

#79736 ACTION REQUIRED: Genene Hibbler "Complaint"

Submitted January 31, 2025 at 12:32
Received via Mail
Requester GENENE HIBBLER <genene@up4oc.com>

CCs
 Elections <elections@wi.gov>

Status New
Priority Normal
Group Legal
Assignee -

GENENE HIBBLER January 31, 2025 at 12:32

CAUTION: This email originated from outside the organization.
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Wisconsin Elections Commission

I am writing to you with a heartfelt concern regarding the integrity of our educational governance. I hope that by bringing this matter to your attention, we can work together to uphold the values of accountability and transparency that are the hallmark of the Oak Creek community.

I am particularly concerned about the eligibility of an incumbent Board member and candidate, Jerry Krist, who seems to hold multiple positions within our district that may conflict with his role on the Board of Education. Mr. Krist serves not only as an appointed Member at Large but also as the Advisor of the Oak Creek High School STEM Club and the Coach of the High School Robotics Team. This information is readily available on Mr. Krist's LinkedIn page, demonstrating his active involvement in our schools. (The positions are listed on Mr. Krist's LinkedIn page, <https://www.linkedin.com/in/jerry-krist-97a11a2b/>, with the notation "Contract").

Mr. Krist's appointment in 2024 and continued service on the Board while maintaining these positions constitute a clear violation of Oak Creek-Franklin Joint School District Board of Education Policy 166, "Board Member Conflicts of Interest." Policy 166 is clear: "No member of the Oak Creek-Franklin Joint School District Board of Education shall hold a position within the school district, regardless of the type or level of position or manner of pay." I am concerned that no action has been taken by the Oak Creek-Franklin Joint School District Board of Education, its President, Mr. Frank Carini, or its appointed administrator, Superintendent Daniel Thielen, to rectify this situation.

I am further bringing to your attention my concerns that Mr. Krist's current position as Treasurer of the Oak Creek High School Robotics Booster Club, which publicly identifies the Oak Creek-Franklin Joint School District as a "sponsor," implicates state ethics provisions preventing conflicts of interest. The Board of Education is the governing body of the Oak Creek-Franklin Joint School District and is responsible for annual budgetary approval and financial disbursements. Mr. Krist's concurrent status as a Board member overseeing district funding disbursement and serving as treasurer of a district funding recipient raises concerns regarding the compatibility of these roles.

I am contacting you because the Board of Education and Board President Frank Carini have been apprised of these concerns yet have taken no action to ensure compliance with district policies governing the eligibility of Board members. Mr. Krist is a serving member of the Board of Education and a registered candidate for election to a full term and was recently certified for election as an eligible candidate. Earlier this month, following Mr. Krist's certification as a candidate, I submitted a communication to the Board of Education (See attached letter) noting these specific concerns, and to date, no publicly disclosed action has been taken, to my knowledge, to resolve these clear concerns surrounding Mr. Krist's eligibility for office.

Attached to this email are the notarized EL-100 Complaint Form, the letter that I sent to the Oak Creek-Franklin Joint School Board, and the email response I received from the Milwaukee County District Attorney's Office.

Respectfully yours,

--Genene

From: Milwaukee DA <Milwaukee.DA@da.wi.gov>
 To: 'GENENE HIBBLER' <genene@up4oc.com>
 Date: 01/31/2025 9:04 AM CST
 Subject: RE: ACTION REQUIRED: Concerns Regarding Oak Creek-Franklin Joint School Board Primary Election

Ms. Hibbler,

The Milwaukee County District Attorney's Office has received your complaint, emailed on January 31, 2025. I have reviewed that complaint. You raise concerns regarding Oak Creek-Franklin Joint School Board member Jerry Krist. In particular, you allege that Mr. Krist is in violation of Board of Education conflict of interest policies. You also raise concerns about Mr. Krist's role on the school board, as well as his role as the Treasurer for the Robotics Booster Club.

At this time, I am declining to commence an investigation. The District Attorney's Office's statutory mandate is limited to prosecuting crime. The facts that you recite do not allege any apparent criminal conduct. Ethical violations, by themselves, do not rise to the level of criminal behaviors. At this time, this office has no basis to take further action. Thank you for your time.

Matthew R. Westphal
Assistant District Attorney, Public Integrity Unit
821 West State Street, Room 405
Milwaukee, WI 53233

From: GENENE HIBBLER <genene@up4oc.com>
Sent: Friday, January 31, 2025 7:02 AM
To: Milwaukee DA <Milwaukee.DA@da.wi.gov>
Subject: ACTION REQUIRED: Concerns Regarding Oak Creek-Franklin Joint School Board Primary Election

Milwaukee County District Attorney
Kent Lovern,

As a proud resident of the Oak Creek-Franklin Joint School District, I am writing to you with a heartfelt concern regarding the integrity of our educational governance. It is my hope that by bringing this matter to your attention, we can work together to uphold the values of accountability and transparency that are the hallmark of the Oak Creek community.

I am particularly concerned about the eligibility of an incumbent Board member and candidate, Jerry Krist, who seems to hold multiple positions within our district that may conflict with his role on the Board of Education. Mr. Krist serves not only as an appointed Member at Large but also as the Advisor of the Oak Creek High School STEM Club and the Coach of the High School Robotics Team. This information is readily available on Mr. Krist's LinkedIn page, demonstrating his active involvement in our schools. (The positions are listed on Mr. Krist's LinkedIn page, <https://www.linkedin.com/in/jerry-krist-97a11a2b/>, with the notation "Contract").

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I am contacting you because the Board of Education and Board President Frank Carini have been apprised of these concerns yet have taken no action to ensure compliance with district policies governing the eligibility of Board members. Mr. Krist is a serving member of the Board of Education and a registered candidate for election to a full term and was recently certified for election as an eligible candidate. Earlier this month, following Mr. Krist's certification as a candidate, I submitted a communication to the Board of Education (See attached letter) noting these specific concerns, and to date, no publicly disclosed action has been taken, to my knowledge, to resolve these clear concerns surrounding Mr. Krist's eligibility for office.

Thank you for your attention to these vital matters.

Respectfully yours,

-Genene

GENENE HIBBLER, CANDIDATE

Oak Creek-Franklin Joint School District - School Board

200 E. Centennial Drive # 758

Oak Creek, WI 53154-0758

(414) 241-4179

gene@up4oc.com

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WAYS YOU CAN HELP:

Follow our Facebook Page: Elect Gene Hibbler for Oak Creek-Franklin School Joint Board ([1](#)) [Facebook](#)

Follow our Instagram Page: Elect Gene Hibbler [Instagram](#)

Donate: [Gene Hibbler — Donate via ActBlue](#)

Website: www.up4oc.com

Canvassing / Make Phone Calls / Mail Postcards

Support Software by **Zendesk**

Official Election Complaint Form



STEP 1

Complaint Type

Please select the statutory process that governs your complaint:

Note: you should choose only one statutory process per complaint; if you feel that your allegations fall under more than one statutory process, you should submit separate complaints under each process.

- [5.05 \(Election Law Violation\)](#)
- [5.06 \(Violations by Election Officials or Appeals of Decisions of Election Officials\)](#)
- [5.061 \(Help America Vote Act Violation\)](#)

STEP 2

Complainant Contact Information

Please provide the following information about yourself.

Note: Anyone filing this complaint with you can add their information on a separate page (see page 4).

First Name Genene	Last Name Hibbler
Residential Address 6585 South Crane Drive, Oak Creek, WI 53154	
Mailing Address (if different) 7630 South 10th Street, Oak Creek, WI 53154	
Telephone (optional) (414) 241-4179	Email genene@up4oc.com

STEP 3

Respondent

Please provide the following information about the individual or individuals whom you allege violated or improperly administered election laws:

Note: For 5.06 complaints, each respondent must be an election official. If there are multiple respondents, you can add their information on a separate page (see page 5).

Respondent Name Daniel J. Thielen	Respondent Title (5.06 complaints) Superintendent
Mailing Address 7630 South 10th Street, Oak Creek, WI 53154	
Telephone (if available) Office: 414.768.5880 Desk: 414.768.5886	Email (if available) d.thielen@ocfsd.org

STEP 4

Applicable Statutes

Please cite each statute within Chapters 5 to 10 and 12 of the Wisconsin Statutes, as well as any other laws relating to elections, other than laws relating to campaign financing, that you allege were violated or improperly administered.

Note: The Commission cannot accept a complaint that does not cite specific provisions, including the correct subsections, of election law.

Wisconsin Statutes 5.06

STEP 5

Allegations

Set forth in detail the facts that establish probable cause to believe that a violation occurred. Be as specific as possible as it relates to dates, times, individuals, and actions involved. Use as many separate pages as needed and attach copies of any supporting documentation, evidence, or affidavits.

I am writing to you with a heartfelt concern regarding the integrity of our educational governance. It is my hope that by bringing this matter to your attention, we can work together to uphold the values of accountability and transparency that are the hallmark of the Oak Creek community.

I am particularly concerned about the eligibility of an incumbent Board member and candidate, Jerry Krist, who seems to hold multiple positions within our district that may conflict with his role on the Board of Education. Mr. Krist serves not only as an appointed Member at Large but also as the Advisor of the Oak Creek High School STEM Club and the Coach of the High School Robotics Team. This information is readily available on Mr. Krist' s LinkedIn page, demonstrating his active involvement in our schools. (The positions are listed on Mr. Krist' s LinkedIn page, <https://www.linkedin.com/in/jerry-krist-97a11a2b/>, with the notation "Contract"). Mr. Krist' s appointment in 2024 and continued service on the Board while maintaining these positions constitute a clear violation of Oak Creek-Franklin Joint School District Board of Education Policy 166, "Board Member Conflicts of Interest." Policy 166 is clear: "No member of the Oak Creek-Franklin Joint School District Board of Education shall hold a position within the school district, regardless of the type or level of position or manner of pay." I am concerned that no action has been taken by the Oak Creek-Franklin Joint School District Board of Education, its President, Mr. Frank Carini, or its appointed administrator, Superintendent Daniel Thielen, to rectify this situation.

I am further bringing to your attention my concerns that Mr. Krist' s current position as

STEP 6

Sign

Each complainant must complete **either** step 6a, "Unsworn Statement," or Step 6b "Sworn Statement." For either option, you may enter your digital signature by clicking the box and following the instructions, or you may print the form and sign it.

STEP 6a

Unsworn Statement

I declare under penalty of false swearing under the law of Wisconsin that the foregoing is true and correct. Signed on the day of , at (city or other location and state or country).

Printed Name

Signature

STEP 6b

Sworn Statement (to be completed in the presence of a notary)

I, , being first duly sworn, on oath, state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

Complainant's Signature

Note: Each complainant listed above in section 6b must have this form sworn before a notary or other official able to swear oaths.

STATE OF WISCONSIN

County of, (county of notarization)

Sworn to before me this day of,

(Signature of person authorized to administer oaths)

MELODY GORECKI
Notary Public
State of Wisconsin

My commission expires on , or is permanent.

Notary Public or (official title if not notary)

Additional Respondents

Respondent Name	Respondent Title (5.06 complaints)
Frank Carini	School Board President
Mailing Address	
7630 South 10th Street, Oak Creek, WI 53154	
Telephone (if available)	Email (if available)
Office: 414.768.5880	f.carini@ocfsd.org

Respondent Name	Respondent Title (5.06 complaints)
Jerry Krist	
Mailing Address	
7630 South 10th Street, Oak Creek, WI 53154	
Telephone (if available)	Email (if available)
Office: 414.768.5880	j.krist@ocfsd.org

Respondent Name	Respondent Title (5.06 complaints)
Mailing Address	
Telephone (if available)	Email (if available)

Respondent Name	Respondent Title (5.06 complaints)
Mailing Address	
Telephone (if available)	Email (if available)

Oak Creek-Franklin Joint School District Board of Education

Policy 166: BOARD MEMBER CONFLICTS OF INTEREST

A board member shall not use his or her board position to obtain financial gain for or anything of substantial value for his or her private benefit or the benefit of his or her immediate family or an organization to which he or she is associated.

In the event a board member has a member of his or her immediate family who would receive a substantial direct or indirect benefit from a Board action, the board member shall declare his or her conflict of interest and refrain from debating or voting on the issue.

In the event a board member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the school district, the board member shall declare his or her interest and refrain from debating or voting on the question of contracting with the company. It is not the intent of this policy to prevent the district from contracting with corporations or businesses because a board member is an employee of the firm. The policy is designed to prevent placing a board member in a position in which his or her interest in the public schools and his or her interest in the board member's place of employment (or indirect interest) might conflict and to avoid appearances of conflict of interest even though such conflict may not exist.

No member of the Oak Creek-Franklin Joint School District Board of Education shall hold a position within the school district, regardless of the type or level of position or manner of pay. In addition, no board members shall hold two public offices if the two are deemed incompatible. The interests of the school district are best served when board members have no competing interests, positions or offices.

LEGAL REF: State statutes 19.59
946.13

CROSS REF: 165 – Board Member Conduct

APPROVED: March 1998

REVISED: March 2012



Genene Hibbler
200 E. Centennial Drive # 758
Oak Creek, WI 53154-0758
genene@up4oc.com

January 20, 2025

President Carini and Members of the Oak Creek-Franklin Joint School District Board of Education:

As a taxpaying resident of the Oak Creek-Franklin Joint School District and candidate for the Board of Education, I am bringing to your attention my concerns that Incumbent Board Member and Candidate Jerry Krist is ineligible to hold office as a member of the Board of Education due to an ongoing violation of Board policy. My concerns derive from the fact that Mr. Krist holds two positions in the Oak Creek-Franklin Joint School District in addition to his service as an appointed Member at Large of the Board of Education: Advisor of the Oak Creek High School STEM Club and Coach of the High School Robotics Team (note positions listed on Mr. Krist's LinkedIn page, <https://www.linkedin.com/in/jerry-krist-97a11a2b/>, with the notation "Contract").

Mr. Krist's continued service on the School Board while maintaining these positions constitutes a clear violation of Oak Creek-Franklin Joint School District Board of Education Policy 166, "Board Member Conflicts of Interest." Policy 166 is clear: "No member of the Oak Creek-Franklin Joint School District Board of Education shall hold a position within the school district, regardless of the type or level of position or manner of pay."

I am further bringing to your attention my concerns that Mr. Krist's current position as Treasurer of the Oak Creek High School Robotics Booster Club, which publicly identifies the Oak Creek-Franklin Joint School District as a "sponsor," implicates Policy 166 and raises significant concerns surrounding conflicts of interest. The Board of Education is the governing body of the Oak Creek-Franklin Joint School District and is responsible for annual budgetary approval and financial disbursements. Mr. Krist's concurrent status as a Board

GENENE HIBBLER

FOR OAK CREEK-FRANKLIN JOINT
SCHOOL BOARD



Member overseeing district funding disbursement and serving as treasurer of a district funding recipient raises significant concerns.

I emphatically support STEM and robotics programming within our schools and commend Mr. Krist for his involvement in and stewardship of these programs. However, for obvious reasons relating to objectivity and transparency in the allocation of taxpayer dollars, it is inappropriate for an individual involved in the management of district programs to serve concurrently on the Board, the entity with district budgetary oversight, in violation of existing policy.

The presence of such a conflict of interest requires action by the Board of Education to ensure compliance with district policies governing the eligibility of Board members. Mr. Krist is a serving member of the Board of Education and a registered candidate for election to a full term. If Mr. Krist is ineligible to serve on the Board given a conflict of interest, he should not be permitted to serve on the Board nor qualify for the ballot, and the Board should take immediate action to this effect.

Respectfully yours,

Genene Hibbler

Genene Hibbler, Candidate
Oak Creek-Franklin Joint School Board