

September 5, 2016

Neenah Police Commission
c/o Patty A. Sturn, City Clerk
211 Walnut St
Neenah, WI 54956

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

Dear Sirs,

On August 23, 2016, we submitted a complaint with the Police Commission seeking the removal of Neenah Chief of Police Wilkinson for good cause. City Attorney James Gladowski, who had created his own personal conflict of interest when he made statements providing his own false expert medical opinions supporting Officer Hoffer, instructed us by email to serve a copy of our complaint on the Chief. Apparently he wasn't aware of 6.08 of your Commission rules that specifically state "Charges may be filed by mailing the original complaint to: Police Commission President, City of Neenah City Hall." You then notified us that you had set August 26, 2016 as the initial hearing date. All three of us were present at that hearing when you required us to submit complaints against the officers we had referred to in our Chief's dereliction of duty complaint even though it was not, and is not, our intention to combine the two matters. You also made it clear, by your words and actions, that you had very little knowledge about Police Commission procedures and how to perform your official duties. You didn't even know that you could remove the Chief if he failed to perform, or was derelict in his duties, until we notified you of your own rules. Or if you did you pretended you didn't. To refresh your memory according to number 5.01 "The Commission shall appoint the Chief, who shall hold office, subject to suspension or removal by the Commission for cause." It is our belief that "cause" includes, but is not limited to; failing to properly train his officers; making false statements to the public; allowing his subordinates to violate the rules and regulations and doing nothing about it; causing an exorbitant amount of unnecessary financial loss to the taxpayers; or failing to even question the probable misconduct of his officers; etc. You may not like it but there is a tremendous amount of hard evidence to prove those allegations.



After consulting with various attorneys and investigative experts and researching the history of the Neenah Police Commission we now believe that we will not receive a fair hearing. Not only are there competency issues concerning your knowledge of the rules and law but outside influences will cause you to shirk your duties and whitewash the entire matter. Here are just a few key items that give us great concern:

1. Every member of the Police Commission has been appointed by Mayor Dean Kaufert,
2. On August 25, 2016, and not too coincidentally the day before the initial hearing, Kaufert publicly released his long delayed report of the shooting incident. Although he is no expert in police procedures he claimed that he did an exhaustive review of the case and found that only mistakes occurred when the police shot and killed Michael Funk. And by doing so has sent you a clear message that he doesn't want any action taken against the Chief. It is very clear that your positions as Police Commissioners will be in jeopardy if you go against him. It is also amazing that he, with little or no knowledge and experience in police matters, investigated the matter when Chief Wilkinson didn't.
3. Mayor Kaufert and the Police Commission have a well-documented history of allowing the Chief and various police officers to get away with all sorts of misconduct including, but not limited to, murder. For one example, Michael Funk had already been shot 7 times in the back and was lying face down on the pavement, not displaying or pointing a weapon or even looking up, when Officer Ross shot him again. We were horrified when we watched all of the video recordings of the shooting. It is difficult for anyone to believe that Ross had justification to shoot Michael Funk twice more in the back. Ross' own words, taken from the Wisconsin Department of Justice's own report state, "Officer Ross said the male went down to the ground. Officer Ross said he thought the male was still moving on the ground, trying to get up, and Officer Ross recalled that his final two shots struck the male as he was moving on the ground." If that isn't murder it sure is excessive force.
4. At the August 26, 2016 initial hearing at least 24 uniformed police officers, both on and off duty, were present. The on duty officers were being paid by the taxpayers and should have been patrolling the streets or performing other work related duties instead of being present. Very obviously, they were there to bully and intimidate us and the Commission and at taxpayer expense.

5. On June 1, 2016, sworn and notarized affidavits from Kay Reetz, Steven Erato, and Daniel Dringoli were written. (See those attached affidavits marked as Exhibits #1, #2, and #3) Those affidavits refer to a meeting they had with Kaufert, in his office at City Hall, where he stated "We have been advised by Jim Godlewski (Neenah City Attorney), as well as the City's insurance carriers, to take no action against the officers due to pending litigation."

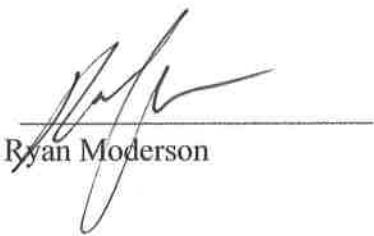
It has become very apparent to us that you, along with your attorneys, are all working as a team to obstruct justice. We anticipate that after a sham hearing our complaint against the Chief, and the complaints you demanded we file against the other officers, will all be dismissed. You will do that as you make self-serving statements about what a diligent job you did ruling they did nothing wrong. And the highly paid lawyers you have hired will use your decision to defend the City against the civil action that has been filed in the wrongful death of Michael Funk.

It is for those reasons that, at this time, we hereby withdraw our complaint against the Chief. We fully expect to resubmit our complaint as soon as the Lawsuit filed by Theresa Funk is resolved and the City has unnecessarily paid out an extremely large amount of taxpayer money.

We are;



Steven Erato



Ryan Moderson



Michael Petersen

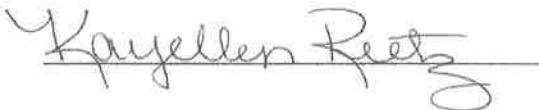
Please direct all correspondence in this matter to:

Kay E. Reetz
1820 County Rd II #21
Neenah, Wisconsin 54956
(920)896-3314

AFFIDAVIT

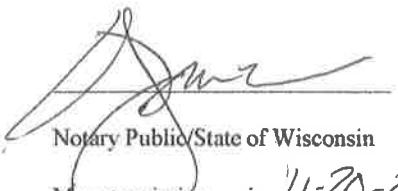
Kayellen Reetz, being first sworn on oath, states the following:

1. On May 10, 2016, I, along with Steven V. Erato and Daniel Dringoli, attended a meeting with Mayor Dean Kaufert in his office, in the City Government Building, 211 Walnut Street, Neenah, Wisconsin, concerning the shooting death of Michael Funk.
2. During that meeting Mayor Kaufert stated to us "I'm the only Mayor in the state of Wisconsin that can call the Attorney General and have him respond." or words to that substantial effect.
3. During that same meeting Mayor Kaufert also stated "We have been advised by Jim Godlewski (Neenah City Attorney), as well as the City's Insurance Carrier's Attorney's to take no action against the officers due to pending litigation."
4. I am concerned that Mayor Kaufert's statement along with his other well documented actions and words indicate his extreme prejudice against justice in the police shooting and subsequent death of Michael Funk that occurred on December 5, 2015. There is a substantial amount of evidence that he has worked in behalf of the police and against the citizens of the City of Neenah Wisconsin.
5. This affidavit does not exhaust the evidence and information I have concerning the wrongdoing of Mayor Kaufert.



Subscribed and sworn to before me

This 15 day of JUNE, 2016



Notary Public/State of Wisconsin
My commission expires 11-20-2018

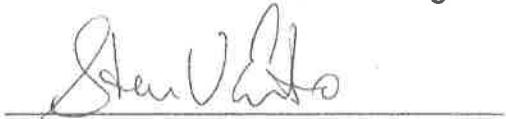


Exhibit #1

AFFIDAVIT

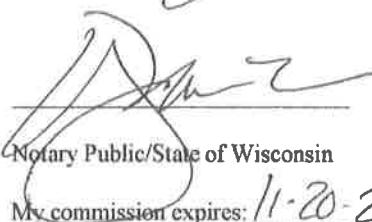
Steven V. Erato, being first sworn on oath, states the following:

1. On May 10, 2016, I, along with Kayellen Reetz and Daniel Dringoli, attended a meeting with Mayor Dean Kaufert in his office, in the City Government Building, 211 Walnut Street, Neenah, Wisconsin.
2. During that meeting Mayor Kaufert stated to us "I'm the only Mayor in the state of Wisconsin that can call the Attorney General and have him respond." or words to that substantial effect.
3. During that same meeting Mayor Kaufert also stated "We have been advised by Jim Godlewski (Neenah City Attorney), as well as the City's Insurance Carrier's Attorney's to take no action against the officers due to pending litigation."
4. I am concerned that Mayor Kaufert's statement along with his other well documented actions and words indicate his extreme prejudice against justice in the police shooting and subsequent death of Michael Funk that occurred on December 5, 2015. There is a substantial amount of evidence that he has worked in behalf of the police and against the citizens of the City of Neenah Wisconsin.
5. This affidavit does not exhaust the evidence and information I have concerning the wrongdoing of Mayor Kaufert.



Subscribed and sworn to before me

This 5 day of JUNE, 2016



Notary Public/State of Wisconsin
My commission expires: 11-20-2018



Exhibit #2

AFFIDAVIT

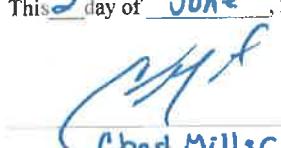
Daniel L. Dringoli, being first sworn on oath, swears the following:

1. On May 10, 2016, I, along with Steven V. Erato and Kayellen Reetz, attended a meeting with Mayor Dean Kaufert in his office, in the City Government Building, 211 Walnut Street, Neenah, Wisconsin, concerning the shooting death of Michael Funk.
2. During that meeting Mayor Kaufert stated to us "I'm the only Mayor in the state of Wisconsin that can call the Attorney General and have him respond." or words to that substantial effect.
3. During that same meeting Mayor Kaufert also stated "We have been advised by Jim Godlewski (Neenah City Attorney), as well as the City's Insurance Carrier's Attorney's to take no action against the officers due to pending litigation."
4. I am concerned that Mayor Kaufert's statement along with other well documented actions and words indicate his extreme prejudice against justice in the police shooting and subsequent death of Michael Funk that occurred on December 5, 2015. There is substantial evidence that he has worked in behalf of the police and against the citizens of the City of Neenah Wisconsin.
5. This affidavit does not exhaust the evidence and information I have concerning the wrongdoing of Mayor Kaufert.



Subscribed and sworn to before me

This 2 day of June, 2016


Chad Miller
Notary Public/State of Wisconsin

My commission expires: 2-7-20



Exhibit # 3