

Jury finds Ramsey County Sheriff Bostrom did not fire 2 deputies over politics

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It took a federal jury just under three hours to find that Ramsey County Sheriff Matt Bostrom wasn't motivated by political retaliation in the firings of two deputies weeks after he took office in 2011.

In fact, jurors found Bostrom wasn't involved in the firings of probationary deputies Joe Miller and Alex Graham, hired by outgoing sheriff Bob Fletcher in his last days on the job. The men were fired by Bostrom's chief deputy, who told his boss about it after the fact.

Graham lowered his head as U.S. District Judge Richard Kyle read the verdicts; Miller was not present in the courtroom.

Similarly, Bostrom cast his gaze downward as the judge delivered the findings of the six women and two men.

Graham and Bostrom both declined to comment afterward. Bostrom's attorney, Charles Nauen, said the jury vindicated his client, a former St. Paul assistant chief who won a hard-fought campaign for sheriff in 2010, ending Fletcher's 16 years in office.

"He said from the very beginning he didn't have a role (in the firings) and politics wasn't a factor in his office, and this just confirms that," the lawyer said.

Miller, 30, and Graham, 26, had worked in temporary nonsworn jobs in the department when Fletcher hired them as deputies after he lost the election. They were among six deputies he hired between the election and Jan. 1, 2011.

The two were discharged Feb. 8, 2011, by Chief Deputy John Kirkwood, who determined each had too many troubles in their past to make good deputies.

Miller and Graham sued Bostrom, alleging they were fired because they had been active and visible campaigners for Fletcher. Although they were probationary deputies and could be fired without a reason, they couldn't be let go for an illegal reason.

The verdicts came after Nauen and plaintiffs' lawyer Mark Gehan delivered final arguments. Gehan told jurors they could infer that Bostrom was behind the firings and that they were political retaliation because the men had done fine on the job.

"It's not in controversy at all that there's no allegations of poor performance by my clients in the short time they were deputies," he told jurors.

He said that even though there was no direct evidence of Bostrom's involvement, there were signs that Bostrom's subordinates had sought to find reasons to fire the men and wrote harshly critical background reports.

"Everybody talks to everybody. That's just the way the real world works," Gehan said.

Fueling it all was the 2010 campaign between political newcomer Bostrom and Fletcher, two former colleagues in the St. Paul Police Department.

"I can think of no other explanation why my clients were singled out -- and they were singled out -- other than their support for Sheriff Fletcher," he said.

But in his closing argument, Nauen said Miller and Graham were fired because they weren't fit to be deputies and "never should've been hired as Ramsey County sheriff's deputies in the first place."

Nauen told jurors that other law enforcement agencies had refused to hire the two men in sworn jobs (in which they can carry a badge and a gun) and that the Ramsey County sheriff's office should have, too.

Although each man had positive comments in his file, the bad outweighed the good, the defense argued. Miller's background included run-ins with police, and Graham's included negative reviews from former employers, including supervisors in the jail, where he'd worked as a temporary corrections officer.

Fletcher hired them anyway. Testifying for the two men, the former sheriff said he wasn't overly troubled by their histories and believed they'd make good deputies.

But after Bostrom took office, his subordinates reviewed the backgrounds of the last-minute hires. Those subordinates testified that the negativity of Miller and Graham's backgrounds stood out.

Kirkwood, a former beat cop who spent 25 years with the Secret Service before Bostrom hired him, testified that when he reviewed the background checks done on Miller and Graham, he realized they had to be discharged.

He said the decision was his. He said he told Bostrom about it later but couldn't recall whether he'd mentioned the deputies' names.

Miller and Graham both testified that since their discharges, they've found it impossible to get other work as sworn law enforcement officers.

After being discharged, Miller returned to his job as an analyst in the department's East Metro Real-time Information Center, where he still works.

Graham told jurors he works for a private security company and is the assistant manager of a pawnshop.

Jurors were instructed to answer two questions -- was Bostrom "personally involved" in the firings, and was their work on Fletcher's campaign a "substantial or motivating factor" in the firings.

Jurors answered "no" to both.

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