each incident type is? As Jim explained, this is what we have available from our reporting software.

Steve

Get [Outlook for iOS](#)

From: Jeff Meucci <jrmeucciscuba@gmail.com>  
Sent: Monday, April 11, 2022 7:22 AM  
To: Stephen Giesbrecht <sglesbrecht@petersburgak.gov>  
Subject: Fwd: (No subject)

Hi Steve, in an effort to understand the yearly reports of the police departments I was hoping you might help me decipher the 117 pages of information that was provided to me from chief Kerr. What I am looking for is a yearly report from the police department regarding their call history. Like I mentioned at the meeting in an effort to understand the needs of the police department it would be helpful to understand their needs based on calls. Without data based on actual calls it is difficult to make decisions based on actual calls. The data that I would like to focus on are the numbers for the years 2017 thru 2021 titled "Law total Incident Report, by Nature of Incident". Highlighting the large call volumes. I would like to sit down with early next week to discuss this further and clarify any questions you might have. I am available at your convenience. Thanks Jeff

Sent from my iPad

Begin forwarded message:

From: James Kerr <jkerr@petersburgak.gov>  
Date: March 9, 2022 at 3:17:39 PM AKST  
To: Assembly <assembly@petersburgak.gov>  
Cc: Reporter Pilot <reporter.pilot@gmail.com>, angela denning <angela@kfsk.org>, joe viehnicki <joe@kfsk.org>, Annette Wooton <director@petersburgwave.org>  
Subject: 2017-21 Annual Report Informaiton

?

March 9, 2022

Petersburg Borough Assembly,

Petersburg 001385

To: Stasi Stocker[Stasi.Stocker@cdlaw.pro]; Peter Diemer[Peter.Diemer@cdlaw.pro]  
From: James Kerr  
Sent: Fri 4/8/2022 6:10:11 PM  
Subject: RE: Additional info from meeting

Thank you.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: Stasi Stocker <Stasi.Stocker@cdlaw.pro>  
Sent: Friday, April 8, 2022 10:10 AM  
To: James Kerr <jkerr@petersburgak.gov>; Peter Diemer <Peter.Diemer@cdlaw.pro>  
Subject: RE: Additional info from meeting

Hi Chief Kerr, we received your email. Thank you. Stasi

Anastasia Stocker  
Paralegal  
[Stasi.Stocker@cdlaw.pro](mailto:Stasi.Stocker@cdlaw.pro)  
D 907.276.2950

**Clayton &  
Diemer LLC**

500 L St., Suite 200  
Anchorage AK 99501  
T 907.276.2999 | F 907.276.2956

[www.cdlaw.pro](http://www.cdlaw.pro)

This electronic message is from a law firm. It may contain confidential or privileged information. If you receive this transmission in error, or without authorization, please reply to the sender to advise of the error and delete this transmission and any attachments.

Petersburg 001390

**From:** James Kerr <[jkerr@petersburgak.gov](mailto:jkerr@petersburgak.gov)>  
**Sent:** Friday, April 8, 2022 9:40 AM  
**To:** Peter Diemer <[Peter.Diemer@cdlaw.pro](mailto:Peter.Diemer@cdlaw.pro)>  
**Cc:** Stasi Stocker <[Stasi.Stocker@cdlaw.pro](mailto:Stasi.Stocker@cdlaw.pro)>  
**Subject:** RE: Additional info from meeting

Just checking to see if you received this additional information.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



**From:** James Kerr  
**Sent:** Thursday, April 7, 2022 11:40 AM  
**To:** Peter Diemer <[peter.diemer@cdlaw.pro](mailto:peter.diemer@cdlaw.pro)>  
**Cc:** Stasi Stocker <[stasi.stocker@cdlaw.pro](mailto:stasi.stocker@cdlaw.pro)>  
**Subject:** Additional info from meeting

After thinking about our meeting last night I wanted to provide this additional information.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



**To:** 'Peter Diemer'[peter.diemer@cdlaw.pro]  
**Cc:** 'Stasi Stocker'[stasi.stocker@cdlaw.pro]  
**From:** James Kerr  
**Sent:** Fri 4/8/2022 5:40:25 PM  
**Subject:** RE: Additional info from meeting

Just checking to see if you received this additional information.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



**From:** James Kerr  
**Sent:** Thursday, April 7, 2022 11:40 AM  
**To:** Peter Diemer <peter.diemer@cdlaw.pro>  
**Cc:** Stasi Stocker <stasi.stocker@cdlaw.pro>  
**Subject:** Additional info from meeting

After thinking about our meeting last night I wanted to provide this additional information.

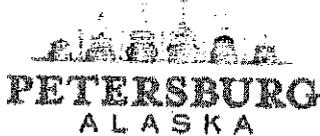
Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



To: Stephen Giesbrecht[sgiesbrecht@petersburgak.gov]; Debra Thompson[dthompson@petersburgak.gov]  
From: James Kerr  
Sent: Wed 5/4/2022 11:45:48 PM  
Subject: RE: Dave's Comments

I just wanted to let you know typed the wrong name with Juneau PD. I spoke with David Campbell (Deputy Chief) not Krag Campbell (LT.).

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: James Kerr  
Sent: Tuesday, May 3, 2022 2:32 PM  
To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>; Debra Thompson <dthompson@petersburgak.gov>  
Subject: Dave's Comments

Steve,

I wanted to shed some light on a comment that was made yesterday at the assembly meeting by Dave Kensinger. Dave said he spoke with the Juneau Assistant Chief of Police and Sitka Chief of Police who has questions about how we are scheduling and thinks there could be opportunities with the way we are scheduling to reduce the number of officers we have. I just got off the phone with Deputy Chief Krag Campbell who said he has never spoke with Dave or about the staffing or scheduling of the Petersburg Police Department. Campbell said it is bad business to comment about another police department without first talking to the Chief of Police with that agency. I then called and spoke with Sitka Chief of Police Robert Baty and told him what was said by Dave at the assembly meeting. Chief Baty said he actually said he spoke with me and I said I could play recording of the meeting for him. Chief Baty asked for me to play the recording and once it was done Chief Baty said he never said anything like that and would not comment on another departments staffing levels. Chief Baty said that is a lie.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482

Petersburg 001413

To: Stasi Stocker[stasi.stocker@cdlaw.pro]  
From: James Kerr  
Sent: Wed 5/4/2022 7:55:35 PM  
Subject: RE: Kerr's Complaint Info

Stasi,

I just wanted to make sure you received this information and added it to my case.

Thank you,

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



Document not requested

Petersburg 001423

Document not requested

**From:** James Kerr  
**Sent:** Tuesday, May 3, 2022 2:32 PM  
**To:** Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>; Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>  
**Subject:** Dave's Comments

Steve,

I wanted to shed some light on a comment that was made yesterday at the assembly meeting by Dave Kensinger. Dave said he spoke with the Juneau Assistant Chief of Police and Sitka Chief of Police who has questions about how we are scheduling and thinks there could be opportunities with the way we are scheduling to reduce the number of officers we have. I just got off the phone with Deputy Chief Krag Campbell who said he has never spoke with Dave or about the staffing or scheduling of the Petersburg Police Department. Campbell said it is bad business to comment about another police department without first talking to the Chief of Police with that agency. I then called and spoke with Sitka Chief of Police Robert Baty and told him what was said by Dave at the assembly meeting. Chief Baty said he actually said he spoke with me and I said I could play recording of the meeting for him. Chief Baty asked for me to play the recording and once it was done Chief Baty said he never said anything like that and would not comment on another departments staffing levels. Chief Baty said that is a lie.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482

Petersburg 001424

Document not requested

**From:** James Kerr  
**Sent:** Tuesday, May 3, 2022 2:32 PM  
**To:** Stephen Glasbrecht <[sglasbrecht@petersburgak.gov](mailto:sglasbrecht@petersburgak.gov)>; Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>  
**Subject:** Dave's Comments

Steve,

I wanted to shed some light on a comment that was made yesterday at the assembly meeting by Dave Kensinger. Dave said he spoke with the Juneau Assistant Chief of Police and Sitka Chief of Police who has questions about how we are scheduling and thinks there could be opportunities with the way we are scheduling to reduce the number of officers we have. I just got off the phone with Deputy Chief Krag Campbell who said he has never spoke with Dave or about the staffing or scheduling of the Petersburg Police Department. Campbell said it is bad business to comment about another police department without first talking to the Chief of Police with that agency. I then called and spoke with Sitka Chief of Police Robert Baty and told him what was said by Dave at the assembly meeting. Chief Baty said he actually said he spoke with me and I said I could play recording of the meeting for him. Chief Baty asked for me to play the recording and once it was done Chief Baty said he never said anything like that and would not comment on another departments staffing levels. Chief Baty said that is a lie.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830

Petersburg 001427

To: Stephen Giesbrecht[sgiesbrecht@petersburgak.gov]; Jeffrey Meucci[jmeucci@petersburgak.gov];  
David Kensinger{dkensinger@petersburgak.gov}  
From: James Kerr  
Sent: Mon 6/27/2022 8:56:03 PM  
Subject: RE: Meeting

Yes, I am available.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
Sent: Monday, June 27, 2022 12:37 PM  
To: Jeffrey Meucci <jmeucci@petersburgak.gov>; David Kensinger <dkensinger@petersburgak.gov>; James  
Kerr <jkerr@petersburgak.gov>  
Subject: Meeting

It sounds like KFSK is reaching out to everyone about the statement and the timeline document. I think it would be beneficial for the four of us to talk through the next steps to responding to them.

Is everyone willing to meet today? I have cleared my afternoon calendar.

Please let me know.

Steve

Petersburg 001433

To: James Kerr [jkerr@petersburgak.gov]; Jeffrey Meucci [jmeucci@petersburgak.gov]; David Kensinger [dkensinger@petersburgak.gov]  
From: Stephen Giesbrecht  
Sent: Mon 6/27/2022 8:58:30 PM  
Subject: RE: Meeting

Okay, how about 2 pm. Jeff and Dave, does this work for you?

From: James Kerr <jkerr@petersburgak.gov>  
Sent: Monday, June 27, 2022 12:56 PM  
To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>; Jeffrey Meucci <jmeucci@petersburgak.gov>; David Kensinger <dkensinger@petersburgak.gov>  
Subject: RE: Meeting

Yes, I am available.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
Sent: Monday, June 27, 2022 12:37 PM  
To: Jeffrey Meucci <jmeucci@petersburgak.gov>; David Kensinger <dkensinger@petersburgak.gov>; James Kerr <jkerr@petersburgak.gov>  
Subject: Meeting

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Please let me know.

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**To:** Stephen Giesbrecht[[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)]; Jeffrey Meucci[[jmeucci@petersburgak.gov](mailto:jmeucci@petersburgak.gov)];  
David Kensinger[[dkensinger@petersburgak.gov](mailto:dkensinger@petersburgak.gov)]  
**From:** James Kerr  
**Sent:** Mon 6/27/2022 9:07:18 PM  
**Subject:** RE: Meeting

Works for me.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



**From:** Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
**Sent:** Monday, June 27, 2022 12:59 PM  
**To:** James Kerr <[jkerr@petersburgak.gov](mailto:jkerr@petersburgak.gov)>; Jeffrey Meucci <[jmeucci@petersburgak.gov](mailto:jmeucci@petersburgak.gov)>; David Kensinger <[dkensinger@petersburgak.gov](mailto:dkensinger@petersburgak.gov)>  
**Subject:** RE: Meeting

Okay, how about 2 pm. Jeff and Dave, does this work for you?

**From:** James Kerr <[jkerr@petersburgak.gov](mailto:jkerr@petersburgak.gov)>  
**Sent:** Monday, June 27, 2022 12:56 PM  
**To:** Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>; Jeffrey Meucci <[jmeucci@petersburgak.gov](mailto:jmeucci@petersburgak.gov)>; David Kensinger <[dkensinger@petersburgak.gov](mailto:dkensinger@petersburgak.gov)>  
**Subject:** RE: Meeting

Yes, I am available.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



**From:** Stephen Giesbrecht <[sgiesbrecht@petersburgak.gov](mailto:sgiesbrecht@petersburgak.gov)>  
**Sent:** Monday, June 27, 2022 12:37 PM  
**To:** Jeffrey Meucci <[jmeucci@petersburgak.gov](mailto:jmeucci@petersburgak.gov)>; David Kensinger <[dkensinger@petersburgak.gov](mailto:dkensinger@petersburgak.gov)>; James Kerr <[jkerr@petersburgak.gov](mailto:jkerr@petersburgak.gov)>  
**Subject:** Meeting

It sounds like KFSK is reaching out to everyone about the statement and the timeline document. I think it would be beneficial for the four of us to talk through the next steps to responding to them.

Is everyone willing to meet today? I have cleared my afternoon calendar.

Please let me know.

Steve

To: James Kerr[jkerr@petersburgak.gov]  
From: David Kensinger  
Sent: Fri 3/18/2022 7:22:51 PM  
Subject: Re: Meeting

Out at house..no internet cell...Monday works as I will not be in till then

David Kensinger  
907.209.7403

On Mar 17, 2022, at 6:01 PM, James Kerr <jkerr@petersburgak.gov> wrote:

? How about tomorrow at 9:30 am in my office so I can have access to the RMS if there are further questions.  
Thanks,

James Kerr

Sent from my iPhone

On Mar 17, 2022, at 5:24 PM, Annette W. Bennett  
<director@petersburgwave.org> wrote:

?  
Sounds good. My schedule is fairly open. Tomorrow or Monday works best.  
Thanks!

On Thu, Mar 17, 2022, 4:44 PM James Kerr <jkerr@petersburgak.gov> wrote:

Dave and Annette,

This is one of the problems when you only supply numbers. People have misconceptions on what is actually happening.

DV Arrests were 25 arrests for 2021. Not every call of DV is labeled DV per the call sheet. The call will resort to the highest level offence listed.

343 citizen assist calls for service only 6 were reported as possible DV but were civil issues or child custody issues which were referred to the court.

Petersburg 001440

**To:** David Kensinger[dkensinger@petersburgak.gov]; Annette Wooton[director@petersburgwave.org]  
**Cc:** Debra Thompson[dthompson@petersburgak.gov]  
**Bcc:** Stephen Giesbrecht[sgiesbrecht@petersburgak.gov]  
**From:** James Kerr  
**Sent:** Fri 3/18/2022 7:53:14 PM  
**Subject:** RE: Meeting

Dave,

I met with Annette and Debbie in my office. I believe I was able to answer all of her questions and we are also looking to add a DV click box to our RMS system instead of having to search the offence codes. This will make WAVE DV requested information easy/quicker to get. The sheet the assembly was provided only showed the nature of calls for service and did not list all the offense codes/crime classes. I was able to provide Annette the information with reflected a higher number of DV calls which were charged and reported. She has all the details.

I also looked into the assist citizen calls for service reported to be domestic violence that officers were changing to citizen assist. Of the 343 assist citizen calls for service only 6 were DV reported that turned out to be civil and child custody issues that were referred to court.

There were actually 27 DV related arrest in 2021.

Debbie also has the total number of arrests for 2021.

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Petersburg Police Department  
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Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



**From:** David Kensinger <dkensinger@petersburgak.gov>  
**Sent:** Friday, March 18, 2022 11:23 AM  
**To:** James Kerr <jkerr@petersburgak.gov>  
**Subject:** Re: Meeting

Out at house..no internet cell...Monday works as I will not be in till then

David Kensinger  
907.209.7403

Petersburg 001443

On Mar 17, 2022, at 6:01 PM, James Kerr <[jkerr@petersburgak.gov](mailto:jkerr@petersburgak.gov)> wrote:

? How about tomorrow at 9:30 am in my office so I can have access to the RMS if there are further questions.

Thanks,

James Kerr

Sent from my iPhone

On Mar 17, 2022, at 5:24 PM, Annette W. Bennett <[djrector@petersburgwave.org](mailto:djrector@petersburgwave.org)> wrote:

?

Sounds good. My schedule is fairly open. Tomorrow or Monday works best.  
Thanks!

On Thu, Mar 17, 2022, 4:44 PM James Kerr <[jkerr@petersburgak.gov](mailto:jkerr@petersburgak.gov)> wrote:  
Dave and Annette,

This is one of the problems when you only supply numbers. People have misconceptions on what is actually happening.

DV Arrests were 25 arrests for 2021. Not every call of DV is labeled DV per the call sheet. The call will resort to the highest level offence listed.

343 citizen assist calls for service only 6 were reported as possible DV but were civil issues or child custody issues which were referred to the court.

I have copies of these so we can address any questions or concerns you may have. I look forward to setting up a meeting with you both at your convenience.

Let me know when you are both available.

Thanks,

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504

Petersburg 001444

To: James Kerr[jkerr@petersburgak.gov]  
From: Greg Russell  
Sent: Fri 7/22/2022 7:37:35 PM  
Subject: RE: Policy Guideline

Received, thank you.

Greg

From: James Kerr  
Sent: Friday, July 22, 2022 11:17 AM  
To: Greg Russell <greg@russell-consulting.org>  
Subject: FW: Policy Guideline

Here was my instructions moving forward.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504



From: Stephen Giesbrecht <sgiesbracht@petersburgak.gov>  
Sent: Thursday, July 7, 2022 6:51 AM  
To: James Kerr <jkerr@petersburgak.gov>  
Subject: Policy Guideline

Jim,

This guidance is intended to address any public statements to be made by you to the Assembly, other Boards and Commissions, and the media. The investigatory report recommends guidance on this point, and your attorney has also requested that the Borough provide written instructions on future public statements to prevent any further misunderstandings.

Petersburg 001450

As a policymaker for the Borough, it is very difficult for the public to separate you from the office you hold. This is very much like my position in this way. Even if you include language at the beginning of a statement you are only expressing your personal views, this will often be insufficient for the public to distinguish you from your position as the Borough Police Chief. This is especially true if you were discussing matters within the purview of the Police Department or your job duties.

Accordingly, in the future, please present to me, in writing, any public statement you wish to make to the Assembly, other Board and Commission, or the media (excluding standard press releases addressing arrests or police criminal investigations within the Borough). This will allow me to review and analyze the statement beforehand, to ensure it is clear from the subject, content and context you are not representing the Borough or Department in your statement (unless it is an official departmental statement), it will not interfere with or impede the Borough's implementation of policy or efficiency in providing services, and it will not otherwise disrupt or detrimentally impact the performance of your duties, the operations or functions of the police department, or your working relationship with the Assembly or other Board or Commission.

Let me know if you have any questions.

Steve

To: Stephen Giesbrecht[sgiesbracht@petersburgak.gov]  
Cc: Debra Thompson[dthompson@petersburgak.gov]; James Kerr[jkerr@petersburgak.gov]  
From: Greg Russell  
Sent: Mon 7/11/2022 4:06:59 PM  
Subject: RE: Scan from Petersburg Borough xerox

Thank you for the opportunity to be of service. I look forward to working with you and Chief Kerr.

Best regards,

s/ Greg

Gregory A. Russell

"Excellence is never an accident; it is the result of high intention, sincere effort, intelligent direction, skillful execution, and the vision to see obstacles as opportunities."

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

From: Stephen Giesbrecht  
Sent: Monday, July 11, 2022 7:08 AM  
To: Greg Russell <greg@russell-consulting.org>  
Cc: Debra Thompson <dthompson@petersburgak.gov>; James Kerr <jkerr@petersburgak.gov>  
Subject: FW: Scan from Petersburg Borough xerox

Here you go Greg. I think we are good on the scheduling aspect, but any advice is always welcome. Please work directly with Jim as needed.

Thanks.

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

From: scan <scan@petersburgak.gov>  
Sent: Monday, July 11, 2022 6:36 AM  
To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>  
Subject: Scan from Petersburg Borough xerox

Please open the attached document. It was scanned and sent to you using a Xerox Color.

Number of Images: 3

Petersburg 001452

To: James Kerr[jkerr@petersburgak.gov]  
Cc: Peter Diemer[Peter.Diemer@cdlaw.pro]  
From: Stasi Stocker  
Sent: Tue 4/5/2022 11:18:34 PM  
Subject: RE: Timeline Information

Thank you! Stasi

Anastasia Stocker  
Paralegal  
[Stasi.Stocker@cdlaw.pro](mailto:Stasi.Stocker@cdlaw.pro)  
D 907.276.2950

**Clayton &  
Diemer LLC**

500 L St., Suite 200  
Anchorage AK 99501  
T 907.276.2999 | F 907.276.2956

[www.cdlaw.pro](http://www.cdlaw.pro)

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From: James Kerr <jkerr@petersburgak.gov>  
Sent: Tuesday, April 5, 2022 2:54 PM  
To: Peter Diemer <Peter.Diemer@cdlaw.pro>  
Cc: Stasi Stocker <Stasi.Stocker@cdlaw.pro>  
Subject: Timeline Information

Here is the information for the timeline.

Chief James Kerr  
Petersburg Police Department  
PO Box 329  
Petersburg Alaska, 99833  
Office: 907-772-3830  
Cell: 907-518-0482  
FAX: 907-772-3504

  
**PETERSBURG**  
ALASKA

Petersburg 001454

To: James Kerr[jkerr@petersburgak.gov]  
From: James Kerr  
Sent: Fri 3/18/2022 2:55:42 PM  
Subject: Timeline/Overview of events

Timeline/Overview of events

Started during the EOC for Covid over mandates and enforcement of the mandates.

Jeff received his mask warning

Masking view letter read to assembly and provided to EOC.

Jeff directed someone to tell the chief to release the information on the call to him.

01/21/21 @ 10:39 am (email) Jeff sent email stating "since my names is in the newspaper for being warned for not wearing a mask, would someone please direct the chief to provide me with a copy of the official complaint? That would be helpful. I expect this request to be dealt with before noon today. Thanks so much. Jeff

01/21/21 @ 10:47 am (email) Jeff was advised he was using his position of authority as an assembly member to receive the information outside the standard process the public uses. I also provided the police department records request in the email and told him to fill it out.

01/21/21 Debbie called Jeff and advised him he was not allowed to do what he did.

01/21/21 (email) Jeff said it was a miss understanding after Debbie called Jeff and stated he was not allowed to do what he did. Jeff tried to cover up his violation of office by saying he was unsure of the process.

01/21/21 Jeff arrived at Debbie's office to receive the information that was told to provide to Jeff. I still redacted the complainant contact information.

(See emails and written notes for full details on Jeff's request)

01/28/21 email to EOC which was the police masking views.

Enforcement of masking and the police department were talked about several times by the hospital employees/EOC, and assembly members.

Police & Borough along with Jeff had meeting at the fire hall with hospital over enforcement and the hospital spreading miss information. Borough was willing to address Covid spreading citizens if the hospital who report the people who are in violation.

See provided statement read at assembly meeting. I told Debbie I would like to speak at the upcoming assembly meeting 11/17/21 as a member of the public not as the chief under community members comments related to items on the agenda. Debbie agreed and signed me up for public comments.

Constant retaliation from my speech against masking enforcement

Jeff and Dave wanted me fired over my personal statement to the assembly. This was a matter of public concern relating to enforcement of masking and fining businesses and citizens of the community. (Assembly Meeting 11/17/21 @ 1800)

11/17/21 Assembly Meeting - Jeff went after PD Training after Steve gave his report. Jeff's tone and body language showed he was mad over me over the personal statement relating to a matter of public concern.

Spoke with Steve who said my speech to the assembly was over the top and inappropriate.

Steve said he needed to speak with the Borough attorney before he talks to me. I feel that Steve and Borough Attorney were going to take action against me until I received guidance from my attorney and spoke with the borough attorney.

Meeting about my speech resulted in Steve saying he understood I was allowed to say what I did but cautioned me on future statements. Came up with a plan to consult Steve in the future.

Dan Sullivan submitted a letter to the assembly of disapproval of my actions during the personal statement.

The following week Dan submitted a letter to join the PSAB and was approved by the borough assembly.

Jeff and Dave requesting/making constant busy work for the police chief

Pickle was fired over racist post.

Dave sent email to Steve about me wanting me fired. He also threatened Steve's job if he didn't do something.

Steve also told Dave what he is doing is harassment.

Thomas Fine-Walsh posted to Facebook and shared Juneau empire story and insinuated police chief did not do his job (see photos of posts 01/09/22 personal Facebook and on 01/13/22 KFSK article)

Meeting with Thomas, Steve, Debbie and myself in Steve's office where Thomas was anti police and made statements of defunding the police.

Dave had also made statements of defunding the police to Bob at the papkys dock and again stated to Debbie, Steve and myself in Debbie's office that Dave wants to defund the police.

Steve documented my personal statement in my performance evaluation saying he had to do something so he could tell Dave he did something about it to get him to stop.

Jeff, Dave and Thomas all questioned the police department hiring process.

I had to provide a detailed outline of the hiring process to the assembly. Which was questioned by Thomas and Jeff

Jeff, Dave and Thomas wanted a review of the police department hiring and retention to be conducted by the PSAB

Using the PSAB would be a way for Jeff and Dave possibly to manipulate the investigation into the PD.

I stated from the first words of an investigation into the PD that I had nothing to hide but want the investigation done by a company that knows PD's, Jails and Alaska rural policing.

Jeff started riding with all police employees and dispatch asking questions about the department.

Borough staff started the recruitment and retention with Jeff involved and he agreed borough staff should conduct the investigation.

At meeting I spoke out against using the PSAB as I believed it could lead to a bias investigation.

PSAB is made up of 2 hospital employees Mark and Mark. PD and hospital have had issues over Covid and enforcement. Dan also had an issue with the police department over the Covid speech I can and was now part of the PSAB. Devren is also married to Annette with WAVE who's had unfounded issues with the PD.

Jeff, Dave, and Thomas all voted to have the PSAB do the investigation.

Jeff then wanted the annual report from the police department for the last 3 years. He never states what he needs it for when asked.

Mark Testoni always says he is busy and will meet with me to discuss the police department. I have made myself available anytime and even invited Jeff and Mark to the Axon Fleet 3 discussion on options available which they attended. Mark has never talked to me about any possible issues he has with the PD.

After assembly meeting 03/07/22 Jeff sent steve an email about the PD.

03/09/22 (email) I sent an email with data I pulled from the RMS and sent information out to Assembly, Annette, Petersburg Pilot and KFSF. This information was 2017 through 2021. I also said if anyone has questions or wants further details to let me know.

03/09/22 @ 1632 I personally called Annette on her cell phone to let her know of the information I sent out on calls for service and arrests. I told her this might help her with WAVE so if they had any questions to let me know. I didn't receive any inquiries from her.

03/09/22 (emails) I sent emails to Mark Testoni in reference to his comments at the Assembly Meeting where he stated he's reached out to Fairbanks AST dispatch supervisor about them helping out Petersburg dispatch.

03/09/22 (email) from Mark Testoni to Steve Giesbrecht. Email shows Mark is violating Roberts rules of order by conducting business outside of meetings. This also shows he's doing so without involvement from the Chief and gives the appearance of undermining the police department. In the email Mark states "there are things that the board has discussed that may not be to the Chiefs liking or that we feel should be addressed".

03/09/22 (Jeff Meccui text message to me which was meant for Mark Testoni) SEE TEXT MESSAGE FOR DETAILS. When putting the emails from my to Mark together along with the text message this shows Jeff Meccui and Mark Testoni are working together. Jeff intentionally and knowingly instructed Mark on how to conduct business by instructing him to not put things in writing and to verbally conduct his business. Jeff says putting things in writing leaves a messy paper trail so any written word or response could come back to bite you. He also notified Mark about records request that have been made looking for incriminating emails between assembly members.

03/15/22 Steve advised me Mark Testoni was asking about who the PSAB receives direction from and kept trying to say PSAB doesn't receive directions from the Chief. Steve referred him to the borough charter and said PSAB receives direction from the assembly, borough manager or chief of police and EMS director when asked for by the department heads. The public can also request issues be sent to them. Then Mark met with Debbie for a few and went back to Steve's office and made the statement that the police don't arrest on domestic violence crimes. I advised Steve it is state law to arrest on DV crimes if there is PC for the arrest. The only exception is if the officer calls the DA who can authorize not arresting the person.

(Mark Testoni is an elected official who made this statement to my supervisor/Borough Manager. This is not a free speech issue/personal opinion. This is a public elected person of the PSAB who made a false statement to my supervisor which undermines the ability of the police department to uphold public trust. What Mark said can be proved false by facts therefore Mark is not entitled to free speech/opinion on this. His intent is to undermine the Chief of Police.

Public officials - False statements that are on matters of public concern and that defame public figures are unprotected if they are made with actual malice, which is defined as "with knowledge that it was false or with reckless disregard of whether it was false or not."

When comparing "Libel to Slander" this above statement falls under "Slander".

Several Petersburg community members have been approached by Mark Testoni and asked for their input on the police department. PIA Director was asked what he thought about the police department's interactions and relationships with the native community. Borough employees outside the PD have been approached by Mark Testoni and asked for input on the police department. Bill Schropher was asked what he thought about the police department. Bill advised Mark that he has had dealings with the police on both sides of the law and said they are doing a great job and have always been professional.

03/17/22 @ 12:00 pm - Dave K. and Annette Bennett met with Steve. Received call from Steve who wanted to meet with me to speak about their meeting. Meeting with Steve this afternoon.

03/17/22 @ 1300 I met with Steve who advised me Dave K. brought Annette the director of WAVE in and she and Dave talked to Steve about how the police department classified DV's as citizens assist calls. Annette also said she referred training to the chief who doesn't send anyone. The training I have received from Annette is SART training and I have 2 officers who have attend the week long training with SART team members. The PD has always attended training when WAVE brings a trainer to town like Katie Teapos. The last training Katie did for Petersburg PD was in October of 2019 just before Covid hit the country.

I researched the calls for service and only observed 6 calls that were reported as possible DV that we're labeled citizen assist. These calls were child custody, no evidence of a crime, civil issue and 1 that the

caller thought the Protective order was still in effect but had been dropped.

When I sent out just the numbers and not the true annual report I stated at the end of the email if you have any questions or want further details let me know. I didn't receive any inquiries.

Annette Bennett is the wife of Devren Bennett who is a member of the PSAB. This is someone Mark Testoni is talking to.

Tried to use PSAB to I

Sent from my iPhone