

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA



Claudine E. Farmer)
P O Box 226)
Bancroft, NE 68004)

NDE Case No. 10-21

Petitioner,)

v.)

HEARING OFFICER'S PROPOSED
FINDINGS OF FACT, RECOMMENDED
CONCLUSIONS OF LAW AND
RECOMMENDED DECISION

Roger D. Breed, Ed.D.)
Commissioner of Education)
P.O. Box 94933)
Lincoln, NE 68509)

Respondent.)

INTRODUCTION

The hearing in this matter was convened pursuant to notice at 10:45 a.m. on October 29, 2010 in Conference Room D of the Nebraska Department of Education, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The undersigned was appointed as Hearing Officer to hear this matter on behalf of the State Board of Education. Petitioner's application for a local substitute Teaching Certificate or Coaching Certificate was denied on June 24, 2010 citing a November 17, 2009 finding of guilt and imposition of a \$500.00 fine for attempted domestic assault involving an altercation with Applicant's boyfriend which resulted in the boyfriend's 10 year old son being injured by the Applicant and for failure to disclose criminal proceedings including an August 1, 2007 no contest plea in the Wisconsin Circuit Court of Sauk County; disorderly conduct for a November 15, 2006 no contest plea in Wisconsin Circuit Court Sauk County; disorderly conduct of March 7, 1996; finding of guilt in the District Court of Woodbury County, Iowa of alluding on March 21, 1996; finding of guilt by the District Court of

Woodbury County, Iowa of criminal mischief third degree all of which demonstrates Applicant's failure to meet the requirements of statute.

Petitioner appeared and testified on her own behalf. Respondent was represented by Brian L. Halstead, Assistant Commissioner, General Counsel, Nebraska Department of Education. Petitioner's mother, Marian Holstein also testified. At the beginning of the hearing the parties jointly offered Exhibits 1 through 11. Those exhibits are: (1) pleadings/case file; (2) Title 92 Nebraska Administrative Code Chapter 21; (3) Title 92 Nebraska Administrative Code, Chapter 61; (4) Petitioner's application filed February 9, 2010; (5) Petitioner's second application filed March 29, 2010; (6) law enforcement reports and witnesses' statements as it relates to Petitioner's conviction for attempted domestic assault from the Bancroft Police Department; (7) copy of the Circuit Court file of the State of Wisconsin v. Claudine Farmer, 2006; (8) copy of the Circuit Court file from the Circuit Court of State of Wisconsin, State of Wisconsin v. Farmer filed in 2007; (9) a printout from the internet of the criminal court proceedings, State of Iowa v. Claudine Cohen for a charge of D&U/eluding; (10) internet printout, State of Iowa v. Claudine Cohen, 1965, criminal mischief, third degree; (11) request for approval by the Petitioner filed with the Commissioner of Education and her supporting documentation. The hearing was recorded by General Reporting Service, Lincoln, Nebraska.

Having considered the exhibits, the Hearing Officer makes the following proposed findings of fact, recommended conclusions of law, and recommended decision.

PROPOSED FINDINGS OF FACT

1. The Petitioner is now 36 years old.
2. Petitioner has an Associates Degree from the University of Wisconsin. She secured a high school equivalency diploma in 1994, at the age of 19.

3. The Petitioner has lived in various states including Kansas, Washington, and Wisconsin. She lived in Omaha for about three years up until 2000. In 2000 Petitioner moved to Wisconsin for nine years.

4. At the University of Wisconsin, at Barablo, in 2005, Petitioner received an Associates Degree in ethnics studies and is 14 credits shy of a Bachelors Decree.

5. Petitioner was convicted in the Circuit Court of Sauk County, Wisconsin, and received a deferred prosecution for 18 months for a domestic abuse charge. The deferred prosecution was revoked.

6. A second criminal complaint was filed in Sauk County, Wisconsin alleging an incident on April 11, 2007 charging disorderly conduct. She was fined \$350.00 on each of the Wisconsin cases referred to herein.

7. Petitioner was sentenced in the State of Iowa for eluding which occurred on October 19, 1995. She was fined \$250.00 on that case.

8. Petitioner was charged in the State of Iowa with criminal mischief, third degree, date October 19, 1995, and was fined \$500.00 on that case. The Petitioner failed to report on her application the four cases referred to above.

9. One of these cases was reported by Petitioner on her application.

10. Petitioner plead guilty to attempt to intentionally, knowingly cause bodily injury to intimate partner, a Class 2 misdemeanor in Cuming County, Nebraska, on October 6, 2009. She was fined \$500.00. The Petitioner reported that offense.

11. Petitioner has had several ups and downs in her life including the death of the father of her first child while still a teenager; a ten year marriage that ended in divorce; and a relationship in Nebraska that involved the domestic assault charge in the State of Nebraska.

12. Petitioner has been a successful athlete at both high school and collegiate levels and has successfully coached volleyball.

13. Petitioner has been offered a job coaching in the State of Nebraska and is seeking her certificate for that purpose.

14. Petitioner's reasons for failing to report in her application the Wisconsin or Iowa offenses and was not well explained in the evidence presented. She stated when answering the question "why didn't you report those offenses?" She said "I thought those were all together, I - you know what. I don't have a good answer for that. I don't know why I didn't. I don't know if I didn't remember them or if I thought they were off my record. . . I guess I thought they were off my record is there because driving. I don't know if driving offenses, they were eluding and criminal mischief were both driving. I guess I was under the impression that there were certain driving crimes that were off you record after a certain amount of time. It's been 15 or 16 years."

15. Petitioner has not established by evidence that she did not know or forgot about her prior convictions.

16. Petitioner has not yet established a record showing good moral character.

RECOMMENDED CONCLUSIONS OF LAW

1. Title 92, NAC 21 § 003.13A, provides that an applicant for a teaching certificate shall not have any misdemeanor convictions involving abuse, neglect or sexual misconduct as defined in § 003.11 through § 003.14.

2. Title 92, NAC 21, § 003.12A defines a misdemeanor conviction involving abuse, neglect or sexual misconduct to include the offense of Domestic Assault pursuant to Neb. Rev. Stat. § 28-323.

3. Title 92, NAC 21, § 005.01J provides that an applicant for a teaching certificate shall “Be of good moral character”.

4. Title 92 NAC 21, § 009.03 provides that within twenty calendar days of receipt of the notice of the Commissioner’s denial of a certificate, the applicant may appeal the Commissioner’s decision to the Board of Education pursuant to Title 92 NAC 61.

5. Pursuant to Title 92, NAC 21 § 009.03, if the Board finds that the requirements of the regulations have been improperly applied to an applicant, or in the case of an applicant who has been rejected due to criminal convictions, that the applicant has good moral character and possesses the moral fitness for teaching, then the Board may direct the Commissioner to issue a certificate to the applicant.

6. Pursuant to Title 92, NAC 21 § 009.04, in determining whether the applicant has the moral character and the moral fitness to teach based upon a denial due to a criminal conviction, the Board shall taken into account:

(a) The nature of the crime, the facts and circumstances surrounding the conviction, including whether the conduct of the applicant would constitute a crime in Nebraska, the sentence received and whether the sentence was commuted, set aside or pardoned;

(b) The applicant’s age at the time of the conduct;

(c) The recency of the conduct;

(d) The applicant’s positive social contributions since the conduct; and

(e) The reliability of the information concerning the conduct.

7. Title 92, NAC 21 § 003.03 provides that “Failure by an applicant to submit accurate information in support of an application for certification or renewal shall be cause for denial or revocation of such certificate.”

8. The phrase “not of good character” concerning eligibility for a liquor license “imports lack of good faith or honesty of purpose.” C&L Co. v. Nebraska Liquor Control Commission, 190 Neb. 91, 206 N.W.2d 49 at 51 (1973).

9. A teacher in a public school system is regarded by the public and pupils in the light of an exemplar, whose words and actions are likely to be followed by the children coming under his or her care and protection. A teacher’s actions set an example for others to follow, and as such affects the teacher’s ability to teach. Clark v. Board of Education School District of Omaha, 215 Neb. 250, 338 N.W.2d 272, 275 (1983).

RECOMMENDED DECISION

Petitioner has timely filed her appeal in this matter and the case is properly before the Board of Education for a determination. The County Court of Cuming County, Nebraska found the Petitioner guilty of attempted domestic assault, a Class 2 misdemeanor and she paid a fine of \$500.00. The Petitioner attempts to explain the circumstances surrounding the offense, but nonetheless a plea was entered and a fine imposed for a violation of the statute. That occurred less than one year prior to the application being submitted in this case.

The Petitioner failed report convictions for misdemeanors in both Iowa and Wisconsin. Although each of these convictions occurred several years ago, the failure to report is in and of itself a reason for denying an applications for certification by the statutes of the State of Nebraska.

Convictions of criminal offenses specifically denominated by statute as disqualifying such as an attempt to commit a domestic assault demonstrate a lack of good moral character.

The failure to report misdemeanor convictions goes to the very heart of the licensing process and as such provide an independent basis for denying the application. Although the

Petitioner presented evidence that shows an effort to conform her conduct to the requirements of society and to be a positive and contributing member of society as well as to provide role models for young student athletes is commendable, it does not overcome the conviction in Nebraska and the failure to report convictions in other states so as to allow the Board to find her of good moral character so as to overcome statutory requirements for certification in this matter.

Therefore the Hearing Officer recommends that the State Board of Education enter an order affirming the Commissioner's denial of the application to the Petitioner.

Dated this 24th day of March, 2011.


Patrick T. O'Brien, #13106
John M. Boehm, #15550
811 South 13th Street
Lincoln, NE 68508
(402) 475-0811
Hearing Officer

CERTIFICATE OF SERVICE

The undersigned, Patrick T. O'Brien, hereby certifies that the original of the foregoing with attached transcript was hand delivered to Leslie Donley, Asst. Attorney General, Nebraska Department of Justice, 2115 State Capitol, Lincoln, Nebraska on March 25, 2011, and a true and correct copy of the foregoing was served by first class United States Mail, postage prepaid, on March 24, 2011, to the following parties:

Claudine E. Farmer
P O Box 226
Bancroft, NE 68004

Brian Halstead
General Counsel
Nebraska Department of Education
301 Centennial Mall South
P.O. Box 94933
Lincoln, NE 68509


Patrick T. O'Brien

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Claudine E. Farmer)
P.O. Box 226)
Bancroft, NE 68004)
)
Petitioner,)
)
v.)
)
Roger Breed, Ed.D.)
Commissioner of Education)
P.O. Box 94933)
Lincoln, NE 68509-4933)
)
Respondent.)

NDE Case No. 10-21
TRANSCRIPT
VOLUME I of I
Pages 1 through 74
Exhibits 1-11

Nebraska State Office Building
301 Centennial Mall South
Department of Education
Conference Room B, Sixth Floor
Lincoln, NE

Convened, pursuant to notice, at 10:45 a.m., on
October 29, 2010,

BEFORE:

JOHN M. BOEHM, Hearing Officer.

A P P E A R A N C E S

Pro se: Claudine E. Farmer
P.O. Box 226
Bancroft, NE 68004

For the Respondent: Brian L. Halstead, #18077
Assistant Commissioner/
General Counsel
Nebraska Department of Education
301 Centennial Mall South
P.O. Box 94933
Lincoln, NE 68509

GENERAL REPORTING SERVICE (402) 477-8425

I N D E XWITNESSES: Direct Cross Redirect RecrossFOR THE PETITIONER:

Marian Holstein	13	--	--	--
-----------------	----	----	----	----

Claudine Farmer	20	46	--	--
-----------------	----	----	----	----

Marian Holstein	68	--	--	--
-----------------	----	----	----	----

- - -

EXHIBITS: Marked Offered Ruled On Found

1	Pleadings (14 pages)	5	8	10	Appendix
---	----------------------	---	---	----	----------

2	Title 92 NAC Chapter 21 (37 pages)	5	8	10	Appendix
---	---------------------------------------	---	---	----	----------

3	Title 92 NAC Chapter 61 (23 pages)	5	8	10	Appendix
---	---------------------------------------	---	---	----	----------

4	Application filed 2-9-10 (22 pages)	5	8	10	Appendix
---	--	---	---	----	----------

5	Second Application filed 3-29-10 (4 pages)	5	8	10	Appendix
---	---	---	---	----	----------

6	Reports from the Bancroft Police Department (13 pages)	5	9	10	Appendix
---	--	---	---	----	----------

7	File from the Circuit Court of Wisconsin Case No. 06CM964 (23 pages)	5	9	10	Appendix
---	---	---	---	----	----------

8	File from the Circuit Court of Wisconsin Case No. 07CM389 (19 pages)	5	9	10	Appendix
---	---	---	---	----	----------

9	Internet Printout Re: Iowa Case No. 03971 SRCR031670 (2 pages)	5	9	10	Appendix
---	---	---	---	----	----------

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

<u>EXHIBITS:</u>	<u>Marked</u>	<u>Offered</u>	<u>Ruled On</u>	<u>Found</u>
10 Internet Printout Re: Iowa Case No. 03971 AGCR031669 (2 pages)	5	9	10	Appendix
11 Request for Approval with Attached Documentation (16 pages)	5	9	10	Appendix
	- - -			
Appearances				1
Reporter's Certificate				4
Closing Statement by Ms. Farmer				70
Closing Statement by Mr. Halstead				70
	- - -			

1 PROCEEDINGS:

2 (Exhibits 1 through 11 were marked for
3 identification.)

4 THE HEARING OFFICER: My name is John Boehm. I'm
5 serving as the hearing officer appointed by the State Board
6 of Education. The hearing is being held in Conference Room
7 B, Sixth Floor, Nebraska Department of Education, State
8 Office Building, Lincoln, Nebraska, 301 Centennial Mall
9 South. It is October 29th, and the hearing was scheduled
10 for 10:30. It's approximately 10:45. Notice was given to
11 the parties in this case. The case is numbered NDE Case No.
12 10-21, Before the State Board of Education, State of
13 Nebraska, and it is captioned Claudine Farmer -- E. Farmer,
14 excuse me, Petitioner, versus Roger D. Breed, Commissioner
15 of Education, Respondent.

16 The matter is before the State Board of Education
17 by virtue of you, the petitioner, having filed an appeal
18 pursuant to Title 92, Chapter 61, of the Nebraska
19 Administrative Code, and Title 92, Chapter 21, of the
20 Nebraska Administrative Code. Petitioner has appealed the
21 Commissioner of Education's decision to deny the
22 petitioner's applications for certificates, pursuant to
23 Title 92, Nebraska Administrative Code, Chapter 21, Section
24 009.

25 The proceeding is being recorded by General
04.05.11 State Board of Education 7.11-13

1 Reporting Service of Lincoln, Nebraska. And a copy of the
2 transcript of this hearing and any exhibits entered into the
3 record will be provided to the State Board of Education.

4 At this time I would ask that the parties please
5 identify themselves for the record. Give your name and
6 current address, starting with you, Ms. Farmer.

7 MS. FARMER: Good morning. I am Claudine Farmer.
8 Claudine Emmalene Farmer, excuse me. I live at 103 West
9 Cedar Street, Apartment A, in Bancroft, Nebraska.

10 THE HEARING OFFICER: Is that West Cedar Street?

11 MS. FARMER: West, correct.

12 MS. HOLSTEIN: Marian Holstein, 302 North Little
13 Street, Walthill, Nebraska. I am mother to the petitioner.

14 THE HEARING OFFICER: You're going to testify as a
15 witness today?

16 MS. HOLSTEIN: And I am testifying as a witness
17 today.

18 THE HEARING OFFICER: All right, thank you.

19 Mr. Halstead?

20 MR. HALSTEAD: Brian Halstead, 301 Centennial Mall
21 South, Sixth Floor, Lincoln, Nebraska 68509, on behalf of
22 the Commissioner of Education.

23 THE HEARING OFFICER: The procedures we're going
24 to follow are pretty relaxed today, but there is a structure
25 to them. Initially, you'll be given -- the parties will be

1 given an opportunity to make any opening statement if they
2 choose to do that. Your opening statement is not recitation
3 of your evidence or your testimony. It's simply a summary
4 of what you intend to show today, or you can waive that
5 opening statement.

6 After that, you'll be given an opportunity to
7 present your case by testifying under oath and calling a
8 witness who will testify under oath. You can submit any
9 exhibits that you have for me to consider unless
10 everything's already a stipulated exhibit. Mr. Halstead
11 will be allowed to cross-examine you and then Mr. Halstead
12 will present the Commissioner's case and call any witnesses,
13 which, at this point in time, I don't believe you have any,
14 do you?

15 MR. HALSTEAD: I do not, Your Honor.

16 THE HEARING OFFICER: Okay, so, essentially, his
17 case will be presented through his cross-examination of you
18 and the documents that are produced here.

19 The parties will be given an opportunity to make a
20 summary closing statement, as well, or you can waive that
21 also.

22 The hearing is not being conducted according to
23 the formal rules of evidence that apply in District Court.
24 As I indicated, any documents will be -- that are offered as
25 exhibits and not objected to will be entered into the

1 record. It's my understanding that you have entered into
2 some sort of a stipulation regarding Exhibits. And if that
3 is correct, I'd ask Mr. Halstead to go ahead and offer those
4 at this time.

5 MR. HALSTEAD: Mr. Boehm, for the record, before
6 the hearing got started this morning, the petitioner and I
7 went through several documents that I think we all agree
8 upon should be received into evidence.

9 Exhibit No. 1, which would be the pleadings that
10 have been filed before the State Board of Education in this
11 case. That would be Exhibit No. 1.

12 Exhibit No. 2 being Title 92, Nebraska
13 Administrative Code, Chapter 21, the rules and regulations
14 regarding issuance of certificates by the Commissioner of
15 Education.

16 Exhibit No. 3, which is Title 92, Nebraska
17 Administrative Code, Chapter 61, the rules and regulations
18 regarding petitions and hearings before the State Board of
19 Education.

20 Exhibit No. 4, which is the petitioner's
21 application that was filed February 9th, 2010, with the
22 Nebraska Department of Education.

23 Exhibit No. 5, which is the Second Application the
24 petitioner filed with the Nebraska Department of Education
25 on March 29th, 2010.

1 Exhibit No. 6 is a compilation of the law
2 enforcement reports and witness statements as it relates to
3 the petitioner's conviction for attempted domestic assault
4 from the Bancroft Police Department.

5 Exhibit No. 7 is a copy of the Circuit Court file
6 in the State of Wisconsin versus Claudine Farmer from 2006.

7 And Exhibit No. 8 is a second Circuit Court file
8 from the Circuit Court in the State of Wisconsin against Ms.
9 Farmer that was filed in 2007.

10 Exhibit No. 9 is a printout from the Internet of a
11 criminal court proceeding in the State of Iowa versus
12 Claudine Cohen related to her charge for DNU-Eluding.

13 Exhibit No. 10 is also an Internet printout of a
14 court disposition involving the State of Iowa versus
15 Claudine Cohen, again in 1995, for the offense of criminal
16 mischief, third degree.

17 THE HEARING OFFICER: Excuse me. What year was
18 Exhibit 9?

19 MR. HALSTEAD: Exhibit No. 9 is from -- the
20 offense date was October 19th, 1995.

21 THE HEARING OFFICER: All right, thank you.

22 MR. HALSTEAD: Both 9 and 10 have the same offense
23 date. They are different charges. One is DNU-eluding, and
24 the second one is criminal mischief, third degree.

25 And Exhibit No. 11 would be the request for

1 approval that the petitioner filed with the Commissioner of
2 Education requesting his review of the -- or his
3 administrative review of her application file and all the
4 supporting documentation that she submitted to the
5 Commissioner including letters of support and character
6 letters from individuals from her past.

7 I believe those are all the exhibits and I have no
8 objections if Exhibits 1 through 11 are received by you and
9 the State Board.

10 THE HEARING OFFICER: Do you have any objections,
11 Ms. Farmer?

12 MS. FARMER: Not at all. I -- may I just add that
13 one of the letters was also from the victim, I guess, in
14 that case of the attempted domestic.

15 THE HEARING OFFICER: And I think -- I'm not going
16 to tell you how to present your case, but you may wish to
17 make specific reference to those documents in your testimony
18 and explain them fully -- more fully at that time, I mean,
19 who these people are, why they wrote the letter, or whatever
20 the case may be about a particular document so it has some
21 context, okay?

22 MS. FARMER: Okay.

23 THE HEARING OFFICER: So, with no objection,
24 Exhibits 1 through 11 will be received into the record.

25 (Exhibits 1 through 11 were received in evidence.)

1 See Index.)

2 As I indicated, any witnesses testifying today
3 will be sworn under oath by the court reporter. After the
4 hearing is finished today, I take the matter under
5 consideration. When I receive the transcript of the hearing
6 back from the court reporter, I review it. I review all the
7 exhibits, and I will prepare a proposed findings of fact and
8 conclusions of law and recommendation for the State Board of
9 Education to consider. They generally consider these
10 without taking further testimony from the parties, but they
11 can request additional testimony if they deem it to be
12 necessary.

13 The Board will either accept my findings as their
14 own, reject my findings, and enter their own findings, or I
15 suppose they could do some sort of a hybrid, accept some and
16 modify it some way shape or form.

17 Do you have any questions about how we're going to
18 conduct things today?

19 MS. FARMER: No, I don't, thank you. You've been
20 very clear.

21 THE HEARING OFFICER: All right, well, any other
22 preliminary matters?

23 MR. HALSTEAD: Not that I'm aware of, Your Honor.

24 THE HEARING OFFICER: Do the parties wish to make
25 opening remarks?

1 MR. HALSTEAD: I'll waive an opening statement.

2 THE HEARING OFFICER: All right.

3 MS. FARMER: I'll waive an opening statement as
4 well.

5 THE HEARING OFFICER: Okay, that's fine. With
6 that, then, you -- it's your opportunity, then, to present
7 your case through testimony, and review, perhaps, of some of
8 the documents that have been entered into the files. So, do
9 you intend to testify first, or do you wish your mother to
10 testify first?

11 MS. FARMER: Well, I guess, I think, she's ready
12 to start. She's pretty prepared.

13 MS. HOLSTEIN: I am, somewhat thank you. I don't
14 mind starting.

15 THE HEARING OFFICER: Okay, well, let's have the
16 court reporter swear you in, please.

17 THE REPORTER: Do you solemnly swear or affirm the
18 testimony you're about to give will be the truth, the whole
19 truth, and nothing but the truth?

20 MS. HOLSTEIN: Yes, I do.

21 MARIAN HOLSTEIN

22 Called as a witness on behalf of the Petitioner,
23 having been first duly sworn, testified as follows:

24 THE HEARING OFFICER: Would you please state your
25 name and address for the record?

1 THE WITNESS: Yes. Marian Holstein, 302 North
2 Little Street, P.O. Box 243, in Walthill, Nebraska 68067.

3 THE HEARING OFFICER: All right, go ahead and just
4 tell us what you wish to.

5 DIRECT TESTIMONY

6 BY MS. HOLSTEIN:

7 The testimony I'm about to give is, there are some
8 parts that are biased and there are -- because I am
9 Claudine's mother, but I believe there's also some parts
10 that are very objective. I am a former officer of the court
11 so I definitely understand the implications here.

12 And what I basically wanted to say, and I will try
13 to be as brief as possible, is that whenever we look at
14 behaviors, we always try to determine the cause. And I'm
15 not sure if we ever -- if either Claudine or I ever was
16 explicit in some of her -- of the situation that she grew up
17 in, and that her young adult life, you know, she experienced
18 when she was very young, about 17. But I think it's
19 definitely a factor. You know, I consider these extenuating
20 and mitigating circumstances that caused her to behave in
21 less than desirable actions. But that was in the first part
22 of her life. And the second part of her life, she has
23 really changed and reverted to the foundation of education
24 and upbringing that I tried to instill in her.

25 Okay. I was not born and raised on the

1 reservation. I was born and raised in Chicago, which I
2 think has had all the -- which has made all the difference
3 in the world. I always -- I've told both of my children,
4 that was one of the worst mistakes I made was to bring them
5 home from -- move them from California to the reservation,
6 because, I'm sure you -- this is not going to be a
7 dissertation on the ills of reservation life, but it's
8 certainly, again, a factor, because not only are we
9 interacting with people who were born on the reservation and
10 raised on the reservation, but that lack of social skills
11 and educational levels is a factor.

12 Claudine became pregnant when she was a junior in
13 high school. The father of her child committed suicide five
14 months before the baby was born. I believe that led to an
15 anger. This is really one of the first times I've ever been
16 able to hold my composure when I speak of it. But it
17 certainly is a factor. You know, the anger that may have
18 happened, and the sorrow, and whatever else was directly
19 related to some of her actions in 1995.

20 After a while, in 1997, when she moved to Omaha,
21 she got her life back on track again, married, but I have to
22 say, she married a boy from the reservation, from a very
23 dysfunctional family. And, again, that had its impact when
24 he started drinking, and there were -- you know, he comes
25 from like I said, a very dysfunctional family with a

1 capital D. And when he started drinking, I don't -- I can't
2 get inside of her head, but I know that the anger at a
3 failed -- at the looming failed marriage prompted a lot of
4 her actions.

5 The recent domestic assault I have to conclude was
6 probably filed because of the brotherhood of police
7 officers. I'm a former deputy sheriff with Monterey County
8 and can attest to, you know, that brotherhood where if there
9 is one person in the dispute who has anything to do with law
10 enforcement, there is not -- the whole situation isn't
11 looked upon as objectively as it should be. As I said, I've
12 been witness and experienced that on many occasions.

13 Unfortunately, the young man, Robert Hallowell,
14 who she was involved in, again, came along with a lot of his
15 own anger and mental unwellness. You know, his parents were
16 both killed in a car accident. He was married to a young
17 woman who had drug problems. He was raising his child. My
18 daughter, again, this is the second time, she married into
19 what we call blended families now. And, you know, to her
20 credit, definitely, she tried to raise three children in her
21 first marriage that she didn't -- that didn't belong to her,
22 and then in the second union, tried to raise a young boy who
23 had a lot of, you know, a lot of behavior problems stemming
24 from what he experienced while living with his mother and
25 her different boyfriends. So -- and we wished -- and I wish

1 that -- I wish Robert Hallowell no harm or anything like
2 that and I've always told her that. It's something that's
3 already been established and this child's behavior has been
4 established. We recently heard where he just -- he was with
5 his mother in Vermillion -- or Aberdeen, South Dakota, and
6 beat his current -- I'm sorry, my pronouns aren't right, and
7 beat her current boyfriend up with a bat. So, the child
8 has -- really needs attention to his behaviors. Okay.

9 And I'm going to wrap this up, because I think
10 that's probably enough, you know, to try to establish some
11 of the deep-rooted concerns that Claudine has and that's
12 probably how it manifested itself in these behaviors. But
13 what I wanted to say is that, well, granted, we have these
14 problems on the reservations. My mother worked for years in
15 trying to get teachers certified so we have Native American
16 teachers teaching Native Americans. She was the first
17 person that established -- well, she established the
18 Nebraska Indian Commission, Dorothy Holstein. And she also
19 wrote grants to get the Teacher Corps where young people
20 within the community could become teachers.

21 I've worked with Nebraska Indian Education
22 Association. I've sat on the National Indian Education
23 Board and have worked with Dr. Christensen, the former
24 Commissioner, on just this issue that doesn't seem to
25 improve very much. So, while it may be -- while there may

1 be these extenuating circumstances, I think that it's
2 important to try to still get our Native American teachers
3 into our Native American schools.

4 And I don't know -- I'll end with, you know,
5 because I am not that familiar with the rules that apply
6 here, but if there are any clauses that may allow her to
7 teach and/or coach on a year-by-year basis, and, you know,
8 some kind of temporary type of situation for a period as
9 long as, you know, the Commission deems necessary to assure
10 that she no longer is -- that she no longer gets into any
11 trouble. I'm sure she'll talk about the effects she can
12 have on young people. She's coached young people and really
13 is doing very well in her present job, also.

14 Other than that, I am open for questions and I
15 hope I've expressed myself well enough. I appreciate the
16 time to have -- to come here and share these motherly
17 concerns, as well as overall concerns about our -- the
18 education systems on our reservations. Thank you.

19 THE HEARING OFFICER: Thank you.

20 Mr. Halstead, cross-examination?

21 MR. HALSTEAD: She's accurate. She did a very
22 fine job. I don't have any questions for her.

23 THE HEARING OFFICER: I just have a point of
24 clarification. When she was a junior in high school and
25 became pregnant, what year was that?

1 MS. HOLSTEIN: '92.

2 THE HEARING OFFICER: '92? I was just trying to
3 put it in the time frame that you were discussing here.

4 Did that prompt anything that you wanted to
5 inquire about.

6 MR. HALSTEAD: No. I don't know if the petitioner
7 has any questions of her mother that she'd like to ask.

8 THE HEARING OFFICER: Well, I suppose you could
9 ask your mother some questions now that you have her under
10 oath, but there may be some ramifications.

11 (Laughter.)

12 MS. HOLSTEIN: If you want me to clarify
13 something, maybe I need to --

14 THE HEARING OFFICER: No, if you have some
15 additional comments, please feel free to make those.

16 But I mean, technically, I suppose you do have the
17 right to ask her some additional questions.

18 MS. FARMER: I think it became slightly jumbled
19 when you talked about Sam, my husband. It almost made it
20 sound like I've been married twice. I was married for ten
21 years, recently divorced.

22 THE HEARING OFFICER: Are you asking her a
23 question or are you trying to clarify her --

24 MS. FARMER: I guess trying to make sure it's
25 clarified that --

1 THE HEARING OFFICER: Well, you can do that on
2 your own testimony.

3 MS. FARMER: Okay.

4 THE HEARING OFFICER: That would be more
5 appropriate.

6 MS. FARMER: I don't have any questions for Mom.

7 THE HEARING OFFICER: Okay. That would be a
8 two-edged sword, I guess, whether you want to question your
9 own parent.

10 (Laughter.)

11 MS. FARMER: I've learned not to do that.

12 MS. HOLSTEIN: And I'm at the age where I can
13 accept those questions now.

14 THE HEARING OFFICER: Well, Ms. Farmer, I guess
15 you're probably prepared to testify now as a witness
16 yourself, so I would ask you to raise your right hand and be
17 sworn in by the court reporter.

18 THE REPORTER: Do you solemnly swear or affirm the
19 testimony you're about to give will be the truth, the whole
20 truth, and nothing but the truth?

21 MS. FARMER: I do.

22 CLAUDINE FARMER

23 Called as a witness on her own behalf, having been
24 first duly sworn, testified as follows:

25 THE HEARING OFFICER: All right, just state your
04.05-1 State Board of Education 7.11-27

1 name for the record, please.

2 DIRECT TESTIMONY

3 BY MS. FARMER:

4 I'm Claudine Farmer. I live at 103 West Cedar,
5 Apartment A, in Bancroft, Nebraska. I am currently the
6 Communications Officer for the Winnebago Tribe of Nebraska.
7 I've been very fortunate in my life to be blessed with some
8 very unique and inspiring jobs. And I guess I'm here
9 because I'd like to continue to do that in any possible way.

10 I understand that I have broken some laws in my
11 time.

12 THE HEARING OFFICER: And if you need to take some
13 time at any time to compose yourself, you know, get up, take
14 a drink of water, get a Kleenex. I don't know that we have
15 any in here, but just let me know. We can take a short
16 break, if that's what you need to do. I know it's difficult
17 sometimes, and -- Let's just take a five-minute break.

18 (Off the record from 11:10 a.m. until 11:15 a.m.)

19 THE HEARING OFFICER: We're back on the record
20 after a short break.

21 And, Ms. Farmer, back to you.

22 MS. FARMER: Yes. As I was saying, I am very
23 remorseful for some of the -- all of the mistakes I have
24 made in my life. I've done my best to learn from those
25 mistakes and to prepare myself for any challenges or

1 difficulties that may arise again, you know, in my life, how
2 to better prepare to handle those things.

3 I guess we can start going back to -- I'm going to
4 go ahead and refer to each of the instances that is
5 preventing me from having my teaching certificate and my
6 coaching certificate. Where that started was, in 1995, when
7 my criminal record began. And it did surprise me, I had
8 to -- I kept trying to catch my breath, because reading that
9 stuff, it is very shocking. But I'm glad I'm here and able
10 to clarify that really isn't me. Those instances that are
11 documented, I am responsible for them, but it's not truly a
12 reflection of who I am and what -- all the good I have
13 accomplished in my life.

14 And, of course, I owe so much to my mother and I
15 am thankful she is here with me. And she has been very
16 accurate in her mental record of things. Things go back to
17 where I hurt and how I expressed that hurt. I mean, I have
18 learned how to heal and to grieve properly, but when you
19 lose your high school sweetheart in such a shocking way, you
20 aren't prepared to grieve properly. I was also pregnant,
21 but it wasn't, I guess, what you may think of a lot of times
22 as a typical teenage pregnancy. I had every option in the
23 world. I had colleges looking at me to play volleyball and
24 basketball, wherever I needed to go and every coach in the
25 area was willing to write letters to attest to that, and the

1 same for my daughter's father, Lenny Zach. He was a very
2 good athlete and I was a very strong student. And nobody
3 expected it. He didn't fit the typical danger signs of a
4 suicide risk. It's true, I was a junior in high school when
5 I became pregnant and a senior when I gave birth. And if
6 this shows anything of my initiative and my desire to
7 succeed, I took summer classes while I was pregnant in order
8 to not miss any school when I was going to -- when I was due
9 to give birth to my daughter, Jade. And I also practiced,
10 when we started conditioning before school, while I was
11 pregnant, I went to the school and practiced with my team.
12 We were ready to go to State for the first time in my team's
13 history my senior year. And not long after they found out I
14 wasn't returning, we fell right out of the rankings. But I
15 went and I was supportive of the team and I even was passing
16 and serving and spiking, of course, at seven months
17 pregnant. And it was safe. I was healthy. I stayed
18 healthy during the whole pregnancy and beyond.

19 However, there was a time when I think I woke up
20 and realized that he wasn't coming back. And I became very
21 lonely. And my mother raised me by herself, my brother and
22 I, and she did an amazing job, and I tell her that as often
23 as I can, even though, other than me, she can also be my
24 toughest critic. But she raised me that way for a reason,
25 because life isn't easy. And if you can be mentally and

1 emotionally prepared, and I guess I'm not really proving
2 that right now, but I guess I've never really talked about
3 my life in such a way. But I have been fortunate to be
4 raised by such a strong, intelligent, Native American woman.
5 I was told once that I have two strikes against me because,
6 one, I was born a woman, and, two, because I was born a
7 minority. I know who I am and where I come from.

8 I recently moved back to Nebraska after living ten
9 years in the state of Wisconsin, which is also where the
10 Winnebago people originally come from. I know our history.
11 I know the story of the removals, the forced removals over
12 and over again until we finally said, "We won't move
13 anymore," and we stayed here in Nebraska. We fought with
14 the United States Army against other tribes, because we
15 wouldn't move or lose our people anymore. That was our
16 choice and our decisions. And I'm sure you guys know there
17 are four tribes in Nebraska, but the Winnebago Tribe is one
18 of the most financially responsible and motivated for many
19 reasons. But that doesn't take away from the fact that
20 there are other tribes that need help. They need strong,
21 Native American leaders. And I feel I am one of those for
22 all the reasons in my life, maybe, these hardships have
23 brought me to that. I've never experienced domestic
24 violence in my life. My mother escaped a situation when I
25 was a baby in order to keep me away from that. But I was

1 involved in a -- most recently -- I was going to go
2 chronologically, but it looks like I went from Lenny, the
3 pain I experienced with my first baby's father, to where we
4 are now, which what happened within the two days that I
5 moved back. I had a home I owned for ten years and I lost
6 it. It was a beautiful four-bedroom, two-bathroom home on a
7 corner lot house across from the fairgrounds, and my
8 children and I and my husband were happy there. When the
9 recession hit, our business went under, as well as our
10 marriage. I was coaching successfully, my first year, 2006,
11 for the University of Wisconsin-Baraboo. And we were doing
12 things that school had never done. We were in a 13 UW
13 college conference and as the season progressed, our team
14 got stronger and stronger and stronger, and we ended up
15 winning conference for the first time in history. And my 12
16 colleagues at the UW colleges honored me with the Coach of
17 the Year. I was 29 years old, and it was the first time in
18 history that University of Wisconsin coach also received it.

19 We went to State that year. At the same time, my
20 husband was drinking very heavily. I had received my first
21 degree in May of 2005, and I was continuing at UW Milwaukee
22 for my bachelor's degree. And during the time of me going
23 to school and raising the family and coaching in this
24 season, he didn't come home one night. And I found out
25 where he was and I went over there. And I thought he was

1 with male friends, but, of course, there were females there,
2 too. And that's where the first charge of disorderly
3 conduct came. I asked him, you know, to give me the keys to
4 the truck, because I didn't think he should be driving, and
5 I left, but there was an argument between us before that,
6 but no -- nothing physical. My husband and I never in ten
7 years -- we had a very strong relationship until the
8 drinking came involved, but not any domestic or physical
9 abuse in any way.

10 Someone had called the cops. I think one of the
11 girls that were there, maybe called the cops because we were
12 arguing. There was a big storm coming through right at that
13 time, too, and I left and I went home. And I guess they
14 took him to jail for DUI, because they had all been
15 drinking, all those people there. And I was getting my kids
16 ready for school the next morning and 7:00, one of the -- a
17 police officer knocks on the door and asked if I was at a
18 certain spot, and I said, "Yes, I was." And he said, "Well,
19 your husband went to jail for a DUI," he said, "and we heard
20 you were arguing with your husband and we are going to
21 charge you with disorderly conduct." I talked to an
22 attorney right away. He said, "Claudine, you know, your
23 prior record -- you don't have a record here in Wisconsin.
24 You know, these things when you were 19 years old in
25 Iowa/Nebraska," he said, "you know, we'll plead," how was

1 it, "no contest, but as long as you don't get in any
2 trouble, it won't go on your record." And I said, "Sure,
3 you know, that shouldn't be a problem." I was living a good
4 life, going to school, coaching, hopefully going to get my
5 marriage back together.

6 About six months later, maybe seven months later,
7 we were pulled over, and my husband was charged with another
8 DUI. And I stayed in the vehicle the whole time, but I was
9 crying, because I knew that that was our -- our livelihood
10 was a business. We installed floor covering, any and all
11 kinds, mostly ceramic tile, laminate, hardwood flooring.
12 But he had to drive to each job. And he had a DUI from the
13 previous incident, so a second one was just -- I was in the
14 vehicle crying and I thought I'd get out and say, you know,
15 I felt like we -- they said he rolled through a stop sign. I
16 knew we stopped. They said, "Get back in the vehicle." And
17 I wasn't being mean or anything in any way, but I was just
18 crying. But they charged me with disorderly conduct again.
19 And this time they took me to jail for it.

20 Okay. So, I guess we can go back to the charges
21 in 1995 when I was 19, and then we'll quickly talk about the
22 domestic that -- attempted domestic, and then I guess I'd
23 like to focus on the good things I've done in my life.

24 The serious eluding charge, I was drinking. I was
25 under age and drinking. And the police officers tried to

1 pull me over and I didn't stop. I guess I was trying to
2 escape from a lot of things at that time, being a young
3 single mother. And it wasn't right. I apologize again. It
4 was wrong. And they also charged me with criminal mischief.
5 And this was a long time ago. This was 16 years ago. I'm
6 ashamed of it. I am. I moved home and there are some mean
7 people that still remember that. Or they'll say, "I
8 remember, you outran cops." And I'm like -- But I handle it
9 much better than I am now, so please understand that.

10 It hasn't been easy moving home. But all those
11 years while I coached, there wasn't anything I wanted to do
12 more than to move back home and coach where I came from. I
13 know those girls don't listen to anybody else, but I know I
14 can reach them. I know the same struggles and pain that
15 they go through being a young Native woman. I know the
16 challenges they face. But I know a different way, too.
17 I've been successful in college. I've been successful in
18 life, and I know how important it is for a young woman to
19 have a strong female influence in her life, someone they can
20 trust, someone they can believe in, someone they can
21 respect. And I know, I realize that my criminal background
22 shows something other, but I just would like to somehow
23 plead with you guys that if you would allow me an
24 opportunity whether it be a short time, whether it be six
25 months that I can prove that I am a positive influence in

1 many people's lives that I come into contact with every day,
2 and especially my children's. My daughter's playing tonight
3 for the conference championship where I went to school in
4 the same conference that I went to school in. And those
5 things aren't easy to do. When you're young and from a
6 small town, sports is all we have sometimes to keep us
7 looking forward, to keep us alive. And as Nebraskans, we
8 should believe that too, the way we believe in our Huskers
9 as strongly as we do.

10 I guess I wish I would have brought more witnesses
11 down, but I also feel that in a way, if I can't prove to you
12 guys who I am speaking to you, then how are other people's
13 words, you know, going to as well, because I'm going to be
14 the one in front of a group of 15 to 30 girls wanting to
15 prove to them I'm a trustworthy person and that I believe in
16 them and that they should believe in me, that we can do
17 these things together, and if I'm going to be the one
18 standing in front of a classroom of students, that I'm
19 secure and able and strong-minded enough to face and deal
20 with any challenge that they might present to me.

21 If we need to carry on and go back to these other
22 issues, I'm willing to do that now, as well.

23 MS. HOLSTEIN: I think you already covered '95 and
24 the others.

25 MS. FARMER: The disorderly.

1 MS. HOLSTEIN: Then go to this attempted --

2 MS. FARMER: The most recent, attempted domestic?

3 MS. HOLSTEIN: Yeah, then your other.

4 MS. FARMER: Now, this one has been the most
5 challenging because I am of an age where it seems like this
6 shouldn't be happening, and I'm a mother of three children
7 and have always had a sound and stable home. And by the
8 sounds of this, this would imply that I am of the opposite.
9 And I know I have proven myself to everybody who may have
10 ever questioned that, not only me, but the gentleman in
11 question here, as well as the child. And from what I read
12 in the statement, is that the officers just asked the kid
13 "What happened? What happened to you?" And he said,
14 "Claudine did it," was all he said. There was a scratch on
15 his neck, which, when the officer came into the apartment
16 where we live, my sons were still awake, too, because of
17 what had happened, and they asked them -- well, they asked
18 me first, "Claudine, what happened to Grayden's neck?" And
19 I had no idea. And that's what I said. I said, "I don't
20 know." And my youngest son stood up and said, "That
21 happened when we were fighting earlier, when we were pillow
22 fighting or wrestling." It got to be pretty violent between
23 them. And I thought that was taken care of, I thought that
24 was understood then.

1 for a local law enforcement agency. He has been an officer.
2 He was a police officer. I tried to diffuse the situation
3 first by separating the boys while they were having
4 arguments, issues, typical boy arguments. And when things
5 escalated to that point where Robert wanted to call my
6 children names, which they're not used to ever hearing, I
7 asked him to leave. And when he became more verbally
8 abusive, I asked him to leave a little louder until the
9 point where I had to practically chase them out of the house
10 after I was pushed down.

11 There were -- there was drinking involved that
12 evening. It was Memorial Day weekend. There was an alumni
13 dance downtown. My daughter was babysitting all three of
14 the children. When we came home, there wasn't anything
15 going on between Robert and I. Robert and I's issues always
16 lie with the way we raise our children and the difference in
17 which we raise our children. I have always felt that
18 attendance in school is most important. Having them be
19 clean and whatnot is. But Robert's never valued education.
20 He was raised differently, raised as Jehovah's Witness, and
21 also raised not to continue and further your education. And
22 his mom and dad were his idols to him in a lot of ways, but
23 when he lost them violently in a car accident or abruptly, I
24 should say, in a car accident. His world came crashing

25 down. He and I knew each other since we were young. I was
04.08.31 State Board of Education 7.11-38

1 about ten and he was eight when I first moved here from
2 California, and we've known each other that long, but not
3 until I was separated did we become romantically involved,
4 and that was about three years ago.

5 Being the woman I am and being raised by the woman
6 I've been raised by, we've always tried to help less
7 fortunate people in any way. When I moved to Walthill,
8 Nebraska, after having been raised in California, it was the
9 first time I've ever experienced prejudice. And when you
10 witness something like that for the first time, I think the
11 way you react and respond sets the tone for the rest of your
12 life whether you pretend you didn't hear it and push it
13 aside, or you stand up and say that's wrong. And I'm one of
14 those people at a young age stood up against men and said,
15 "You know what? That's wrong. You don't talk to other
16 people that way." And again, I didn't cry, but when I heard
17 one of my classmates, a young Caucasian gentleman, tell a
18 Native American boy, called him a stupid f'ing Indian, it
19 did something to me in my heart, because I always -- I was
20 raised to be so proud of being Native American. I guess it
21 has to do a lot with California where there are so many
22 races, and there aren't many Natives there. But I also know
23 that because of who my grandmother and grandfather raised me
24 to be as well as the rest of their children, is to be proud
25 of who we are and our history. We are resilient people. We

1 have made it through things that many other races would not
2 have been able to.

3 So, again, when I heard a gentleman cussing at
4 children or hitting and -- violence is a nature of Robert
5 Hallowell's. He's in -- he was a police officer, like I'd
6 said, and his gun and badge were taken away when he
7 violently beat his son's mother. And this is where the
8 trouble came in or the confliction (sic) came in because
9 they ran his name and nothing came up, because this was on
10 reservation land. This was all in Tribal Court. He's only
11 ever lived on the reservation. And I thought for sure when
12 they ran our names that they would see he has a history of
13 violence, not only against his son's father (sic), but he
14 has taken police officers on the reservation's guns away.
15 He's tasered a cop before. And yes, he worked for them, but
16 that's why they would rather have this man on their side
17 than against it. And it is that severe.

18 He has a case in Cuming County right now from a
19 month ago. Mom, I don't know if you know about this, but he
20 went into the bar a month ago and next week he goes to
21 court. In Bancroft, he went into the bar and he choked
22 Jason Wortman out. There were -- Mike Ostrand and several
23 other men tried to get him off him, but Bobby put himself
24 against the wall, because he knows these tactics on how to

1 mean, to -- what's the word? Restrain people and use
2 tactics that won't leave marks on people. But I mean, it's
3 in records there. He put him out completely. He choked him
4 out.

5 MS. HOLSTEIN: So that's relevant because?

6 MS. FARMER: Because he's a very violent man. And
7 the cop pulled him over that night and Robert was drinking
8 and that the same officer who did these charges didn't take
9 him to jail for DUI. He didn't even charge him for the
10 trespassing and the other things, he just cited him and
11 released him. And Robert was drinking heavily that evening.
12 The same gentleman, Mike Surrells --

13 MS. HOLSTEIN: And who witnessed that? How did
14 you --

15 MS. FARMER: There was a bar full of people. Pam
16 was there. She's the one who called the cops, because that
17 was her husband.

18 MS. HOLSTEIN: I know, but when the police officer
19 pulled him over and didn't take him in, how do you know
20 that?

21 MS. FARMER: Because it happened in town. Well,
22 they pulled him over and had him drive back to town.

23 MS. HOLSTEIN: So other people witnessed that.

24 MS. FARMER: And the officer came back and he

25 said, "We pulled him over, but we cited and released him."

1 Other people, yeah, he didn't go to jail that night and he
2 was drinking.

3 Basically, it came down to a fellow officer's word
4 against mine. My daughter came forward later and told other
5 things that she had seen and witnessed that night, but none
6 of it was ever entered into the final report. I guess I
7 felt wrong -- I was treated unfairly through that. Yes,
8 there was an issue, but we always know it takes two. It
9 takes two to fight, but I was the only one charged that
10 evening with anything. I think if we were on the
11 reservation, things would have been handled differently. If
12 anything, maybe just an incident of -- gosh, what was that.
13 They do this stuff all the time there. There's a two -- a
14 couple fighting or arguing they just call it --

15 MS. HOLSTEIN: Mediation?

16 MS. FARMER: Well, no, they don't cite anybody.
17 They write in the report it was some time of just --

18 MS. HOLSTEIN: It's usually like a miscellaneous
19 call or something.

20 MS. FARMER: Yeah. But the way Robert is, too,
21 he's very controlling. And he knew that if he could get me
22 in trouble somehow, he'd have me under his thumb forever. I
23 still have issues with him just trying to get in contact
24 with me. He lives back in Walthill. He's taken his child

1 involved. If a child is truant or absent from school, and
2 within six weeks, the child had been -- he'd missed probably
3 five or six days. I believe that's why he pulled him out of
4 Bancroft School, which is a very reputable school, not only
5 academically, but, of course, athletically. And he's back
6 at the reservation school in Walthill, which is very low
7 standards. Reading, math and all that, they make their own
8 test a lot of times. You know, they're allowed to do that.

9 So, it has been a very difficult situation. I
10 feel I ran to that situation, one, out of comfort, because I
11 knew him for so long, and after having been separated and
12 divorced --

13 MS. HOLSTEIN: Loss of house, business.

14 MS. FARMER: Loss of a business, the house,
15 everything --

16 MS. HOLSTEIN: Moving from a different state.

17 MS. FARMER: Yeah, I was under --

18 THE HEARING OFFICER: Excuse me, I'm going to have
19 to ask you to confine your comments. It makes it difficult
20 for the court reporter to have two voices going on at the
21 same time. So, if you would, please.

22 MS. FARMER: Sure, and just, I guess, she's
23 reaffirming that I was under a lot of duress at that time.

24 THE HEARING OFFICER: I understand.

25 MS. FARMER: Maybe a lot of stressors. We know

1 that the hardest things in life are moving, a new job, and a
2 funeral and divorce, and I kind of had all of those in one,
3 not necessarily the funeral, but a divorce is so much like
4 death they, say that.

5 So, maybe if I would have picked the phone up
6 first and called and said, you know, I'm the one who's being
7 abused and -- emotionally, physically, and, you know, any
8 which way and I would have gotten out of that situation
9 sooner, but by him being granted all that and me being the
10 one charged, I guess I felt helpless. I also felt I needed
11 to prove myself to everybody that, hey, something went wrong
12 here, but I was falling on deaf ears because I didn't have a
13 black eye all the time and I didn't have -- I had bruises on
14 my arms but I didn't show them. So, yes, I felt very
15 vulnerable in the last couple years, but, as always, I will
16 find what I can to learn from those challenges and not only
17 make me a stronger, better person, but be able to help
18 somebody else soon, because it's still happening to women.
19 And I guess I'm lucky and fortunate that I got out of that
20 situation. We didn't have any children or any real ties.
21 But I know if we had him on the phone now, he would
22 definitely be a witness to the good woman that I am, the
23 good mother that I am, and all that I've been able to teach
24 him.

1 and more positive influence, unless there's any questions
2 about that.

3 THE HEARING OFFICER: Well, Mr. Halstead will have
4 a whole opportunity to cross-examine you when you're done.
5 So, just go ahead and go whatever direction you'd like to
6 go. This is your opportunity to make your case.

7 MS. FARMER: Okay. And this is difficult to,
8 because my mother doesn't -- we weren't taught to be very,
9 overly proud people. You know, we're humble. I haven't
10 even told my colleagues yet my successes as a coach and as a
11 teacher and as a mentor to young women.

12 It's my passion. Coaching volleyball is my
13 passion. There's really no other joy or satisfaction other
14 than raising children that really compares to this in my
15 life. Being in the classroom is also another passion and
16 very, you know, it doesn't even seem like work. I've done
17 it for so long, you know, practicing, that I really don't
18 know how to do much else. I still actively play. I played
19 Wednesday night, as a matter of fact, in South Sioux. And
20 it's not all about winning or losing, of course. I enjoy
21 being on that court no matter what, whether I'm inside those
22 lines or outside those lines.

23 I never chose -- I never thought I was going to be
24 a coach. I didn't go to college to be a coach. I went and

25 I played -- I played my final season in 2005, and I was -- I
04.05-11 State Board of Education 7.11-45

1 guess I was 30 -- 29, almost 30. I guess I turned 30. I'd
2 been to different universities, a semester here, a semester
3 there, and then I finally -- in Wisconsin, I fell in love
4 with my professors is what it came down to, the ones that
5 taught me, the ones that inspired me. And I also played
6 there and I was chosen as an all-conference athlete both
7 years.

8 The year after my season was up, our coach
9 resigned, the coach there. But I was still taking classes
10 there and the athletic director approached me and asked if I
11 would be the head volleyball coach, and I laughed and I
12 said, oh, yeah. I said, "No," I said, "I'm a player. I've
13 always played. I've never even thought about putting a
14 whistle in my mouth or running a practice." He said,
15 "Claudine," he said, "I really believe in you." He said,
16 "You may not see what I see, but I think you'd be a great
17 coach." So, I did. I accepted it, was up every
18 night -- not every night but -- thinking about the
19 practices, games, wrote down what we were going to be doing
20 every 15 minutes. And I laugh at that now, because that's
21 nothing near what I ended up doing every single day. I
22 never wore a whistle. I never had to. Luckily, I was
23 able-bodied enough to still show them what we should do, and
24 prepare them. I guess, with my age, it was both a
25 gift -- well, it was just a gift in both ways. I was able

1 to show them the way we should play without having to stand
2 on the sidelines and yell. I've had good coaches in my life
3 and I've had bad coaches, too. And I guess I chose to coach
4 the way I do from what I didn't want them to do, which is
5 negatively reinforce anything, ever, without -- you know, if
6 you're going to correct somebody, you have to have that
7 trust. They have to trust that you're going to not hurt
8 them, so you positively reinforce a child twenty-fold before
9 you even begin to try and point out what they may be doing
10 wrong. And that's what I did to my girls. Given these were
11 18- and 19-year-olds, that's a very fragile time for a young
12 woman. They're adults now. They're independent. But on
13 the court, on the volleyball court, it is no more evident in
14 anything you do while on any court, because you're involving
15 your emotional, you know, your spiritual, your intellectual,
16 your physical. All of that is combining to one to get a
17 result that makes everybody satisfied. You know, it doesn't
18 take winning every game as long as you played your best, as
19 long as you're getting along out there, as long as everybody
20 feels they're involved. The girls on the bench, if
21 they're -- you know, it's that atmosphere that you have to
22 create as a coach and as a teacher that inspires greatness,
23 that inspires young ones to do good things for the rest of
24 their lives. And I don't know how we did it, other than we
25 trusted each other and we had one goal and that was do the

1 best we can every single time we go out there. It didn't
2 matter who we -- but those moments -- when we had our awards
3 banquet that year, and one thing I said to those girls, I
4 said, "Don't ever forget that feeling." And I can still
5 reflect on it now. We won that championship, we can
6 remember, you know, the two plays before that, the last
7 timeout we had, and I just said, "Don't ever forget that
8 feeling," those were my words to them, "that feeling you had
9 when we won that championship for the first time and how
10 hard we worked to get there. I hope that feeling carries
11 with you for the rest of your life. Whenever you come face
12 a challenge or anything, you know, you remember that. We're
13 always champions." And I didn't cry then either, but I hope
14 that, you know, that they would -- that that carries with
15 them, because that's something no one can ever take away
16 from you. It's like education. You know, when you get it,
17 that's something no one will ever take away from you. And
18 they are, they're still doing great. As a matter of fact,
19 the young woman who wrote the letter, here name's Lisa Henn,
20 succeeded me and she wanted to be that coach. She works at
21 the Boys and Girls Club. She's now the head volleyball
22 coach there.

23 And I don't know if you've ever tried teaching
24 teenage girls, let alone an 18- or 19-year-old who knows it
25 all, all of a sudden. It's not easy. But I can honestly

1 say that these girls made it easy for me. And I like to
2 think that I have a little sense about me, and after we won
3 that conference championship and my colleagues nominated me
4 as Coach of the Year, I looked at the athletic director and
5 said, "Well, I'm going to go ahead and step down, now.
6 There's nothing else we can do." You know, I thought I was
7 at the epitome here. Well, it was kind of a joke, but I did
8 want -- his reaction, of course, was, "Claudine, you're not
9 leaving me now. We just got this started here." So, I
10 continued until I moved here. I probably would still be
11 coaching, but I did choose to move home, one, because I
12 didn't have a lot of immediate family up there. My
13 children -- I mean, I had uncles, distant uncles, or like
14 second cousin uncles. But I wanted to be closer to my
15 brother. My brother lives here, my mother, my aunt. I was
16 raised here. It's home to me, and I do still have that
17 goal, that idea of someday being able to coach Winnebago
18 girls.

19 I also did coach the 2008 Team Wisconsin. We went
20 to the North American Indigenous Games, which is the Native
21 American version of the Olympics. It includes Canada
22 and -- well, all of North America. And we were fortunate
23 that this year they were hosted in British Columbia. It's
24 Vancouver Island. We did have to take a ferry to get there.

25 The tough part was for the first time, I had to cut girls.

1 I had to have try-outs. I had 42 girls try out for eight
2 positions. And we only had three try-outs or three
3 practices to do it in, and the girls came from 11 different
4 tribes in the state of Wisconsin, because we have 11
5 federally recognized tribes there. I just did the best I
6 could and encouraged them to not, you know, if they mess up
7 to keep going, because, you know, you've got three try-outs
8 to prove, you know, you do your best. And it was difficult.
9 It was definitely one of the most difficult things I've had
10 to do as a coach is to break a girl's heart and tell her,
11 you didn't make it. But I tried to inspire them to
12 continue, you know, and they've got high school. This was
13 just a separate -- this was separate, out-of-school event
14 that we ran.

15 We went to the Indigenous Games with a team of
16 eight. We got to practice -- we had a whole year to
17 practice, but being the girls were from as far away as six
18 hours, we've have to organize our practices very
19 strategically and use our time as best as we could. I had a
20 very strong team, I felt. They all got along, for the most
21 part, but these were 15- and 16-year-old girls, and they're
22 a little more emotional than the 18- and 19-year-old girls.
23 But we had a great time. We had -- I'm not sure how
24 familiar you guys are with volleyball, but middle hitters
25 are usually your big girls. You kind of base your offense

1 and your defense when it comes to blocking off your middles.
2 Typical to centers in basketball or your linemen in
3 football. They're your power. They're the ones you go to
4 in the cinch when you need that extra bring-it-home kind of
5 power. We went out to the games -- we arrived -- I got a
6 call from my center -- my middle hitter and she said,
7 "Coach," she said, "I forgot to tell you this," she said,
8 "but I sprained my ankle last week." We were at a practice
9 or a camp. And I said, "Oh, okay, how bad is it? Are we
10 going to wrap it?" And she's like, "Yeah, probably, it's
11 pretty bad." I said, "Okay, I'll see you at the opening of
12 the games." We march in through as states and Canada
13 provinces similar to the Olympics. And she shows up and
14 she's kind of limping a little. I looked at it and it was
15 honestly the worst ankle sprain I've ever seen in my life.
16 It went from her toes all the way up to the middle of her
17 calf here, bruised. And I said, "What are you doing walking
18 on that, child?" And she said, "Well, I wanted to play,
19 Coach," and I said, "Did you tell your mom?" And she said,
20 "Yeah." And I said, "You didn't go to the doctor?" She
21 said, "No." I said, "Well, my dear, we're going to the
22 doctor first." So we did and it was fractured. She
23 fractured her ankle. And that was my biggest girl on the
24 team, Brooke Caldwell, bless her heart, senior this year in
25 high school. Still keep in contact with her, as well. She

1 had to do a lot of physical therapy. Of course she had to
2 sit out that game. I had to reorganize my offense, my team,
3 in 12 hours. We went from running a 5-1 -- we had to run a
4 6-2 with two setters, and we came home with the bronze
5 medal. We had an opportunity to have the -- vie for the
6 silver and gold, and I still wonder if I didn't tell -- I
7 thought I was coaching 18-, 19-year-olds. And I told them
8 that it was down to the wire. We were going into -- to call
9 a timeout. It was pretty close there, and I said, "You know
10 what, you girls, all you have to do is win this game and
11 we've got a gold or silver," and I think I said it too soon
12 and I regret that. It might have been too much pressure for
13 15-, 16-year-olds to handle. However, we did come home with
14 the bronze, and I thought the bronze medal was prettier and
15 shinier than the gold. And we came home with a medal, and
16 it was surprising. It was an amazing feat, and that was the
17 first and only time I've ever been able to coach my
18 daughter.

19 She's a senior this year at Bancroft, and like I
20 said, and she's playing tonight for the Lewis and Clark
21 Championship. She is an honor society student -- National
22 Honor Society student. Was it the third highest ACT score
23 in her class? And right now is looking at UNL. She'll be
24 down here Friday for the Native American Leadership
25 Conference, a diversity. They're having that on Friday.

1 She'll be here. We have a mentor already. Her name is
2 Colette Polite, who grew up in Winnebago. She has her
3 master's from UNL and she teaches a couple courses here.
4 But Creighton's knocking on the door, too. And she wants to
5 be a dentist, so we're looking at either one of those
6 schools and she's more than ready and prepared for college
7 life. That's one thing I think I have succeeded in and
8 that's preparing my children that they know that education
9 doesn't stop at high school.

10 Now, that's my coaching resumé, somewhat. Oh, I
11 coach sand volleyball, fifth, sixth, seventh, and eighth
12 graders in the summer just to have fun. And then in the
13 winters, I officiate games. That's the only time I really
14 wear a whistle. So, year round I'm involved in volleyball,
15 and I would love to continue to do that here.

16 There weren't too many letters from -- I didn't
17 even think to bring witnesses from my current job, but I am
18 the Communications Officer. It's a brand new position
19 created, and they had me in mind. For some reason, they
20 also believe in me. They believe in my ability to organize
21 and join programs and a community, and I think they hired
22 me -- they told me they hired me because the Tribal Council
23 needs to communicate better with the community. We also
24 have programs that need to communicate better what they
25 offer to the community, and it just -- it hasn't been

1 happening. There are a lot of technological reasons they
2 haven't been doing that, and I am working on those now.
3 We're just -- I've ordered the hardware and software and
4 that's working.

5 I'm fortunate that I've had that opportunity, but
6 it all comes back to my passion in teaching and education.
7 We all know it's not about the money when you want to teach
8 and coach. You never are -- financially, it doesn't compare
9 to what you can do in other jobs and disciplines; however,
10 the personal gratification and success when you have girls
11 that love the sport. That is what I coach for, because this
12 is a sport they can play forever. I tell them that. I say,
13 "You'll see people 50 or 60 years old still playing
14 volleyball," you know, league and co-ed and this is one of
15 the sports you can do other than golf and tennis and still,
16 you know, be competitive at that age.

17 I guess I'm ready for questions.

18 THE HEARING OFFICER: All right.

19 Mr. Halstead?

20 MR. HALSTEAD: Well, I think you did a really good
21 job, but let's see if we can fill in a few things.

22 CROSS-EXAMINATION

23 BY MR. HALSTEAD:

24 Q You were born when?

25 A September 8th, 1975.

1 Q And you graduated from high school in what year?

2 A 1993 was my graduating class year. I believe I
3 got my HSED in '94, summer of '94.

4 Q Your HS- -- say that again.

5 A High school equivalency diploma.

6 Q There you go. I just wanted to make sure you said
7 it, because it -- the term you used, most people aren't
8 going to understand.

9 A Oh, okay.

10 Q That's all right. You gave it the acronym for it
11 all and everything else.

12 A Right.

13 Q And you mentioned you lived in the
14 Winnebago-Walthill area when you moved back to Nebraska from
15 California?

16 A Yes. We first moved to Winnebago and the school
17 system was -- I was in sixth grade, but I was doing -- my
18 mom remembers me coming home saying, "Mom, I'm doing stuff I
19 learned in third grade." And she said, "Are you sure?" We
20 made sure and, yeah, "Okay, maybe fourth grade some of it,"
21 but -- so we moved to Walthill, which had a better education
22 system. Their reputation was --

23 Q And you were attending Walthill schools up until
24 your senior year?

25 A Yes, correct.

1 Q After you got your equivalency degree, did you
2 continue living in the Walthill area or when did you move to
3 Omaha?

4 A I moved to Seattle, Washington, first. I lived
5 out there for a little while.

6 Q When did you move to Seattle?

7 A That was in '95, spring '95, and I tried out for
8 the volleyball team and I got a walk-on scholarship at
9 Everett Community College in September of '95 and I moved
10 back and not long after I moved back is when all the eluding
11 and the criminal mischief charges I got within, I guess,
12 within three or four weeks that stuff happened.

13 Q So, you moved out to Everett, Washington, Seattle
14 area, basically --

15 A Correct.

16 Q For the fall of 1995.

17 A Yeah.

18 Q But didn't stay very long.

19 A No.

20 Q Is there a reason why you didn't stay?

21 A Well, I was lonesome and homesick. I was 19. I
22 had my daughter with me and my brother ended up moving out
23 there with me, also, but it didn't -- I was -- I couldn't
24 believe, yeah, I was homesick. I was lonesome for family.

25 Q So you moved back to Walthill then?

1 A Correct.

2 Q And then the two Iowa incidences, the eluding
3 offense and the criminal mischief, occurred shortly
4 thereafter.

5 A Correct.

6 Q And you were 19 years old at that time?

7 A Yeah, I must have just turned 20, September,
8 October -- I'd just turned 20.

9 Q What was the criminal mischief that you did? What
10 damage did you cause?

11 A I thought it was for passing stop signs and going
12 through stop signs, but I -- there was -- when I was eluding
13 a police officer car came out in front of me. I think they
14 were trying to stop me, too, and I swerved, but I did, I
15 think, minor damage to his car.

16 Q Okay, so the criminal mischief deals with damage
17 to the automobile.

18 A I believe so.

19 Q Okay, that's fine.

20 A Gosh, it was a really long time ago and I haven't
21 even thought about it for a long time.

22 Q That makes a lot of sense as to what you do,
23 criminal mischief while you're eluding in the sense of you
24 did some damage either to a sign or to another vehicle as
25 you were driving.

1 A Yes.

2 Q You ment- -- when did you move to Wisconsin?

3 A 2000.

4 Q So, from 1995 when you're back in Walthill area,
5 is that where you lived until you moved to Wisconsin?

6 A No, in '96, I went to Haskell Indian Nations
7 University and I played basketball there and started my
8 official college career there is where I actually started.

9 Q And where is that located?

10 A Lawrence, Kansas, same as KU. I was there for a
11 year, came home, wasn't quite ready for college yet. I did
12 well in all my classes, but I wasn't quite ready, I don't
13 think. And then I moved to Omaha. I stayed -- '97 I was
14 back in Walthill -- was it '97? Choka died in '97 and
15 Grandma died in '98 and I moved to Omaha in between when
16 Grandma and Choka died. So, '97, I moved to Omaha.

17 MS. HOLSTEIN: Jade started kindergarten.

18 A (Continuing) Oh, yeah, and Jade started -- my
19 daughter started kindergarten. We moved to Omaha. She was
20 in Head Start where my mother was the director, three- and
21 four-year-old.

22 MS. HOLSTEIN: August of 2000 -- '97.

23 A (Continuing) No, August of '97, I must have moved
24 to Omaha. I worked in Omaha at the Ponca Health and
25 Wellness Center and I went to school at UNO also.

1 Q (By Mr. Halstead) So, how long did you live in
2 Omaha, then? Until 2000?

3 A Three years, until 2000, until I moved to
4 Wisconsin. I was not homesick for the reservation anymore.

5 Q And I don't think I -- did you get married while
6 you were living in Omaha?

7 A Yes. '99 is when I got married, correct.
8 November 27th, '99.

9 Q Who did you marry, then?

10 A Samuel Eldon Farmer, Sr.

11 Q And how long were you married to Samuel?

12 A Our divorce went through December 2009, so it was
13 just over ten years by law, legally. We separated in 2008,
14 though. And he was the only father my daughter ever had.

15 Q And then you said you think you moved to Wisconsin
16 in 2000.

17 A It was definitely June of 2000.

18 Q And what was your reason for moving to Wisconsin
19 in June of 2000?

20 A Well, we both -- Samuel, my husband and I, both
21 always loved Wisconsin. He hadn't traveled much in his
22 life. I was fortunate enough to have traveled. And also,
23 my great uncle, the ones I told you I had distant relatives
24 there, he was sick, and his daughter that was living with

25 him, well, he was diabetic and he needed kind of to have
04.05.11 State Board of Education 7.11-59

1 someone with him a lot. He was doing the shots of insulin
2 and all that. She was -- his daughter was moving to the
3 cities and they kind of needed someone to come stay so we
4 had said, "Well, we'll go stay." And we stayed there for
5 two weeks and decided that, yes, we did like it there. Sam
6 went to Baraboo and found that he could start subcontracting
7 -- that was the business, from another floor covering sales
8 place. So, we moved there for work and to raise our family.
9 It's pretty there.

10 Q How long did you live in Baraboo?

11 A Ten years -- well, oh, I take that back. Nine
12 years. 2000 -- July we were in -- July of 2000 until May of
13 2009, until I moved back here, so nine years.

14 Q And where is that located with respect to --

15 A Madison where the Badgers play. Forty-five
16 minutes north of Camp Randall. Yeah, that's where the
17 Huskers will be playing next year. That'll be a sea of red
18 for sure.

19 Q So, it's going to be about 120 miles northwest of
20 Milwaukee.

21 A It's not quite that far. It's only an hour and a
22 half.

23 Q Yeah, okay.

24 A About 90 miles.

25 Q Well, I know you mentioned in your testimony that
04.05-11 State Board of Education 7.11-60

1 you -- I thought you said the University of Wisconsin at
2 Milwaukee.

3 A Correct.

4 Q I was trying to figure out where that was related
5 to that.

6 A Yeah, I took online classes, a lot of online
7 classes there.

8 Q So you moved to Baraboo.

9 A Yes.

10 Q Your husband had his business, floor coverings or
11 home construction.

12 A Correct.

13 Q What did you do when you got there?

14 A When I first got there, I had a two-month-old.
15 Sammy was two months old.

16 Q This would be your second child.

17 A Yeah. Jade is my oldest. Just establishing the
18 home, being a homemaker.

19 Q How many children do you have?

20 A I have three. Not long after we had Samuel, I got
21 pregnant with Gavin.

22 Q So you have two sons and a daughter.

23 A Correct.

24 Q And your daughter, I think, is your test- -- she's
25 a senior this year in high school.

1 A She'll be 18 in two weeks.

2 Q And your sons are how old now?

3 A Ten and nine.

4 Q And do they both attend Bancroft Schools?

5 A They do.

6 Q I think you mentioned you went -- did you
7 go -- you went to school in Wisconsin.

8 A I did. I attempted to go back full-time when
9 Gavin was one year old and Sammy was two. I ended up going
10 down to part-time. I took two classes when I had a
11 two-year-old and a one-year-old. We ran the business. We
12 were subcontractors, we were independent, self-employed,
13 basically is how that went. Jade was in second grade and
14 then I -- after that first semester getting back into the
15 groove, and I started going full-time and I went full-time
16 in the summer, and I just kept taking classes, because I
17 completely enjoyed school, and I'd find my favorite
18 professors, yes.

19 Q And what school was this that you were taking --

20 A University of Wisconsin.

21 MS. HOLSTEIN: Why did you respond to it,
22 because --

23 MR. HALSTEAD: I was going to get there.

24 MS. HOLSTEIN: -- Baraboo has a satellite campus,

25 I mean the University has a satellite campus in Baraboo.
04.05.11 State Board of Education 7.11-62

1 MS. FARMER: Thirteen of them, I mentioned it.

2 MS. HOLSTEIN: She also took online classes at --

3 MR. HALSTEAD: Milwaukee?

4 MS. HOLSTEIN: -- University of, yeah, Milwaukee.

5 Q (By Mr. Halstead) But they're all associated with
6 the University of Wisconsin system.

7 A Correct.

8 Q Okay. So, I think you mentioned you got a degree.
9 What degree did you eventually get?

10 A My associates degree is in Ethnic Studies, 2005.
11 I think I graduated with 90-plus credits, pretty close to
12 the 85, but I transferred right over to University of
13 Wisconsin-Milwaukee and pursued my bachelor's degree. And I
14 now hold 106 credits. I'm 14 credits shy. I was attending
15 school when the separation occurred and I had to go back to
16 work. I was working three jobs, one full-time and two
17 part-time, trying to maintain our home and the kids.

18 Q Your bachelor's degree, what would that be in?

19 A It's in communications.

20 Q Are you taking courses now to further the
21 bachelor's degree?

22 A Not yet. Out of habit, I do my FAFSAs every year,
23 and I meet deadlines with our Winnebago -- our higher ed
24 department there, so I could, if I need to, but with the new
25 position, the new job and other things going on, I'm

1 definitely going to as soon as I possibly can.

2 Q All right, the two offenses in Wisconsin, the
3 disorderly conduct you told us about, and then there was a
4 second offense.

5 A Right.

6 Q And the result of both of those were that you have
7 those two criminal convictions, correct?

8 A Yes.

9 Q The first one they had done a deferred so long as
10 you didn't get in trouble anymore, no other problems, it was
11 going to be a deferred judgment, basically.

12 A Exactly.

13 Q But because of the second incident, they both got
14 put together and you had a sentence for that.

15 A A sentence?

16 Q I mean, a fine, probation. What did the courts in
17 Wisconsin --

18 A A fine.

19 Q Okay, and did you pay the fine?

20 A Yeah, it's all been taken care of. There was no
21 jail time. There was no probation. It was just a fine,
22 and, yeah, it's been paid. I know it's been paid. I don't
23 even know if there -- there had to be a fine, right?

24 Q Well, you were the one there. I think that's what
25 the court records will indicate, but I just wanted -- from

1 your perspective, everything the courts in Wisconsin wanted
2 you to do, you think you've satisfied.

3 A Absolutely.

4 Q Okay. And obviously, you mentioned a downturn in
5 the economy and how the business started going bad and
6 obviously you had your marital problems with your husband at
7 that time.

8 A Correct.

9 Q And you got divorced, was final in 2009, I think
10 you said.

11 A December 2nd, 2009.

12 Q Is your ex-husband still living in Wisconsin, or
13 did he move back to Nebraska?

14 A He moved to South Dakota. That's where he's from.

15 Q Do you have much contact with him anymore?

16 A Unfortunately, no. He's -- we don't -- if I call
17 him for the boys, that's the only way he really -- and it's
18 become a hassle. The boys don't even -- they don't -- you
19 know, boys don't like to talk on the phone anyway.

20 Q Boys don't like to talk to begin with.

21 (Laughter.)

22 So, you decided to move back home.

23 A Yes.

24 Q And moved to where?

25 A Bancroft. I moved directly. I had a job offer,
04.05.11 State Board of Education 7.11-65

1 though. I did have two. One, the Boys and Girls Club
2 director or a Health Educator at Woska-Pi, which was paying
3 more than the job as a journalist at the paper in Wisconsin
4 that I wrote for.

5 Q So, when you came to Bancroft, what job did you
6 have?

7 A Health Educator, Project Woska-Pi, and I was still
8 writing for the paper. There was a time when I had two
9 full-time jobs. They were allowing -- the paper was
10 allowing me to do articles while I was working down here
11 too, just finishing, because they needed to find another
12 replacement, but I needed to start that job right away.
13 Yeah, that was like three weeks, I had two full-time jobs.

14 Q So, when you moved to Bancroft, were you living by
15 yourself or did you --

16 A I moved in by myself, my children and myself.

17 Q And how long did you reside by yourself?

18 A Well, Bobby was -- Robert was going to be moving
19 in, he and Grayden. They stayed that Memorial Day weekend.

20 Q So, he hadn't moved in to live with you when this
21 attempted domestic assault incident occurred.

22 A It's hard to say "moved in," because he doesn't
23 really have anything. He's lived with his grandmother.

24 Since his parents passed away, he's lived with his

25 grandmother. So, he might have had a change of clothes

1 there.

2 Q That was it.

3 A Yeah. Oh, tool boxes. He did have tool boxes,
4 that's right. All of his tool boxes were in the house,
5 because he was having Grayden carry those out.

6 Q So, his only time in your home in Bancroft was for
7 that weekend.

8 A At that point?

9 Q Yes.

10 A Yeah, we had a birthday party for Samuel two days
11 before, and I had just moved in, too. So, yeah, he didn't
12 fully move in, no.

13 Q Help me out. When did you move back to Bancroft?
14 What was the --

15 A I signed a lease in the middle of the month, but I
16 don't think we actually moved in until May 19th.

17 MS. HOLSTEIN: What month?

18 A (Continuing) May 19th of 2009.

19 Q (By Mr. Halstead) And the Memorial Day weekend
20 came along right after that.

21 A I think I was barely there a week, if that, yeah,
22 within that week.

23 Q Is that the same residence you're still in today?

24 A Correct.

25 Q So, you've lived at that address ever since you
04.05-11 State Board of Education 7.11-67

1 moved back to Nebraska.

2 A Yeah, 16 months.

3 Q And what contacts do you have with Robert anymore?

4 A We talk once in a while on the --

5 Q Is that face to face or over the phone.

6 A No, well, when I received the letter, I didn't
7 know if I should ask him or not, but I thought, but if a
8 witness of anything -- I feel like you guys can see the old
9 stuff that happened a long time ago. The disorderly
10 conduct, even, I think you guys could have said, well, you
11 know, not that big a deal. I felt like this was the thing
12 that's like, who is this woman trying to teach our kids or
13 coming to Nebraska and, you know, be a coach or whatever.
14 So, I felt like he was the most influential. But he still
15 has his -- I guess Mom hit the nail on the head. He
16 is -- he has emotional -- we all have emotional problems,
17 but he harbors a lot of anger and resentment, I think, to
18 his first -- his baby's -- his son's mother, because she
19 turned him in when he beat her so severely that the cops
20 came and took his gun and badge and said, you know, "You're
21 done." But he still works in law enforcement. For that
22 reason, I said that he's either a complete and total
23 threat -- and he's even said it. "They don't want me on the
24 other side of the law," because he has his chief of police
25 under his thumb.

1 Q Who does he work for?

2 A The Omaha Nation Law Enforcement Services, ONLES.
3 His boss is Ed Tyndall, who's a shorter guy and Robert punks
4 him out all the time. He recently left and --

5 Q This is for the Tribe, right? On the reservation.

6 A Yes. Bobby's six-foot four and about 320 pounds.

7 Q He's not a guy you want to get into a fight with.

8 A No.

9 Q I understand.

10 A He's not anyone I want to get in a fight with
11 either, no.

12 Q Do you -- I mean, in the sense that you mentioned,
13 you knew him since you were like eight or ten years old.

14 A Yes.

15 Q Is that still what your relationship is today,
16 just as an acquaintance, friend, or is it more than that?

17 A No. It was -- I was going to ask him to testify
18 and that was it, and then I saw how he responded. And he
19 still wants to be in a relationship, but I'm not interested.
20 It's unhealthy.

21 Q Are you in any type of relationship with another
22 man?

23 A Not at all. I have three children and a very
24 intense career right now that I have absolutely no energy or
25 time for any of that.

1 Q You told us about your job as the Communications
2 Director for the Winnebago Tribe.

3 A Yes.

4 Q Any other jobs you're currently doing?

5 A I'm not volunteering. I wanted to volunteer
6 coaching stuff, but my daughter's a senior and it's kind of
7 a conflict of interest. I help around the community with
8 some of the younger girls, some of the girls that play
9 volleyball and basketball, but not anything, no, I don't. I
10 don't have another job. I don't get paid for another job,
11 no.

12 Q In the sense of are there any other community
13 activities or private organizations you participate in or --

14 A Within Winnebago, yes, absolutely. I've
15 attended -- volunteered school board meetings. I've gone
16 to -- I've recently been asked to be on the newly
17 formed -- they haven't met yet, but the Winnebago Education
18 Committee due to my commitment to education and the ideas I
19 have brought forth to the new education director that I
20 would like to see implemented in the Winnebago curriculum.
21 So, yeah, I'm very involved in other aspects.

22 Q Your two applications that you made here to the
23 Department of Education, one of them was to get a local
24 substitute teaching certificate.

25 A Yes.

1 Q And I believe there was a school district that
2 signed off a letter saying they were looking to hire you.

3 A Two of them.

4 Q Which were the two schools?

5 A The Omaha Nation Public School and
6 Bancroft/Rosalie -- both superintendents there. I actually
7 had a job offer for the head coach position at Winnebago,
8 and the school board called me and said, "Claudine, this job
9 is yours if you want it. You know, you just got to get
10 that -- your coaching certificate." And I'm sure I would
11 have subbed there as well.

12 Q So, is that what prompted the second application
13 to get the --

14 A No, I didn't have money at that time. I was on
15 unemployment. I lost my health educator job late last
16 summer and I was collecting unemployment and I just did not
17 have money, I mean, extra money for that. And I'm too proud
18 to ask.

19 Q Now, when you filed both the applications, you
20 marked yes to the question about do you have any felony or
21 misdemeanors. And you identified that attempted domestic
22 assault conviction.

23 A Yes.

24 Q Is there any reason why you didn't identify any of
25 your other criminal convictions?

1 A The disorderly slipped my mind completely and the
2 felony charge, I didn't think that was on there, because it
3 happened so long ago that I didn't know that it was on my
4 record, for one.

5 Q Well, help me out. What was the felony charge?

6 A That was forgery.

7 Q And were you convicted of that offense?

8 A I thought we had an attorney and this is the stuff
9 I don't remember. My mom -- Remember, we hired Phil Furlong
10 for that? I remember deferred -- everything I heard was
11 deferred. You finish this probation and you have -- your
12 sentence is deferred and I thought the charges, as well.

13 Q Okay, and where did this occur?

14 A Sioux City, Iowa.

15 Q And what did the incident involve?

16 A It involved a \$20 bill that was not a real \$20
17 bill.

18 Q And you had something to do with the \$20 bill or
19 the fake \$20 bill?

20 A I was in a relationship with a man who had the
21 money and I took one of the bills and went to a Taco Bell
22 and tried to pass it.

23 Q And you think for that you got a deferred judgment
24 in Iowa.

25 A Yeah, that is what it's from.

1 Q Which meant you probably had to do something
2 whether it was probation, community service hours, pay
3 money --

4 A It was all of that. I did community service.

5 Q And you completed all of those?

6 A Yes.

7 Q So, the reason it shows up on the FBI report is
8 the fact that you were arrested for it, but there's no
9 indication on that report that you have a criminal
10 conviction for it. Would that be because of the deferred?

11 A I don't know. I think so. I don't -- you know --
12 and I wasn't arrested for it. I know I was questioned about
13 it, but I didn't go to jail for it and my boyfriend --

14 Q Did they take your fingerprints?

15 A I don't think so. They might have though. And
16 here's what happened. My boyfriend at the time who actually
17 had the money, he's the one who went to jail for that.

18 Q Okay. And was this in the same time period of
19 your eluding offense and criminal mischief offense?

20 A Absolutely, all within -- and that's what I'm
21 confusing. It happened in October and I don't know if it
22 was '95 or '94, but I know it was -- yeah, it was all very
23 similar and I'm -- it doesn't have the date on there for
24 that?

25 Q I don't have it in front of me. It will have the
04.05.11 State Board of Education 7.11-73

1 arrest date that the FBI has for it.

2 A Right.

3 Q But I just wanted you to have an opportunity to
4 explain what that says and what it means from your
5 perspective. Why didn't you report any of those other
6 offenses to the Department when you filled out the
7 application form?

8 A I thought those were all together. I don't -- you
9 know what? I don't have a good answer for that. I don't
10 know why I didn't. I don't know if I didn't remember them
11 or if I thought they were off my record, if I --

12 Q You just don't know. Would that be fair?

13 A I guess I thought they were off my record. Is
14 there -- because driving -- I don't know if driving
15 offense -- they were the eluding and criminal mischief were
16 both driving related and I guess I was under the impression
17 that there are certain driving crimes that go off your
18 record after a certain amount of time. And it's been 15
19 years, 16 years.

20 Q And the two disorderlies in Wisconsin, you just
21 forgot all about it?

22 A No, I don't want to say that. I didn't forget
23 about them.

24 Q Well, why didn't you tell us about the two

1 A It would go to the fact that they would be -- the
2 first disorderly was going to be, what was it, dissolved or
3 if I stayed out of trouble, and I thought that wouldn't be
4 an issue and I was under such stress at the time when I
5 moved and came down here, I guess I focused when I filled
6 that out what was going on currently was that one issue with
7 the attempted domestic and that's what I focused on. And I
8 haven't ever had issues in my life where I had to bring
9 those up, and it's not like I was trying to hide them. I
10 guess maybe my mind just maybe didn't remember them that
11 they would need to be reported, it had been so long. And I
12 know that just sounds so -- it really sounds flighty,
13 but -- and I don't like to think of myself as that type of
14 person, but that's the way, I guess, that happened. I
15 focused so intently on the attempted domestic and I know I
16 needed to do it. And once I wrote it, probably even wrote
17 down those two sentences of what happened, I was probably
18 like, "Oh, I'm not even going to get it anyway," you know?
19 And I -- just emotional is how that's been for me.

20 MR. HALSTEAD: I don't think I have any more
21 questions. Thank you very much.

22 THE HEARING OFFICER: Do you have any additional
23 comments you would like to make?

24 MS. FARMER: Yeah. I guess I see that how this
25 can be a huge issue.

1 THE HEARING OFFICER: Additional evidence, I guess
2 I should say.

3 MS. FARMER: Oh, additional evidence?

4 THE HEARING OFFICER: Yeah, I mean --

5 MS. FARMER: No, no more testimony.

6 THE HEARING OFFICER: I think maybe your mother
7 has some additional statements she'd like to make.

8 MARIAN HOLSTEIN

9 Recalled as a witness on behalf of the Petitioner,
10 having been previously sworn, testified as follows:

11 DIRECT TESTIMONY

12 BY MS. HOLSTEIN:

13 I was just going to add that in regards to why she
14 didn't report the Wisconsin, I remember her telling me that,
15 "I didn't think that they wanted anything from Wisconsin. I
16 thought they were just asking for anything, you know,
17 anything from Nebraska." So, I think that was her
18 misunderstanding, as well as all the stress. She was
19 getting some stress from me also because I recognized that
20 Robert Hallowell was not a suitable partner for her, and I
21 couldn't convince her.

22 MS. FARMER: For the record, there hasn't been a
23 suitable partner.

24 (Laughter.)

25 THE HEARING OFFICER: And I'm not trying to rush
04.05-1 State Board of Education 7.11-76

1 things or anything, but I'm just trying to clarify. Are you
2 done, then, with your evidence?

3 MS. FARMER: Yes, Mr. Boehm, I'm done.

4 THE HEARING OFFICER: Do you have any other
5 evidence that you'd like to offer?

6 DIRECT TESTIMONY (Continued)

7 BY MS. HOLSTEIN:

8 Well, as Claudine was presenting her side of the
9 story, I thought, you know, especially due to her pregnancy,
10 you know, that reflected poorly on me as a mother allowing
11 her to get pregnant. But she spoke briefly about how I was
12 a single mother for a long time, and I think that's just
13 reflective of what all single mothers, you know, being busy,
14 trying to earn, you know, provide, being mother and father
15 and sometimes those things -- you just can't -- it's a
16 problem in society as a whole. That was my only other
17 comment.

18 THE HEARING OFFICER: Mr. Halstead, any
19 additional?

20 MR. HALSTEAD: I have nothing further, thank you.

21 THE HEARING OFFICER: So, both sides have
22 presented their cases fully and now would be the
23 opportunity, if you would like, to make a closing statement.
24 It would be the time to do it. If you'd like to have a
25 couple minutes to prepare yourself to do that or think about

1 it a minute. Quite frankly, I need to take a break and I'm
2 going to call a break here for about five minutes, so let's
3 go off the record for, let's say ten minutes, and then we'll
4 come back and if you want to make closing remarks, we can do
5 that.

6 (Off the record from 12:26 p.m. until 12:31 p.m.)

7 THE HEARING OFFICER: Let's go back on the record.
8 We've taken a short break and the parties are ready to
9 present their closing statements.

10 Ms. Farmer?

11 MS. FARMER: I guess I would first like to say
12 thank you. Time did fly. I didn't expect us to be here
13 quite as long as we are. I appreciate your attention and
14 hopefully your sensitivity in this matter. And my ultimate
15 goal in applying and I guess why we're here is that I would
16 hope that I am given that chance in whatever way you guys
17 see fit and just, whether it be under a certain time period
18 in order for me to prove that I am capable and able-minded
19 and I have a good heart and soul that is intended for the
20 right of our youth, our future. That's it, thank you.

21 THE HEARING OFFICER: Mr. Halstead?

22 MR. HALSTEAD: Just very briefly, Mr. Boehm. The
23 facts, I think, are before you. I think the petitioner's
24 done a very good job today describing her life and both the
25 successes she's had and the challenges she's faced. And she

1 certainly has taken responsibility for her behavior, which
2 is something that should be recognized by you and the Board.

3 Clearly, the attempted domestic assault conviction
4 is one that's prohibited under Rule 21. It is one of the
5 main misdemeanors that an applicant cannot have. The
6 factors are in Rule 21 as to the consideration you should
7 have for those convictions. If you look to the letter from
8 the Commissioner, he cited those very same things. No. 1,
9 the recency of the offense. It's not yet a year old, for
10 the conviction, November 17th of 2009, the sentence for the
11 offense, so it's still within that calendar year and the
12 recency of it is so recent. And it did involve an
13 altercation and she certainly has explained her side of that
14 altercation.

15 I think the thing that was important to the
16 Commissioner was all of the other offenses she had that she
17 didn't disclose. And in looking at those, there are clearly
18 explanations for that. She's accepted responsibility for
19 those. I found it somewhat striking that there seemed to be
20 a repeat for almost every one of them and it's not
21 necessarily her. It is the individual she decided to
22 associate herself with at the time that got her into those
23 offenses. Obviously, she was married to her husband and was
24 dealing with the failing business, failing family, those
25 issues, which the two disorderly offenses occurred that

1 happened in Wisconsin.

2 When you hear about the Iowa ones when she was 19,
3 she had met a young man and was dealing with the issues she
4 was dealing with at that time, drinking offense, in that
5 regard. And she moves back to Nebraska and, unfortunately,
6 knows an old friend here and the choice there was not a good
7 choice, as she's well aware. And I think even her mother
8 indicated was that in that regard.

9 So, I think there is adequate evidence in the
10 record to support the Commissioner's decision. I think I
11 would note for the record that if, in fact, you support the
12 Commissioner's recommendation and the State Board does, that
13 doesn't mean that she can't apply sometime in the future to
14 get a coaching certificate. And maybe it is the fact that
15 she's moved to Nebraska, she has a new job with the
16 Winnebago Tribe. Maybe after some period of time where she
17 can demonstrate after being here in Nebraska she really is
18 fit, that opportunity's still going to be available to her.
19 I think she's clearly identified her passion for working
20 with young women, working with Native Americans, trying to
21 instill in them the commitment she's had. She clearly has
22 never given up on anything in her life, so she should be
23 recognized for that. But at the same time, to become a
24 member of a profession, you're holding yourself up to a
25 higher standard than you do the general public. And in that

1 regard, members of the profession recognize that it may take
2 a little more work before they get the recognition they
3 truly deserve.

4 So, with that, I'd submit the case to you and the
5 Board.

6 THE HEARING OFFICER: Any rebuttal as to any
7 comments that he made?

8 MS. FARMER: No, sir.

9 THE HEARING OFFICER: Well, with that, you know,
10 we'll close the hearing. I will take this -- as I
11 indicated, I will take this matter under advisement, which
12 means, when I get the transcript back from the court
13 reporter, I'll read all the testimony, go over every
14 exhibit, you know, that was entered into the record. And
15 I'll think very carefully about all of those things and the
16 rules and regulations that I have to comply with, and I'll
17 make a recommendation to the Board. When I do that, you'll
18 receive a copy of my recommendation, but it's only a
19 recommendation and the Board, you know, may or may not
20 concur with that, as I indicated. But it will go before the
21 Board after I -- when you receive a copy, it will be going
22 before the Board probably at their next meeting. It's
23 hard -- I'm not saying from today their next meeting, but
24 when you get my recommendation. It's hard for me to predict
25 exactly you know, when it might go before the Board.

1 because, obviously, this is just one thing that I'm doing.
2 There are a lot of other things involved. And then the
3 Board's schedule is funny sometimes. Sometimes I'll get
4 something back and get it done and it will be too late to
5 get on the Board's next agenda.

6 MS. FARMER: I completely understand.

7 THE HEARING OFFICER: It just is what it is, but I
8 will try and expedite it as much as I possibly can.

9 MS. FARMER: Thank you.

10 THE HEARING OFFICER: Any questions?

11 (No response.)

12 With that, we're done.

13 (Whereupon, at 12:37 p.m. on October 29, 2010, the
14 proceedings were concluded.)

15 - - -

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

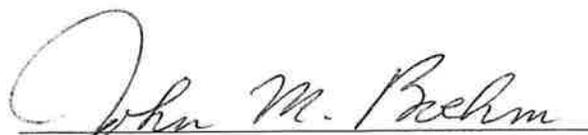
Claudine E. Farmer)
P O Box 226)
Bancroft, NE 68004)
)
Petitioner,)
)
v.)
)
Roger D. Breed, Ed.D.)
Commissioner of Education)
P.O. Box 94933)
Lincoln, NE 68509-4933)
)
Respondent.)

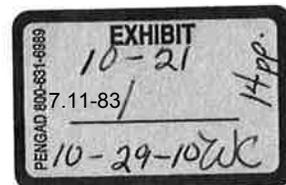
NDE Case No. 10-21

NOTICE OF HEARING

Pursuant to Title 92, Nebraska Administrative Code, Chapter 61, the hearing in this case will be held before the Board's hearing officer, John M. Boehm, on Friday, October 29, 2010, beginning at 10:30 a.m. in Conference Room D, Nebraska Department of Education, Six Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The hearing will be recorded by General Reporting Service of Lincoln, Nebraska.

Dated this 7th day of October, 2010.


John M. Boehm, #15550
811 South 13th Street
Lincoln, NE 68508
(402) 475-0811
Hearing Officer



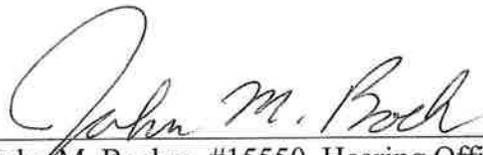
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Notice of Hearing was served by first class United States Mail, sufficient postage prepaid, on October 7, 2010, on the following:

Claudine E. Farmer
P O Box 226
Bancroft, NE 68004

Brian Halstead
General Counsel
Nebraska Department of Education
301 Centennial Mall South
P.O. Box 94933
Lincoln, NE 68509

General Reporting Service
304 S. 13th Street
Lincoln, NE 68508



John M. Boehm, #15550, Hearing Officer

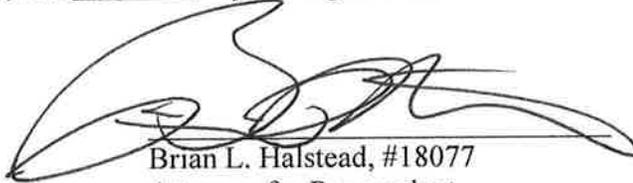
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Assignment of Case to Hearing Officer was served upon Claudine E. Farmer, P.O. Box 226, Bancroft, Nebraska, 68004, via United States Mail, first class postage prepaid; and upon Brian L. Halstead, Assistant Commissioner/General Counsel, Nebraska Department of Education, 301 Centennial Mall South, Sixth Floor, Lincoln, Nebraska, via interoffice mail, all on this 2nd day of September, 2010.

Brenda L. Wid

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Answer was mailed to the parties of record through regular United States mail, postage prepaid, this 5th day of August 2010.



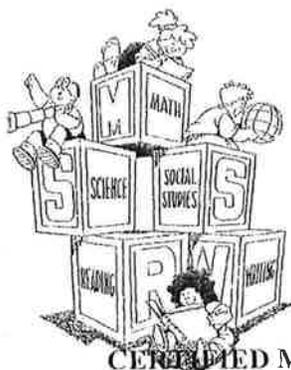
Brian L. Halstead, #18077
Attorney for Respondent

NEBRASKA DEPARTMENT OF EDUCATION

Roger D. Breed, Ed.D., Commissioner

Scott Swisher, Ed.D., Deputy Commissioner

301 Centennial Mall South ■ P.O. Box 94987 ■ Lincoln, Nebraska 68509-4987
Telephone (Voice/TDD): 402-471-2295 ■ Fax: 402-471-0117 ■ www.education.ne.gov



CERTIFIED MAIL

June 24, 2010

Ms. Claudine Farmer
P.O. Box 226
Bancroft, NE 68004

Re: Denial of Applications for Nebraska Certificates

Dear Ms. Farmer:

On May 7, 2010, Kevin Peters, Director of the Teacher Certification Office, sent you a letter notifying you of an Intent to Deny your February 10, 2010, application filed for a Nebraska certificate. On May 3 a second application was filed by you. On June 3 this office received a letter from you requesting my review of your applications, along with numerous letters of recommendation.

It is my responsibility to consider your fitness for issuance of a Nebraska certificate pursuant to Neb. Rev. Stat. Section 79-808 and Title 92, *Nebraska Administrative Code*, Chapter 21. In reviewing the information, I have made the following determinations: 1) On November 17, 2009, you were sentenced to a \$500 fine after being found guilty of Attempt of a Domestic Assault, a Class I Misdemeanor, in the Cuming County Court, Nebraska; 2) The conviction stemmed from an altercation between you and your boyfriend which resulted in his 10-year old son being injured by you; and 3) This conviction is prohibited under Section 003.13A of 92 NAC 21.

I have also found that you have the following criminal proceedings which you failed to disclose: 4) On August 1, 2007, you pled No Contest in the Wisconsin Circuit Court, Sauk County, to the charge of Disorderly Conduct; 5) On November 15, 2006, you pled No Contest in the Wisconsin Circuit Court, Sauk County, to the charge of Disorderly Conduct; 6) On March 27, 1996, you were found Guilty by the District Court of Woodbury County, Iowa, of Eluding; 7) On March 21, 1996, you were found Guilty by the District Court of Woodbury County, Iowa, of Criminal Mischief, Third Degree; 8) Section 003.03 of 92 NAC 21 provides that failure to submit accurate information in support of an application for certification or renewal shall be cause for denial; and 9) Section 005.011 of 92 NAC 21 states that applicants be of good moral character.

I am denying your applications for Nebraska certificates based upon the aforementioned information. Section 009.03 of 92 NAC 21 provides that you may appeal my denial of your applications to the State Board of Education within twenty (20) calendar days of receipt of this letter. A copy of Title 92, *Nebraska Administrative Code*, Chapter 61, is included.

Sincerely,

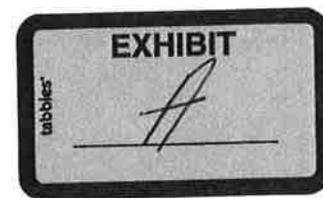
Handwritten signature of Roger D. Breed.

Roger D. Breed, Ed.D.
Commissioner of Education

cc: Kevin Peters, Ed.D.

Umonhon Nation Public Schools, Bancroft-Rosalie Community School

State Board of Education



Kandy Imes
President
District 7
850 20th Street
Sering, NE 69341

04.05.11
State Board of Education
Vice President
District 3
P.O. Box 16
Norfolk, NE 68702

District 1
301 South 13th Street
Suite 500
Lincoln, NE 68508

Mark Quandahl
District 2
4885 South 118th St.
Suite 100
Omaha, NE 68137

Rebecca Valdez
District 4
3922 South 23rd Street
Omaha, NE 68107

Patricia H. Timm
District 5
1020 North 21st Street
Beatrice, NE 68310

Fred Meyer
District 6
1580 Highway 281
St. Paul, NE 68873

7.14.00
District 8
5067 South 107th Street
Omaha, NE 68127

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

Claudine E. Farmer)

(Name))

P.O. Box 226)

(Address))

Bancroft, NE 68004)

(City, State, and Zip Code))

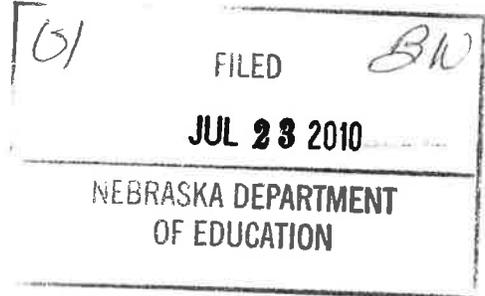
Petitioner,)

Roger D. Breed, Ed.D.)
Commissioner of Education)
P. O. Box 94933)
Lincoln, NE 68509-4933,)

Respondent.)

Case No. 10-21
(Leave Blank)

PETITION



Pursuant to Title 92, Chapter 61, of the *Nebraska Administrative Code*, Petitioner alleges and states the following for a petition and appeal against Respondent, Roger D. Breed, Commissioner of Education ("Commissioner").

1. This Petition constitutes an appeal of the decision of the Commissioner to deny the issuance of a Nebraska certificate to Petitioner.

2. The State Board of Education has authority and jurisdiction to grant the relief requested by Petitioner by reason of Section 009.03 of Title 92, Chapter 21, of the *Nebraska Administrative Code* and by reason of the Nebraska Administrative Procedures Act, Neb. Rev. Stat. §§ 84-901, et seq.

3. Petitioner applied for a Nebraska certificate on or about 2-10-10 (Date). Kevin Peters, Ed.D., Director of the Nebraska Teacher Certification Office, sent a letter to Petitioner stating that the application would be denied unless Petitioner made a written request for review within twenty (20) days. Petitioner made a timely written request for review.



July 13, 2010

Dr. Roger Breed, Ed.D
Commissioner of Education
301 Centennial Mall South
P.O. Box 94987
Lincoln, NE 68509-4987

Re: Denial of Applications

Dear Dr. Breed:

Please accept this letter as an appeal to contest the denial of my applications for Nebraska Certificates.

I have included a letter from the Attorney, Thayne Glenn, who represented me in the case of Attempted Assault. I did not cause injury to Grayden Hallowell and can prove that. That is why those charges were dropped. I intended to challenge both charges, but upon my attorney's advice, I took the plea bargain. A decision I regret to this day.

As for my failure to disclose previous criminal proceedings; I truly apologize, I overlooked them due to the timeframe and the fact that the Attempted Assault charge seemed to weigh heavy on my mind at the time. The charges from 1996 were from acts I had displayed while very young and suffering from the sudden and traumatic death of my daughter's father. I was 19 years old (16 years ago), and failed to even know those two charges were on my record. The 2 disorderly conducts occurred during the tough time of separation, learning of my husband's infidelity, and eventually our divorce.

Does this justify any of my action? Absolutely not, I am far from a perfect person; however, I have experienced the great many joys that come from working in Education, more than the average. I have also suffered at the poor choices I have occasionally made in my life. In turn I have learned a great many lessons. Please allow me a chance to prove that.

I would expect that I am granted a fair contest in appealing the prior decision to deny my Nebraska Certificates.

Sincerely,


Claudine E. Farmer

P.O. Box 226
Bancroft, NE 68004



GLENN LAW

106 S. TALLMAN STREET, STE. #11
WALTHILL, NEBRASKA

MAILING ADDRESS
P.O. BOX 1661 • BELLEVUE, NE 68005
(402) 846-5025 • FAX (402) 846-5583

THAYNE GLENN
ATTORNEY AT LAW
THAYNEGLENN@COX.NET

Dr. Roger Breed

July 13, 2010

Commissioner

Nebraska Department of Education

Dr. Breed,

I am writing to you at the request of my client, Claudine Farmer, to clarify the criminal proceeding that she concluded in Cumming County Court. Ms. Farmer was originally charged with Domestic Assault and Assault in the Third Degree as a result of an incident with her former paramour.

Ms. Farmer strenuously maintained that she was not guilty of either charge as pleaded and specifically had committed no act which could even be vaguely construed as assault on a minor child, which was the underlying basis of the alleged Assault in the Third Degree. Ms. Farmer was ready to have the matter proceed to trial in order that she could completely rebut all allegations contained in the Assault in the Third Degree charge and the mutual nature of the Domestic Assault charge.

The Cumming County Attorney's Office entered into an Agreement with Ms. Farmer whereby she admitted to a single amended charge of Attempted Domestic Assault. At no time did Ms. Farmer admit to, or was found to have committed any act which could be considered inappropriate with a minor child.

The Cumming County Court found the matter insignificant enough that no term of either incarceration or even probation was ordered, merely a small fine. This is an unusual action which clearly indicates to me that the attitude of the Court was that the matter was minor and required no further Court action or monitoring, as Ms. Farmer was not an ongoing threat.

A handwritten signature in black ink that reads "Thayne Glenn".

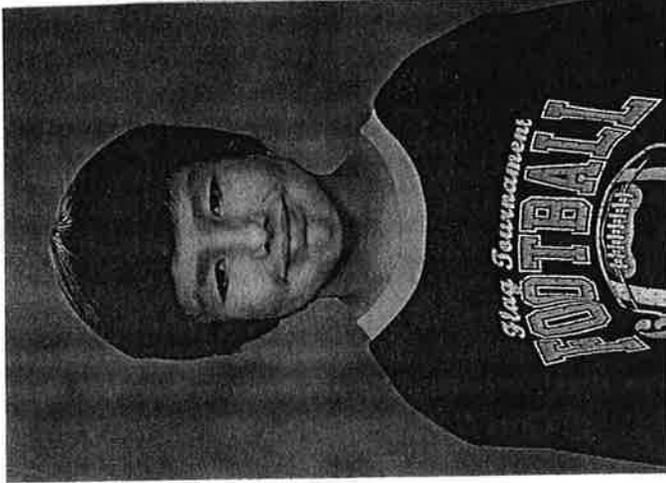
Thayne Glenn

Attorney-at-Law

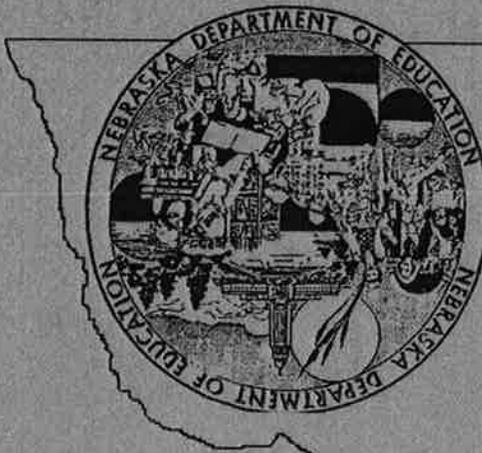
UW-Baraboo coaches honored



CONTRIBUTED
 UW-Baraboo women's volleyball coach Claudine Farmer, left, and UW-Baraboo soccer coach Jason Schulte, were recently named Wisconsin Collegiate Conference Coaches of the Year. It was the first time two UW-Baraboo coaches were chosen for the honor. The coaches received their honors during the university's annual Fall Sports Banquet held recently.



10-29-10 JJC
37 pp.
EXHIBIT
PENGAD 800-631-6999



State of Nebraska
Department of Education
301 Centennial Mall South
Lincoln, Nebraska 68509

EFFECTIVE DATE
MAY 11, 2010
(REVISED)

TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 21

ISSUANCE OF CERTIFICATES AND PERMITS TO TEACH,
PROVIDE SPECIAL SERVICES, AND ADMINISTER IN NEBRASKA
SCHOOLS

RULE 21

NEBRASKA DEPARTMENT
OF EDUCATION

10-29-102K
23 pp.
EXHIBIT
10-01
REVISED 800-831-8988



State of Nebraska
Department of Education
301 Centennial Mall South
Lincoln, Nebraska 68509

EFFECTIVE DATE
OCTOBER 1, 1997
(REVISED)

TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 61

RULES OF PRACTICE AND PROCEDURE FOR HEARINGS IN
CONTESTED CASES BEFORE THE DEPARTMENT

RULE 61

NEBRASKA DEPARTMENT
OF EDUCATION

2/10/2010

301 Centennial Mall South
 P.O. Box 94987
 Lincoln NE 68509-4987

TE

NDE 20-003

FARMER, CLAUDINE

SSN [REDACTED] APPLICATION ID 2010001144 APPLICATION DATE 2/9/2010 1

Personal Information

USER ID FJHTJKNPP **Birth Date** 09/08/1975
Name FARMER, CLAUDINE EMMALENE **Home Phone**
Address 1 PO BOX 226 **Day Phone** (402)404-0512
Address 2 103 WEST CEDAR ST. **Fax**
City/State/Zip BANCROFT, NE 68004
Email claudine.farmer@uwc.edu **Race/Ethnicity** AMERICAN IN
Gender FEMALE

PURPOSE OF APPLICATION AND NON-REFUNDABLE FEES

Form Type FIRST TIME NEBRASKA APPLICANT
Certificate Type TEACHING, LOCAL SUBSTITUTE
Application Type ALL SCHOOL CERTIFICATE PLUS FINGERPRINT FEES
Application Fee \$ 105.00

ACADEMIC - INSTITUTIONS ATTENDED

	<u>Institution</u>	<u>State</u>	<u>MonthYear</u>	<u>Hours</u>	<u>Degree</u>
155140	HASKELL INDIAN NATIONS UNIVE	KS	12/1996	9.00	
181394	UNIVERSITY OF NEBRASKA AT OMA	NE	12/1999	9.00	
055	UNIVERSITY OF WISCONSIN COLLE	WI	12/2005	60.00	ASSOCIATES DEGREE
240453	UNIVERSITY OF WISCONSIN-MILWA	WI	5//2008	27.00	60 HOURS, LESS THAN .

AREAS FOR WHICH YOU HAVE COMPLETED AN APPROVED PROGRAM**NEW ENDORSEMENTS**

<u>Attained</u>	<u>Expires</u>	<u>Revoked</u>	<u>Endorsement</u>	<u>Level</u>	<u>Institution</u>
-----------------	----------------	----------------	--------------------	--------------	--------------------

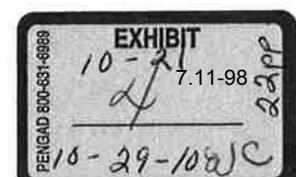
 **COPY**
State

RECEIVED

10500

FEB 10 2010

STATE OF NEBRASKA
 DEPARTMENT OF EDUCATION, LINCOLN



301 Centennial Mall South
P.O. Box 94987
Lin NE 68509-4987

APPLICATION FOR A NEBRASKA EDUCATOR'S CERTIFICATE

NDE 20-003

SSN [REDACTED] APPLICATION ID 2010001144 APPLICATION DATE 2/9/2010 1

Personal & Professional Fitness

- | | | |
|---|-----|---|
| 1 | NO | HAVE YOU EVER HAD A PROFESSIONAL LICENSE, CERTIFICATE, PERMIT CREDENTIAL OR OTHER DOCUMENT AUTHORIZING THE PRACTICE OF A PROFESSION SUSPENDED, REVOKED, VOIDED, DENIED, REJECTED OR VOLUNTARILY SURRENDERED ? |
| 2 | NO | ARE YOU CURRENTLY THE SUBJECT OF ANY INQUIRY OR INVESTIGATION BY ANY LAW ENFORCEMENT AGENCY, PROSECUTOR'S OFFICE, GOVERNMENTAL BODY, OR LICENSING AGENCY ? |
| 3 | NO | IS ANY ACTION CURRENTLY PENDING AGAINST YOU BY ANY LAW ENFORCEMENT AGENCY, PROSECUTOR'S OFFICE, GOVERNMENTAL BODY, OR LICENSING AGENCY |
| 4 | YES | HAVE YOU EVER BEEN FOUND GUILTY OF A FELONY OR MISDEMEANOR OR ENTERED A PLEA OF GUILTY OR NO CONTEST TO A FELONY OR MISDEMEANOR? MINOR TRAFFIC INFRACTIONS AND MISDEMEANOR CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OR MINOR IN POSSESSION OF ALCOHOL NEED NOT BE REPORTED |
| 5 | NO | IS AN ORDER OR DETERMINATION CURRENTLY IN EFFECT BY A COURT OR ANY OTHER GOVERNMENTAL BODY WHICH FINDS YOU TO BE ANY OF THE FOLLOWING; A MENTALLY ILL AND DANGEROUS PERSON; MENTALLY INCOMPETENT TO STAND TRIAL; ACQUITTED OF CRIMINAL CHARGES BECAUSE OF INSANITY; AN INCOMPACITATED PERSON IN NEED OF A GUARDIAN; OR UNABLE TO MANAGE YOUR PROPERTY DUE TO MENTAL ILLNESS, MENTAL DEFICIENCY, CHRONIC USE OF DRUGS OR CHRONIC INTOXICATION? |
| 6 | NO | ARE YOU CURRENTLY AN INPATIENT OF RESIDENT IN A MENTAL HEALTH FACILITY DUE TO A DETERMINATION BY A QUALIFIED MENTAL HEALTH PROFESSIONAL? |
| 7 | YES | ARE YOU A US CITIZEN? |

 COPY

I declare that the information furnished herein is true, correct, and complete to the best of my knowledge. I hereby grant the permission and authorize the Nebraska Department of Education to verify all responses with any mental health facility or governmental agency and to obtain and review all records maintained by any criminal justice agency, including a criminal history record information check, regarding any of my criminal charges or convictions, and to contact previous employers for information regarding the term of my employment. I hereby release, discharge, and exonerate the Nebraska Department of Education, its employees, and any person so furnishing information from any and all liability of every nature and kind arising out of the furnishing of such records and information. I understand that any material submitted in connection with this application will become the property of the State of Nebraska, will be considered a public record and will not be returned. I understand that falsification of any information submitted in support of an application shall be cause for denial or revocation of such certificate, and may result in criminal prosecution.

Dated this _____ day of _____, 20_____

04.05.11 State Board of Education

Signature of applicant

7.11-99

2

301 Centennial Mall South
P.O. Box 94987
Lincoln NE 68509-4987

APPLICATION FOR A NEBRASKA EDUCATOR'S CERTIFICATE

NDE 20-003

SSN [REDACTED] APPLICATION ID 2010001144 APPLICATION DATE 2/9/2010 1

Criminal Self Reporting

<u>Criminal Charge</u>	ATTEMPTED DOMESTIC ASSAULT
<u>Date of Offense</u>	05/26/2009
<u>Arresting Agency</u>	CUMING COUNTY
<u>Court of Jurisdiction</u>	CUMING COUNTY
<u>Plea & Conditions of Probation</u>	NO CONTEST
<u>Details</u>	DURING AN ARGUMENT WITH MY SIGNIFICANT OTHER I WAS PUSHED TO THE GROUND AND FELT FURTHER THREATENED, AND RESPONDED DEFENSIVELY.

 COPY

Teacher Certification
Nebraska Department of Education
301 Centennial Mall South
P.O. Box 94987
Lincoln, NE 68509-4987
Phone: (402) 471-0739
Fax: (402) 471-9735

CRIMINAL CHARGES SELF-REPORTING FORM

THIS FORM MUST BE COMPLETED IF YOU ANSWERED "YES" TO QUESTION 4
UNDER THE PERSONAL AND PROFESSIONAL FITNESS SECTION OF THE APPLICATION FORM

COMPLETE A SEPARATE FORM FOR EACH CHARGE. YOU MAY PHOTOCOPY THIS FORM.

SIGN AT THE BOTTOM OF THIS FORM.

Please Print

Name: Claudine Farmer Social Security Number: [REDACTED]

Criminal Charge: Attempted Domestic Assault

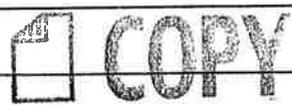
Date of offense: 5-26-09

Name of arresting party (Police or Sheriff's Office): Cemning County

Court of Jurisdiction: Cemning County Court

Plea and conditions of probation, if any: n/a - no contest, no probation
\$500 fine.

Details of the incident: After an argument between my significant
other, I was pushed down and felt
threatened. I defended myself accordingly.



You may attach any further explanation of the incident.

**YOU MUST ATTACH A COPY OF YOUR COURT RECORD(S) RELATED TO THIS CHARGE.
IF COURT RECORDS ARE NO LONGER AVAILABLE, CONTACT THE OFFICE OF GENERAL COUNSEL AT THE
NEBRASKA DEPARTMENT OF EDUCATION FOR FURTHER INSTRUCTIONS.**

I declare under penalty of perjury that the foregoing, including any attachment, is true and correct. I hereby authorize the above-listed courts and law enforcement agencies to release any information concerning me to the Nebraska Department of Education.

Claudine Farmer
Signature

2-9-10
Date

*The requirement that a certificate applicant provide his/her social security number is contained in Neb. Rev. Stat. 79-810. The uses that will be made of this number are criminal background checks prior to issuance of a certificate and for purposes of data compilation and statistics concerning employment of graduates of state approved teacher education programs and employment of certificate holders.

4

IN THE COUNTY COURT OF CUMING COUNTY, NEBRASKA

THE STATE OF NEBRASKA,

Plaintiff,

vs.

CLAUDINE E. FARMER,

Defendant.

Case No. CR 09-133

ATTEMPTED
COMPLAINT FOR
1. DOMESTIC ASSAULT IN *m7*
THE THIRD DEGREE *10/6/09*
~~2. ASSAULT IN THE~~
~~THIRD DEGREE~~

The complaint and information of Mandy M. Trout, Deputy County Attorney of Cuming County, Nebraska, made in the name of the State of Nebraska, before me, the undersigned Notary Public, who being duly sworn, on oath says that **CLAUDINE E. FARMER**, on or about the 25th day of May, 2009, in Cuming County, Nebraska, then and there being,

attempt to (m7 10/6/09)
1. did then and there intentionally and knowingly cause bodily injury to his or her intimate partner;

OFFENSE: 28-323 (1) (a)
PENALTY: 28-323 (4), Class I Misdemeanor

2. did then and there intentionally, knowingly, or recklessly cause bodily injury to Grayden Hallowell, not by mutual consent;

OFFENSE: 28-310 (1) (a)
PENALTY: 28-310 (2), Class I Misdemeanor

contrary to the form of the statutes made and provided in such cases, and against the peace and dignity of the State of Nebraska.

Mandy M. Trout
Mandy M. Trout,
Deputy Cuming County Attorney

COPY

Signed in my presence and sworn to before me this 8th day of June, 2009.

Lou Ann Wiechman
Notary Public

LICENSE #: F656-1057-5828-03
D.O.B.: September 8, 1975
Sex: M ___ F x

GENERAL NOTARY - State of Nebraska
LOU ANN WIECHMAN
My Comm. Exp. Nov. 22, 2009

Race/Ethnicity: (check only one) [x] American Indian or Alaska Native [] Asian
[] Black or African American [] Hispanic or Latino [] White/Caucasian
[] Native Hawaiian or Other Pacific Islander [] Other _____



000001867C24

CUMING COUNTY, NE
7-11-102
SANDY MEYER
CLERK OF COUNTY COURT

IN THE COUNTY COURT OF CUMING COUNTY, NEBRASKA

THE STATE OF NEBRASKA,)
)
Plaintiff,)
)
vs.)
CLAUDINE E. FARMER,)
)
Defendant.)

Case No. CR 09-133

- COMPLAINT FOR**
1. DOMESTIC ASSAULT IN THE THIRD DEGREE
2. ASSAULT IN THE THIRD DEGREE

The complaint and information of Mandy M. Trout, Deputy County Attorney of Cuming County, Nebraska, made in the name of the State of Nebraska, before me, the undersigned Notary Public, who being duly sworn, on oath says that **CLAUDINE E. FARMER**, on or about the 25th day of May, 2009, in Cuming County, Nebraska, then and there being,

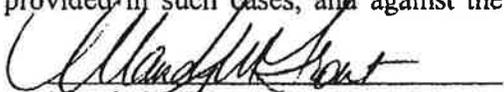
1. did then and there intentionally and knowingly cause bodily injury to his or her intimate partner;

OFFENSE: 28-323 (1) (a)
PENALTY: 28-323 (4), Class I Misdemeanor

2. did then and there intentionally, knowingly, or recklessly cause bodily injury to Grayden Hallowell, not by mutual consent;

OFFENSE: 28-310 (1) (a)
PENALTY: 28-310 (2), Class I Misdemeanor

contrary to the form of the statutes made and provided in such cases, and against the peace and dignity of the State of Nebraska.


Mandy M. Trout,
Deputy Cuming County Attorney

Signed in my presence and sworn to before me this 8th day of June, 2009.


Notary Public

LICENSE #: **F656-1057-5828-03**
D.O.B.: **September 8, 1975**
Sex: **M** **F**

Race/Ethnicity: (check only one) American Indian or Alaska Native Asian
 Black or African American Hispanic or Latino White/Caucasian
 Native Hawaiian or Other Pacific Islander Other _____

GENERAL NOTARY - State of Nebraska
LOU ANN WIECHMAN
My Comm. Exp. Nov. 22, 2009

CUMING COUNTY, NE
SANDY MEYER
CLERK OF COUNTY COURT



COPY

COMPLAINT

NO 110158 **BANCROFT POLICE DEPT.**
STATE OF NEBRASKA
UNIFORM CITATION AND COMPLAINT

STATE OF NEBRASKA VS.		DATE OF OFFENSE	HOUR	CASE ID						
LAST NAME		FIRST NAME		M.I.						
FARMER		CLAUDINE		F.						
STREET		CITY	STATE	ZIP CODE						
109 W. CEDAR APT. A		BANCROFT	NE	68004						
DRIVER'S LICENSE NO.		CLASS	EXP. DATE	STATE						
F 656-1057-5828-03				W						
D.O.B.	SEX	HEIGHT	WEIGHT	EYES	HAIR	RACE	CMV	ENDORSEMENTS	RESTRICTIONS	HAZ. MAT.
9/18/75	F	5'9"	165	BRO	BRO	W	Y	N		
VEHICLE COLOR	YEAR	MAKE	STYLE	MODEL	VEHICLE LICENSE	STATE	YEAR			
V.L.N.		BUSINESS ADDRESS								
109 W. CEDAR APT. A										

The undersigned being duly sworn, says the defendant, at the date and time shown, at or near (location) 103 CEDAR ST. APT. A. in the City of: **BANCROFT** County of: **CUMING** State of **Nebraska** DIST. SHIFT

Did unlawfully commit the following offense: F Violated Traffic Signal

A Speeding _____ MPH in _____ Zone

B D.W.I. _____

C Negligent Driving (City Ordinance Violation) _____

D No Valid Registration _____

E Other _____

MOVING NON-MOVING PD PI M On Person

G Violated Stop Sign _____

H Failure to Yield ROW Veh Ped _____

J Follow Too Closely _____

K Improper Passing _____

L No Operator's License _____

NO 110158

OTHER OFFENSE	STATUTE/ORD.
3rd Degree DOMESTIC ASSAULT	28-323

Officer 1 <u>Swealls</u>	No. <u>261</u>	Officer 2	No.
Prosecutor		Filed & Sworn Before Me Date	

Your Court Appearance Date: 06/30/09 Time: 9:00 am Judge/Clerk

Court Address **CUMING CO COURT, 200 S. LINCOLN, WEST POINT, NE 68788**

This is an appearance only, not a trial date. I promise that I will appear in court at the above time and place. **X Jailed**

Your signature is not an admission of guilt, but a promise to appear. Failure to comply with the terms of this citation is punishable by jail or fine or both and may result in suspension of your operator's license

Waiver Allowed. **WAIVERS.** You must appear in court. If the "waiver allowed" box is checked, you are allowed to plead guilty to this offense without appearing in court. You have the right to a trial and may appear in court. If you choose to plead guilty, you may pay a fine of \$ _____ and costs of \$ _____ for a total of \$ _____. See back for payment instructions. If the other box is checked or if you wish to appear in court, you should appear in court as directed above.

COPY

JOURNAL ENTRY AND ORDER

IN THE COUNTY COURT OF CUMING COUNTY, NEBRASKA

ST V. CLAUDINE E FARMER
DOB: 9/08/1975
Case ID: CR 09 133
Citation: NO 110158

Printed on 10/06/2009 at 11:22
Room 24C01
Page 1
Date of Hearing 10/06/2009

CHARGES (AMENDMENTS/PLEAS/FINDINGS/FINES/PRESENTENCE/JAIL/DISMISSALS)

CHARGE	STATUTE	DESCRIPTION	CLASS	TYPE
01	28-323	Domestic assault-3rd degree	1	MSD
	Amended to 28-201	Attempt of a class 1 misdemeanor	2	MSD
	Plea: Guilty	Found: Guilty		
	Full presentence investigation ordered			
02	28-310	Assault-3rd degree	1	MSD
	Charge dismissed on the motion of the prosecutor with prejudice			

APPEARANCES AND *Change of Plea*

Judge Richard W Krepel
Defendant CLAUDINE E FARMER
Defense Counsel Glenn, Thayne,
Prosecutor Mandy M Trout
Defendant advised of the nature of the above charges, and all possible penalties
of amended complaint.

Defendant advised of and waived rights.
Defendant waives jury trial.
Defendant enters above pleas.
Pleas entered knowingly, intelligently, voluntarily, and a factual basis for plea(s) found.
Court finds as shown above.
Charges dismissed as shown above.

BOND INFORMATION

Bond 1823 for \$4,000.00 TEN filed on 5/26/2009
Balance Held \$360.00
BOND ORDERED: Continued

SENTENCING

Presentence ordered for charges as shown above.

ADDITIONAL ENTRIES OF RECORD

PLEA AGREEMENT: Defendant to plead guilty to amended count 1 of attempted of class 1 misdemeanor; State to dismiss count 2.
Recommend PSI and if probation is recommended state not to object.
Leave granted to state to amend complaint.
The Court found a factual basis for the defendant's plea(s) and that the plea(s) was freely, voluntarily, and intelligently made with a full understanding of the charges, constitutional rights, penalties, pleas and the effect of each.

The Court further finds that the defendant knowingly and understandingly waives the right to jury trial, confrontation, compulsory process and the right against self-incrimination.

FILED
CUMING COUNTY, NE
OCT - 6 2009
SANDY MEYER
CLERK OF COUNTY COURT

COPY



000003915C24

JOURNAL ENTRY AND ORDER

IN THE COUNTY COURT OF CUMING COUNTY, NEBRASKA

ST V. CLAUDINE B FARMER
DOB: 9/08/1975
Case ID: CR 09 133
Citation: NO 110158

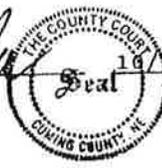
Printed on 10/06/2009 at 11:22
Room 24C01
Page 2
Date of Hearing 10/06/2009

FUTURE COURT APPEARANCES

Case continued to 11/17/2009 at 1:30 PM
in County Courtroom 01 for Sentencing

Hon.

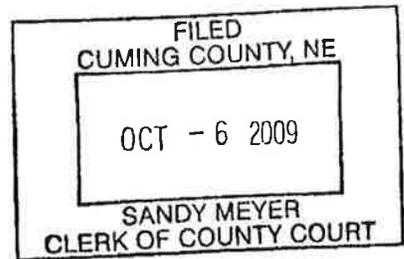
Richard W Krepela
Richard W Krepela



10/06/2009
Date

Bailiff

Tape Nos. 100609



*pc.ca
PO.*

JOURNAL ENTRY AND ORDER

IN THE COUNTY COURT OF CUMING COUNTY, NEBRASKA

ST V. CLAUDINE E FARMER
DOB: 9/08/1975
Case ID: CR 09 133
Citation: NO 110158

Printed on 11/17/2009 at 2:02
Room 24C01
Page 1
Date of Hearing 11/17/2009

CHARGES (AMENDMENTS/PLEAS/FINDINGS/FINES/PRESENTENCE/JAIL/DISMISSALS)

CHARGE	STATUTE	DESCRIPTION	CLASS	TYPE
01	28-201	Attempt of a class 1 misdemeanor Fine: \$500.00	2	MSD
Notice Given-Domestic Violence				
02	DROPPED	Count dropped/dismissed		

APPEARANCES AND *Sentencing*

Judge Richard W Krepela
Defendant CLAUDINE E FARMER
Defense Counsel Glenn, Thayne,
Prosecutor Mandy M Trout

Defendant previously advised of the nature of the above charges, all possible penalties and rights.
Defendant advised of Federal Law 18 U.S.C. 922(g)(9) and all possible penalties.

BOND INFORMATION

Bond 1823 for \$4,000.00 TEN filed on 5/26/2009
Balance Held _____

BOND ORDERED: Released
Bond ordered applied to fines and costs.

SENTENCING

Defendant was granted allocution and sentence was pronounced by the Court.
Defendant ordered to pay fines as shown above; for a total of \$500.00, and all costs of prosecution.

Execution of \$554.00 is suspended until 1/20/2010.

Defendant to pay Court Costs \$44.00
Other \$10.00

You have been convicted of a misdemeanor crime involving violence where you are or were a spouse, intimate partner, parent, or guardian of the victim or are or were involved in another, similar relationship with the victim. Because of this conviction, it may be unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition, pursuant to federal law under 18 U.S.C. 922(g)(9). If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

Hon.

Richard W. Krepela
Richard W Krepela



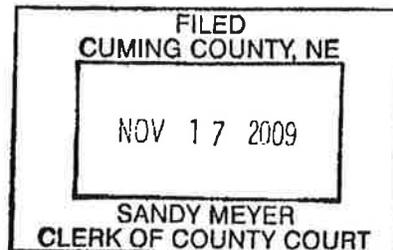
Bailiff

TAPE Nos. 111709

*JCA
T. Glenn*



00004847C24





NEBRASKA STATE PATROL

Criminal History Record

Dissemination Form

Receipt Number: 2010T0005361

Completed Date: 13 May 2010

Mailed Out: 13 May 2010

Requesting Agency/Individual

Requestor: 557855 CERTIFICATION-DR KEVIN PETERS-DEPT OF EDUC
Contact: CAROLYN HAUSER
Address: PO BOX 94987

Dissemination Agency/Individual

Company: 557855 CERTIFICATION-DR KEVIN PETERS-DEPT OF EDUC
Contact: CAROLYN HAUSER
Address: PO BOX 94987

City, State Zip LINCOLN, NE 68509

City, State Zip LINCOLN, NE 68509

SEE ATTACHED NEBRASKA RAP SHEET

Person Of Interest

Name	Social Security Number	Date of Birth
FARMER, CLAUDINE E	5-██████████	September 08 1975

Additional Aliases Also Checked

COHEN

			Name Check based upon fingerprints provided by Applicant. NEBRASKA STATE PATROL
--	--	--	--

NOTE: Traffic infraction data available from:
NEBRASKA STATE DEPARTMENT OF MOTOR VEHICLES
P.O.Box 94789 402-471-2281
Lincoln, NE 68509

NEBRASKA STATE PATROL
CRIMINAL RECORDS & IDENTIFICATION DIVISION
3800 NW 12th Suite A
Lincoln, NE 68521
by

Captain Kevin Knorr
Nebraska State Patrol Employee Signature

APPLICANT

IF NOT BLANK

5/12

TYPE OR PRINT ALL INFORMATION IN BLACK

LAST NAME (LAST)

FIRST NAME

FBI

LEAVE BLANK

EXAMINEE CURRICULUM ENROLLMENT

ALIAS AKA

COSTER

NB930010Z
DEPT OF EDUC
LINCOLN, NE

FACE

HT 5'9" WT 160 BR BR HAIR

DATE OF BIRTH DOB
09 08 1970
PLACE OF BIRTH POB
Chicago IL

US citizen

719 886 1140

David J. Coster
105 W. Cedar St. Apt 4
PO Box 226 Bancroft, NE 68004
3/11 unlicensed Educator

TEACHER CERTIFICATION

~~XXXXXXXXXX~~

AFIS
MAY 11 2010
SEARCH





PATROL CRIMINAL HISTORY

NEBRASKA STATE PATROL
CRIMINAL IDENTIFICATION

P.O. BOX 94907
LINCOLN, NEBRASKA 68509

STATUTE 29-3522 PROHIBITS RELEASE OF ARREST INFORMATION IN EXCESS OF ONE YEAR IN DURATION UNLESS DISPOSITION INFORMATION PERTAINING TO THAT ARREST IS PROVIDED. THESE (THIS) ARE (IS) THE ONLY RECORD (S) IN OUR FILES MEETING STATUTORY REQUIREMENTS FOR RELEASE. FURTHER INFORMATION ON ARREST RECORD SHOULD BE OBTAINED FROM _____ COURT SYSTEM (S). NOTE: MINOR TRAFFIC INFRACTIONS NOT INCLUDED.

BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED FROM NEBRASKA STATE PATROL - CID WHEN NEEDED FOR SUBSEQUENT USE. WHEN EXPLANATION OF AN ARREST OR DISPOSITION IS NEEDED COMMUNICATE DIRECTLY WITH THE AGENCY THAT CONTRIBUTED THE FINGERPRINTS.

"INFRCTN" - MEANS "INFRACTION" WHICH IS A VIOLATION OF ANY LAW, ORDINANCE, ORDER, RULE OR REGULATION THAT IS NOT A MISDEMEANOR, FELONY, OR TRAFFIC OFFENSE.

NAME	FELON	STATE ID	
FARMER, CLAUDINE EMMALENE	N	NB505726	
FBI NO	DATE REQUESTED	SEX	DATE OF BIRTH
719886WA0	5/12/2010	FEMALE	09/08/1975
DATE DECEASED	HEIGHT	WEIGHT	EYES
	5'9"	165	BROWN
			HAIR
			BROWN
PLACE OF BIRTH	PLACE OF CITIZENSHIP		
ILLINOIS	UNITED STATES OF AMERICA (USA)		
			RACE
			AMERICAN INDIAN OR ALASKAN NATIVE

No Photo Available

IDENTIFICATION COMMENTS

NCIC FINGERPRINT
22 10 07 11 08
15 PM 57 11 06

ADDITIONAL IDENTIFIERS

ALIAS	STATE ID	FBI NO	SEX	RACE	DATE OF BIRTH	SSN
COHEN, CLAUDINE E	NB505726	719886WA0	F	I	09/08/1975	[REDACTED]
FARMER, CLAUDINE	NB505726	719886WA0	F	I	09/08/1975	[REDACTED]
FARMER, CLAUDINE E	NB505726	719886WA0	F	I	09/08/1975	[REDACTED]
FARMER, CLAUDINE EMMALENE	NB505726	719886WA0	F	I	09/08/1975	[REDACTED]

ARREST HISTORY

ARREST: 1	DATE: 4/7/2009	DCN: 898490
AGENCY:	CASE NUMBER:	NAME USED:
THURSTON CO SO (NB0870000)		FARMER, CLAUDINE EMMALENE

CHARGE DESCRIPTION	CLASSIFICATION
5404 DRIVING UNDER INFLUENCE LIQUOR(1)	MISDEMEANOR

COURT: COUNTY COURT THURSTON(NB087013J)

COURT DISPOSITION DATE: 04/22/2010 02:21:21	DOCKET: C55CR090000112	CITATION:
CHARGE: 5430-RECKLESS DRIVING-1ST OFFENSE(1)		
DISPOSITION: AMENDED	CLASSIFICATION: MISDEMEANOR -3	
SENTENCE: FINE 500 COURT COST		
OTHER COURT PROVISION		

PARDON INFO



PATROL CRIMINAL HISTORY

JUDGMENT

FINE 500.00 / BRCO 50.00 /

CHARGE: 5406-REFUSE TO SUBMIT TO TEST-1ST OFFENSE(1)

DISPOSITION: COURT DISMISSAL

CLASSIFICATION: MISDEMEANOR -W

SENTENCE: COURT COST

OTHER COURT PROVISION

PARDON INFO

JUDGMENT

ARREST: 2

DATE: 5/25/2009

DCN: 915296

AGENCY

CASE NUMBER

NAME USED

CUMING CO SO (NB0200000)

FARMER, CLAUDINE E

CHARGE DESCRIPTION

CLASSIFICATION

1399 (DOM VIOL) ASSAULT-3RD DEGREE(1)

MISDEMEANOR

COURT: COUNTY COURT CUMING(NB020013J)

COURT DISPOSITION DATE: 11/17/2009 03:53:55

DOCKET: C24CR090000133

CITATION: NO0110158

CHARGE: 0004-ATTEMPT OF A CLASS 1 MISDEMEANOR(1)

DISPOSITION: AMENDED

CLASSIFICATION: MISDEMEANOR -2

SENTENCE: FINE 500 COURT COST

OTHER COURT PROVISION

PARDON INFO

JUDGMENT

FINE 500.00 /

CHARGE: 1399-ASSAULT-3RD DEGREE(1)

DISPOSITION: COURT DISMISSAL

CLASSIFICATION: MISDEMEANOR -1

SENTENCE: COURT COST

OTHER COURT PROVISION

PARDON INFO

JUDGMENT

MISCELLANEOUS INFORMATION

14



PATROL CRIMINAL HISTORY

SUPERVISION OR CUSTODY (PROBATION)

AGENCY	AGENCY UNIT	STATUS	TYPE OF PROBATION
STATE PROBATION DISTRICT NO 2 WAYNE	DISTRICT 7 -2	NO	
DATE OF ENTRY	DATE BEGIN PROBATION	DISCHARGE DATE	
11/5/2009			
OFFICER ID	OFFICER NAME	OFFICER PHONE	

SCARS, MARKS, TATTOOS

SCAR - SC ABDOM

SCAR - SC CHK

SCAR - SC FHD

"INFRCTN" - MEANS "INFRACTION" WHICH IS A VIOLATION OF ANY LAW, ORDINANCE, ORDER, RULE OF REGULATION THAT IS NOT A MISDEMEANOR, FELONY, OR TRAFFIC OFFENSE.

THE USE OF THIS RECORD IS CONTROLLED BY STATE AND FEDERAL REGULATIONS. IT IS PROVIDED FOR OFFICIAL USE ONLY AND MAYBE USED ONLY FOR THIS PURPOSE.

FBI APPLICANT FINGERPRINT SEARCH RESULTS #
#####

BIS AFIS TCN (TCR): E2010131000000149494
Date: Tue May 11 15:02:48 CDT 2010
Name: COHEN, CLAUDINE EMMALENE
FBI TCR: 000000149891

Controlling Agency Identifier: NB930010Z
Search Results Findings: I

Electronic Rap Sheet

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
CLARKSBURG, WV 26306

NB930010Z

ICN E2010131000000149494

TCN 000000149891
AGENCY CASE NB930010Z

THE FBI IDENTIFIED YOUR TEN-PRINT SUBMISSION WHICH CONTAINED
THE FOLLOWING DESCRIPTORS:

NAME FARMER, CLAUDINE E
DATE ARRESTED/FINGERPRINTED 2010/03/11

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR
F	I	1975/09/08	509	160	BROWN	BROWN

STATE ID BIRTH PLACE
ILLINOIS

CITIZENSHIP
UNITED STATES

OTHER BIRTH DATES	SCARS-MARKS-TATTOOS	SOCIAL SECURITY	MISC NUMBERS
NONE	NONE	XXXXXXXXXX	NONE

ALIAS NAME(S)
COTTEN, X

END OF COVER SHEET

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
CLARKSBURG, WV 26306

NB930010Z

ICN E2010131000000149494

BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

THIS RECORD IS SUBJECT TO THE
FOLLOWING USE AND DISSEMINATION RESTRICTIONS

UNDER PROVISIONS SET FORTH IN TITLE 28, CODE OF FEDERAL REGULATIONS (CFR), SECTION 50.12, BOTH GOVERNMENTAL AND NONGOVERNMENTAL ENTITIES AUTHORIZED TO SUBMIT FINGERPRINTS AND RECEIVE FBI IDENTIFICATION RECORDS MUST NOTIFY THE INDIVIDUALS FINGERPRINTED THAT THE FINGERPRINTS WILL BE USED TO CHECK THE CRIMINAL HISTORY RECORDS OF THE FBI. IDENTIFICATION RECORDS OBTAINED FROM THE FBI MAY BE USED SOLELY FOR THE PURPOSE REQUESTED AND MAY NOT BE DISSEMINATED OUTSIDE THE RECEIVING DEPARTMENT, RELATED AGENCY OR OTHER AUTHORIZED ENTITY. IF THE INFORMATION ON THE RECORD IS USED TO DISQUALIFY AN APPLICANT, THE OFFICIAL MAKING THE DETERMINATION OF SUITABILITY FOR LICENSING OR EMPLOYMENT SHALL PROVIDE THE APPLICANT THE OPPORTUNITY TO COMPLETE, OR CHALLENGE THE ACCURACY OF, THE INFORMATION CONTAINED IN THE FBI IDENTIFICATION RECORD. THE DECIDING OFFICIAL SHOULD NOT DENY THE LICENSE OR EMPLOYMENT BASED ON THE INFORMATION IN THE RECORD UNTIL THE APPLICANT HAS BEEN AFFORDED A REASONABLE TIME TO CORRECT OR COMPLETE THE INFORMATION, OR HAS DECLINED TO DO SO. AN INDIVIDUAL SHOULD BE PRESUMED NOT GUILTY OF ANY CHARGE/ARREST FOR WHICH THERE IS NO FINAL DISPOSITION STATED ON THE RECORD OR OTHERWISE DETERMINED. IF THE APPLICANT WISHES TO CORRECT THE RECORD AS IT APPEARS IN THE FBI'S CJIS DIVISION RECORDS SYSTEM, THE APPLICANT SHOULD BE ADVISED THAT THE PROCEDURES TO CHANGE, CORRECT OR UPDATE THE RECORD ARE SET FORTH IN TITLE 28, CFR, SECTION 16.34.

- FBI IDENTIFICATION RECORD -

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

NAME	FBI NO.	DATE REQUESTED
COHEN, CLAUDINE EMMALENE	719886WA0	2010/05/11

04.05.11 State Board of Education

7.11-114

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR
F I 1975/09/08 507 135 BRO BLK

BIRTH PLACE
ILLINOIS

FINGERPRINT CLASS PATTERN CLASS CITIZENSHIP
22 10 07 11 08 RS RS RS RS RS LS WU LS LS LS UNITED STATES
15 PM 57 11 06 WU WU AU RS AU

END OF PART 1 - PART 2 TO FOLLOW

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
CLARKSBURG, WV 26306

NB930010Z
PART 2

ICN E2010131000000149494

- FBI IDENTIFICATION RECORD - FBI NO-719886WAO

1-ARRESTED OR RECEIVED 1994/11/09
AGENCY-POLICE DEPARTMENT SIOUX CITY (IA0970100)
AGENCY CASE-41378
CHARGE 1-WARR FORGERY

COURT-
CHARGE-WARR FORGERY
SENTENCE-
PG, DEFERRED JUDGMENT, 2 YRS PROB, 40 HRS COMM SERV, COST ATTY FEES

2-ARRESTED OR RECEIVED 1995/10/12 SID- IA00490132
AGENCY-POLICE DEPARTMENT SIOUX CITY (IA0970100)
AGENCY CASE-41378 NAME USED-COHN, CLAUDIAE EMMALENE
CHARGE 1-WARR-PROB VIOL-FORGERY

COURT-
CHARGE-PROBATION VIOLATION-FORGERY
SENTENCE-
04-24-96 PG DEFERRED JUDGMENT REVOKED 5 YRS PRISON SUSP 2 YRS
PROB, TREATMENT
CHARGE-CONTEMPT OF COURT
SENTENCE-
04-24-96 PG 14 DAS JAIL

3-ARRESTED OR RECEIVED 1995/10/19 SID- IA00490132
AGENCY-POLICE DEPARTMENT SIOUX CITY (IA0970100)
AGENCY CASE-41378
CHARGE 1-SERIOUS ELUDING
CHARGE 2-OWI
CHARGE 3-CRIM MISCH 3RD

COURT-
CHARGE - SERIOUS ELUDING
SENTENCE-
04-09-11 State Board of Education

7.11-115

03-27-96 5 DAS JAIL PAY COSTS \$325
CHARGE-OWI
SENTENCE-
03-15-96 PG 60 DAS JAIL, 60 SUSP 1 YR PROB, PAY REST, PAY COSTS
\$650 FINE
CHARGE-CRIM MISCH 3RD
SENTENCE-
03-27-96 180 DAS JAIL, 175 SUSPENDED 1 YR PROB, PAY REST, PAY
COSTS \$650 FINE

END OF PART 2 - PART 3 TO FOLLOW

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
CLARKSBURG, WV 26306

NB930010Z
PART 3

ICN E2010131000000149494

- FBI IDENTIFICATION RECORD - FBI NO-719886WA0

- 4-ARRESTED OR RECEIVED 2006/09/27 SID- WI1137702
AGENCY-SHERIFF'S OFFICE BARABOO (WI0570000)
NAME USED-FARMER, CLAUDINE E
CHARGE 1-DISORDERLY CONDUCT DOMESTIC ABUSE RELATED
- 5-ARRESTED OR RECEIVED 2007/04/11 SID- WI1137702
AGENCY-SHERIFF'S OFFICE BARABOO (WI0570000)
NAME USED-FARMER, CLAUDINE E
CHARGE 1-DISORDERLY CONDUCT
- 6-ARRESTED OR RECEIVED 2009/04/07 SID- NB505726
AGENCY-SHERIFF'S OFFICE PENDER (NB0870000)
AGENCY CASE-NB0870000 NAME USED-FARMER, CLAUDINE EMMALENE
CHARGE 1-DRIVING UNDER INFLUENCE LIQUOR
- 7-ARRESTED OR RECEIVED 2009/05/25 SID- NB505726
AGENCY-SHERIFF'S OFFICE WEST POINT (NB0200000)
AGENCY CASE-NB0200000 NAME USED-FARMER, CLAUDINE E
CHARGE 1-ASSAULT - 3RD DEGREE

RECORD UPDATED 2010/05/11

ALL ARREST ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON
FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.

THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL
USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.

NO VEHICLE RECORD FOUND NAM/FARMER,CLAUDINE E SEX/F RAC/I DOB/19750908

NO WANT RECORD FOUND NAM/FARMER,CLAUDINE E SEX/F RAC/I DOB/19750908

NO NCIC WANT NAM/FARMER,CLAUDINE E DOB/19750908 RAC/I SEX/F

***MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE EXTRADITION FROM THE
INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS FILES ARE SEARCHED
WITHOUT LIMITATIONS.

NO VEHICLE RECORD FOUND NAM/COHEN,CLAUDINE E SEX/F RAC/I DOB/19750908

NO WANT RECORD FOUND NAM/COHEN,CLAUDINE E SEX/F RAC/I DOB/19750908

NO NCIC WANT NAM/COHEN,CLAUDINE E DOB/19750908 RAC/I SEX/F

***MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE EXTRADITION FROM THE
INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS FILES ARE SEARCHED
WITHOUT LIMITATIONS.

5/3/2010

301 Centennial Mall South
 P.O. Box 94987
 Lincoln NE 68509-4987

A

FARMER, CLAUDINE



NDE 20-003

COPY

SSN [REDACTED] APPLICATION ID 2010004631 APPLICATION DATE 3/29/2010

Personal Information

USER ID	FJHTJKNPP	Birth Date	09/08/1975	Home Phone	(712)259-3173
Name	FARMER, CLAUDINE EMMALENE			Day Phone	(712)259-3173
Address 1	PO BOX 226			Fax	
Address 2					
City/State/Zip	BANCROFT, NE 68004				
Email	claudine.farmer@uwc.edu			Race/Ethnicity	AMERICAN IN
Gender	FEMALE				

PURPOSE OF APPLICATION AND NON-REFUNDABLE FEES

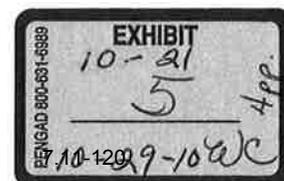
Form Type	FIRST TIME NEBRASKA APPLICANT
Certificate Type	
Application Type	ADDED ENDORSEMENT
Application Fee	\$ 40.00

ACADEMIC - INSTITUTIONS ATTENDED

	<u>Institution</u>	<u>State</u>	<u>MonthYear</u>	<u>Hours</u>	<u>Degree</u>
155140	HASKELL INDIAN NATIONS UNIVE	KS	12/1996	9.00	
181394	UNIVERSITY OF NEBRASKA AT OMA	NE	12/1999	6.00	
240055	UNIVERSITY OF WISCONSIN COLLE	WI	12/2005	70.00	ASSOCIATES DEGREE
240453	UNIVERSITY OF WISCONSIN-MILWA	WI	5//2008	21.00	

AREAS FOR WHICH YOU HAVE COMPLETED AN APPROVED PROGRAM**NEW ENDORSEMENTS**

<u>Attained</u>	<u>Expires</u>	<u>Revoked</u>	<u>Endorsement</u>	<u>Level</u>	<u>Institution</u>	<u>State</u>
-----------------	----------------	----------------	--------------------	--------------	--------------------	--------------



301 Centennial Mall South
P.O. Box 94987
Lincoln NE 68509-4987

APPLICATION FOR A NEBRASKA EDUCATOR'S CERTIFICATE

NDE 20-003

SSN  APPLICATION ID 2010004631 APPLICATION DATE 3/29/2010

Personal & Professional Fitness

- | | | |
|---|-----|---|
| 1 | NO | HAVE YOU EVER HAD A PROFESSIONAL LICENSE, CERTIFICATE, PERMIT CREDENTIAL OR OTHER DOCUMENT AUTHORIZING THE PRACTICE OF A PROFESSION SUSPENDED, REVOKED, VOIDED, DENIED, REJECTED OR VOLUNTARILY SURRENDERED ? |
| 2 | NO | ARE YOU CURRENTLY THE SUBJECT OF ANY INQUIRY OR INVESTIGATION BY ANY LAW ENFORCEMENT AGENCY, PROSECUTOR'S OFFICE, GOVERNMENTAL BODY, OR LICENSING AGENCY ? |
| 3 | NO | IS ANY ACTION CURRENTLY PENDING AGAINST YOU BY ANY LAW ENFORCEMENT AGENCY, PROSECUTOR'S OFFICE, GOVERNMENTAL BODY, OR LICENSING AGENCY |
| 4 | YES | HAVE YOU EVER BEEN FOUND GUILTY OF A FELONY OR MISDEMEANOR OR ENTERED A PLEA OF GUILTY OR NO CONTEST TO A FELONY OR MISDEMEANOR? MINOR TRAFFIC INFRACTIONS AND MISDEMEANOR CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OR MINOR IN POSSESSION OF ALCOHOL NEED NOT BE REPORTED |
| 5 | NO | IS AN ORDER OR DETERMINATION CURRENTLY IN EFFECT BY A COURT OR ANY OTHER GOVERNMENTAL BODY WHICH FINDS YOU TO BE ANY OF THE FOLLOWING; A MENTALLY ILL AND DANGEROUS PERSON; MENTALLY INCOMPETENT TO STAND TRIAL; ACQUITTED OF CRIMINAL CHARGES BECAUSE OF INSANITY; AN INCOMPACITATED PERSON IN NEED OF A GUARDIAN; OR UNABLE TO MANAGE YOUR PROPERTY DUE TO MENTAL ILLNESS, MENTAL DEFICIENCY, CHRONIC USE OF DRUGS OR CHRONIC INTOXICATION? |
| 6 | NO | ARE YOU CURRENTLY AN INPATIENT OF RESIDENT IN A MENTAL HEALTH FACILITY DUE TO A DETERMINATION BY A QUALIFIED MENTAL HEALTH PROFESSIONAL? |
| 7 | YES | ARE YOU A US CITIZEN? |

I declare that the information furnished herein is true, correct, and complete to the best of my knowledge. I hereby grant the permission and authorize the Nebraska Department of Education to verify all responses with any mental health facility or governmental agency and to obtain and review all records maintained by any criminal justice agency, including a criminal history record information check, regarding any of my criminal charges or convictions, and to contact previous employers for information regarding the term of my employment. I hereby release, discharge, and exonerate the Nebraska Department of Education, its employees, and any person so furnishing information from any and all liability of every nature and kind arising out of the furnishing of such records and information. I understand that any material submitted in connection with this application will become the property of the State of Nebraska, will be considered a public record and will not be returned. I understand that falsification of any information submitted in support of an application shall be cause for denial or revocation of such certificate, and may result in criminal prosecution.

Dated this _____ day of _____, 20_____

Signature of applicant

301 Centennial Mall South
P.O. Box 94987
Lincoln NE 68509-4987

APPLICATION FOR A NEBRASKA EDUCATOR'S CERTIFICATE

NDE 20-003

SSN [REDACTED] APPLICATION ID 2010004631 APPLICATION DATE 3/29/2010

Criminal Self Reporting

Criminal Charge ATTEMPTED DOMESTIC ASSAULT
Date of Offense 05/25/2009
Arresting Agency CUMING COUNTY SHERIFF
Court of Jurisdiction CUMING COUNTY
Plea & Conditions of Probation I PLEAD GUILTY TO THE CHARGES OF ATTEMPTED DOMESTIC ASSAULT
Details AFTER A DOMESTIC DISTURBANCE I FELT SEVERELY THREATENED AND I DEFENDED MYSELF ACCORDINGLY.

301 Centennial Mall South
P.O. Box 94987
Lincoln NE 68509-4987

APPLICATION FOR A NEBRASKA EDUCATOR'S CERTIFICATE

NDE 20-003

SSN [REDACTED] APPLICATION ID 2010004631 APPLICATION DATE 3/29/2010

Record of Residences

From 5/2009
To 04/2010
Address PO BOX 226

City BANCROFT
State NE Zip 68004
Country

From 4/2005
To 05/2009
Address 611 WASHINGTON AVE

City BARABOO
State WI Zip 53913
Country

2. OFFENSE CLASSIFICATION (OFF-USE ONLY)		3. NAME AND/OR ALIAS		4. DISTRICT		5. TIME, DATE, DAY REPORTED		7. REL. INC. NO.	
NO.	SEC. A	SEC. B	SEC. C	SEC. D	SEC. E	NO.	DA.	YR.	NO.
1	C	B	D	I	M	ROBERT A. HALLOWELL JR.	01-22	05-25-09	MCM
2	V	B	S	I	M	GRAYDEN HALLOWELL	402	12-22-77	H12219060
3	A	O	D	I	F	CLAUDINE E. FARMER	402	05-04-99	
4	V	O	S	I	F	JADE A. FARMER	402	09-08-75	W1
5	V	O	S	W	M	DALTON WESTMAN	402	11-17-92	7656-1057-5828-03

NO.	HT	WG	HAIR (DESC)	EYES	GLASSES (DESC)	COMPLEXION	PANTS/SKIRT	SHIRT/BOUSE	COAT	HAT/CAP	IDENTIFIABLE PHYSICAL CHARACTERISTICS

9. TIME OF OCCURRENCE	10. MO. DA. YR.	11. HRS. TO HRS.	12. LOC. OF INCIDENT	13. TYPE OF PREMISE

14. INJURED TAKEN	15. MO. DA. YR.	16. HRS. BY	17. EIC	18. IF IN OR RELATED TO LIC. ALC. BEV. PREM.	19. EVID./PROP. TAG NO.
			<input checked="" type="checkbox"/> Y	<input checked="" type="checkbox"/> N	

28. V.I.N. NO.	29. MAKE	30. MODEL	31. MANFR.	32. COLOR	33. SEC. NO.	34. VALUE	35. OTHER DESC. DATA

I WAS DISPATCHED TO 103 CEDAR APT A IN REFERENCE TO A DOMESTIC DISPUTE AT 0122 HRS ON 05-25-09. UPON ARRIVAL I WAS MET BY ROBERT AND GRAYDEN HALLOWELL OUTSIDE THE APARTMENT. ROBERT HALLOWELL STATED HE AND HIS GIRLFRIEND CLAUDINE FARMER HAD BEEN OUT DRINKING AND WHEN THEY RETURNED TO THE APARTMENT, THEY GOT INTO AN ARGUMENT ABOUT THE KIDS. ROBERT HALLOWELL STATED HE WENT TO GET HIS KEYS FROM CLAUDINE FARMER'S PURSE AND THE PURSE ENDED UP ON THE FLOOR. ROBERT HALLOWELL STATED AS HE BOAST OVER TO GET

EXHIBIT
10-21
13#
10-29-10 WJC
PENAD 800-631-6998

46 EXTENSION
 Y N
UTILITY SHEET

ATTACH PROPERTY TAG HERE

NARRATIVE: ANY INJURIES AND SHE STATED NO.

ASKED ABOUT ROBERT HALLOWELL'S EYE GOT INJURED AND SHE STATED SHE DIDN'T KNOW. ASKED ABOUT GRAYDON HALLOWELL'S INJURIES SHE STATED SHE WOULD NOT HURT A KID AND THAT GRAYDON ALWAYS GOT NOSE BLEEDS. WHEN ASKED ABOUT THE SCRATCH ON GRAYDON'S NECK, GAVIN FARMER STATED THAT HAPPENED WHILE THEY WERE PULLING FIGHTING. I THEN TALKED TO JADE FARMER WHO STATED AFTER CLAUDINE FARMER AND ROBERT HALLOWELL GOT HOME SHE HEARD THEM ARGUING ABOUT THE KIDS. JADE FARMER STATED SHE STAYED IN THE ROOM SHE WAS IN AND DID NOT SEE ANYTHING, BUT SHE DID HEAR A BIG THUMP. JADE FARMER STATED SHE DIDN'T BELIEVE ROBERT HALLOWELL WOULD HURT HER MAN. DELOMENT TALKED TO DALTON WERTMAN AND THEN DELOMENT TOLD ME WERTMAN HEARD AN ARGUMENT, BUT DID NOT SEE ANYTHING. MYSELF AND DELOMENT WENT BACK AND TALKED TO ROBERT HALLOWELL AGAIN, WITH ROBERT HALLOWELL EXPLAINED WHAT HE HAD BEFORE. MYSELF AND DELOMENT WENT BACK INTO THE APARTMENT AND I PLACED CLAUDINE FARMER UNDER ARREST FOR DOMESTIC ASSAULT. CLAUDINE FARMER AT FIRST RESISTED STATING SHE WASN'T GOING TO GET ARRESTED AND LEAVE HER CHILDREN. WHEN TOLD TO MAKE IT EASY AND NOT UPSET THE CHILDREN CLAUDINE FARMER CAME INTO THE LIVING ROOM AND AGAIN STATED SHE WAS THE ONE ASSAULTED AND WOULD LIKE TO KNOW WHY WE DIDN'T TAKE A LOOK AT HER INJURIES. CLAUDINE FARMER WAS REMINDED SHE HAD TOLD US SHE HAD NO INJURIES. CLAUDINE FARMER PULLED HER RIGHT SHIRT SLEAVE UP AND SHOWED US HER ELBOW. NO INJURIES WAS VISIBLE. CLAUDINE FARMER STATED THIS WAS BECAUSE ROBERT HALLOWELL KNEW HOW TO INJURE A WOMAN

AND NOT LEAVE ANY MARKS.

SUPERVISOR APPROVING

I.D. NO.

ATTACH PROPERTY TAG HERE

- Flash Message
- LEADS/NCIC Inquiry
- LEADS/NCIC Entry
- License Inquiry
- Inter-Dept. Requests
- Other Communication
- Cancellation Made

NARRATIVE: CLAUDINE FARMER WAS HANDCUFFED

AND TAKEN TO BANCROFT POLICE DEPARTMENT. AT THE POLICE

DEPARTMENT CLAUDINE FARMER WAS READ MIRANDA WARNING AND SHE GAVE A

WRITTEN STATEMENT.

DEFENDANT CALLED THE JUDGE AND A BOND WAS SET @ LAUDINE

FARMER WAS ALLOWED TO MAKE SEVERAL CALLS AND HAD A FRIEND BRING BOND.

CLAUDINE FARMER WAS BONDING AND BONDING.

Obey Mota (Signature)

SUMMARY:

.11-127

SUPERVISOR APPROVING

I.D.N.

May 25, 09

I, Robert A. Hollowell Jr., was at home, 103 West Cedar, Apt 4., when my girlfriend (Claudine Farmer) & I were involved in a verbal argument, which occurred at about 0100 hrs. She had started an argument about my son Graydon Hollowell (5-4-99), which escalated into an argument ~~about~~ about all of my kids. Claudine has two other younger boys Gavin Farmer 7 yrs. & Samuel Farmer 9 yrs. and an older daughter Jade Farmer 16 yrs old. The argument continued. Claudine was insisting that my son was the problem with our whole relationship. When I commented that her sons were no angels either was when she became physically violent. I was attempting to retrieve my keys out of her purse, when she grabbed the purse out of my hands & the purse fell on the ground. When I bent over ~~to~~ to pick the purse up, Claudine kicked me in the face. At which point I told my son Graydon Hollowell to begin grabbing his things & it was time to go. As we were taking things out my son Graydon was following behind through the front hallway, when Claudine came running ~~through~~ towards the front door & tackled my son Graydon giving him a bloody nose. I immediately called 911 at this time.

Robert A. Hollowell Jr. 5/25/09
 12/20/17

RECEIVED POLICE BUREAU

STATE OF NEBRASKA

UNIFORM CITATION AND COMPLAINT

STATE OF NEBRASKA VS. DATE OF OFFENSE: 09/21/09 HOUR: 9:00 AM CASE ID: [blank]

LAST NAME: [blank] FIRST NAME: [blank] M.I.: [blank]

STREET: [blank] CITY: [blank] STATE: [blank] ZIP CODE: [blank]

DRIVER'S LICENSE NO.: [blank] CLASS: [blank] EXP. DATE: [blank] STATE: [blank]

D.O.B.: [blank] SEX: [blank] HEIGHT: [blank] WEIGHT: [blank] EYES: [blank] HAIR: [blank] RACE: [blank] CMV: [blank] ENDORSEMENTS: [blank] RESTRICTIONS: [blank] HZ. MAT. Y N

VEHICLE COLOR: [blank] YEAR: [blank] MAKE: [blank] STYLE: [blank] MODEL: [blank] VEHICLE LICENSE: [blank] STATE: [blank] YEAR: [blank]

V.I.N.: [blank] BUSINESS ADDRESS: [blank]

The undersigned being duly sworn, says the defendant, at the date and time shown,

at or near (location) 103 CC Blvd. ST. - 1111 - A.

In the City of: BANCROFT County of: CUMING State of Nebraska DIST. SHIFT

Did unlawfully commit the following offense: F Violated Traffic Signal

A Speeding ___ MPH In ___ Zone G Violated Stop Sign

B D.W.I. H Failure to Yield ROW Veh Ped

C Negligent Driving (City Ordinance Violation) J Follow Too Closely

D No Valid Registration K Improper Passing

E Other V A C R M L No Operator's License

MOVING NON-MOVING PD PI M On Person

OTHER OFFENSE STATUTE/ORD.

3rd Degree Domestic Assault 28-323

Officer 1: [Signature] No. 761 Officer 2: [blank] No. [blank]

Prosecutor: [blank] Filed & Sworn Before Me Date: [blank]

Your Court Appearance Date: 09/30/09 Time: 9 am Judge/Clerk: [blank]

COURT ADDRESS CUMING CO COURT, 200 S. LINCOLN, WEST POINT, NE 68766

This is an appearance only, not a trial date. I promise that I will appear in court at the above time and place. X Jailed

Your signature is not an admission of guilt, but a promise to appear. Failure to comply with the terms of this citation is punishable by jail or fine or both and may result in suspension of your operator's license.

Waiver Allowed. WAIVERS. You must appear in court. If the "waiver allowed" box is checked, you are allowed to plead guilty to this offense without appearing in court. You have the right to a trial and may appear in court. If you choose to plead guilty, you may pay a fine of \$ and costs of \$ for a total of \$. See back for payment instructions. If the other box is checked or if you wish to appear in court, you should appear in court as directed above.

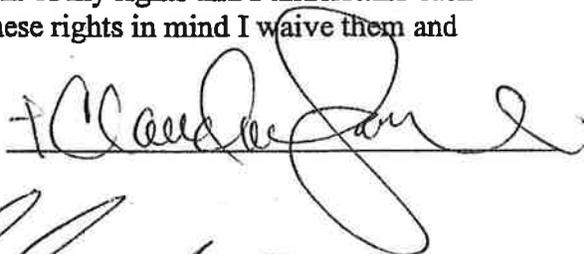
CUMING COUNTY SHERIFF'S OFFICE
200 S. LINCOLN STREET, ROOM 203, WEST POINT, NE 68788

STATEMENT OF MIRANDA RIGHTS

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law .
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.
5. You can decide at any time to exercise these rights and not answer any questions or make any statements.

WAIVER OF RIGHTS

I have read the above statement of my rights and I understand each of those rights, and having these rights in mind I waive them and willingly make a statement.



Witnessed by:



Officer's Name

CCSO - Bamwoff P.P.

Officer's Department

Date: 05-25-09, 20

Time: 03:22 AM.

CUMING COUNTY SHERIFF'S OFFICE
200 S. LINCOLN ST., RM. 203 , WEST POINT, NE 68788

VOLUNTARY STATEMENT

NAME: Claudine Farmer ADDRESS 103 Cedar #A
PHONE: 402-878-2134 Bancroft, NE
DOB: 9-8-75 OLN: _____
SOCIAL SECURITY NO. 565 45, 4091

Robert Hollowell was drinking @ Main Street Jazz
storefront about 7pm. I arrived about 9pm and
had my first drink about 10pm. I had asked
Bobby if he wanted to go home about 12am
but he said that because he didn't have to
work he wanted to get "messed up" which means
very drunk. He had recently moved to Bancroft
and have both worked a lot of hours lately,
however I was happy with staying home
with my kids tonight. Bobby started drinking
hang Island Ice Tea. I was ready to go
home and began leaving he followed me and
we proceeded home. We were sitting outside
on our porch when Hayden came outside
and said "Mom, Sammy just punched me
in the stomach". I thought that was rather
strange, so I questioned them and he answered
saying that Sammy should not have hit him.
I asked why again & Hayden said "for no
reason" I knew better, for those two have
had prior incidents where Sammy has been
beat up by Hayden. I went in the

SIGNATURE: _____ DATE: _____
WITNESS: _____ DATE: _____
WITNESS: _____ DATE: _____

choose and asked what was going on. My son said, "Gray was punching me and Gavin in the face. He didn't even hit us in the body!"

So apparently the boys were having a fight or wrestling match and Gray the older more aggressive one hurt them. So I asked Gray to sleep in the other room. I grabbed a pillow and blanket for him.

I then started to tell Bobby what happened when he came in the apartment and that is when he began cursing at my boys and called them pussies. He said that my sons act like little pussies and Gray was just "toughening them up".

I then told Bobby to leave, that I did not want to raise boys like that. I asked him to leave again then he pushed me down, my purse flew out of my hands and as I went to grab it, he also went after it. He pulled it til it ripped out of my hands and tried to shove it at me. I moved out of the way 9

of my words and tried to swing
at me. I moved out of the way
and as he reached for the purse,
~~he reached for the purse~~ I grabbed it again
he pulled his arm up to hit me
and I took off.

Bobby then started ordering
Gray to haul his tool boxes

and clothes out to their car. Bobby then started threatening me and calling me bad names.

My son Gavin came out of his room at that time and somewhat stopped Bobby from acting up. Gavin grabbed my purse and tried putting it back together.

At that point Gavin went to the bedroom and Bobby came after me. He tried to grab my shirt but I moved away from him. He grabbed my hair and I smacked him.

He then let go of me. Gray then said he had a bloody nose and began to sound like he was throwing up. Bobby accused me of hurting him and I said I (712) 205 0450 didn't touch him, I then saw Bobby go for the phone.

I did not hit him in any way shape or form, but Bobby insisted that I did, and that is why he called the police.

Grayden has gotten bloody noses several times before, and I believe it came from the stress he incurred by ~~knowing~~ the bad times and heavy loads. 11

several times before, ^{poor bloody noses} and I believe it came from the stress he incurred by carrying the tool boxes and heavy loads that his dad ordered him to load up in the car. My sons and daughter both know what I am not a violent person and would not hurt any child.

Bobby Hallowell is the one who should have been arrested for assault on me and threatening and verbally abusing my children and myself.

Claudia Zama

(608) 393-6013
402 878-2134

STATE OF WISCONSIN

CIRCUIT COURT

Domestic

STATE OF WISCONSIN,

FILED
Plaintiff, **CRIMINAL COMPLAINT**
SEP 27 2006

Vs.

Sauk Co., WI Circuit Court
Donna Mueller, Clerk
Court Case No. 06CM 964
Agency No. 06-06895

CLAUDINE E. FARMER, DOB 09/08/1975
611 WASHINGTON AVENUE
BARABOO, WI 53913

ATN:

Defendant.

Craig A. Olsen, being first duly sworn, states that:

Count 1: DISORDERLY CONDUCT, Domestic Abuse Related

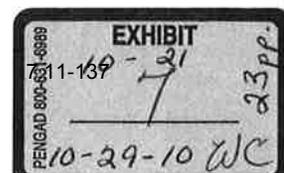
The above-named defendant on September 27, 2006, in the City of Baraboo, in Sauk County, Wisconsin, while in a public place, did engage in violent, abusive, boisterous, unreasonably loud or otherwise disorderly conduct, under circumstances in which such conduct tended to cause or provoke a disturbance, contrary to sec. 947.01, 939.51(3)(b) Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

PROBABLE CAUSE: Your complainant is a law enforcement officer for the Baraboo Police Department and signs this Criminal Complaint on information and belief.

Officer M. Creighton of the same department reports the following: On September 27, 2006 at approximately 2:48am, he and other officers were dispatched to a residence located at 422 5th Avenue, in the City of Baraboo, in Sauk County for a physical disturbance that was going on. At that residence, he made contact with a man who identified himself as Samuel Farmer, Sr. He asked Samuel what happened. Samuel stated that his wife, Claudine Farmer, showed up at the 5th Avenue residence and was yelling at him regarding him going out and drinking this evening. Samuel stated that Claudine got so upset that she pushed him down and when he hit the ground he scraped his knee pretty badly and his knee was bleeding.

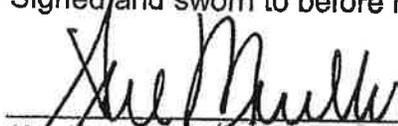
Officer M. Creighton also reports the following: Next he spoke to Karen Faris. Karen said that Samuel's wife, Claudine, showed up and was upset with Samuel because he was out drinking and because Claudine thought Samuel was cheating on her. She saw Claudine and Samuel arguing back and forth and then she saw Claudine push Samuel down. After that happened, Claudine got in her van and drove away.

ORIGINAL



Your complainant believes the statements of Samuel Farmer, Sr. and Karen Faris to be truthful and accurate as they are statements made by ordinary citizens. Your complainant knows Officer M. Creighton are law enforcement officers, working in an official capacity and with lawful authority, and therefore believes the above information to be accurate and reliable.

Signed and sworn to before me and approved for filing this 27 day of Sept, 2006.



(Assistant) District Attorney
1052580 01013430



Complainant

2006SA003027

BOND & CONDITIONS OF RELEASE IN CASE NO: 06CM 964

CLAUDINE E. FARMER
(Defendant's Name)

Date: 9/27/06

Charges and Bond Amounts:

DC-Dom Abuse Bond Amt \$ 250 Signature Cash

You are ORDERED to follow conditions of bail as follows. If you violate any of these conditions, your bond may be revoked, you may be returned to jail, a warrant may be issued for your arrest, any cash posted may be forfeited and you may be charged with bail jumping. In the event of conviction, any cash deposited with this bond shall be first applied to any fine or costs before returning excess to person posting cash bond.

1. You must appear for all your court dates whether set forth on this form or not.
2. You must send written notice of any change in address within 48 hours of the change to Sauk County Clerk of Court, 515 Oak Street, Baraboo, WI 53913.
3. You shall not do, nor cause to be done, nor permit to be done on your behalf any act proscribed in Wisconsin Statutes 940.42 to 940.45 (Intimidation of Witness/Victim). Any wilful violation of these statutes may result in revocation of release, forfeiture of bail and issuance of a bench warrant.
4. You shall not commit any crimes or engage in any criminal activity.
5. You shall complete the jail booking process prior to leaving the courthouse.
6. If the charge is operating a motor vehicle while under the influence of an intoxicant, you shall not operate a motor vehicle with any amount of alcohol in your system. If requested by a law enforcement officer you must submit to a chemical test of officer's choice to determine the presence of alcohol in your system.
7. Without court order you may not contact nor cause any person, except your attorney, to contact the following person(s): _____
8. You may retrieve your belongings if accompanied by a law enforcement officer upon prior notice.
9. Other BOOKING BY 11/2/06

FILED

SEP 28 2006

Sauk Co., WI Circuit Court
Dana M. Heston, Clerk

I HAVE RECEIVED A COPY OF THIS FORM. I UNDERSTAND AND AGREE TO FOLLOW ALL TERMS AND CONDITIONS OF THIS BOND.

X Claudine E. Farmer
Defendant's Signature Cell Washington Ave Baraboo WI 53913
Street City/State Zip

As of this date, your next court date is PERSONAL NOTICE at the Sauk County Courthouse

Date / Time Officer Initials
10-23-06 9:00 Rosmal
11-2-06 1:00 B13

I, as surety, understand that if defendant does not comply with all bond conditions, the bond will be forfeited and not returned to me. I understand that the bond will be used to pay any fines or costs imposed by the court.

Surety's Signature _____

Print Surety's Name & Address: _____

STATE OF WISCONSIN,

vs.

CLAUDINE E. FARMER,

Plaintiff,

Defendant.

FILED
OCT 12 2006

NOTICE OF RETAINER AND
DEMAND FOR DISCOVERY

Sauk Co., WI Circuit Court
Donna Mueller, Clerk

Case No. 06CM964

TO: District Attorney's Office
Sauk County Courthouse
515 Oak Street
Baraboo, WI 53913

PLEASE TAKE NOTICE that Kenneth H. Conway, Jr., of the law firm of Conway & Seefeld, S.C., 121 Fifth Street, P.O. Box 66, Baraboo, WI 53913, has been retained by and appears for the defendant, CLAUDINE E. FARMER.

DEMAND IS HEREBY MADE upon the District Attorney by the defendant, CLAUDINE E. FARMER, pursuant to §971.23 and §971.31 Wis.Stats., to:

1. Permit the defendant to inspect and copy or photograph any written or recorded statements made by the defendant concerning the alleged crime which are within the possession, custody or control of the State;
2. Furnish the defendant with a written summary of all oral statements made by the defendant which plaintiff plans to use in the course of the trial, including a list of the names of any witnesses to such statements which plaintiff intends to call for the purpose of introducing such statement into evidence during the course of the trial;
3. Furnish the defendant with a copy of his/her criminal record, if any, which is within the possession, custody and control of the plaintiff;
4. Disclose to the defendant the criminal records of all witnesses for the prosecution which are known to the District Attorney.

DEMAND IS FURTHER MADE upon the District Attorney requesting him/her to disclose to the defendant any and all exculpatory evidence and all statements, reports, notes, memoranda, and all other documents provided to plaintiff and its counsel by the arresting agency and subdivisions thereof.

DEMAND IS FURTHER MADE upon the District Attorney requesting he/she make known to the defendant all physical evidence so that the defendant may make a motion pursuant to

§971.23(4)(5) if he/she deems it appropriate.

DEMAND IS FURTHER MADE upon the District Attorney requesting that he/she furnish the defendant copies of any and all reports of scientific testing performed upon any physical evidence.

CONWAY & SEEFELD, S.C.
Attorneys for Defendant

Dated: 10/11/06

BY: Kenneth H. Conway, Jr.

CONWAY & SEEFELD, S.C.
121 Fifth Street, P.O. Box 66
Baraboo, WI 53913
(608) 356-9441

T:\CLIENTS\FARMER, SAMUEL A., SR\061390\NOT. OF RETAINER (CLAUDINE).DOC
jkm 10/11/06

STATE OF WISCONSIN,

Plaintiff,

FILED

AUTHORIZATION TO
APPEAR - MISDEMEANOR

vs.

CLAUDINE E. FARMER,

NOV - 2 2006

Defendant.

Sauk Co. WI Circuit Court
Donna Mueller, Clerk

Case No. 06CM964

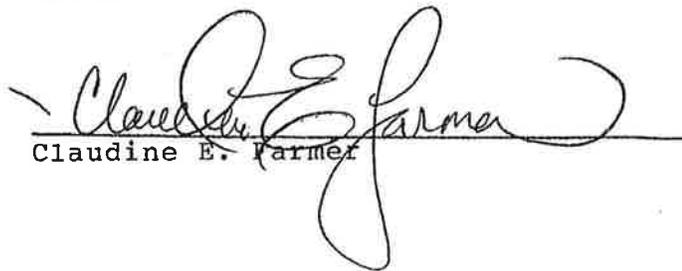
TO: District Attorney's Office
Sauk County Courthouse
515 Oak Street
Baraboo, WI 53913

Pursuant to §971.04, Wis. Stats., the above-named defendant in this misdemeanor action hereby authorizes Conway & Seefeld, S.C., 121 Fifth Street, P.O. Box 66, Baraboo, WI 53913, to act on his/her behalf in any manner with leave of the Court specially to include all court appearances.

Defendant further requests the Court to excuse him/her from attendance at any and all proceedings and makes a special appearance with objection to the jurisdiction of the Court.

Defendant further invokes his/her Fifth Amendment right to remain silent and Sixth Amendment right to counsel with regard to answering questions from law enforcement regarding any pending charges and regarding any uncharged or unrelated matters.

Dated: 10/11/06

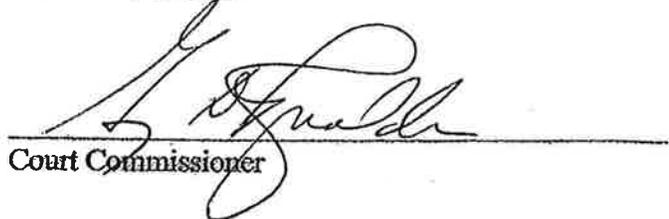


Claudine E. Farmer

LEAVE OF COURT GRANTED.

BY THE COURT:

Dated: 11-2-06



Court Commissioner

State of Wisconsin vs. Claudine E. Farmer

Notice of Hearing

FILED

NOV 08 2006

Sauk Co., WI Circuit Court
Donna Mueller, Clerk

Case No.: 2006CM000964

COURT ORIGINAL

This case is scheduled for: **Plea/sentencing hearing**

Date: 11-15-2006
Time: 01:00 pm
Court Official: Guy Reynolds, Judge
Location: Branch 3, Sauk County Courthouse
 515 Oak St
 Baraboo WI 53913
Re: 1 - Disorderly Conduct

This matter will not be adjourned by the court except upon formal motion for good cause shown or with the specific approval of the court upon stipulation by all parties.

Sauk County Circuit Court
Date: November 8, 2006

If you need help in this matter because of a disability, please call 608-355-3269 TTY 608-355-3490

Distribution:

	Address	City	State	Zip	Personal Service	Mail/Phone Notice	Electronic Notice
Court Original					<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mandy Schepper	Sauk County Courthouse, 515 Oak Street	Baraboo	WI	53913	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kenneth H Conway	121 Fifth Street, PO Box 66	Baraboo	WI	53913-0066	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Claudine E. Farmer	611 Washington Avenue	Baraboo	WI	53913	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

State of Wisconsin, Plaintiff,
-vs-

**Plea Questionnaire/
Waiver of Rights**

FILED

NOV 15 2006

CLAUDINE E. FARMER, Defendant Case No. 06CM964
Name

Sauk Co. WI Circuit Court
Denna Mueller, Clerk

I am the defendant and intend to plea as follows:

Charge/Statute	Plea	Charge/Statute	Plea
Disorderly Conduct/Domestic	<input type="checkbox"/> Guilty <input checked="" type="checkbox"/> No Contest		<input type="checkbox"/> Guilty <input type="checkbox"/> No Contest
	<input type="checkbox"/> Guilty <input type="checkbox"/> No Contest		<input type="checkbox"/> Guilty <input type="checkbox"/> No Contest

See attached sheet for additional charges.

I am 31 years old. I have completed 16 years of schooling.

I do do not have a high school diploma, GED, or HSED.
 I do do not understand the English language.
 I do do not understand the charge(s) to which I am pleading.
 I am not am currently receiving treatment for a mental illness or disorder.
 I have not have had any alcohol, medications, or drugs within the last 24 hours.

Constitutional Rights

I understand that by entering this plea, I give up the following constitutional rights:

- I give up my right to a trial.
- I give up my right to remain silent and I understand that my silence could not be used against me at trial.
- I give up my right to testify and present evidence at trial.
- I give up my right to use subpoenas to require witnesses to come to court and testify for me at trial.
- I give up my right to a jury trial, where all 12 jurors would have to agree that I am either guilty or not guilty.
- I give up my right to confront in court the people who testify against me and cross-examine them.
- I give up my right to make the State prove me guilty beyond a reasonable doubt.

I understand the rights that have been checked and give them up of my own free will.

Understandings

- I understand that the crime(s) to which I am pleading has/have elements that the State would have to prove beyond a reasonable doubt if I had a trial. These elements have been explained to me by my attorney or are as follows: See Attached sheet.
- I understand that the judge is not bound by any plea agreement or recommendations and may impose the maximum penalty. The maximum penalty I face upon conviction is: \$1,000 fine and 90 days jail
- I understand that the judge must impose the mandatory minimum penalty, if any. The mandatory minimum penalty I face upon conviction is: No fine, no jail
- I understand that the presumptive minimum penalty, if any, I face upon conviction is: _____

The judge can impose a lesser sentence if the judge states appropriate reasons.

Understandings

- I understand that if I am placed on probation and my probation is revoked:
 - if sentence is withheld, the judge could sentence me to the maximum penalty, or
 - if sentence is imposed and stayed, I will be required to serve that sentence.
- I understand that if I am not a citizen of the United States, my plea could result in deportation, the exclusion of admission to this country, or the denial of naturalization under federal law.
- I understand that if I am convicted of any felony, I may not vote in any election until my civil rights are restored.
- I understand that if I am convicted of any felony, it is unlawful for me to possess a firearm.
- I understand that if I am convicted of any violent felony, it is unlawful for me to possess body armor.
- I understand that if I am convicted of a serious child sex offense, I cannot engage in an occupation or participate in a volunteer position that requires me to work or interact primarily and directly with children under the age of 16.
- I understand that if any charges are read-in as part of a plea agreement they have the following effects:
 - Sentencing – although the judge may consider read-in charges when imposing sentence, the maximum penalty will not be increased.
 - Restitution – I may be required to pay restitution on any read-in charges.
 - Future prosecution – the State may not prosecute me for any read-in charges.
- I understand that if the judge accepts my plea, the judge will find me guilty of the crime(s) to which I am pleading based upon the facts in the criminal complaint and/or the preliminary examination and/or as stated in court.

Voluntary Plea

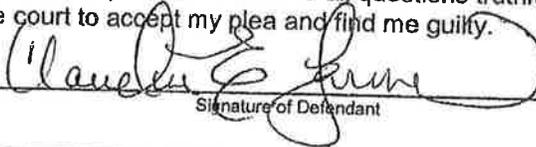
I have decided to enter this plea of my own free will. I have not been threatened or forced to enter this plea. No promises have been made to me other than those contained in the plea agreement. The plea agreement will be stated in court or is as follows:

See Attached.

I will plead no contest and the State will recommend a Deferred Prosecution for 18 months with domestic abuse anger management counseling with a minimum of 20 sessions, no further law violations, and if successful, dismissal will be granted.

Defendant's Statement

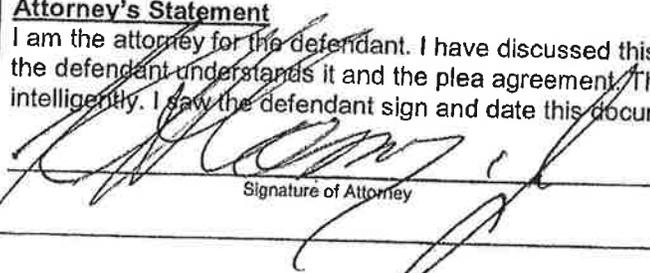
I have reviewed and understand this entire document and any attachments. I have reviewed it with my attorney (if represented). I have answered all questions truthfully and either I or my attorney have checked the boxes. I am asking the court to accept my plea and find me guilty.


Signature of Defendant

November 15, 2006
Date

Attorney's Statement

I am the attorney for the defendant. I have discussed this document and any attachments with the defendant. I believe the defendant understands it and the plea agreement. The defendant is making this plea freely, voluntarily, and intelligently. I saw the defendant sign and date this document.


Signature of Attorney

November 15, 2006
Date

ELEMENTS OF COMMON CRIMINAL OFFENSES

CRIME	STATUTE	ELEMENTS <i>(Note: Boxes should be checked in each column - words should be spelled/underlined as they may be different places should be different)</i>
<input type="checkbox"/>	Burglary (unarmed) 943.10 Class C Felony	<ul style="list-style-type: none"> • I intentionally entered the <u>building/dwelling</u> of another • I did not have the consent of the owner or person in lawful possession to enter • I knew that I did not have the consent to enter • At the time I entered I intended to steal or commit a felony
<input type="checkbox"/>	Theft (under \$1000) 943.20 Class A Misd.	<ul style="list-style-type: none"> • I intentionally took and carried away <i>moveable property</i> of another • I did not have the consent of the owner to take and carry away this property • I knew that I did not have the consent of the owner to take and carry away this property • I intended to <i>permanently deprive</i> the owner of possession of the property
<input type="checkbox"/>	Operating M.V. without consent of owner 943.23(3) Class E Felony	<ul style="list-style-type: none"> • I intentionally <u>drove/operated</u> a vehicle of another • The <u>driving/operating</u> of such vehicle was without the consent of the owner • I knew that such <u>driving/operating</u> was without the owner's consent
<input type="checkbox"/>	Issuance of a worthless check (<\$2500) 943.24 Class A Misd.	<ul style="list-style-type: none"> • I issued a check • At the time the check was issued, I intended that it not be paid
<input type="checkbox"/>	Transfer of encumbered property 943.25 (2)(a) Class I Felony	<ul style="list-style-type: none"> • I <u>concealed/removed/transferred</u> personal property • Another person (including bank or financial institution) held a <i>security interest</i> in the personal property • I knew that another held a security interest in such personal property • I <u>concealed/removed/transferred</u> such property with <i>intent to defraud</i>
<input type="checkbox"/>	Robbery (no dangerous weapon) 943.32 Class E Felony	<ul style="list-style-type: none"> • I took property from the person or the presence of the owner • I used force or the threat of force against the person of the owner • I intended the force or threat of force to overcome the physical resistance or physical power of resistance to the taking and carrying away of the property
<input type="checkbox"/>	Receiving stolen property (<=\$2500) 943.34(1) Class A Misd.	<ul style="list-style-type: none"> • I intentionally <u>received/concealed</u> property: • The property was <i>stolen</i> property • I knew or believed that the property was stolen when it was <u>received/concealed</u>
<input type="checkbox"/>	Forgery (Uttering) 943.38(2) Class H Felony	<ul style="list-style-type: none"> • The writing was one by which <i>legal rights or obligations</i> are created or transferred • The writing was falsely <u>made/altere</u>d • I issued (or uttered) the writing as genuine • I knew the writing was <u>falsely made/altere</u>d
<input type="checkbox"/>	Retail theft (Shoplifting) (under \$2500) 943.50 (1m) Class A Misd.	<ul style="list-style-type: none"> • I intentionally took and carried away <i>merchandise</i> held for resale by a <i>merchant</i> • I did not have the consent of the merchant to take and carry away this merchandise • I knew that I did not have the consent of the merchant to take and carry away this merchandise • I intended to <i>permanently deprive</i> the merchant of possession of the merchandise
<input type="checkbox"/>	Obstructing or Resisting an officer 946.41 Class A Misd.	<ul style="list-style-type: none"> • I obstructed an officer by conduct that prevented or made more difficult the performance of the officer's duties or • I resisted an officer • The officer was doing an act in an <i>official capacity</i> • The officer was doing an act with <i>lawful authority</i> • I knew that the officer was an officer acting in an official capacity and with lawful authority • I knew my conduct would <u>obstruct/resist</u> the officer
<input checked="" type="checkbox"/>	Disorderly conduct 947.01 Class B Misd.	<ul style="list-style-type: none"> • I engaged in <u>violent/abusive/indecent/profane/boisterous/unreasonably loud/ or otherwise disorderly conduct</u> • My conduct, under the circumstances, tended to cause or provoke a disturbance

State of Wisconsin, Plaintiff, -vs-

Notice of Right to Seek Postconviction Relief

FILED

NOV 15 2006

CLAUDINE E. FARMER, Defendant Name

Case No. 06CM964

Sauk Co. WI Circuit Court Donna Mueller, Clerk

TO THE DEFENDANT:

You have the right to seek postconviction relief from the judgment in this case. If you were represented by a lawyer at your sentencing, it is that lawyer's responsibility to assist you in deciding whether to seek postconviction relief.

If you decide to seek postconviction relief, you or your lawyer must file a Notice of Intent to Seek Postconviction Relief. The Notice of Intent must be filed in the trial court within 20 days. If you had a lawyer at sentencing, and if you give your lawyer timely notice that you have decided to seek postconviction relief, it is your lawyer's duty to see that your Notice of Intent is properly filed in this court and served on the District Attorney.

After filing the Notice of Intent, your lawyer does not have to represent you further unless you hire him or her to do so. If you intend to seek postconviction relief but cannot afford a lawyer, you have the right to request that a lawyer be appointed to assist you by the State Public Defender.

DEFENDANT'S ACKNOWLEDGEMENT:

I have discussed my right to seek postconviction relief with the lawyer who represented me at sentencing, if any. I understand that if I intend to seek postconviction relief, I must file a Notice of Intent in the trial court within 20 days after sentencing and send a copy to the District Attorney. If I want my lawyer to file the Notice of Intent for me, I must timely inform my lawyer of my decision to seek postconviction relief. I have received a copy of this Notice.

- I plan to seek postconviction relief.
[X] I do not plan to seek postconviction relief.
I am undecided about seeking postconviction relief and I know I need to decide and tell my lawyer within 20 days.

Claudia E. Farmer
Signature of Defendant

November 15, 2006
Date

ATTORNEY CERTIFICATION:

I have counseled the defendant about the decision to seek postconviction relief. I have informed the defendant that this decision must be made and communicated to me within 20 days of sentencing. I believe the defendant understands the right to postconviction relief and the 20 day time limit. I understand that it is my duty to file the Notice of Intent to Pursue Postconviction Relief on behalf of the defendant if that intent is timely communicated to me.

[Signature]
Signature of Defense Attorney

November 15, 2006
Date

Distribution: Original to court, Copy: Defendant, Defense Attorney

DOMESTIC ABUSE DEFERRED PROSECUTION CONTRACT

Name: Claudine E. Farmer, DOB: 09/08/1975
611 Washington Avenue
Baraboo, WI 53913

FILED

Case No. 2006CM000964

DEC 21 2006

It appearing that you have committed a criminal offense included in Wisconsin's Domestic Abuse Law for which a Criminal Complaint has been filed against you by the Sauk County District Attorney's Office and it appearing that after an assessment of the offense and of your background, the interest of the community and you can be best served by your participation with Pauquette Center for Psychological Services.

NOW THEREFORE, the Sauk County District Attorney in cooperation with Pauquette Center for Psychological Services (hereinafter identified as the counseling provider) under authority of section 971.39 of the Wisconsin Statutes, agrees that prosecution of this offense shall be deferred for not more than 18 months from this date, provided that you abide by the following conditions:

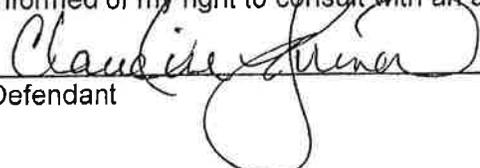
1. You admit to committing disorderly conduct on September 27, 2006. (This acknowledgment cannot be used in any court of law.)
2. You agree to attend counseling provided by the counseling provider and to comply with the requirements thereof.
3. You agree to refrain from any conduct which creates probable cause to believe that you violated the criminal laws of any State or the United States or violated the ordinance of any county or municipality which substantially conforms to a criminal statute during the period of this contract.
4. You agree to waive any objection to the delay in the prosecution of this case, which is attributable to your participation in counseling.
5. You agree to notify the counseling provider and the Sauk County District Attorney's Office of any change of your residence within ten (10) days of such change.
6. If you violate any provision of this agreement, a motion to revoke the agreement shall be filed with the court no later than 45 days after the 18 month term expires, or any extension agreed to by the parties and you will be returned to court for sentencing on the charge.

If you violate the terms of this contract during the period of deferred prosecution: 1) the contract may be revoked or modified by the counseling provider; 2) there may be a change in the period of the time of the deferment; and 3) the prosecution of this offense may be restarted at the point left off. If you comply with the terms of this contract, and after the counseling provider presents verification to the Sauk County District Attorney the charge, which resulted in the deferred prosecution, will be dismissed with prejudice.


Counselor


Sauk County District Attorney

I hereby state that I have read the above and I understand the conditions of my deferred prosecution and I agree that I will comply with them. I fully understand that I may, at any time during the life of this contract, request that this contract be terminated and that court proceedings be reinstated. I have been informed of my right to consult with an attorney before signing this contract.


Defendant

12-13-06
Date

STATE OF WISCONSIN,

Plaintiff,

DEFERRED PROSECUTION ORDER

vs.

CLAUDINE E. FARMER,

FILED

Case No. 06CM964

Defendant.

DEC 21 2006

Sauk Co., WI Circuit Court
Donna Mueller, Clerk

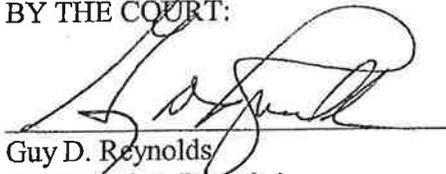
The Court being advised that the defendant has entered into a deferred prosecution agreement on Count One with representatives of the prosecutor's office,

Now, therefore,

IT IS ORDERED, that the prosecution in Count One of the Information shall be deferred for **18 months until June 21, 2008** provided that the defendant complies with the terms of the deferred prosecution agreement. In the event defendant does not participate in the program or is rejected from the program, the Court shall be promptly notified and the criminal prosecution shall continue. Upon completion of the program, the Court shall be promptly advised.

Dated this 21 day of December, 2006.

BY THE COURT:



Guy D. Reynolds
Circuit Judge, Branch 3

Copies to: District Attorney
Defendant/or their attorney

STATE OF WISCONSIN,
Plaintiff,

vs.

Claudine E. Farmer, DOB: 09/08/1975
611 Washington Avenue
Baraboo, WI 53913,
Defendant.

NOTICE OF MOTION
AND MOTION

FILED Case No. 2006CM964

MAY 24 2007

Sauk Co., WI Circuit Court

To: Claudine E. Farmer

PLEASE TAKE NOTICE, that on a date and time to be set by the Court, the State of Wisconsin, by Sauk County Assistant District Attorney Jennifer M. Harper will move the Court, the Honorable James Evenson, Circuit Court Judge, to revoke the deferred prosecution agreement on file in the above case and to enter judgment of conviction for the offense of Disorderly Conduct contrary to Wisconsin Statutes, and to proceed to sentencing for this offense.

As grounds for this motion, the State of Wisconsin represents that the defendant has violated section three of the deferred prosecution agreement: specifically being charged with a new criminal offense in Sauk County Case No. 2007CM389.

Respectfully submitted this 22nd day of May, 2004,

State of Wisconsin

By:



Jennifer M. Harper
Assistant District Attorney
Sauk County, Wisconsin
State Bar No. 1035693

State of Wisconsin vs. Claudine E. Farmer

Notice of Hearing

Case No.: 2006CM000964

FILED
MAY 25 2007
Sauk Co., WI Circuit Court
Clerk

COURT ORIGINAL

This case is scheduled for: **Motion hearing**

Date: 07-10-2007
Time: 01:00 pm
Court Official: Guy Reynolds, Judge
Location: Branch 3, Sauk County Courthouse
515 Oak St
Baraboo WI 53913
Re: 1 - Disorderly Conduct

This matter will not be adjourned by the court except upon formal motion for good cause shown or with the specific approval of the court upon stipulation by all parties.

****PLEASE NOTE**** This has been scheduled for a hearing to revoke the deferred prosecution agreement. This has been scheduled for 30 minutes.

THE DEFENDANT MUST APPEAR IN PERSON FOR THIS HEARING. FAILURE OF THE DEFENDANT TO APPEAR IN PERSON SHALL RESULT IN THE ISSUANCE OF A BENCH WARRANT FOR DEFENDANT'S ARREST.

Sauk County Circuit Court

Date: May 25, 2007

If you need help in this matter because of a disability, please call 608-355-3269 TTY 608-355-3490

Distribution:

	Address	City	State	Zip	Personal Service	Mail/Phone Notice	Electronic Notice
Court Original					<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mandy Schepper	Sauk County Courthouse, 515 Oak Street	Baraboo	WI	53913	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kenneth H Conway	121 Fifth Street, PO Box 66	Baraboo	WI	53913-0066	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Claudine E. Farmer	611 Washington Avenue	Baraboo	WI	53913	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5-25-07
jml

State of Wisconsin vs. Claudine E. Farmer

Notice of Hearing

FILED

JUL 06 2007

Case No.: 2006CM000964

Sauk Co., WI Circuit Court Clerk

COURT ORIGINAL

This case is scheduled for: Motion hearing

Date: 09-07-2007
Time: 01:00 pm
Court Official: Guy Reynolds, Judge
Location: Branch 3, Sauk County Courthouse
515 Oak St
Baraboo WI 53913
Re: 1 - Disorderly Conduct

This matter will not be adjourned by the court except upon formal motion for good cause shown or with the specific approval of the court upon stipulation by all parties.

PLEASE NOTE Per the request of Attorney Conway this has been reset from 07/10/07 to the date and time as listed above. This has been scheduled for a hearing to revoke the deferred prosecution agreement. This has been scheduled for 30 minutes.

THE DEFENDANT MUST APPEAR IN PERSON FOR THIS HEARING. FAILURE OF THE DEFENDANT TO APPEAR IN PERSON SHALL RESULT IN THE ISSUANCE OF A BENCH WARRANT FOR DEFENDANT'S ARREST.

Sauk County Circuit Court

Date: July 6, 2007

If you need help in this matter because of a disability, please call 608-355-3269 TTY 608-355-3490

Distribution:

Table with columns: Distribution, Address, City, State, Zip, Personal Service, Mail/Phone Notice, Electronic Notice. Includes entries for Court Original, Mandy Schepper, Kenneth H Conway, and Claudine E. Farmer.

Handwritten signature

State of Wisconsin vs. Claudine E. Farmer

Notice of Hearing

Case No.: 2006CM000964

FILED

JUL 27 2007

Sauk Co., WI Circuit Court

COURT ORIGINAL

This case is scheduled for: **Plea/sentencing hearing**

Date: 08-01-2007
Time: 01:00 pm
Court Official: Guy Reynolds, Judge
Location: Branch 3, Sauk County Courthouse
 515 Oak St
 Baraboo WI 53913
Re: 1 - Disorderly Conduct

This matter will not be adjourned by the court except upon formal motion for good cause shown or with the specific approval of the court upon stipulation by all parties.

Sauk County Circuit Court

Date: July 26, 2007

If you need help in this matter because of a disability, please call 608-355-3269 TTY 608-355-3490

Distribution:

	Address	City	State	Zip	Personal Service	Mail/Phone Notice	Electronic Notice
Court Original					<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mandy Schepper	Sauk County Courthouse, 515 Oak Street	Baraboo	WI	53913	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kenneth H Conway	121 Fifth Street, PO Box 66	Baraboo	WI	53913-0066	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Claudine E. Farmer	611 Washington Avenue	Baraboo	WI	53913	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For Official Use
FILED

State of Wisconsin, Plaintiff,
-vs-

**Plea Questionnaire/
Waiver of Rights**

AUG 01 2007

CLAUDINE E. FARMER
Name

Defendant Case No. 06CM964 & 07CM389

Sauk Co. WI Circuit Court

I am the defendant and intend to plea as follows:

Charge/Statute	Plea	Charge/Statute	Plea
Disorderly Conduct	<input type="checkbox"/> Guilty <input checked="" type="checkbox"/> No Contest		<input type="checkbox"/> Guilty <input type="checkbox"/> No Contest
Disorderly Conduct	<input type="checkbox"/> Guilty <input checked="" type="checkbox"/> No Contest		<input type="checkbox"/> Guilty <input type="checkbox"/> No Contest

See attached sheet for additional charges.

I am 31 years old. I have completed 15 years of schooling.

- I do do not have a high school diploma, GED, or HSED.
- I do do not understand the English language.
- I do do not understand the charge(s) to which I am pleading.
- I am not am currently receiving treatment for a mental illness or disorder.
- I have not have had any alcohol, medications, or drugs within the last 24 hours.

Constitutional Rights

I understand that by entering this plea, I give up the following constitutional rights:

- I give up my right to a trial.
- I give up my right to remain silent and I understand that my silence could not be used against me at trial.
- I give up my right to testify and present evidence at trial.
- I give up my right to use subpoenas to require witnesses to come to court and testify for me at trial.
- I give up my right to a jury trial, where all 12 jurors would have to agree that I am either guilty or not guilty.
- I give up my right to confront in court the people who testify against me and cross-examine them.
- I give up my right to make the State prove me guilty beyond a reasonable doubt.

I understand the rights that have been checked and give them up of my own free will.

Understandings

- I understand that the crime(s) to which I am pleading has/have elements that the State would have to prove beyond a reasonable doubt if I had a trial. These elements have been explained to me by my attorney or are as follows: See Attached sheet.
- I understand that the judge is not bound by any plea agreement or recommendations and may impose the maximum penalty. The maximum penalty I face upon conviction is: \$1,000.00 fine and 90 days in jail in each case
- I understand that the judge must impose the mandatory minimum penalty, if any. The mandatory minimum penalty I face upon conviction is: No fine and no jail in each case
- I understand that the presumptive minimum penalty, if any, I face upon conviction is: _____

The judge can impose a lesser sentence if the judge states appropriate reasons.

18

Understandings

- I understand that if I am placed on probation and my probation is revoked:
 - if sentence is withheld, the judge could sentence me to the maximum penalty, or
 - if sentence is imposed and stayed, I will be required to serve that sentence.
- I understand that if I am not a citizen of the United States, my plea could result in deportation, the exclusion of admission to this country, or the denial of naturalization under federal law.
- I understand that if I am convicted of any felony, I may not vote in any election until my civil rights are restored.
- I understand that if I am convicted of any felony, it is unlawful for me to possess a firearm.
- I understand that if I am convicted of any violent felony, it is unlawful for me to possess body armor.
- I understand that if I am convicted of a serious child sex offense, I cannot engage in an occupation or participate in a volunteer position that requires me to work or interact primarily and directly with children under the age of 16.
- I understand that if any charges are read-in as part of a plea agreement they have the following effects:
 - Sentencing – although the judge may consider read-in charges when imposing sentence, the maximum penalty will not be increased.
 - Restitution – I may be required to pay restitution on any read-in charges.
 - Future prosecution – the State may not prosecute me for any read-in charges.
- I understand that if the judge accepts my plea, the judge will find me guilty of the crime(s) to which I am pleading based upon the facts in the criminal complaint and/or the preliminary examination and/or as stated in court.

Voluntary Plea

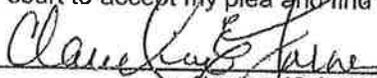
I have decided to enter this plea of my own free will. I have not been threatened or forced to enter this plea. No promises have been made to me other than those contained in the plea agreement. The plea agreement will be stated in court or is as follows: See Attached.

I will plead No Contest in each case and the District Attorney has agreed to a fine and costs of \$350 in each case, a total of \$700.

The Motion to Revoke the Deferred Prosecution in Case 06CM964 will be removed from the Court's calendar.

Defendant's Statement

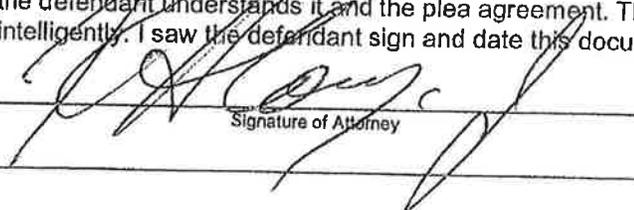
I have reviewed and understand this entire document and any attachments. I have reviewed it with my attorney (if represented). I have answered all questions truthfully and either I or my attorney have checked the boxes. I am asking the court to accept my plea and find me guilty.


Signature of Defendant

8-1-07
Date

Attorney's Statement

I am the attorney for the defendant. I have discussed this document and any attachments with the defendant. I believe the defendant understands it and the plea agreement. The defendant is making this plea freely, voluntarily, and intelligently. I saw the defendant sign and date this document.


Signature of Attorney

8/1/07
Date

ELEMENTS OF COMMON CRIMINAL OFFENSES

CRIME	STATUTE	ELEMENTS <i>(None below should be checked, marked words should be explained, underlines must be clarified, blanks should be filled in)</i>
<input type="checkbox"/>	Burglary (unarmed) 943.10 Class C Felony	<ul style="list-style-type: none"> • I intentionally entered the <u>building/dwelling</u> of another • I did not have the consent of the owner or person in lawful possession to enter • I knew that I did not have the consent to enter • At the time I entered I intended to steal or commit a felony
<input type="checkbox"/>	Theft (under \$1000) 943.20 Class A Misd.	<ul style="list-style-type: none"> • I intentionally took and carried away <i>moveable property</i> of another • I did not have the consent of the owner to take and carry away this property • I knew that I did not have the consent of the owner to take and carry away this property • I intended to <i>permanently deprive</i> the owner of possession of the property
<input type="checkbox"/>	Operating M.V. without consent of owner 943.23(3) Class E Felony	<ul style="list-style-type: none"> • I intentionally <u>drove/operated</u> a vehicle of another • The <u>driving/operating</u> of such vehicle was without the consent of the owner • I knew that such <u>driving/operating</u> was without the owner's consent
<input type="checkbox"/>	Issuance of a worthless check (<\$2500) 943.24 Class A Misd.	<ul style="list-style-type: none"> • I issued a check • At the time the check was issued, I intended that it not be paid
<input type="checkbox"/>	Transfer of encumbered property 943.25 (2)(a) Class I Felony	<ul style="list-style-type: none"> • I <u>concealed/removed/transferred</u> personal property • Another person (including bank or financial institution) held a <i>security interest</i> in the personal property • I knew that another held a security interest in such personal property • I <u>concealed/removed/transferred</u> such property with <i>intent to defraud</i>
<input type="checkbox"/>	Robbery (no dangerous weapon) 943.32 Class E Felony	<ul style="list-style-type: none"> • I took property from the person or the presence of the owner • I used force or the threat of force against the person of the owner • I intended the force or threat of force to overcome the physical resistance or physical power of resistance to the taking and carrying away of the property
<input type="checkbox"/>	Receiving stolen property (<=\$2500) 943.34(1) Class A Misd.	<ul style="list-style-type: none"> • I intentionally <u>received/concealed</u> property: • The property was <i>stolen</i> property • I knew or believed that the property was stolen when it was <u>received/concealed</u>
<input type="checkbox"/>	Forgery (Uttering) 943.38(2) Class H Felony	<ul style="list-style-type: none"> • The writing was one by which <i>legal rights or obligations</i> are created or transferred • The writing was falsely <u>made/altere</u>d • I issued (or uttered) the writing as genuine • I knew the writing was <u>falsely made/altere</u>d
<input type="checkbox"/>	Retail theft (Shoplifting) (under \$2500) 943.50 (1m) Class A Misd.	<ul style="list-style-type: none"> • I intentionally took and carried away <i>merchandise</i> held for resale by a <i>merchant</i> • I did not have the consent of the merchant to take and carry away this merchandise • I knew that I did not have the consent of the merchant to take and carry away this merchandise • I intended to <i>permanently deprive</i> the merchant of possession of the merchandise
<input type="checkbox"/>	Obstructing or Resisting an officer 946.41 Class A Misd.	<ul style="list-style-type: none"> • I obstructed an officer by conduct that prevented or made more difficult the performance of the officer's duties or • I resisted an officer • The officer was doing an act in an <i>official capacity</i> • The officer was doing an act with <i>lawful authority</i> • I knew that the officer was an officer acting in an official capacity and with lawful authority • I knew my conduct would <u>obstruct/resist</u> the officer
<input checked="" type="checkbox"/>	Disorderly conduct 947.01 Class B Misd.	<ul style="list-style-type: none"> • I engaged in <u>violent/abusive/indecent/profane/boisterous/unreasonably loud/ or otherwise disorderly conduct</u> • My conduct, under the circumstances, tended to cause or provoke a disturbance

FILED
AUG 01 2007
Sauk Co., WI Circuit Court
Clerk

State of Wisconsin, Plaintiff,
-vs-

**Notice of Right to Seek
Postconviction Relief**

CLAUDINE E. FARMER, Defendant
Name

Case No. 06CM964 & 07CM389

TO THE DEFENDANT:

You have the right to seek postconviction relief from the judgment in this case. If you were represented by a lawyer at your sentencing, it is that lawyer's responsibility to assist you in deciding whether to seek postconviction relief.

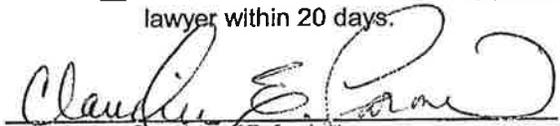
If you decide to seek postconviction relief, you or your lawyer must file a Notice of Intent to Seek Postconviction Relief. The Notice of Intent must be filed in the trial court within 20 days. If you had a lawyer at sentencing, and if you give your lawyer timely notice that you have decided to seek postconviction relief, it is your lawyer's duty to see that your Notice of Intent is properly filed in this court and served on the District Attorney.

After filing the Notice of Intent, your lawyer does not have to represent you further unless you hire him or her to do so. If you intend to seek postconviction relief but cannot afford a lawyer, you have the right to request that a lawyer be appointed to assist you by the State Public Defender.

DEFENDANT'S ACKNOWLEDGEMENT:

I have discussed my right to seek postconviction relief with the lawyer who represented me at sentencing, if any. I understand that if I intend to seek postconviction relief, I must file a Notice of Intent in the trial court within 20 days after sentencing and send a copy to the District Attorney. If I want my lawyer to file the Notice of Intent for me, I must timely inform my lawyer of my decision to seek postconviction relief. I have received a copy of this Notice.

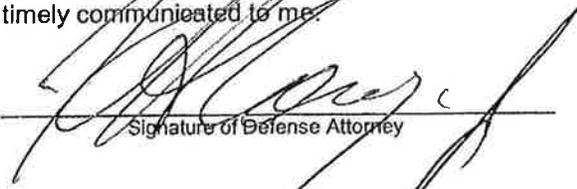
- I plan to seek postconviction relief.
- I do not plan to seek postconviction relief.
- I am undecided about seeking postconviction relief and I know I need to decide and tell my lawyer within 20 days.


Signature of Defendant

8-1-07
Date

ATTORNEY CERTIFICATION:

I have counseled the defendant about the decision to seek postconviction relief. I have informed the defendant that this decision must be made and communicated to me within 20 days of sentencing. I believe the defendant understands the right to postconviction relief and the 20 day time limit. I understand that it is my duty to file the Notice of Intent to Pursue Postconviction Relief on behalf of the defendant if that intent is timely communicated to me.


Signature of Defense Attorney

8/1/07
Date

Distribution: Original to court.
Copy: Defendant, Defense Attorney

State of Wisconsin vs. Claudine E. Farmer

Judgment of Conviction and Sentence to the County Jail/Fine/Forfeiture

FILED

AUG 02 2007

Sauk Co., WI Circuit Court

Date of Birth: 09-08-1975

Case No.: 2006CM000964

The defendant was found guilty of the following offense(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
1	Disorderly Conduct	947.01	No Contest	Misd. B	09-27-2006		08-01-2007

The defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Conc. with/Cons. to/Comments	Begin date	Begin time	Agency
1	08-01-2007	Forfeiture / Fine					

Obligation Detail:

Ct.	Schedule	Amount	Days to Pay	Due Date	Failure to Pay Action	Victim
1	Misdemeanor Fine w/CC	350.00	60	10-01-2007	Commitment	

Obligation Summary:

Ct.	Fine & Forfeiture	Court Costs	Attorney Fee	Restitution	Other	Mand. Victim/Witness Sur.	5% Rest. Surcharge	DNA Analysis Surcharge	Totals
1	262.00	20.00			8.00	60.00			350.00

Total Obligations: 350.00

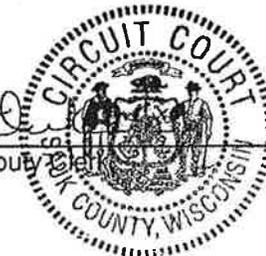
It is adjudged that 0 days sentence credit are due pursuant to § 973.155 Wisconsin Statutes.

It is ordered that the Sheriff shall execute this sentence.

Guy Reynolds, Judge
Mandy Schepper, District Attorney
Kenneth H Conway, Defense Attorney
County Sheriff

BY THE COURT:

[Signature]
Circuit Court Judge/Clerk/Deputy Clerk



August 2, 2007

Date

State of Wisconsin vs. Claudine E. Farmer

Judgment for Unpaid Fines, Forfeitures and Other Financial Obligations
Case No.: 2006CM000964

FILED

JAN 03 2008

Sauk Co. WI Circuit Court

COURT ORIGINAL

THE COURT FINDS:

1. The name and address of the debtor:

Claudine E. Farmer
611 Washington Avenue
Baraboo WI 53913

09-08-1975

2. The name and address of the creditor:

Clerk of Circuit Court
515 Oak Street
P.O. Box 449
Baraboo WI 53913

3. The debtor was ordered to pay a fine, forfeiture, court costs, assessments, guardian ad litem fees, court appointed attorney fees, surcharges or DNR restitution (if applicable). The total obligation was not paid and the amount owed is: \$350.00.

THE COURT ORDERS:

1. Judgment is granted in favor of the creditor and against the defendant/debtor for the amount owed.

[] Twelve percent (12%) interest will be added from the date of entry of judgment.

2. This judgment shall be entered in the judgment and lien docket.

3. No docketing fee shall be charged.

BY THE COURT:

[Handwritten signature: Vicki Meister]

Court Official

Vicki Meister

Name Printed or Typed

January 3, 2008

Date

Please note:

Even when you pay this debt in full, the judgment entered in the judgment and lien docket may remain unsatisfied until you pay the \$5 fee to have it satisfied. An unsatisfied debt could adversely affect your credit rating and, consequently, your ability to obtain a loan.

Distribution:

Table with columns: Distribution, Address, City, State, Zip, Personal Service, Mail Notice. Row 1: Court Original, 611 Washington Avenue, Baraboo, WI, 53913, [], [].

GF-171, 04/07 Judgment for Unpaid Fines, Forfeitures and Other Financial Obligations

§§ 48.235(8), 54.46(3), 55.07(4), 55.18(3), 345.47, 345.49, 767.045(6), 778.30, 785.04, 815.05(8), 938.235(8), 973.05(4), Wisconsin Statutes

This form may not be modified. It may be supplemented with additional material.

JUDGE REYNOLDS

Jennifer M. Harper

SAUK COUNTY

STATE OF WISCONSIN

CIRCUIT COURT

FILED

STATE OF WISCONSIN,

MAY 08 2007

Plaintiff
SAUK CO., WI CIRCUIT COURT

CRIMINAL COMPLAINT

Vs.

Court Case No. 07CM 389

CLAUDINE E. FARMER, DOB 09/08/1975
611 WASHINGTON AVENUE
BARABOO, WI 53913

Agency No. 07-02372

ATN: 57003000048971

Defendant.

Rob Swan, being first duly sworn, states that:

Count 1: DISORDERLY CONDUCT

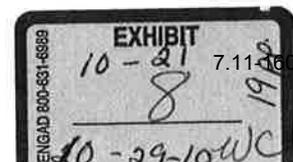
The above-named defendant on April 11, 2007, in the City of Baraboo, in Sauk County, Wisconsin, while in a public place, did engage in profane, boisterous, unreasonably loud or otherwise disorderly conduct, under circumstances in which such conduct tended to cause or provoke a disturbance, contrary to sec. 947.01, 939.51(3)(b) Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

PROBABLE CAUSE: Your complainant is a law enforcement officer for the Baraboo Police Department and signs this Criminal Complaint on information and belief.

Sgt. K. Meicher of the Baraboo Police Department reports the following: On April 11, 2007 at about 1:59am, he stopped a vehicle for failing to stop for a stop sign on Fourth Street, in the City of Baraboo, in Sauk County. He made contact with the driver of the vehicle who identified himself as Samuel Farmer. Samuel was subsequently arrested for operating a motor vehicle while intoxicated. During the traffic stop he also made contact with Samuel's wife, who was later identified as Claudine Farmer. While speaking to Samuel, Claudine yelled at him and said that he didn't know what he was talking about. Claudine was loud and profane. He told Claudine to remain quiet as he was speaking to Samuel. He asked Samuel to perform field sobriety tests. During one of the tests, Claudine rolled her window down and yelled at officers that she was the "volleyball coach" at the University of Wisconsin. He continued to conduct field sobriety tests with Samuel. During this time, Claudine rolled the passenger side window and began to yell at him. Claudine yelled at the police that what they were doing was wrong and that they were "proud Indians" and encouraged her husband to successfully pass the tests. He had to remind Claudine on numerous occasions not to yell at them any further. Claudine then exited the truck and began to yell at them. He told Claudine to get back in the truck or face law enforcement action. Claudine did get back in the truck, however she

2007SA000976

04.05.11 State Board of Education

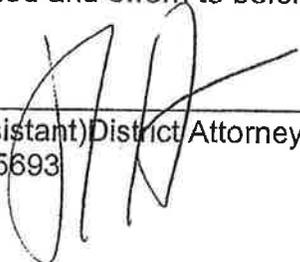


5/9

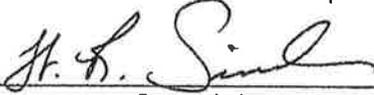
continued to yell at them. Claudine then began yelling and screaming in the truck. It appeared that she was wailing an Indian chant. Claudine was loud and profane. Claudine then rolled the window down again and called them "fucking white pigs" and white fuckers". He continued field sobriety tests with Samuel. At this point, Claudine again came out of the truck and began to yell at them. Claudine was loud and profane and again called them "son of bitches" among other profane language in a very loud and yelling tone. Claudine stated they would be sorry for arresting her husband and that they didn't know who they were "fucking dealing with." He told Claudine to get back in the truck or she would be arrested. Claudine got back in the truck and began yelling and wailing in an Indian chant once again. He placed Samuel in handcuffs and Claudine got out of the truck again and began to yell and swear at officers. Claudine told her husband not to listen to the police and that they were making a "big mistake." Samuel stated that he was "embarrassed" by his wife's actions and that she was really drunk.

Your complainant believes the statement of Samuel Farmer to be truthful and accurate as it is a statement made by an ordinary citizen. Your complainant knows Sgt. K. Meicher is a law enforcement officer, working in an official capacity and with lawful authority, and therefore believes the above information to be accurate and reliable.

Signed and sworn to before me and approved for filing this 4th day of May, 2007.



(Assistant) District Attorney
1035693



Complainant

2007SA000976

BOND & CONDITIONS OF RELEASE IN CASE NO: NEW CHARGE CREIGHTON/BPD

CLAUDINE E FARMER DOB 9/8/75

Date: 4/11/07

(Defendant's Name)

Charges and Bond Amounts:

DC

Bond Amt \$ 150.00

Signature [] Cash

You are ORDERED to follow conditions of bail as follows. If you violate any of these conditions, your bond may be revoked, you may be returned to jail, a warrant may be issued for your arrest, any cash posted may be forfeited and you may be charged with bail jumping. In the event of conviction, any cash deposited with this bond shall be first applied to any fine or costs before returning excess to person posting cash bond.

- 1. You must appear for all your court dates whether set forth on this form or not.
2. You must send written notice of any change in address within 48 hours of the change to Sauk County Clerk of Court, 515 Oak Street, Baraboo, WI 53913.
3. You shall not do, nor cause to be done, nor permit to be done on your behalf any act proscribed in Wisconsin Statutes 940.42 to 940.45 (Intimidation of Witness/Victim). Any wilful violation of these statutes may result in revocation of release, forfeiture of bail and issuance of a bench warrant.
4. You shall not commit any crimes or engage in any criminal activity.
5. You shall complete the jail booking process prior to leaving the courthouse.
6. If the charge is operating a motor vehicle while under the influence of an intoxicant, you shall not operate a motor vehicle with any amount of alcohol in your system. If requested by a law enforcement officer you must submit to a chemical test of officer's choice to determine the presence of alcohol in your system.
7. [] Without court order you may not contact nor cause any person, except your attorney, to contact the following person(s):
8. [] You may retrieve your belongings if accompanied by a law enforcement officer upon prior notice.
9. [] Other

FILED

APR 12 2007

Sauk Co., WI Circuit Court

I HAVE RECEIVED A COPY OF THIS FORM. I UNDERSTAND AND AGREE TO FOLLOW ALL TERMS AND CONDITIONS OF THIS BOND.

[Handwritten Signature]

Defendant's Signature

611 WASHINGTON AVE

Street

BARABOO, WI 53913

City/State

Zip

As of this date, your next courtdate is 5-9-07 / 1:00 PM at the Sauk County Courthouse

Date

/

Time

Officer Initials

I, as surety, understand that if defendant does not comply with all bond conditions, the bond will be forfeited and not returned to me. I understand that the bond will be used to pay any restitution, fines or costs imposed by the court.

Surety's Signature

Print Surety's Name & Address:

State of Wisconsin vs. Claudine E. Farmer

Notice of Hearing

Case No.: 2007CM000389

FILED

MAY 24 2007

Sauk Co., WI Circuit Court

COURT ORIGINAL

This case is scheduled for: **Jury trial**

Date: 08-07-2007
Time: 08:30 am
Court Official: Guy Reynolds, Judge
Location: Branch 3, Sauk County Courthouse
 515 Oak St
 Baraboo WI 53913
Re: 1 - Disorderly Conduct

This matter will not be adjourned by the court except upon formal motion for good cause shown or with the specific approval of the court upon stipulation by all parties.

****PLEASE NOTE**** This Jury Trial has been scheduled for 1 day.

Sauk County Circuit Court

Date: May 24, 2007

If you need help in this matter because of a disability, please call 608-355-3269 TTY 608-355-3490

Distribution:

	Address	City	State	Zip	Personal Service	Mail/Phone Notice	Electronic Notice
Court Original					<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer A. Harper	Sauk County Courthouse, 515 Oak Street	Baraboo	WI	53913	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kenneth H Conway	121 Fifth Street, PO Box 66	Baraboo	WI	53913-0066	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Claudine E. Farmer	611 Washington Avenue	Baraboo	WI	53913	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5-24-07
per

STATE OF WISCONSIN

Vs. Plaintiff,

FILED

NOTICE OF MOTION

JUN 13 2007

Case No. 2007CM000389

Claudine E. Farmer DOB 09/08/1975

Defendant

SAUK CO., WI CIRCUIT COURT

TO: Claudine E. Farmer
Kenneth H. Conway Jr.

PLEASE TAKE NOTICE, that on a date and at a time to be scheduled by the Court, but prior to trial the State of Wisconsin, by Sauk County Assistant District Attorney Jennifer M. Harper may move the Court for an order addressing the following:

1. Admission of criminal convictions for impeachment purposes under Wis. Stats. sec. 906.09.
2. Admission other wrongs or acts relevant and admissible under Wis. Stats. sec. 904.04(2) to show proof of motive, opportunity, preparation, plan, knowledge, identity, or absence of mistake or accident.
3. Compliance with the State's Discovery Demand previously filed and served. In the alternative, the State may ask that the court disallow any witnesses called to testify other than the defendant and disallow the submission of any physical evidence.

Respectfully submitted June 12, 2007

STATE OF WISCONSIN

BY: _____

Jennifer M. Harper State Bar # 1035693
Assistant District Attorney
Sauk County Wisconsin

5

STATE OF WISCONSIN

CIRCUIT COURT

SAUK COUNTY

STATE OF WISCONSIN

Plaintiff,

NOTICE OF MOTION AND MOTION

Vs.

Case No. 2007CM000389

Claudine E. Farmer DOB 09/08/1975

FILED

Defendant.

JUN 13 2007

SAUK CO., WI CIRCUIT COURT
THE STATE OF WISCONSIN, by Jennifer M. Harper Assistant District Attorney,

Sauk County Wisconsin, respectfully moves the Court for the following Orders on or before the scheduled jury trial date:

1. An Order sequestering all defense witnesses throughout the trial. Further, an Order instructing defense counsel to inform all defense witnesses that there is a court order not to discuss their testimony with other witnesses while they are sequestered. Section 906.15, Wis.Stats.; Nyberg v. State, 75 Wis. 2d 400, 249 N.W.2d 524 (1977).
2. An Order precluding defense counsel from making any reference or comment in the presence of the jury regarding pending charges or criminal accusations against any State witness. According to Wisconsin Supreme case law State v. Rutchik, 116 Wis. 2d 61, 341 N.W.2d 638, 646 (1984), an examiner may ask a witness if he has ever been convicted of a crime, and if so, how many times. No further inquiry into the nature and circumstances of the crime is permitted. See Scott v. State, 64 Wis. 2d 54, 218 N.W.2d 350, 353-54 (1974); State vs. Kuntz, 160 Wis. 2d 722, 467 N.W.2d 531, 542 (1991). Further, no statements or arguments to the jury with respect to whether a witness has been convicted of a crime, shall be permitted until after the Judge determines pursuant to Section 901.04(3), Wis.Stats., whether the evidence should be excluded. Section 906.09(3), Wis. Stats.
3. An Order precluding defense counsel from introducing evidence of prior alleged violent acts of (*the victim of this case*) without a preliminary showing under State v. Sullivan, 216 Wis. 2d 768, 771 (1998), that (1) this evidence is offered for a permissible purpose, such as establishing motive, intent, plan and/or absence of mistake or accident, (2) the other-acts evidence is relevant, and (3) the probative value of the proposed evidence is not substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence. See also Wis. Stat. §904.01, §904.03, and §904.04(2).

4. An Order precluding defense counsel from making any reference to potential penalties in regard to the charged offenses. The particular penalties in regard to each case are not matters for the jury, but for the Court. Further, the State requests the Court issue any Order precluding defense counsel from indicating to the jury whether the pending charges are felonies or misdemeanors. See e.g., State v. Wolff, 171 Wis. 2d 161, 491 N.W.2d 498 (Wis.Ct. App.1992).
5. An Order prohibiting the defendant, or his attorneys from using at trial any extrinsic evidence to prove a collateral matter in accordance with Section 906.08(2), Wis. Stats. The Wisconsin Supreme Court has ruled that the impeachment of a witness on the basis of collateral facts introduced by extrinsic evidence is prohibited. McClelland v. State, 84 Wis. 2d 145, 267 N.W.2d 843, (1978); State vs. Sonnenberg, 177 Wis. 2d 159, 344 N.W.2d 95 (1984).
6. An Order precluding defense counsel from attempting to impeach any State witness with testimony that such witness has on any occasion used alcohol or controlled substances. Under Wisconsin Supreme Court case law, such testimony is not appropriate impeachment evidence unless it is directly related to the date of the offense. Barren v. State, 55 Wis. 2d 460, 198 N.W.2d 345, 347-48 (1972). "We have long considered that on cross examination into the character of a witness, use of irrelevancies, insinuating that a person is of bad moral character, tending degrade him in the eye of jury is not a proper impeachment device." State v. Lindh, 161 Wis. 2d 324, 468 N.W. 2d 168, 180 (1991) (Empasis added); citing Banas v. State, 34 Wis. 2d 468, 474, 149 N.W.2d 571, Cert. Denied 389 U.S. 962, 88 S.Ct. 346, 19 L.Ed 2d, 373 (1967).
7. An Order precluding defense counsel from presenting any opinion testimony that the defendant has a particular "psychological profile." The jury is the ultimate decision maker on the question of the credibility of the defendant. State v. Friedrich, 135 Wis. 2d 1, 398 N.W.2d 763, 769-70 (1987).
8. An Order directing the defense counsel to immediately turn over the criminal record of any defense witness pursuant to the Discovery Order. Section 971.25(2), Wis. Stat.
9. That the defendant or his attorney be prohibited from mentioning the fact that the defendant does not have a prior criminal record. In support of this motion, the State directs the Court's attention to State v. Bedker, 149 Wis. 2d 257, 440 N.W.2d 802 (Wis. App. 1989). In that case, a Wisconsin Appellate Court stated that a lack of prior criminal record is not relevant and is not admissible in a trial.
10. The State respectfully requests the Court to preclude any attempt by the defendant or his counsel to raise issues of jury nullification in argument, testimony or jury instructions.

In Sporf v. United States, 156 U.S. 51 (1895), the United States Supreme Court stated its position on the now well-settled issue of jury nullification when the court wrote, "It is the duty of juries in criminal cases to take the law from the Court and apply that law to the facts..." Sporf at 102. The Court then went on to rule that there is no federal Constitutional right to urge jurors to "take the law into their own hands, and...disregard the directions of the court." Sporf at 106. The rule set out in Sporf still stands today.

The U.S. court of Appeals for the Seventh Circuit is in accord with this view. In Fact, the United States v. Brown, 548 F.2d 204 (1977), with a one-sentence discussion, this circuit summarily dismissed the defendant's contention that the district court abused its discretion by prohibiting the defense counsel from mentioning the possibility of jury nullification. The Seventh Circuit stated that "an invitation to the jury to disregard the instructions of the court...[is] clearly improper." Brown at 210.

The issue of jury nullification is also well-settled law in Wisconsin. State v. Bjerkaas, 163 Wis. 2d 949, 472 N.W.2d 615 (1991), the most recent Wisconsin published opinion to address the issue included a thorough discussion of the concept. Essentially, Bjerkaas concluded that while "[i]n broadest terms, juries do have nullification powers...this power does not translate to a right to have a jury decide a case contrary to law or fact, much less a right to an instruction telling jurors they may do so or to an argument urging them to nullifying applicable laws." Bjerkaas at 960. Indeed, "it is a basic tenet of our system of government that decisions are based on law, not personal whim." Peot v. Farraro, 83 Wis. 2d 727, 747, 266 N.W.2d 586, 596 (1978).

Respectfully Submitted June 12, 2007

STATE OF WISCONSIN

BY: _____


Jennifer M. Harper, State Bar # 1035693
Assistant District Attorney
Sawak County Wisconsin

CC:

State of Wisconsin vs. Claudine E. Farmer

Notice of Hearing

Case No.: 2007CM000389

FILED

JUL 6 2007

Sauk Co., WI Circuit Court

COURT ORIGINAL

This case is scheduled for: **Jury trial**

Date: 09-25-2007
Time: 08:30 am
Court Official: Guy Reynolds, Judge
Location: Branch 3, Sauk County Courthouse
 515 Oak St
 Baraboo WI 53913
Re: 1 - Disorderly Conduct

This matter will not be adjourned by the court except upon formal motion for good cause shown or with the specific approval of the court upon stipulation by all parties.

****PLEASE NOTE**** Per the request of Attorney Conway this has been reset from 08/07/07 to the date and time as listed above. This Jury Trial has been scheduled for 1 day.

Sauk County Circuit Court

Date: July 6, 2007

If you need help in this matter because of a disability, please call 608-355-3269 TTY 608-355-3490

Distribution:

	Address	City	State	Zip	Personal Service	Mail/Phone Notice	Electronic Notice
Court Original					.....	.....	.....
Jennifer A. Harper	Sauk County Courthouse, 515 Oak Street	Baraboo	WI	53913	.....	.....	.....
Kenneth H Conway	121 Fifth Street, PO Box 66	Baraboo	WI	53913-0066	.....	.....	.....
Claudine E. Farmer	611 Washington Avenue	Baraboo	WI	53913	.....	.....	.....

State of Wisconsin vs. Claudine E. Farmer

Notice of Hearing

Case No.: 2007CM000389

FILED
JUL 27 2007
Sauk Co., WI Circuit Court

COURT ORIGINAL

This case is scheduled for: Plea/sentencing hearing

Date: 08-01-2007
Time: 01:00 pm
Court Official: Guy Reynolds, Judge
Location: Branch 3, Sauk County Courthouse
515 Oak St
Baraboo WI 53913
Re: 1 - Disorderly Conduct

This matter will not be adjourned by the court except upon formal motion for good cause shown or with the specific approval of the court upon stipulation by all parties.

Sauk County Circuit Court
Date: July 26, 2007

If you need help in this matter because of a disability, please call 608-355-3269 TTY 608-355-3490

Distribution:

Table with columns: Distribution, Address, City, State, Zip, Personal Service, Mail/Phone Notice, Electronic Notice. Includes recipient names like Jennifer A. Harper and Kenneth H Conway.

Handwritten signature or initials.

State of Wisconsin, Plaintiff,
-vs-

**Plea Questionnaire/
Waiver of Rights**

AUG 01 2007

CLAUDINE E. FARMER
Name

Defendant Case No. 06CM964 & 07CM389

Sauk Co. WI Circuit Court

I am the defendant and intend to plea as follows:

Charge/Statute	Plea	Charge/Statute	Plea
Disorderly Conduct	<input type="checkbox"/> Guilty <input checked="" type="checkbox"/> No Contest		<input type="checkbox"/> Guilty <input type="checkbox"/> No Contest
Disorderly Conduct	<input type="checkbox"/> Guilty <input checked="" type="checkbox"/> No Contest		<input type="checkbox"/> Guilty <input type="checkbox"/> No Contest

See attached sheet for additional charges.

I am 31 years old. I have completed 15 years of schooling.

- I do do not have a high school diploma, GED, or HSED.
- I do do not understand the English language.
- I do do not understand the charge(s) to which I am pleading.
- I am not am currently receiving treatment for a mental illness or disorder.
- I have not have had any alcohol, medications, or drugs within the last 24 hours.

Constitutional Rights

I understand that by entering this plea, I give up the following constitutional rights:

- I give up my right to a trial.
- I give up my right to remain silent and I understand that my silence could not be used against me at trial.
- I give up my right to testify and present evidence at trial.
- I give up my right to use subpoenas to require witnesses to come to court and testify for me at trial.
- I give up my right to a jury trial, where all 12 jurors would have to agree that I am either guilty or not guilty.
- I give up my right to confront in court the people who testify against me and cross-examine them.
- I give up my right to make the State prove me guilty beyond a reasonable doubt.

I understand the rights that have been checked and give them up of my own free will.

Understandings

- I understand that the crime(s) to which I am pleading has/have elements that the State would have to prove beyond a reasonable doubt if I had a trial. These elements have been explained to me by my attorney or are as follows: See Attached sheet.
- I understand that the judge is not bound by any plea agreement or recommendations and may impose the maximum penalty. The maximum penalty I face upon conviction is: \$1,000.00 fine and 90 days in jail in each case
- I understand that the judge must impose the mandatory minimum penalty, if any. The mandatory minimum penalty I face upon conviction is: No fine and no jail in each case
- I understand that the presumptive minimum penalty, if any, I face upon conviction is: _____

The judge can impose a lesser sentence if the judge states appropriate reasons.

Understandings

- I understand that if I am placed on probation and my probation is revoked:
 - if sentence is withheld, the judge could sentence me to the maximum penalty, or
 - if sentence is imposed and stayed, I will be required to serve that sentence.
- I understand that if I am not a citizen of the United States, my plea could result in deportation, the exclusion of admission to this country, or the denial of naturalization under federal law.
- I understand that if I am convicted of any felony, I may not vote in any election until my civil rights are restored.
- I understand that if I am convicted of any felony, it is unlawful for me to possess a firearm.
- I understand that if I am convicted of any violent felony, it is unlawful for me to possess body armor.
- I understand that if I am convicted of a serious child sex offense, I cannot engage in an occupation or participate in a volunteer position that requires me to work or interact primarily and directly with children under the age of 16.
- I understand that if any charges are read-in as part of a plea agreement they have the following effects:
 - Sentencing – although the judge may consider read-in charges when imposing sentence, the maximum penalty will not be increased.
 - Restitution – I may be required to pay restitution on any read-in charges.
 - Future prosecution – the State may not prosecute me for any read-in charges.
- I understand that if the judge accepts my plea, the judge will find me guilty of the crime(s) to which I am pleading based upon the facts in the criminal complaint and/or the preliminary examination and/or as stated in court.

Voluntary Plea

I have decided to enter this plea of my own free will. I have not been threatened or forced to enter this plea. No promises have been made to me other than those contained in the plea agreement. The plea agreement will be stated in court or is as follows: See Attached.

I will plead No Contest in each case and the District Attorney has agreed to a fine and costs of \$350 in each case, a total of \$700.

The Motion to Revoke the Deferred Prosecution in Case 06CM964 will be removed from the Court's calendar.

Defendant's Statement

I have reviewed and understand this entire document and any attachments. I have reviewed it with my attorney (if represented). I have answered all questions truthfully and either I or my attorney have checked the boxes. I am asking the court to accept my plea and find me guilty.

Clare C. [Signature]
Signature of Defendant

8-1-07

Date

Attorney's Statement

I am the attorney for the defendant. I have discussed this document and any attachments with the defendant. I believe the defendant understands it and the plea agreement. The defendant is making this plea freely, voluntarily, and intelligently. I saw the defendant sign and date this document.

[Signature]
Signature of Attorney

8/1/07

Date

ELEMENTS OF COMMON CRIMINAL OFFENSES

CRIME	STATUTE	ELEMENTS <i>(Underlined words should be checked marked words should be approved and/or inserted as appropriate, blanks should be filled in.)</i>
<input type="checkbox"/> Burglary (unarmed)	943.10 Class C Felony	<ul style="list-style-type: none"> • I intentionally entered the <u>building/dwelling</u> of another • I did not have the consent of the owner or person in lawful possession to enter • I knew that I did not have the consent to enter • At the time I entered I intended to steal or commit a felony
<input type="checkbox"/> Theft (under \$1000)	943.20 Class A Misd.	<ul style="list-style-type: none"> • I intentionally took and carried away <i>moveable property</i> of another • I did not have the consent of the owner to take and carry away this property • I knew that I did not have the consent of the owner to take and carry away this property • I intended to <i>permanently deprive</i> the owner of possession of the property
<input type="checkbox"/> Operating M.V. without consent of owner	943.23(3) Class E Felony	<ul style="list-style-type: none"> • I intentionally <u>drove/operated</u> a vehicle of another • The <u>driving/operating</u> of such vehicle was without the consent of the owner • I knew that such <u>driving/operating</u> was without the owner's consent
<input type="checkbox"/> Issuance of a worthless check (<\$2500)	943.24 Class A Misd.	<ul style="list-style-type: none"> • I issued a check • At the time the check was issued, I intended that it not be paid
<input type="checkbox"/> Transfer of encumbered property	943.25 (2)(a) Class I Felony	<ul style="list-style-type: none"> • I <u>concealed/removed/transferred</u> personal property • Another person (including bank or financial institution) held a <i>security interest</i> in the personal property • I knew that another held a security interest in such personal property • I <u>concealed/removed/transferred</u> such property with <i>intent to defraud</i>
<input type="checkbox"/> Robbery (no dangerous weapon)	943.32 Class E Felony	<ul style="list-style-type: none"> • I took property from the person or the presence of the owner • I used force or the threat of force against the person of the owner • I intended the force or threat of force to overcome the physical resistance or physical power of resistance to the taking and carrying away of the property
<input type="checkbox"/> Receiving stolen property (<=\$2500)	943.34(1) Class A Misd.	<ul style="list-style-type: none"> • I intentionally <u>received/concealed</u> property: • The property was <i>stolen</i> property • I knew or believed that the property was stolen when it was <u>received/concealed</u>
<input type="checkbox"/> Forgery (Uttering)	943.38(2) Class H Felony	<ul style="list-style-type: none"> • The writing was one by which <i>legal rights or obligations</i> are created or transferred • The writing was falsely <u>made/altere</u>d • I issued (or uttered) the writing as genuine • I knew the writing was <u>falsely made/altere</u>d
<input type="checkbox"/> Retail theft (Shoplifting) (under \$2500)	943.50 (1m) Class A Misd.	<ul style="list-style-type: none"> • I intentionally took and carried away <i>merchandise</i> held for resale by a <i>merchant</i> • I did not have the consent of the merchant to take and carry away this merchandise • I knew that I did not have the consent of the merchant to take and carry away this merchandise • I intended to <i>permanently deprive</i> the merchant of possession of the merchandise
<input type="checkbox"/> Obstructing or Resisting an officer	946.41 Class A Misd.	<ul style="list-style-type: none"> • I obstructed an officer by conduct that prevented or made more difficult the performance of the officer's duties or • I resisted an officer • The officer was doing an act in an <i>official capacity</i> • The officer was doing an act with <i>lawful authority</i> • I knew that the officer was an officer acting in an official capacity and with lawful authority • I knew my conduct would <u>obstruct/resist</u> the officer
<input checked="" type="checkbox"/> Disorderly conduct	947.01 Class B Misd.	<ul style="list-style-type: none"> • I engaged in <u>violent/abusive/indecent/profane/boisterous/unreasonably loud/ or otherwise disorderly conduct</u> • My conduct, under the circumstances, tended to cause or provoke a disturbance

FILED
AUG 01 2007
Sauk Co., WI Circuit Court
Clerk

State of Wisconsin, Plaintiff,
-vs-

**Notice of Right to Seek
Postconviction Relief**

CLAUDINE E. FARMER, Defendant
Name

Case No. 06CM964 & 07CM389

TO THE DEFENDANT:

You have the right to seek postconviction relief from the judgment in this case. If you were represented by a lawyer at your sentencing, it is that lawyer's responsibility to assist you in deciding whether to seek postconviction relief.

If you decide to seek postconviction relief, you or your lawyer must file a Notice of Intent to Seek Postconviction Relief. The Notice of Intent must be filed in the trial court within 20 days. If you had a lawyer at sentencing, and if you give your lawyer timely notice that you have decided to seek postconviction relief, it is your lawyer's duty to see that your Notice of Intent is properly filed in this court and served on the District Attorney.

After filing the Notice of Intent, your lawyer does not have to represent you further unless you hire him or her to do so. If you intend to seek postconviction relief but cannot afford a lawyer, you have the right to request that a lawyer be appointed to assist you by the State Public Defender.

DEFENDANT'S ACKNOWLEDGEMENT:

I have discussed my right to seek postconviction relief with the lawyer who represented me at sentencing, if any. I understand that if I intend to seek postconviction relief, I must file a Notice of Intent in the trial court within 20 days after sentencing and send a copy to the District Attorney. If I want my lawyer to file the Notice of Intent for me, I must timely inform my lawyer of my decision to seek postconviction relief. I have received a copy of this Notice.

- I plan to seek postconviction relief.
- I do not plan to seek postconviction relief.
- I am undecided about seeking postconviction relief and I know I need to decide and tell my lawyer within 20 days.

Claudia E. Farmer
Signature of Defendant

8-1-07
Date

ATTORNEY CERTIFICATION:

I have counseled the defendant about the decision to seek postconviction relief. I have informed the defendant that this decision must be made and communicated to me within 20 days of sentencing. I believe the defendant understands the right to postconviction relief and the 20 day time limit. I understand that it is my duty to file the Notice of Intent to Pursue Postconviction Relief on behalf of the defendant if that intent is timely communicated to me.

[Signature]
Signature of Defense Attorney

8/1/07
Date

Distribution: Original to court.
Copy: Defendant, Defense Attorney

State of Wisconsin vs. Claudine E. Farmer **Judgment of Conviction and Sentence to the County Jail/Fine/Forfeiture**

FILED

AUG 02 2007

Sauk Co., WI Circuit Court

Date of Birth: 09-08-1975

Case No.: 2007CM000389

The defendant was found guilty of the following offense(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
1	Disorderly Conduct	947.01	No Contest	Misd. B	04-11-2007		08-01-2007

The defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Conc. with/Cons. to/Comments	Begin date	Begin time	Agency
1	08-01-2007	Forfeiture / Fine					

Obligation Detail:

Ct.	Schedule	Amount	Days to Pay	Due Date	Failure to Pay Action	Victim
1	Misdemeanor Fine w/CC	350.00	60	10-01-2007	Commitment	

Obligation Summary:

Ct.	Fine & Forfeiture	Court Costs	Attorney Fee	Restitution	Other	Mand. Victim/ Witness Sur.	5% Rest. Surcharge	DNA Analysis Surcharge	Totals
1	262.00	20.00			8.00	60.00			350.00

Total Obligations: 350.00

It is adjudged that 0 days sentence credit are due pursuant to § 973.155 Wisconsin Statutes.

It is ordered that the Sheriff shall execute this sentence.

Guy Reynolds, Judge
Jennifer A. Harper, District Attorney
Kenneth H Conway, Defense Attorney
County Sheriff

BY THE COURT:

[Signature]
Circuit Court Judge/Clerk/Deputy Clerk



August 2, 2007

Date

18

State of Wisconsin vs. Claudine E. Farmer

Judgment for Unpaid Fines, Forfeitures and Other Financial Obligations

Case No.: 2007CM000389

FILED

JAN 03 2008

Sauk Co. WI Circuit Court

COURT ORIGINAL

THE COURT FINDS:

1. The name and address of the debtor:

Claudine E. Farmer
611 Washington Avenue
Baraboo WI 53913

09-08-1975

2. The name and address of the creditor:

Clerk of Circuit Court
515 Oak Street
P.O. Box 449
Baraboo WI 53913

3. The debtor was ordered to pay a fine, forfeiture, court costs, assessments, guardian ad litem fees, court appointed attorney fees, surcharges or DNR restitution (if applicable). The total obligation was not paid and the amount owed is: \$250.00.

THE COURT ORDERS:

1. Judgment is granted in favor of the creditor and against the defendant/debtor for the amount owed.

Twelve percent (12%) interest will be added from the date of entry of judgment.

2. This judgment shall be entered in the judgment and lien docket.

3. No docketing fee shall be charged.

BY THE COURT:

Vicki Meister (handwritten signature)

Court Official

Vicki Meister

Name Printed or Typed

January 3, 2008

Date

Please note:

Even when you pay this debt in full, the judgment entered in the judgment and lien docket may remain unsatisfied until you pay the \$5 fee to have it satisfied. An unsatisfied debt could adversely affect your credit rating and, consequently, your ability to obtain a loan.

Distribution:

Table with columns: Distribution, Address, City, State, Zip, Personal Service, Mail Notice. Row 1: Court Original, 611 Washington Avenue, Baraboo, WI, 53913.

GF-171, 04/07 Judgment for Unpaid Fines, Forfeitures and Other Financial Obligations

§§ 48.235(8), 54.46(3), 55.07(4), 55.18(3), 345.47, 345.49, 767.045(6), 778.30, 785.04, 815.05(8), 938.235(8), 973.05(4), Wisconsin Statutes

This form may not be modified. It may be supplemented with additional material.

Charges, Dispositions, Sentences

Title: STATE OF IOWA -VS- COHEN, CLAUDINE

Case: 03971 SRCR031670 (WOODBURY)

Citation Number:

Defendant: COHEN, CLAUDINE ECount 01Charge

Charge: 321.279 **Description:** DNU - ELUDING - 1978 (SRMS)

Offense Date: 10/19/1995 **Arrest Date:** **Against Type:**

DPS Number:

Adjudication

Charge: 321.279 **Description:** DNU - ELUDING - 1978 (SRMS)

Adj.: DNU-GUILTY **Adj.Date:** 03/27/1996

Adj.Judge: MCCORMICK, PATRICK C

Comments:

Sentence

Charge: 321.279 **Description:** DNU - ELUDING - 1978 (SRMS)

Sentence Date: 03/27/1996 **Sentence:** JAIL

Appeal: **Sen.Judge:** MCCORMICK, PATRICK C

Facility Type: **Attorney:** N

Restitution: N **Drug:** N **Extradition:** N

Lic.Revoked: N **DDS:** N **Batterer:**

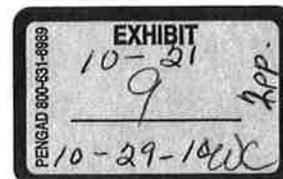
Fine Amount: **Duration:** 5 Day(s)

Comment:Sentence

Charge: 321.279 **Description:** DNU - ELUDING - 1978 (SRMS)

Sentence Date: 03/27/1996 **Sentence:** FINE

Appeal: **Sen.Judge:** MCCORMICK, PATRICK C



Facility Type:		Attorney:	N	
Restitution:	N	Drug:	N	Extradition: N
Lic.Revoked:	N	DDS:	N	Batterer:
Fine Amount:	250	Duration:		
Comment:				

CN=John Q Public,O=JUDICIAL

Certain details of case data are only shown to subscribers. You may logon at this time if you are a subscriber, or you may be become a subscriber by registering at this time. There is a \$25.00 per month subscription fee.

For exclusive use by the Iowa Courts
© State of Iowa, All Rights Reserved

Charges, Dispositions, Sentences

Title: STATE OF IOWA -VS- COHEN, CLAUDINE E.

Case: 03971 AGCR031669 (WOODBURY)

Citation Number:

Defendant: COHEN, CLAUDINE ECount 01Charge

Charge:	716.5	Description:	CRIMINAL MISCHIEF 3RD DEGREE - 1978 (AGMS)
----------------	-------	---------------------	--

Offense Date:	10/19/1995	Arrest Date:	Against Type:
----------------------	------------	---------------------	----------------------

**DPS
Number:**

Adjudication

Charge:	716.5	Description:	CRIMINAL MISCHIEF 3RD DEGREE - 1978 (AGMS)
----------------	-------	---------------------	--

Adj.:	DNU- GUILTY	Adj.Date:	03/21/1996
--------------	----------------	------------------	------------

Adj.Judge:	MCCORMICK, PATRICK C
-------------------	----------------------

Comments:

Sentence

Charge:	716.5	Description:	CRIMINAL MISCHIEF 3RD DEGREE - 1978 (AGMS)
----------------	-------	---------------------	--

Sentence Date:	03/21/1996	Sentence:	SUSPEND
---------------------------	------------	------------------	---------

Appeal:	Sen.Judge:	MCCORMICK, PATRICK C
----------------	-------------------	----------------------

Facility Type:	Attorney:	N
---------------------------	------------------	---

Restitution:	N	Drug:	N	Extradition:	N
---------------------	---	--------------	---	---------------------	---

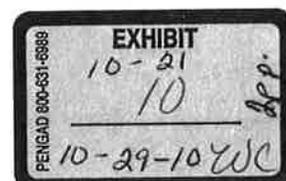
Lic.Revoked:	N	DDS:	N	Batterer:	
---------------------	---	-------------	---	------------------	--

Fine Amount:	Duration:	180 Day(s)
-------------------------	------------------	------------

Comment:

Sentence

Charge:	716.5	Description:	CRIMINAL MISCHIEF 3RD DEGREE - 1978 (AGMS)
----------------	-------	---------------------	--



Sentence
Date: 03/21/1996 **Sentence:** SUSPENDED FINE

Appeal: **Sen.Judge:** MCCORMICK, PATRICK C

Facility
Type: **Attorney:** N

Restitution: N **Drug:** N **Extradition:** N

Lic.Revoked: N **DDS:** N **Batterer:**

Fine
Amount: 500 **Duration:**

Comment:

June 3, 2010



Dr. Roger Breed, Commissioner
Nebraska Dept. of Education
301 Centennial Mall South
Lincoln, NE 68507

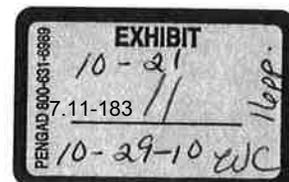
Dear Mr. Breed,

My name is Claudine Farmer (nee Cohen) and I am writing in response to the letter of "intent to deny" I received on May 17, 2010. If I am denied a Local Substitute Certificate, or Coaching Certificate, it would not only leave me without a livelihood as a newly single mother, but will also deny many high school students in Northeast Nebraska an opportunity to experience my knowledge and passion for the sport of volleyball. While I am not providing the following information as an excuse, I hope it will bring to light my accomplishments and how the occurrences of one terrible night should not change my life forever, also, I want to share what I have worked hard towards achieving.

I have been experiencing many stressors since March 2008: divorce; abusive relationship stress; loss of small business; loss of home; loss of job; moving to another state for a job; unable to keep employment in new state; lack of support from estranged husband. The information on hand with the Commission does not shed any light into the type of person I am, and so I am submitting the briefest number of personal references possible. I know how busy you must be, but please keep my role as a mother and sole provider of her children foremost in your mind.

Several of the letters of personal reference are self explanatory. Of special interest is the letter from Robert Hallowell, Jr., alleged victim in the "Attempted Domestic Assault" who also requests a favorable result and admits things could have been handled differently on the night the charges were made. However, what he doesn't explain are the mitigating circumstances that happened that night: he works in law enforcement; when the police arrived he was still in uniform; he was not new to the area-I was; even the officers on the scene were not sure of what happened but apparently believed the uniform; and he is a 6'4" 300 lb. man, on whom I would not be able to inflict too much injury.

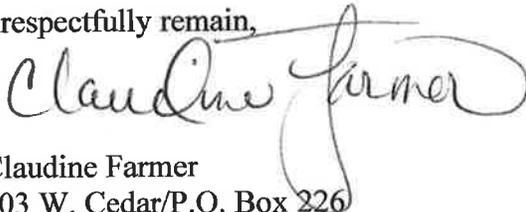
The incident itself served as a wake-up call, and as you will be able to verify I have had no incidents of the type before or since. I have learned my lesson and understand how those we employ to work with our children must have the greatest of skills and purest motive, and how it is your job to ensure this. One who is dedicated to the holistic education of children does not amass a history of work as I have and not feel great remorse and labored introspection on my current situation. Following are some of my accomplishments and future goals:



- Health Educator teaching native youth the importance of staying sexually abstinent
- Phi Theta Kappa Member
- Diversity Director of the UW-Colleges
- Vice president of the UW-Baraboo Student Government Association 2004-2006
- Scholar Athlete of the Year 2006 University of WI Baraboo/Sauk County
- 2 year All conference award winner in volleyball
- Coach of the year 2006 Wisconsin Collegiate Conference (WCC-13 colleges)
- WCC Champions 2006, 1st time in school history and improved overall campus participation
- Coached 2 all state players and 6 all conference award winners
- Has an understanding that is greatly needed in reservation schools
- Has always been looked at as a leader in my schools and community
- Encouraging and compassionate
- Mother of a teenaged daughter who is academically successful and all conference in sports, and two sons 10 and 8 years old. Continue raising children and assuring they attend college or higher learning.
- Finishing my Bachelor's Degree within the University of Nebraska system.

I hope you will agree to grant me a Substitute's Certificate in light of the mitigating circumstances, thereby assuring the teaching of young adults in the Northeast Nebraska area, and forging the way for a recently returned citizen of Nebraska to do great things in education in the future.

I respectfully remain,



Claudine Farmer
103 W. Cedar/P.O. Box 226
Bancroft, NE 68004
712-259-3173



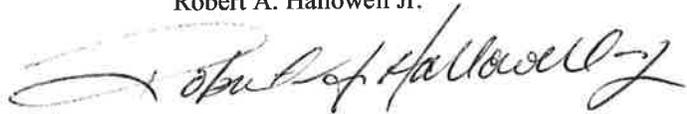
To Dr. Roger Breed

I am writing this letter on behalf of Claudine Farmer. Claudine has and always will be a wonderful mother, not only to her children but to others as well. She has always maintained a stable home that is both loving and filled with positive reinforcement. Claudine has always strived to create an environment that is healthy and educational, which is beneficial in raising well-rounded children. This is also evident in her professional career, a career that Claudine is passionate about. Her accomplishments are proof to her capabilities of helping young ones achieve their best. I honestly believe that Claudine's sole purpose is to be a mentor and offer guidance to young ones, to give them the encouragement and confidence to learn more in their lives. This is where Claudine is most passionate, in giving all of her self to help young ones transition into becoming responsible young adults, always pushing them to further their education.

Working with young ones is what brings Claudine her most enjoyment, so I beg of you to please allow her to continue. Life always involves trial and error. We try to make the best decisions in our lives. Sometimes we make bad decisions, something that everyone has done at least once before in their lives. What matters is how we learn from these mistakes. I truly believe that Claudine and myself have learned from our mistake. I hope that this letter shows my faith in the lesson that we have both learned. We both could have handled things differently on the night in question, and since then we have made healthy lifestyle changes that will help ensure that a similar mistake will not be made again.

Your attention and consideration in this matter is greatly appreciated. Thank you

Sincerely,
Robert A. Hallowell Jr.



2/3/10

(712) 259 60712

Dr. Roger Breed:

I am writing this letter as a recommendation for Claudine Farmer in regards to an impending "intent to deny" Claudine's request for Coaching Certification in the State of Nebraska. I have known Claudine for eight years as a student, an athlete, and as an employee in my Athletic Department.

Claudine is a pleasure to work with. She is a well organized, intelligent person who truly cares about her career. There was a noticeable difference in the Women's Volleyball program at UW-Baraboo/Sauk County when Claudine took over as Head Coach (which was upon my urging as her player eligibility had run out and she was living in Baraboo, Wisconsin). Participation numbers, effort, attitude and winning percentage all improved when she took the reins. Claudine has an outstanding work ethic. Early mornings and late nights were the norm in her coaching position but she does so without hesitation. Her goal is constant and consistent improvement. Claudine communicates well with her players, as well as the administration on campus and the media. Although it goes well beyond her job description, Claudine often aided me with office and clerical work regarding my budgeting and billing procedures which was a big help for me.

Claudine works very well with children. She was the Camp Director and Coach for our Volleyball camps and clinics for 5-12th grade athletes and was a coach for the Wisconsin Inuit Games for 13-16 year olds. As a licensed educator of 14 years, I can say that I am impressed by her energy and enthusiasm when working with young people.

Claudine confided in me about a domestic situation that may give you pause to grant her coaches certification. Claudine has gone through some very tough times the past couple of years with a divorce, a home foreclosure, moving to Nebraska, and no support from her ex-husband. I assure you that this was not typical behavior for her, nor would it ever be in a coaching situation. Claudine was a wonderful student (receiving Phi Theta Kappa honors), athlete (Wisconsin Collegiate Conference-Honorable Mention, and WCC Scholar Athlete Award), and respected coach (WCC Volleyball Coach of the Year 2006). I give Claudine Farmer my highest endorsement. Student Athletes need coaches like Claudine. I am willing to discuss this further with any interested parties.

Sincerely,

Rick Yanke

Rick Yanke
Athletic Director and Assistant Professor
UW-Baraboo/Sauk County
1006 Connie Road
Baraboo, Wisconsin 53913
(608) 355 - 5247
rick.yanke@uwc.edu

Claudine Farmer, a former student, has asked me to write a letter of support. Regrettably, I am currently out of state and unable to access my files regarding her final grades for the courses she has taken with me (and official stationery). Also, I am unable to access copies of letters I have written for her in the past. So please forgive in advance that this letter is somewhat "off the cuff" and please forgive the informal nature of this recommendation -- I am on a consulting job and unable to do much during regular business hours.

Claudine Farmer was an excellent and sure student. She has been one of the few students in my nineteen years of teaching who felt comfortable and confident enough to challenge a professor when she did not agree with material, conclusions, and approaches. That type of interaction enhanced classroom discussions and activities. In two other seminar courses which required extensive teamwork she served in a leadership capacity and performed admirably. During various public demonstrations of our work, she successfully catered her presentations to the audience demonstrating judgment, savvy, and adaptability. Ms. Farmer will make a fine teacher, I have the utmost confidence in her abilities, versatility, and promise. I give Ms. Farmer a very high recommendation.

Since Ms. Farmer graduated from UW-Baraboo/Sauk County, I have gotten to know her even better on a personal level. She has worked as the campus volleyball coach winning "coach of the year" honors in our conference and the endearment of her players. Furthermore, she cultivated her replacement who has also done a fine job.

Finally, let me add one more thing. I am intimately familiar with the circumstances surrounding the criminal charges against Ms. Farmer and these in no way deter me from recommending her. In fact, I would consider myself fortunate if she taught my children in school.

Respectfully submitted,

Mike Jacobs

Associate Professor of History
University of Wisconsin-Baraboo/Sauk County
1006 Connie Rd
Baraboo WI 53913
608.355.5285

To whom it may concern,

It is my pleasure to recommend Claudine Farmer nee Cohen as a candidate for your coaching position. As a former player and former assistant coach of hers, Claudine has a passion for the game of volleyball that she teaches her players. She is the prime example of "lead by example" when it comes to demonstrating to her players. She has the experience herself as a player and an extensive knowledge of the game from her experience.

I came to know Claudine my freshman year of college when she was my head coach at the University of Wisconsin Baraboo/Sauk County in August, 2006. She was a coach who prided herself on teaching her players to be the best they can be on and off the court. Personally she helped me to excel in the game of volleyball, by taking the time to work with me individually not only on my strengths, but my on weaknesses as well. She did this with each of the players on our team, leading our team to win our Conference Tournament that year, and have several of our players be nominated and awarded 1st Team All Conference, 2nd Team All Conference, Honorable Mention, and even a few being named All State. After playing for Claudine for two years, she asked if I would join her staff as her Assistant Coach, I gladly accepted the offer, as I knew her philosophy and love of the game. Claudine has a coaching style that pushes players to do their best, encourages them to try, try, try again, and to never accept failure. She emphasizes teamwork and the importance of having knowledge of the game. Claudine is a motivated coach who has the knowledge and skills to take a team to the next level of play and constantly show improvement.

I am recommending Claudine for the position on your staff based on my personal experience with her being my coach, my co-worker, my mentor, and my friend. She will make a great addition to your staff and to the team. If you have any questions based on my recommendation, please feel free to contact me at any time.

Sincerely,

Lisa Henn
Head Volleyball Coach
UW Baraboo/Sauk County
E-mail: lisa.henn@uwc.edu

Cell: 1-608-393-7070

June 4, 2010

Commissioner Breed
Nebraska Department of Education
301 Centennial Mall South
Lincoln, NE 68067

Dear Commissioner Breed,

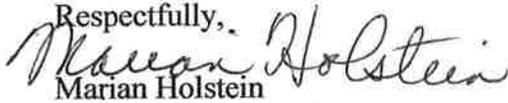
I am writing in support of my daughter, Claudine Farmer, who is in pursuit of her Teaching Substitute's Certificate. I can of course attest to her teaching and coaching abilities, as well as the developmentally appropriate approaches she takes with any group of children she works with, but most of all I can attest to her resiliency.

We lived in California until Claudine was eight years old, at which time we moved to my home on the Winnebago Indian reservation in Thurston County. I was a single parent and sole provider, and I didn't realize my children were at risk, or I may have reconsidered my move to Winnebago where the environment was and is still today depressing and suppressing.

Our family has been crusaders for Native American Rights throughout history, and I must admit we have seen only modest improvements-even with some increase in economic development-in our reservation communities. I can only say that I have been proud of both of my children's accomplishments over the years as they have risen above the depression.

However, I do not see this task ending in your position as commissioner any time soon, as I have served on the Nebraska Indian Education Association, and the National Indian Education Association Boards and I understand the complexity of the problem. But I do think the future possibility of adding even one more Native American teacher to the rolls of Nebraska's teachers would be a positive step and one I am assured my daughter will never give you reason to regret.

Respectfully,



Marian Holstein
First Nations Head Start
302 N. Little St.
Walthill, NE 68067

Claudine Farmer

103 W. Cedar St./P.O. Box 226
Bancroft, NE 68004
(608) 393-6073

EDUCATION

Bachelors of Science in Communication anticipated grad. 2010

University of Wisconsin Milwaukee
Major emphasis: Communications
Minor: Sociology

Associates of Art in Sociology December 2005

University of Wisconsin Baraboo/Sauk County

Phi Theta Kappa National Honor Student 2004-2005
Vice President Student Government Association 2003-2005
Twice Awarded All-Conference Volleyball Honors 2004, 2005
College Volleyball Team Captain 04, 05
Coach of the Year 2006
WCC Conference Champions 2006

QUALIFICATIONS Over 5 years working with youth in various aspects such as; classroom observations/clinical studies, volunteer as reader/being read to, coaching Indigenous Team in British Columbia, coaching summer youth programs, Winnebago Tribal Member, lives with a Traditional sense of faith, possess strong verbal and written communication skills, ability to organize and lead a team, prepared to work with the board of directors, plan strategically and develop resources; very organized with good time management, knowledge of budgeting and accounting of a small business, familiar with Computer Essentials, Microsoft Office Word 2007, Excel, PowerPoint, Publisher

EXPERIENCE Winnebago Tribe of Nebraska

Health Educator Project T.R.A.I.N. (Woska-Pi)
Winnebago, NE May 2009-July 2009
Teach WAIT curriculum to adolescents in need

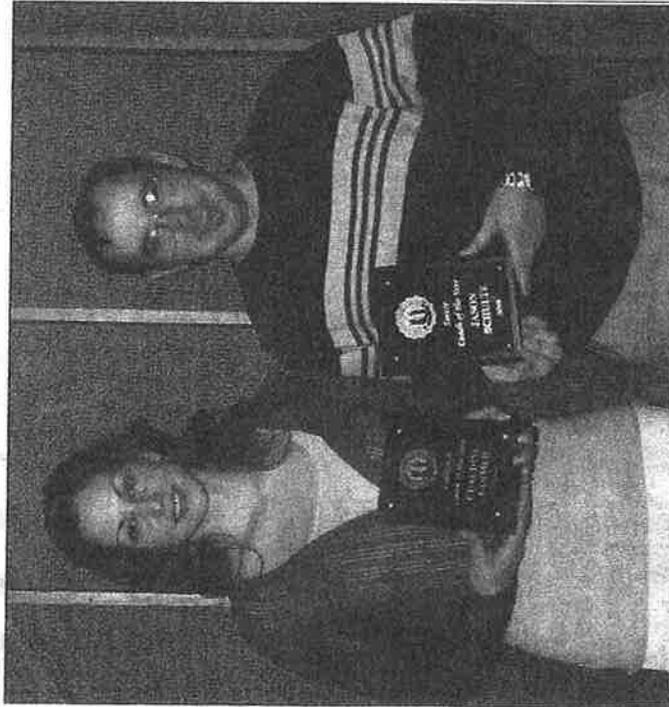
Ho-Chunk Nation

Staff Writer Hock Worak
Black River Falls, WI January 2009-May 2009
Research articles, Perform Interviews, take photographs,
compose articles for bi-monthly newsletter

Head Volleyball Coach, University Wisconsin Baraboo/Sauk County

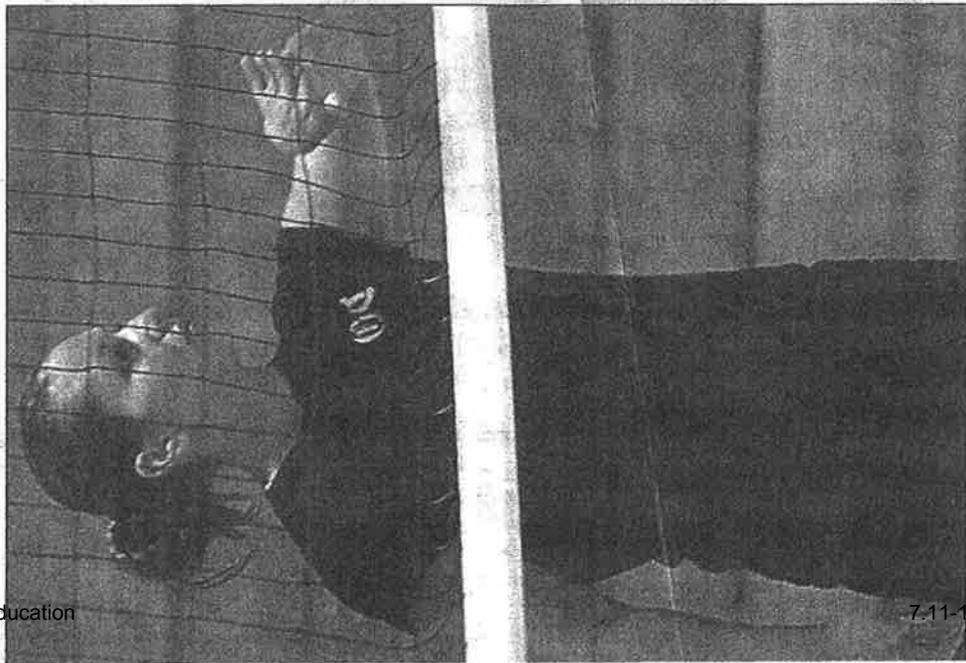
Baraboo, Wisconsin 2005-present
Organize and lead college age team through practices and games
Communicate clear and concise instructions
Recruit Prospective Athletes

UW-Baraboo coaches honored



CONTRIBUTED

UW-Baraboo women's volleyball coach Claudine Farmer, left, and UW-Baraboo soccer coach Jason Schulte, were recently named Wisconsin Collegiate Conference Coaches of the Year. It was the first time two UW-Baraboo coaches were chosen for the honor. The coaches received their honors during the university's annual Fall Sports Banquet held recently.



TRAVIS HOUSLET / NEWS REPUBLIC

Baraboo women's volleyball head coach Claudine Farmer leads her team in drills at a recent practice. The Fighting Spirits will open their season on Monday at the Lange Center in Baraboo.

UW-BARABOO VOLLEYBALL

Leading the Spirits

Former UW-Baraboo athlete Claudine Farmer excited to now be coaching.

By Travis Houslet
News Republic

The UW-Baraboo Fighting Spirits Women's Volleyball team will open its season on Wednesday, and they will be doing so with second year coach Claudine Farmer calling the shots. While this is Farmer's second season as the team's head coach, this is the first year she will be serving only as a coach.

One year ago, when the team was preparing for the 2005 season, Farmer agreed to leave her spot on the active roster and take over as the new head coach, since the team's search for a coach over the summer came up empty. Those plans changed when the team was short on players, forcing

Farmer to become a player/coach for the Fighting Spirits.

Farmer turned out to be the ideal fit for the program. During her high school days, she was a standout volleyball player in Nebraska,

where she eventually tried out for and made the United States Volleyball Association Nebraska team that traveled to compete around the country. Farmer also played college basketball at Haskell Indian Nations University in Lawrence, Kan. before moving to Baraboo with her family. Once in Baraboo, Farmer returned to school at UW-Baraboo/Sauk County and eventually landed on the volleyball team in the fall of 2004.

"I had some credits to finish up. I was up here just trying to concentrate on school," Farmer said. "However, I was approached to play and I thought I had a

couple years of eligibility, so I thought I might as well. I was a little older on the team, but I think with age comes experience, whether you are playing or coaching."

When Farmer began her coaching career last season, she said the fact that she was both a player and a coach helped her get to know the girls on the team. "When we ran our practices, I was doing everything right there with them and I got to know my players as a teammate, not as just somebody barking out orders," Farmer said. "I felt totally respected by them last year. Any team has its trials and tribulations, but we got through that and ended up finishing third in our division."

Under Farmer, the Fighting Spirits have been working hard for Wednesday's



This is to Certify That
Claudine Immalene Farmer
has complied with all the requirements for,
and has been inducted into the

Beta Theta Kappa Society

International Scholastic Order

of the
Winn-Dixie College

In witness of which we have caused the great seal of this Society to be
hereto affixed and inscribed our signatures.



Diana Kaul

Chapter Assistant

Beta Kappa Theta

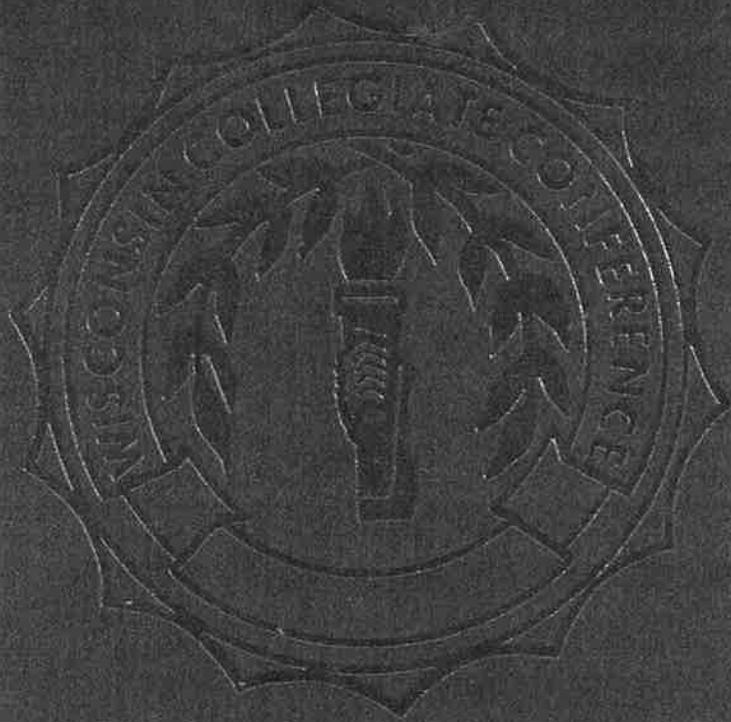
Chapter

[Signature]

Executive Director

April 10, 2000

Date



WISCONSIN COLLEGIATE CONFERENCE
HONORARY ATHLETIC AWARD



*Volleyball
Coach of the Year*

**CLAUDINE
FARMER**

2006

WISCONSIN COLLEGIATE CONFERENCE



Honorable Mention
All Conference

Claudine Farmer -- Outside Hitter

UW-Baraboo/Sauk County

2005 Volleyball Season

Dated 10-25-05

Mary F. Ryan
Commissioner

WISCONSIN COLLEGIATE CONFERENCE



Honorable Mention
All Conference

Claudine Farmer

Volleyball

2004

Season

Dated 12/01/04

Mary F. Ryan
Commissioner

UNIVERSITY WISCONSIN



BARABOO/SAUK COUNTY

This is to certify that

Claudine Farmer

B

has been awarded the Varsity in

VOLLEYBALL

for the 2005 season

Claudine Farmer
Coach

Art Yule
Director of Athletics

VARSITY

LETTER

AWARD

