



Green Bay Police Chief Andrew Smith stands with the 2007 Jeep Commander he drives regularly. The Jeep was an asset forfeiture vehicle. SARAH KLOEPPING/USA TODAY NETWORK-WISCONSIN

Police chief drives 'crappiest car in fleet'

Department got vehicle due to asset forfeiture after arrest

Shelby Le Duc Green Bay Press-Gazette | USA TODAY NETWORK - WISCONSIN

GREEN BAY — A few weeks ago, Green Bay police chief Andrew Smith pulled up to a red light in his Jeep — but this would not be a typical stop and go.

The driver of the car next to him honked, and kept honking, until Smith finally looked over and rolled down his window.

The man asked Smith how he liked his Jeep Commander. Smith smiled and explained the SUV is 11-years-old and has racked up 155,000 miles, but still gets him from point A to point B.

"And he goes, 'That's my truck,'" Smith said, admitting he was at first confused by the comment. "He goes, 'That's my truck. You guys took that truck away from me.'"

Turns out Smith had just crossed paths with the Jeep's previous owner, who was convicted of selling marijuana in 2016. The Jeep was seized by the police department during the investigation and became its property through an

asset forfeiture.

The Jeep's large wheels and black rims, Smith said, were likely the giveaway. Nevertheless, he nodded, wished the person well and the two drove their separate ways.

Smith said he and his colleagues have always thought the story behind the vehicle he has driven for the last two years is interesting. Briefly meeting the previous owner at an intersection, he

said, was just another stop on the SUV's long journey.

A car with a record

Smith's contract with the department gives him pretty much his pick of cars or SUVs — including one of the brand new Ford Explorers, with all of the

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high-tech bells and whistles, that others in the department use. But that just isn't his style.

"I think it's more important for me to have our officers who are in the field and handling radio calls, who are driving from place to place and want to get there in a hurry and safely, be driving the new cars, the best cars," he said.

He instead opted for the silver 2007 Jeep Commander, which the department took possession of just weeks before Smith was sworn in as chief of police in 2016.

Detective Lt. Richard Belanger said the drug case started that January when police received a report that a man and a woman were attempting to pay at a gas station with a fake \$50 bill. The man, who was on probation, was arrested. The woman was also charged. While in jail, the man made a phone call, asking the person on the other end to go "clean out" his house and, specifically, get rid of a safe in his closet.

"The next day, we, for whatever reason, decided to list n to jail phone calls," Belanger said. "Then we started thinking, okay, what's in there (the safe)?"

Rather than hiding the safe, the person who received the call from jail agreed to give the safe to police. After getting a warrant, officers found \$4,000 worth of marijuana inside the safe, along with drug paraphernalia and a key to the Jeep the man was driving when he was arrested.

The SUV's registered owner — the woman involved in the fake money incident — voluntarily forfeited the vehicle to law enforcement. Evidence gave police reason to believe the vehicle was bought with drug money and was used to deliver drugs.

Making the most of a fixer upper

For a while, the Jeep was occasionally used by detectives to attend court or travel to a nearby city for work, but mostly it just sat in a parking lot.

That changed when Smith came along and claimed the Jeep no one else wanted.

"I take it as a point of pride that I drive pretty much the crappiest car in the fleet," he said laughing.

The doors squeak, the body rattles, the back window randomly pops open, the CD player is broken, the screen doesn't display radio stations and, Smith said, the tire pressure light on the dash comes on about ten minutes into every drive.

Dean Simon, head of the department's vehicle maintenance division, said he can't get the light to shut off, but figures it activates because of the Jeep's over-sized wheels.

Smith has considered "fixing" the problem by putting a piece of black duct tape over where the light shines "like we do up in the UP."

Other past repairs, Simon said, include sealing up a leaky windshield and sunroof.

More than once, the Jeep's electrical system shut off mid-drive, but Smith said that hasn't happened in a

long time. "I don't only use the Jeep for everyday driving — no long trips.

"The good news is it gets through snow really well," he said. "Which is basically the reason why I have it."

On the surface, the Jeep might seem like a perpetual fixer upper. It's the truck's quirks, though, that make it the perfect car for Smith. Knowing the Jeep is the result of good police work is the giant red bow on top of the dream car.

Smith is aware that asset forfeitures have generated controversy because the law has been abused by some law enforcement agencies. In this case, he believes the forfeiture was appropriate: the car was obtained through illegal means and it was voluntarily surrendered, he said.

What he likes most about the Jeep is it's a money-saver. He said a typical police chief's car costs about \$35,000. He said he would rather the money go toward the vehicles residents see patrolling their community. Plus, he said, he's typically not involved in high-speed chases, although he has used his makeshift police light on the car's interior fold down mirror to pull over a few people.

Smith said his beater is just one of many ways the department is reducing vehicle costs. Some newer initiatives include replacing patrol vehicles after four years instead of three, and equipping cars with a second battery so computers can remain on if the engine is turned off.

"We'll save a little bit on gas," he said. "We'll save the environment a little bit from the carbon emissions and our engines will last longer . . . It's going to be a big savings for the city."

Driving forward

While maintenance ensures the Jeep is safe to drive, there's no denying it's almost time for Smith to get a new ride, Simon said.

But if you ask Smith, "new" will likely mean a new-used car. He said he'd be happy to drive a donated car with some miles on it or search around for a used car that's good for police work.

He's pretty candid about the fact he's keeping his fingers crossed the department finds a Ford Bronco for sale, like the one O.J. Simpson drove.

In the meantime, he will continue to enjoy his Jeep with a sketchy past, which he proudly notes that, after some cleaning, no longer stinks of marijuana.

"When I first got the car, on a warm day, you could smell the smell of weed in there," he said. "It's gone now. Which is good because the chief doesn't want to be driving around a car that reeks of weed."

Police chief vows to improve records access

Black clouds sometimes have silver linings — even if they don't immediately become visible.

The latest positive news comes out of a harassment issue that led to the resignation of two officers on the Green Bay Police Department's night shift and a lengthy investigation by department brass.

While the investigation has yet to wrap up, Chief Andrew Smith said he won't wait to make changes to make it easier for taxpayers and media to get records of the department's activities. He wants to make it so things go faster, and easier, when citizens or the media ask for records that show how the department is spending taxpayers' money to do the taxpayers' business.

"We should be transparent in government," Smith said, "and the police department should be the most transparent of all."

Specifically, he said the department plans to provide virtually immediate acknowledgement of each request. That lets the requester know the department is getting the ball rolling.

More important, it will promptly get to work when the request involves the personnel records of current or former employees, who are entitled by law to five days to contest the release of records. Smith said he intends to send notifications to such employees immediately when a request is made.

Notification was an issue when USA TODAY NETWORK-Wisconsin requested



Smith

records related to the resignations of Lt. Robert Korth and Officer R. Casey Masiak in connection with the harassment probe.

We made two written requests for details related to the case on Feb. 20, the first business day after Smith announced the investigation. On March 9, the department denied much of the second request, saying, among other things, that bills from an outside law firm were "protected by lawyer-client privilege." We later learned that the city paid the law firm about \$2,500.

We sent the city attorney's office an email appealing the denial. We haven't received a response.

The police department in March did not initially respond to our first request, which was for the officers' resignation letters. As we learned later, that was because weeks elapsed before the city got around to sending letters to the former officers.

Police officials ultimately released the resignation agreements — in early April.

That's when we learned the officers were still being paid, though they had not performed police work since mid-December. Some of that is because Smith couldn't legally suspend them without pay; some is because the city agreed to continue to pay each officer into the spring, though one resignation was effective in January

and one in February.

We hope to learn the result of the harassment investigation in the next couple of weeks. Smith said officers working on the probe were delayed in part by another internal investigation that led to the resignation of Officer Michael Rahn in late March amid claims he fabricated details in an arrest report.

Smith contacted me last week to say he wasn't pleased with how the department handled the newspaper's request in the harassment case, and that he plans to make things better. He said the fact that weeks passed before the department provided the resignation agreements "is unacceptable."

The encouraging news so far? The next public record we requested from the department — an internal policy — was provided immediately. Via email. At no charge. As it should have been.

We hope the department's commitment to increased transparency continues. If it does, the public benefits.

