



"...meeting community needs...enhancing quality of life."

TO: Safety and Licensing Committee  
FROM: Lt. Adam Nagel  
DATE: 09/12/2023  
RE: Denial of Katie D. Baxley

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Committee Members:

As a designee for the police department, I am requesting that the Safety and Licensing Committee recommend to the Common Council to deny Katie D. Baxley application for an operator's license.

It is not employment discrimination for a licensing agency to deny an applicant based on a conviction record where the circumstances of the conviction substantially relate to the circumstances of the particular licensed activity.

No license or permit related to alcohol beverages may be issued to a habitual law offender where the circumstances of the offenses substantially relate to the circumstances of the particular licensed activity. A person is a habitual law offender if they have been convicted of repeat misdemeanor or ordinance violations. No license may also be issued to a person who has been convicted of a felony which substantially relates to the alcohol beverage licensing activity unless duly pardoned.

An applicant is allowed an opportunity to show evidence of rehabilitation and fitness to engage in the licensed activity, *unless the conviction(s) are for exempt offenses*. The applicant may produce the following to conclusively demonstrate their rehabilitation and fitness from a given conviction:

- A copy of the local, state, or federal release document; and either
- (1) a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or
- (2) other evidence that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

Reviewing Katie's prior history of police contacts, I find the following offenses are substantially related to the sale of alcohol and demonstrate that Katie Baxley is a habitual law offender. Katie has history of arrests and convictions starting in 2015 up to October of 2019.

In 2015, Katie Baxley was found guilty of a misdemeanor Resisting or Obstructing an Officer in Brown County case number 2015CM000045. This case shows dishonesty toward authority and presents concerns about her making ethical decisions in the service of alcohol. This incident is substantially related to Katie's lack of judgment and ability to serve alcohol.

In 2015, Katie was found guilty of felony Possession of Narcotic Drugs Brown County case number 2015CF000118. Possessing illegal drugs demonstrates a lack of good judgment necessary for a bartender. People under the influence of alcohol are generally susceptible to poor decision-making, including illicit drug law violations. This violation is directly related to the sale of alcohol.

In 2019, Katie was found guilty of Felony Possession of Methamphetamine in Brown County case number 2019CF001543. Possessing illegal drugs demonstrates a lack of good judgment necessary for a bartender. People under the influence of alcohol are generally susceptible to poor decision-making, including illicit drug law violations. This violation is directly related to the sale of alcohol.

The service of alcohol includes encountering individuals in a vulnerable state and the Police Department feels Katie Baxley has not demonstrated the necessary maturity and decision-making capacity to be allowed a bartender's license in the City of Appleton. Her violations of drug laws and the last arrest for drugs being approximately four years prior shows that she is not capable of being a responsible bartender.

Her arrest and conviction record go back several years. This further corroborates the decision for the APD to recommend a denial for this license request.

Respectfully:

Lt. Adam Nagel #9191  
Appleton Police Department