

BEFORE THE BOARD OF POLICE AND FIRE COMMISSIONERS
OF THE CITY OF MADISON

Roxane V. Stillman,
Complainant

DECISION AND ORDER

vs.

Police Chief Michael Koval and Detective
Tom Helgren,
Respondents

DECISION

Complainant filed a hand-written "Complaint" dated August 17, 2016. We convened our Initial Hearing on September 12, 2016, which we recessed and continued to allow a written answer and motions. By stipulation the complaint was dismissed, with prejudice, as to Chief Michael Koval. Respondent Helgren filed his answer and motions to dismiss September 23, 2016. The Board has subsequently considered the case, convening most recently in closed session for deliberations on February 13, 2017, continued from previous sessions and the parties not appearing.

We would not necessarily be deterred from taking up a matter otherwise properly before us simply because of the existence of a related investigation in another forum, criminal or civil, as seems to be true in this instance; we will make that determination on a fact-specific, case-by-case basis as occasion requires. We do not reach that issue in this case.

We are persuaded of the merit of respondent's motion to dismiss. We have determined that the statement of charges does not state a charge or claim on which this body may proceed and act.

We note that we are not paraded of the merits of respondent's secondary argument that we should dismiss because of formal defects in the complaint, including lack of notarization; in this instance those defects are curable and are not the basis of our decision.

ORDER

Upon the entire record including the above discussion, the "Complaint" is dismissed, with prejudice.

*Approved following deliberations, and
filed with the Secretary this 14 day of March, 2017*

MADISON BOARD OF POLICE AND FIRE COMMISSIONERS

/s/
Comm. Wesley Sparkman, President

/s/
Comm. Craig Yapp, Secretary

/s/
Comm. Nia Enemuoh-Trammell

/s/
Comm. Fabiola Hamdan

/s/
Comm. George Kamperschroer