

City of Madison, Wisconsin  
Board of Police and Fire Commissioners

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Commissioners: Wesley Sparkman, President  
Craig Yapp, Secretary  
Fabiola Hamdan  
Nia Enemuoh-Trammel  
George Kamperschroer

April 25 2017

Ald. Marsha Rummel, President, Madison Common Council

*via email only*

Re. Your email April 20, 2017

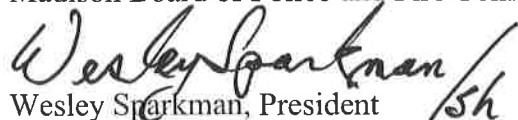
Dear Pres. Rummel:

On March 14, 2017, the PFC issued its CONSOLIDATED DECISION AND ORDER in the matters *Sharon Irwin, Complainant, vs. Police Chief Michael Koval, Respondent* and *Shadayra Kilfoy-Flores, Complainant, vs. Police Chief Michael Koval, Respondent*, following adversary hearing, argument, and deliberations in those quasi-judicial cases. That document consists of an Order dismissing the Statements of Charges, preceded by a Decision presenting the analysis of the commissioners underlying their Order. The Decision section is intended to explain and support the PFC's exercise of its statutory authority under W.S. 62.13(5). The CONSOLIDATED DECISION AND ORDER is subject to judicial review.

You may wish to note the final sentence of the Decision section: "This DECISION AND ORDER is our disposition of the matter brought to us and should not be construed as a finding or comment on any other matter or on any other issue not presented to us on the record in this matter."

With due respect for the Common Council as you face your present task, Commissioners must decline to comment further in these matters. In issuing its DECISION AND ORDER the PFC intended and attempted to perform its statutory duty fully without exceeding its responsibility or authority. In our view, any further comment or interpretation by the PFC would constitute a re-opening of the quasi-judicial proceedings, could properly be undertaken only with full participation of the adverse parties to the case, and should not be undertaken at the request of a non-party, however conscious we may be of the challenges facing the Common Council. The CONSOLIDATED DECISION AND ORDER must speak for itself without further comment or interpretation by the PFC.

Sincerely,  
Madison Board of Police and Fire Commissioners

  
Wesley Sparkman, President

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ec Council Members  
Mayor Paul Soglin

Chief Michael Koval  
City Attorney Michael P. May

Commissioners  
Atty. Al Matano  
Atty. Lester Pines