



Department of Planning & Community & Economic Development
Office of Business Resources
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Street Vending
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Notice of Hearing to Suspend/Revoke Late Night Vending License
Madison General Ordinance Section 9.13(8)(a)

TO: Leia B. Boers
1712 Onsgard Road #4
Madison, WI 53704

NOTICE OF HEARING: Date: Wednesday, November 29, 2017, 5:00 p.m.
Place: Room 108, City-County Building
210 Martin Luther King Jr. Blvd
Madison, WI 53703

You are hereby notified that the designee of the Director of Planning and Community and Economic Development has **commenced proceedings to suspend or revoke the following vending license:**

Vendor: Leia B. Boers, d/b/a Leia's Lunch Box
Type of License: City of Madison Late Night Vending License
Date Issued: April 15, 2017, Exp. 4/14/2018
License No.: L1CLNV-2015-0069
Site/Location: Late Night Vending site L3 B

The reason for this action are as follows (check all that apply):

- Violation of Sec. 9.13 of the Madison General Ordinances or any regulation adopted pursuant to Sec. 9.13 (Vending Ordinance)
- Violation of Sec. 10.056 of the Madison General Ordinances (Street Use)
- Serious or repeated violations of Chapter 7 (Health Code)
- Serious or repeated violations of Chapter 12 (Parking)
- Other violations substantially related to vending
- Three (3) or more citations or summons or complaints for any of these violations, within a 12-month period (Mandatory)

A list of charges follows this notice.

You have a right to a hearing before the Vending Oversight Committee (VOC) to dispute the charges. At the hearing, you will have the right to represent yourself or be

represented by an attorney or your choice, the right to present evidence, call witnesses on your behalf, and question and cross-examine witnesses. All testimony will be recorded by audiotape. Rules of Procedure for the Hearing are available at the Department of Planning and Community and Economic Development. After the hearing, the VOC will make a recommendation to the Common Council regarding your license. The final decision will be made by the Common Council at a future meeting.

NOTICE ISSUED BY:

 11/10/17
Meghan Blake-Horst, Vending Coordinator Date

Notice of Charges

I. VIOLATIONS OF THE LAW, SUBSTANTIALLY RELATED TO VENDING:

Date of Violation: October 8, 2017. Charges:

- A. State of Wisconsin v. Ellis J. Slaughter, Case No. 17CF2492
2nd Degree Recklessly Endangering Safety, Wis. Stat. 941.30(2)
Class G Felony
Disorderly Conduct, Wis. Stat. 947.01(1)
Class B Misdemeanor**

- B. City of Madison v. Leia B. Boers, Citation No. A163827
Obstructing a Police Officer, Madison General Ord. Sec. 5.06(2)**

Summary: Ellis Slaughter, Leia Boers' employee, roommate and romantic partner, was arrested after exiting Leia's Lunch Box carrying an assault-style rifle on October 8, 2017 at approximately 1:40 AM in the 500 block of North Francis Street. A witness reported that two customers in line for Leia's Lunch Box were being obnoxious and aggressive when Slaughter, working in the food cart alongside Boers, exited the cart and put one of the men into a choke hold and took him to the ground. The situation escalated and Slaughter retreated back into the food cart and pulled out an assault rifle and went after the two subjects. A witness observed Slaughter put the rifle up to the head of one of the subjects before fleeing the scene on foot. Slaughter was arrested and charged with a felony and misdemeanor related to the incident.

During the course of the investigation, Madison Police Department officers contacted Boers several times about her knowledge of the firearm or gun case within her food cart or the apartment she shares with Slaughter. She denied any knowledge to officers on several different occasions. This denial is contradicted by contemporaneous recorded jail calls in which Boers and Slaughter talk about Boers removing items from the confiscated rifle case (which Boers denied knowledge of during the search of her apartment).

See attached Criminal Complaint for additional details.

NOTE: This Notice of Hearing has been recorded with the City Clerk's Office and hearing notices and agenda have been posted. If you need an interpreter, materials in alternate formats, or other accommodations to access this service, activity, or program, please contact the Street Vending Coordinator at 261-9171, TDY 266-6573. Please do so at least two (2) days prior to the meeting date so that proper arrangements can be made.

SJY In Custody
Assign to Branch

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

STATE OF WISCONSIN

Plaintiff,

vs.

ELLIS J SLAUGHTER

1712 Onsgard Rd Apt 4
Madison, WI 53704

DOB: 12/08/1985

Sex/Race: M/B

Eye Color: Brown

Hair Color: Black

Height: 5 ft 11 in

Weight: 195 lbs

Alias:

Defendant,

Ref. Agency: Madison (City) Police
Department

DA Case No.: 2017DA010345

Assigned DA/ADA:

Agency Case No.: 2017-00370256

Court Case No.: 2017CF _____

ATN:

For Official Use

CRIMINAL COMPLAINT

The below-named complaining witness being first duly sworn states the following:

Count 1: SECOND DEGREE RECKLESSLY ENDANGERING SAFETY

The above-named defendant on or about Sunday, October 08, 2017, in the City of Madison, Dane County, Wisconsin, did recklessly endanger the safety of MRG and other citizens in the area, contrary to sec. 941.30(2), 939.50(3)(g) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

Count 2: DISORDERLY CONDUCT, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Sunday, October 08, 2017, in the City of Madison, Dane County, Wisconsin, while in a public place, did engage in violent, abusive, indecent, profane, boisterous, unreasonably loud and/or otherwise disorderly conduct, under circumstances in which such conduct tended to provoke a disturbance, contrary to sec. 947.01(1), 939.51(3)(b), 939.63(1)(a) 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.

And further, invoking the provisions of sec. 939.63(1)(a) Wis. Stats., because the defendant committed this crime while possessing a dangerous weapon, the maximum term of imprisonment may be increased by not more than 6 months.

FACTS:

Your Complainant is a detective with the City of Madison Police Department and for this complaint is relying on the written police report submitted by City of Madison Police Officer Trenton Scanlon.

Officer Scanlon reports on October 8, 2017 , at approximately 1:43a, he was approached by several people reporting a large fight in the 500 block of North Frances Street in the City of Madison, County of Dane, State of Wisconsin. The defendant herein was later verbally identified by his roommate, LBB, as Ellis J. Slaughter.

Upon arrival Officer Scanlon spoke with JS who said he was in line at a food cart and there were two males (one of which is later determined to be MRG) who were being aggressive toward the food cart workers and rude to the other people in line. JS said Slaughter came out and asked the two men to leave, but they refused. JS said a physical altercation ensued between the three men and Slaughter retreated back into the cart and pulled out an "assault rifle" and saw Slaughter put the rifle up to MRG's head. JS then saw Slaughter run north on North Frances Street toward Langdon Street with the gun.

This complaint is based on the information and belief of your Complainant, who is a detective for the City of Madison, and who learned of the above offense from the report of City of Madison Police Officer Scanlon, which report your Complainant believes to be truthful and reliable inasmuch as it was prepared during the course of the officer's official duties.

Further, your Complainant believes the information furnished by the witnesses to be truthful and reliable inasmuch as they are citizen informants and witnessed the events described.

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|--------------------------------------|---------------------------|
| Subscribed and sworn to before me on | Electronically Signed By: |
| 10/18/17 | David S. Gouran |
| Electronically Signed By: | Complainant |
| Timothy J. Helmberger | |
| Assistant District Attorney | |
| State Bar #: 1031909 | |