

# **EXHIBIT E**

Request for investigation into systemic corruption/Denial of public records access  
Sabina Burton

Fri 12/9/2016 10:56 AM

To: kilpatricksc@doj.state.wi.us <kilpatricksc@doj.state.wi.us>;  
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Importance:High

Assistant Attorney General Kilpatrick,

UW-Platteville appears to be in violation of open records law, again.

I requested a copy of the investigative report for the investigation conducted by Dr. Barraclough in October 2015 on multiple occasions, including:

11/28/2016 9:14 PM to Janelle Crowley ([CrowleyForwardsRequest](#)),

11/30/2016 3:15 PM to Paul Erickson cc to Janelle Crowley ([Investigativereport11-30-16](#)) and 12/2/2016 9:56 AM to

Erickson cc to Kilpatrick, Crowley, Regents, Kittle ([DenialofAccess-12-2-16](#)).

Chancellor Shields sat on the report for 11 months [ResponsetoChancellorLtr-8-31-16-email](#), [Chancellor-8-31-16-letter](#), [ResponsetoChancellorLtr-8-31-16](#). During the time this sword of Damocles hung over my head the Chancellor filed a letter of direction against me and issued an investigation that threatened my employment ([Complaint-Rice-8-8-16](#)), ([Shields-LOD-6-3-16](#)). Chancellor Shields stated that Dean Throop's ch6 complaint from Jan. 5, 2015 had merit but didn't state why [Chancellor-8-31-16-letter](#).

Throop filed a letter of direction in Oct. 2014 against me that I alleged was based on false allegations and violated my due process rights ([exhibit 570a](#)) ([exhibit 570b](#)). I asked to address my concerns in a grievance hearing, which I was due within 20 days, but I was denied a grievance hearing. Dean Throop derailed my requested grievance hearing on bogus reasoning because her letter of direction could not stand scrutiny ([exhibit 595](#)), ([interactive exhibit i595d](#)). She accused me falsely of canceling class and

promised discipline [Dkt 43-3 BENSKY EXHIBIT AAAA – 001](#). After I asked my students to verify that I indeed held class she filed the Ch 6 complaint excusing the act as a result of my email to students. But she had already planned to file the complaint on October 29, 2014, less than one hour after issuing the letter of direction and long before she falsely accused me of cancelling class ([RE Letter-of-Direction](#)). The matter of the letter of direction and the denial of grievance hearing are part of a federal lawsuit that is pending appeal but Chancellor Shields' handling of the investigation into Throop's ch 6 complaint against me and his attempt to fire me on trumped up charges are not part of the lawsuit.

Chancellor Shields is not named as a defendant in the lawsuit.

I believe that Chancellor Shields ordered two sham investigations to harass me and to fire me.

On Dec. 5, 2016, after repeated requests that met with runaround and denial, I finally received the report from Dale Burke's investigation ordered by Chancellor Shields on August 16, 2016 ([Complaint-Rice-8-8-16](#)), ([DebRice-Complaint808016](#)). Burke stated that the report was delivered electronically to Dr. Crowley on November 28, 2016 ([InvestigationReport-request-for](#)). The report was not dated. I asked for the report on Nov. 28, 2016. The request was acknowledged by HR Director Crowley and she forwarded the request to Paul Erickson who sent me a denial letter on Aug 30, 2016 ([Erickson.Denial11.30.16](#)). I reiterated to Mr. Erickson on the same day my request for the investigative report issued by Dr. Barraclough. I cc'd you on my response to Mr. Erickson's denial of access, in which I questioned his interpretation of the WI State Law. Chancellor Shields' decision on the matter was dated Nov. 30, 2016 even though Shield's PR officer Erickson delivered his denial of access to me on the very same day. This hardly makes sense. I believe Chancellor Shields back-dated the letter as explained in ([DebRice-Complaint808016](#)).

The Nov. 2016 report is nothing short of a character assassination ([DebRice-Complaint808016](#)). Chancellor Shields' private investigator Dale Burke interviewed people and addressed subject matter in his report that didn't have anything to do with Deb Rice's allegations. None of her allegations were supported by evidence. Shields did not issue any reprimand or other disciplinary actions against Rice for making false allegations against me ([DebRice-Complaint808016](#)).

In her complaint, Lecturer Rice claimed that I harassed her with 3 grievance hearing requests. I filed only 1 grievance against her. I didn't get the hearing despite the fact that HR Director Crowley told me on May 9, 2016 that I should get the hearing ([A34-Mtg-Burton-Crowley-5-9-16](#)).

Investigator Dale Burke stated in his investigative report, p. 7:

*"Investigator's note: HR Director Crowley confirmed for me that 4 grievances have been filed by Burton with the UW-Platteville HR office, specifically naming Rice. "*

On Oct. 31, 2016 Dale Burke said in his email that he submitted his draft to his boss and that they would meet the following day to discuss the report ([InvestigationReport-request-for](#)). On Dec. 7, 2016 he wrote that the person editing his final report changed the sentence from "has yet to confirm" to "confirmed to me that 4 grievances have been filed by Burton specifically naming Rice." This is not a simple editing error. This is an intentional change. Why did his boss, Ms. Riseling, alter the sentence or is this just another made up story? Did his boss really do that? Why would Mr. Burke allow someone to materially alter a report with his name on it? Mr. Burke's name is on the report so it doesn't matter what anyone else wrote, it is his report with his name on it. He is responsible for the fabrications in the report.

When confronted with this inconsistency Burke replied on 12/7/2016: "The statement you refer to is indeed inaccurate. My final draft was edited by a third person prior to delivery to the University. My "final draft" stated that Dr. Crowley "has yet to confirm for me the exact number of grievances filed against Rice by Burton with the UW-Platteville HR office," which is a true statement. Dr. Crowley never "confirmed" any specific number of grievances against Rice that originated from you ([WhydidCrowleyLie-2](#))." The third person Burke refers to seems to have been Burkes' Boss ([InvestigationReport-request-for](#)). Regardless of who Burke claims edited the report, it has Burke's name on it. Burke seems to be accusing his boss, or some other unnamed, mysterious, shadowy member of the Riseling Group, of materially altering reports without the knowledge of the investigator, calling into suspicion the entire Riseling Group. The nonchalant manner in which Burke attempts to deal with this inconsistency in his report indicates that this sort of "inaccuracy" is

commonplace in the Riseling Group. I believe Mr. Burke's prior investigation reports should be evaluated for other "incorrect" statements such as this.

Why would Dr. Crowley fail to "confirm" the number of grievances I filed against Rice in an investigation that threatened my employment when she had from Aug. 9, 2016 to Nov. 28, 2016 to do so? It does not take most people four months to count to one. Burke and the HR Office paid little attention to accuracy in their investigation into a complaint that threatened my employment.

Burke's report contains multiple other errors and inconsistencies. Also, Burke never gave me an opportunity to defend myself against the numerous additional hidden accusations made against me. I now understand why Burke and the Chancellor's office tried to keep me from seeing the report ([DebRice-Complaint808016](#)).

Crowley and Counsel Lattis attempted to deny my doctor's request, filed on Sept 6, 2016, for one-month delay in the investigation ([Med-Delay-Investigation-email](#)), ([DoctorNote-9-6-16](#)). Their actions probably violated ADA regulation ([Lattis is involved](#)).

This is just the tip of the iceberg of corrupt behavior and violations of my civil rights. I request that you launch an investigation into UW-Platteville and specifically, but not exclusively, this sham investigation and the 2015 investigation that resulted in a vague decision on August 31, 2016 ([Chancellor-8-31-16-letter](#)).

The WI AG's Office is responsible for "*the protection and preservation of the rights and liberties afforded to the citizens of the State of Wisconsin.*" I request that you fulfill your duty and investigate a university administration that has engaged in highly corrupt behavior for many years, that protects, encourages, and rewards character assassination and punishes employees who invoke their right to report violations of law.

Sincerely,

Dr. Sabina Burton

