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AMENDED PRESS RELEASE

The Oconto County District Attorney, Edward D. Burke, Jr., has reviewed the statements and reports provided by the Oconto County Sheriff's Department regarding incidents that occurred on January 18 at the Suring Schools alleging that students were strip searched in violation of Section 948.50 of the Wisconsin Statutes. The focus of that investigation was the search of the students, not the confinement. At the time no charges were issued related to the incident.

The State then conducted a thorough review of the relevant State Statutes and Administrative Code provisions relating to the ability of a school employee to confine a student.

The State concludes that Kelly Casper lacked legal authority to confine the students in a small restroom located off the nurses office located in the Suring School Public School complex. The facts and surrounding circumstances leads the State to conclude that the children involved did not consent to being confined.

The appropriate charges in the case are be found under 940.30 of the Wisconsin Statutes False Imprisonment. False Imprisonment is a Class H Felony. The Maximum potential penalties for a Class H Felony are 6 years confinement a \$10,000.00 fine, or both.

The State has filed one count for each child involved in the incident for a total of six counts.

There is no dispute from any party that the children involved were directed to enter the small room at the direction of Casper. Casper also directed the school nurse to accompany them to the room.

Casper then directed the children to remove their clothing once in the room. Casper stood in the doorway while the children were in the room. Once the children removed their clothing, any opportunity they had to escape would have subjected them to further shame and embarrassment.

None of the children involved were given the opportunity to leave. The only choice they were given was to have the search conducted by a police officer or Casper.

None of the children were given the opportunity to contact their parents prior to being confined in the bathroom.

Whether Casper knew that the students did not consent and knew she did not have the lawful authority to detain the six children are questions of fact that are best left for a jury to determine based upon the evidence presented at trial.

Given that this is now a pending criminal matter, no further comments will be made at this time to insure that all parties involved are being treated fairly.

For further information, please refer to the Criminal Complaint filed in this action.