



“...meeting community needs...enhancing quality of life.”

TO: Safety and Licensing Committee
FROM: Lt. Adam Nagel
DATE: 03/23/2022
RE: Denial of Jacob Forward

Committee Members:

As designee for the police department, I am requesting that the Safety and Licensing Committee recommend to the Common Council to deny Jacob Forward’s application for an operator’s license.

It is not employment discrimination for a licensing agency to deny an applicant based on 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 Jacob’s prior history of police contacts, I find the following offenses are substantially related to the sale of alcohol and demonstrate that Jacob Forward is a habitual law offender. Jacob’s conviction for Battery to a Law Enforcement officer §940.203 is an exempt offense

under WI Statute 111.335(1m)(b)1.

Jacob A. Forward was found guilty of a municipal summons for Disorderly Conduct Outagamie County case number 2021FO000567. This incident was handled by the Appleton Police Department on 06/04/21. During this incident Jacob called 911 and told officers he was being chased. They located Jacob and found him highly intoxicated. Jacob demanded that officers take him home and was swearing at officers. Jacob was later observed walking into the roadway. Jacob had to be detained in handcuffs until he could be transported home. Jacob was highly intoxicated that evening. He submitted to a PBT (0.211). This incident is substantially related to Jacob's lack of judgement, use of alcohol and ability to safely serve alcohol.

Jacob was found guilty of an exempt offense in Adams County case number 2014CF000126 for Battery to a Law Enforcement Officer. He was also charged with Resisting or Obstructing an Officer. This charge was read in for this case. These charges show a lack of good judgement and prior issues with law enforcement. Working with law enforcement to enforce alcohol consumption laws is an essential part of bartending. This conviction has me concerned with Jacob's ability to work with law enforcement and is directly related to the sale of alcohol.

Jacob was found guilty of Possession of Drug Paraphernalia in Dodge County case number 2007FO000051. Possessing illegal drug paraphernalia demonstrates a lack of good judgment necessary for a bartender and there is a correlation between illicit drug use and possession of paraphernalia. People under the influence of alcohol are generally susceptible to poor decision-making, including illicit drug law violations.

The service of alcohol includes encountering individuals in a vulnerable state and the Police Department feels Jacob Forward has not demonstrated the necessary maturity and decision-making capacity to be allowed a bartender's license in the City of Appleton. His violations of court orders and recent issues in license premises show his on-going criminal behavior.

His arrest and conviction record go back many years that further corroborates the decision to recommend denial of his license request. Jacob is a habitual law offender and was convicted of an exempt offense.

Respectfully:

Lt. Adam Nagel #9191
Appleton Police Department