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RECEIVED
AUG 24 2016
CITY OF NEENAH

Salvatore E. Rastrelli

Ira B. Robins

August 23, 2016

Neenah Police Commission
c/o Neenah Police Department
2111 Marathon Avenue
Neenah, Wisconsin 54956

Attention:
Mr. James Prosser, President
Mr. Gilbert Mueller, Secretary
Mr. Judd Stevenson
Mr. Kim Skorlinski
Mr. Steve Morton

Dear Sirs,
Please ad the attached 3 sworn affidavits and supplemental information to the complaint we filed with your office dated August 12, 2016. We are serving our original complaint and this supplementary report on the city clerk and Chief Wilkinson. As you can see, 3 residents of the City ofNeenah, Wisconsin, should be listed as complainant/victims and the additional cases now provided will bolster the complaint. In our opinion, under similar circumstances, any credible police supervisor would have taken actions against their subordinates if they had been given the chance. But that's impossible when the person who is doing nothing to correct the problem is the Chief of Police and stands in the way. Isn't it about time the Police Commission took charge, relieved Kevin Wilkinson of his duties, and appointed someone who will do a more diligent job in order to regain the trust of the citizens?

Under Wilkinson's leadership, the Neenah Police Department mishandled the dismissal of Officer Renee Dubinski costing the taxpayers more than $180,000. The taxpayers paid another $100,000 for a lawsuit filed by Neenah property owner Peter J. Long and paid another $50,000 dollars to defend a case alleging abuse of powers by officers including Craig Hoffer one of the two that shot and killed Michael Funk last December 5th. The only reason that case was dismissed is due to the complete incompetence of the plaintiffs attorney but if you take a good look you will find it was a valid case. The depaftment also paid salaried employees extra money and benefits for working volunteer patrol shifts. Shouldn't all of that money have been used to educate and train the officers in performing their jobs better. Those issues absolutely show a continuing pattern of mismanagement by Chief Wilkinson.

Please consider this additional information as supporting facts of our complaint to hold a hearing in this manner and appoint a prosecutor without any connections to the City of Neenah. We are not claiming that Chief Wilkinson is a bad person but only that he is incompetent in performing his job.

Thank you very much for your attention to this matter.

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c/o Neenah Police Department
2111 Marathon Avenue
Neenah, Wisconsin 54956

Attention:
Mr. James Prosser, President
Mr. Gilbert Mueller, Secretary
Mr. Judd Stevenson
Mr. Kim Skorlinski
Mr. Steve Morton

Dear Sirs,
On behalf of Michael Funk (Deceased), Steven Erato, Ryan Moderson, Michael Petersen, Kay Reetz, Tom Reetz, all residents of the City of Neenah, and Phyllis Funk and Greg Funk, mother and brother of Michael Funk, we hereby submit this letter of complaint against Kevin Wilkinson and demand for his removal as Neenah Chief of Police.

On December 5, 2015, Michael Funk was shot to death by Neenah Police Officers Craig Hoffer and Robert Ross. After Michael Funk was struck seven times in the back and left rear side and had has fallen face down onto the ground Ross claimed Funk was still moving and shot him 2 more times. Then he was left there to die. There was absolutely no valid reason for Ross to shoot Michael Funk as he posed no threat, either perceived or real, against anyone. The movement made by Michael Funk showed that he was probably still alive at the time Ross fired the 2 shots. That is absolute murder. Chief Wilkinson took no action against Ross for his wrongdoing however he did waste public funds to create and award him a medal.

Although Hoffer had been ordered by Sgt. Angie Eichmann to stand down after he sustained a bullet strike to his ballistic helmet he belligerently ignored her commands and continued in violation of her orders to a point where he began and participated in the shooting death, either mistakenly or on purpose, of Michael Funk. Witness statements indicate that Hoffer had been disoriented after receiving the bullet strike to his helmet. Chief Wilkinson took no action against Hoffer for his insubordination however he did waste public funds to create and award him a medal.

Hoffer stated that he had shouted commands to Michael Funk just before he shot him but that information was false. He admitted later, after reviewing the video recordings of the incident, that he never said a word before he shot Michael Funk. Had he announced his presence to Michael Funk instead of shooting him first Funk would have considered himself safe and still be alive today. Even worse, by his statements, Hoffer knew that he should have shouted a warning to Michael Funk before shooting him to death. Chief Wilkinson took no action against Hoffer for his misconduct however he did waste public funds to create and award him a medal.

Sergeant Angie Eichmann was the supervisory officer at the east end of the alley behind 206 Main Street, and approximately 75 feet distant from the shooting of Michael Funk. Although she ordered Craig Hoffer to stand-down three separate and distinct times he did not comply with her orders. Sgt Eichmann took no action against Hoffer and never communicated this information to her immediate supervisor Lt. O'Bre who was the incident commander at the time.

Lt. Kathy Voelker, the Hostage Negotiator for Neenah Police, after having heard Flatoff yelling over the phone connection that a hostage was moving towards the back door failed to provided that information to officers at the scene of the incident. That would have alerted those officers that a hostage would be coming into view of officers at the scene and they would not have reacted so violently against Michael Funk.

On December 5, 2015, Police Chief Wilkinson, made a false statement that Michael Funk had received medical care and later died at the hospital. He absolutely knew that that should have been the proper action, however, Funk had remained on the ground for at least 25 minutes after Hoffer and Ross shot him and died at the scene and not at the hospital. Although the police brought an armored vehicle into the alleyway after Funk was shot they made no attempt to use it to help him. In May, 2014, police justified that acquisition of the armored military surplus truck by saying in part, "it could be used to evacuate people from an unsafe scene." Chief Wilkinson took no action against the officers who allowed Michael Funk to Lay in the alley, receive no medical attention, and die.

In 2014 and due to the inherent unfairness when police departments investigate themselves when an officer involved shooting causing death takes place a new law was signed into effect by Governor Scott Walker. That law was created specifically to cause an honest and fair review of those shootings. Now, Attorney General Brad Schimel and his subordinates have actively worked to circumvent that law and have created a report of the murder of Michael Funk that is absolute fiction. They have earned a well deserved reputation for protecting law enforcement to the detriment of the citizens. And, they have made conclusions that any competent investigative

team knows is based upon selectively picking and/or omitting various facts designed specifically to protect and shield Hoffer and Ross from criminal charges. Chief Wilkinson knows the true facts of the case and knows, or should know, the law but has not raised his voice or taken any action against this injustice.

Police Chief Wilkinson knows, or should know, of these and many additional wrongful acts committed by Hoffer, Ross, Eichmann, Voelker, and others, and has allowed them to go without being held accountable and without any disciplinary action whatsoever. In fact, Chief Wilkinson has spent a substantial amount of taxpayer money having "medals for murder" created and awarded to Hoffer and Ross and others. By supporting his officers over the citizens he has shown his true colors. Wilkinson has lost the respect of the community. Based on all these facts the Commission must take disciplinary action against Hoffer, Ross and Voelker and remove Chief Wilkinson from office.

At the scene Tactical Officer Zuehls told Hoffer that he shouldn't be there and Hoffer replied, while laughing and said, "I already shot the dude!" And, after Michael Funk was down and laying in the alley Sgt. Eichman asked Hoffer, "Should we go check on him?" Hoffer replied, "F[redacted] him! I don't care if he sits there and dies." That is not the proper conduct of an officer sworn to protect and serve the community and is a clear indication that Hoffer should not be a Neenah police officer or an officer any place else.

City Attorney James Godlewski is quoted as saying "The officer was under duress at the time", and that Hoffer's reaction, was "nervous laughter", and "It's a side effect ofthe circumstances of what's going on. I'm sure the officer is sensitive to what was said in the heat of the moment." He was absolutely aware that Hoffer's conduct was improper. By his comments, City Attorney Godlewski has demonstrated that although he is not an expert, he is willing to provide his own false opinion in order to cover—up the truth. He has demonstrated that he now must protect himself from those false words. Any of his further participation in representing the officer or the City would be a conflict of interest. He must not be allowed to participate in any decision making process involving the Neenah Police Commission.

Evidence to substantiate the above aforementioned misconduct can be readily found in the report created by Wisconsin Department of Justice, articles in the Post Crescent Newspaper, and interviewing those city employees who are already known to have personal knowledge of the matter.

Given his disingenuous and disgusting conduct, his waste of taxpayer money, and his failure to protect and serve the citizens of the City of Neenah, there is absolutely no reasonable excuse for The Neenah Police Commission to continue to employ and pay Kevin Wilkinson as Chief of Police. If his contract is an issue he should be employed in some low level capacity until it expires. He must be removed as Chief immediately.

Salvatore E. Rastrelli

Ira B. Robins

AFFIDAVIT

Steven V Evato, being first sworn on oath, state the following: I have requested The Archangels of Justice, LLC, by Ira B. Robins and Salvatore E. Rastrelli, Investigative Consultants, assist me in writing and submitting the attached Complaint and Complaint Supplement against Neenah, Wisconsin, Chief of Police Kevin Wilkinson. I am aware of and have discussed the facts contained within the Complaint and Complaint Supplement with them and request a hearing be held with a special prosecutor having no connection to the City of Neenah, Wisconsin. I am aware that Ira B. Robins and Salvatore E. Rastrelli are not attorneys and do not represent me but their expertise and consulting services have been very necessary in attempting to obtain justice in this matter.

Steven V Evato

Sworn to and subscribed before me
this 23 day of August, 2016
Melissa Liegl
Notary Public – State of Wisconsin
My commission expires 7/14/17

MELISSA LIEGL
NOTARY
PUBLIC
STATE OF WISCONSIN

AFFIDAVIT

Ryan W Moderson, being first sworn on oath, state the following: I have requested The Archangels of Justice, LLC, by Ira B. Robins and Salvatore E. Rastrelli, Investigative Consultants, assist me in writing and submitting the attached Complaint and Complaint Supplement against Neenah, Wisconsin, Chief of Police Kevin Wilkinson. I am aware of and have discussed the facts contained within the Complaint and Complaint Supplement with them and request a hearing be held with a special prosecutor having no connection to the City of Neenah, Wisconsin. I am aware that Ira B. Robins and Salvatore E. Rastrelli are not attorneys and do not represent me but their expertise and consulting services have been very necessary in attempting to obtain justice in this matter.

Sworn to and subscribed before me
this 23 day of August, 2016

Melissa Liegl

Notary Public – State of Wisconsin
My commission expires 7/14/17

MELISSA LIEGL
NOTARY
PUBLIC
STATE OF WISCONSIN

AFFIDAVIT

Michael L. Peterson being first sworn on oath, state the following: I have requested The Archangels of Justice, LLC, by Ira B. Robins and Salvatore E. Rastrelli, Investigative Consultants, assist me in writing and submitting the attached Complaint and Complaint Supplement against Neenah, Wisconsin, Chief of Police Kevin Wilkinson. I am aware of and have discussed the facts contained within the Complaint and Complaint Supplement with them and request a hearing be held with a special prosecutor having no connection to the City of Neenah, Wisconsin. I am aware that Ira B. Robins and Salvatore E. Rastrelli are not attorneys and do not represent me but their expertise and consulting services have been very necessary in attempting to obtain justice in this matter.

Michael L. Peterson

Sworn to and subscribed before me
this 23 day of August, 2016
Melissa Liegl
Notary Public – State of Wisconsin
My commission expires 7/14/17

MELISSA LIEGL
NOTARY
PUBLIC
STATE OF WISCONSIN